

CITY OF BILLINGS

CITY OF BILLINGS VISION STATEMENT:

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

AGENDA

COUNCIL CHAMBERS February 22, 2016 6:30 P.M.

CALL TO ORDER: Mayor Hanel

PLEDGE OF ALLEGIANCE: Mayor Hanel

INVOCATION: Councilmember Cimmino

ROLL CALL: Councilmembers present on roll call were:

MINUTES: February 8, 2016

COURTESIES:

PROCLAMATIONS:

ADMINISTRATOR REPORTS - TINA VOLEK

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #1 and #8 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. Mayor Hanel recommends that Council confirm the following appointments:

1.

	Name	Board/Commission	Term	
			Begins	Ends
1	Amber Sundsted	Bicycle & Pedestrian Advisory Comm	02/22/16	12/31/18
2	No Applications	Billings BID	02/22/16	12/31/19

3	Oscar Heinrich	Board of Adjustment*	02/22/16	12/31/17
4	No Applications	Board of Appeals - Builder	02/22/16	12/31/19
5	Laura Gittings-Carlson	Community Development Board*	02/22/16	12/31/18
6	No Applications	Housing Authority - Resident Comm*	02/22/16	12/31/16
7	No Applications	Housing Authority - Resident Comm	02/22/16	12/31/17
8	Erin Ortiz Blanco	Human Relations Commission*	02/22/16	12/31/18
9	Kathleen Walters	Human Relations Commission*	02/22/16	12/31/18
10	No Applications	Human Relations Commission	02/22/16	12/31/19
11	No Applications	Human Relations Commission	02/22/16	12/31/19
12	No Applications	Human Relations Commission	02/22/16	12/31/19
13	No Applications	Mayor's Homelessness - Lending*	02/22/16	12/31/16
14	No Applications	Mayor's Homelessness - Consumer*.	02/22/16	12/31/16
15	Andrew Zoeller	Billings Parking Board*	02/22/16	12/31/18
16	Kallie Parsons	Billings Parking Board*	02/22/16	12/31/18
17	Mark Kary	Billings Parking Board*	02/22/16	12/31/17
18	Jerry Williams	Yellowstone Soil Conservation District*	02/22/16	06/30/17

* 3 Unexpired term of Matthew McDonnel

* 5 Unexpired term of Nate Fawcett

* 6 Unexpired term of Kathleen Grooms

* 8 Unexpired term of Charlene Sleeper

* 9 Unexpired term of Chelsie Guilford

*13 Vacancy not filled

*14 Unexpired term of Gary Knopp

*15 Vacancy not filled

*16 Unexpired term of Gordon Gooselaw

*17 Unexpired term of Andy Piccioni

*18 Unexpired term of David Mosdal

B. Bid Awards:

- 1. Polyaluminum Hyroxychloride (PACL) Blend for Water Treatment Division.** (Opened 02/09/2016). Recommend Kemira Water Solutions Inc., \$0.391/lb when delivered by railcar.

- C. Solid Waste Route Management Hardware and Software Agreement** with Routeware, Inc., \$293,997 for first year, \$38,585.59 for three years of ongoing support.

- D. Memorandum of Understanding** with Beartooth RC&D Economic Development District; \$9,871.54 annual expense.

- E. Approval** of lease renewal of the Limited Commercial Aviation Building and Ground Lease with Billings Clinic, revenue first year \$27,085.08, revenue subsequent years adjusted by CPI-U.

- F. Acceptance of Warranty Deed** for Lots 1 and 2, Block 2, Yerger Heights Subdivision from Beatrice Rice, \$44,625.

- G. Acceptance of Sub-grant** to the Billings Public Library, National Writing Project, \$5,000.

- H. **Grant Application Request** to submit MDT Transit Planning Division applications for Sections 5310, 5339, and any other available grants, and to accept and execute any subsequently awarded Grant Agreement(s) for replacement of two vans and other capital needs.
- I. **Grant Application Request** to submit 2016 Recreational Trails Program (RTP) application; up to \$45,000 with required 20% local match.
- J. **Resolution** amending Resolution 06-18388 and adopting a purchasing policy.
- K. **Resolution** amending Resolution 06-18387 and increasing City Administrator signing authority.
- L. **Preliminary Major Plat** of Glynn Abbey Subdivision, generally located on the north side of Rimrock Road between the intersection of 54th Street West and Rimrock Road and the intersection of Mickey Wright Lane and Rimrock Road; Glynn Abbey, LLC, owner; Performance Engineering and Consulting, agent; conditional approval and adoption of the findings of fact.
- M. **Bills and Payroll:**
 - 1. January 19, 2016
 - 2. January 25, 2016

REGULAR AGENDA:

- 2. **PUBLIC HEARING AND RESOLUTION** assessing the cost of cutting and/or exterminating weeds. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
- 3. **PUBLIC HEARING AND RESOLUTION** assessing the cost of abatement for property located at 1413 18th Street West. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
- 4. **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.)
- 5. **PUBLIC HEARING AND RESOLUTION** vacating a portion of 10th Street West from Wyoming Avenue to the alley north of Wyoming Avenue; YWCA and Bonini Enterprises, petitioners. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
- 6. **PUBLIC HEARING AND SPECIAL REVIEW #938:** a special review to construct two triplexes and two fourplexes in a Residential 6,000 (R-60) zone on a 38,379 square foot parcel of land described as: Lot 6, Wolf Subdivision and located at 3104 Boulder Avenue. 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 RESOLUTION FOR ANNEXATION #16-01:** property described as Tract 11, Certificate of Survey 1406, located east of the United States Post Office property on South 27th Street between Lillian Avenue and what would be 7th Avenue South. Phillips 66 Company, owner and petitioner. Staff recommends conditional approval. (Action: approval or disapproval of staff recommendation.)
8. **APPROVAL OF CITY COUNCIL COMMITTEE AND BOARD ASSIGNMENTS;** selections to be made at this meeting. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

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

COUNCIL INITIATIVES

ADJOURN

<i>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 Billie Guenther, City Clerk, at 657-8210.</i>

Regular City Council Meeting**Meeting Date:** 02/22/2016**TITLE:** Boards & Commissions Appointments**PRESENTED BY:** Tina Volek, City Administrator**Department:** City Hall Administration

PROBLEM/ISSUE STATEMENT

The Mayor is requesting that the City Council confirm appointments for Board and Commission positions that are vacant due to resignations and term limits.

ALTERNATIVES ANALYZED

Council may:

- Confirm the proposed appointments; or
- Not confirm the appointments.

FINANCIAL IMPACT

The proposed action has no financial impact.

RECOMMENDATION

Mayor Hanel recommends that Council confirm the following appointments:

	Name	Board/Commission	Term	
			Begins	Ends
1	Amber Sundsted	Bicycle & Pedestrian Advisory Comm	02/22/16	12/31/18
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- *18 Unexpired term of David Mosdal

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 02/22/2016

TITLE: Bid Award - PACL for Water Treatment Division

PRESENTED BY: David Mumford, Public Works Director

Department: Public Works

PROBLEM/ISSUE STATEMENT

The present contract for polyaluminum hydroxychloride (PACL) blend expires on February 11, 2016. PACL is used as a coagulant at the Water Treatment Plant to remove suspended material in the water as part of the total treatment process. PACL blends are proprietary products and the blends supplied by different vendors have differences in composition and efficacy. Potential suppliers were required to pre-qualify their products and the blends were extensively tested in the lab and plant before staff requested bids. The invitation for bids requested a fixed unit price per pound (\$/lbs) for a one (1) year period, with an option to extend the contract one (1) year at a time, for up to a total of three (3) years.

ALTERNATIVES ANALYZED

City Council may:

- Approve purchasing the PACL Blend from Kemira Water Solutions, Inc. or;
- reject all bids and staff will re-bid for the material.

FINANCIAL IMPACT

There are sufficient funds in the FY2016 Water Treatment Plant Chemicals account to cover purchases of this chemical. Bid award is based upon the railcar price, which is the primary method of delivery. One bid was received on February 9, 2016, as follows:

SUPPLIER	PRODUCT	PRICING		
		Railcar	Truck	Tote (275 gal.)
Kemira Water Solutions, Inc.	PAX-CL3920LX	\$ 0.391/lb	\$ 0.41/lb	\$ 1,422.20

RECOMMENDATION

Staff recommends that Council award the PACL contract to Kemira Water Solutions Inc. for one year with an option to renew the contract, one year at a time, for up to three years.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 02/22/2016

TITLE: Agreement for Solid Waste Route Management Hardware and Software

PRESENTED BY: David Mumford, Public Works Director

Department: Public Works

PROBLEM/ISSUE STATEMENT

The City of Billings Solid Waste Division provides garbage collection, yard waste collection and roll-off service to the businesses and approximately 115,000 residents within the City of Billings. Approximately 39,000 commercial and residential customers are serviced with a fleet of 47 vehicles. Currently, commercial routes are managed manually and maintained with a paper-based system. There is not a system to maintain residential routes by address or pickup location. Service levels and frequencies are maintained with customer information software, but this software does not interface with Innoprise, the City's billing software, requiring data entry in two systems. These current methods and tools do not provide the type of modern, consolidated, enterprise system needed to support this growing \$8 million per year City service. A new system is required to ensure continued quality service delivery and to meet expanding business requirements.

A Request for Proposals (RFP) was issued for a Solid Waste Route Management Solution. Staff from Public Works Fiscal Services Division, Solid Waste Division, and Information Technology evaluated three proposals submitted by Routeware Inc., Fleetmind Solutions, Inc., and McNeilus. Routeware's proposal obtained the highest overall score, was the lowest cost solution, met all of the specifications, and is being recommended for award.

Routeware specializes in the solid waste industry and is a cost-effective, proven solution currently used by many cities. Routeware's products and services will offer enhanced customer service, accurate and real-time operational data analysis through live route map displays and dashboards, and navigational and service order capabilities from within solid waste vehicles through mobile computing technologies. The implementation of Routeware will allow the Solid Waste Division to avoid paper-based routing methods, automate vehicle communications, and avoid manual data processing of operational information. This new functionality will facilitate operational efficiencies, reduce costs, and potentially increase revenues. Reduced idle time, enlarged spans of supervisory control, decreased vehicle wear and fuel costs, and fewer callbacks for missed pickups are some of the cost reductions and efficiencies that are anticipated.

ALTERNATIVES ANALYZED

City Council may:

- Approve the Agreement with Routeware, Inc., or;
- Disapprove the Agreement with Routeware, Inc.

FINANCIAL IMPACT

A budget amendment was approved at the January 25, 2016 Council meeting, providing the needed budget authority in the FY 2016 Solid Waste budget for this request.

The one-time cost to implement Routeware across the fleet including cost per truck, hardware, software, and back office support is \$293,997. On-going annual costs for Routeware software maintenance and support are \$38,585.59.

Additional on-going annual costs in addition to the Routeware Agreement will also be incurred for cellular service. These costs are estimated at \$8,640.

RECOMMENDATION

Staff recommends that the City Council approve the agreement with Routeware, Inc. to procure hardware and software in the amount of \$293,997 and to purchase on-going support for approximately \$38,585.59 for three years, with two one-year options to renew by mutual agreement.

APPROVED BY CITY ADMINISTRATOR

Attachments

Agreement



AGREEMENT

THIS AGREEMENT is made and entered into this ____ day of February, 2016, by and between the **CITY OF BILLINGS, MONTANA**, a municipal corporation organized and existing under the laws of the State of Montana, P.O. Box 1178, Billings, Montana 59103, hereinafter referred to as “**CITY**,” and Routeware, Inc., of Portland, Oregon, hereinafter referred to as “**VENDOR**.”

WITNESSETH:

WHEREAS, the **CITY** proposes to purchase hardware and software required for a solid waste fleet/route management system and desires to hire **VENDOR** as an independent contractor to supply the hardware and software and perform the services for installation, interfacing with the **CITY**’s billing system, project management, training, and ongoing support services as described in the attached Exhibit “A” and by this reference made a part hereof.

WHEREAS, the **CITY** has authority to contract for such services, and;

WHEREAS, the **VENDOR** represents that he/she is fully qualified to perform such services personally and is in compliance with the Montana Statutes relating to the provisions of such services.

NOW THEREFORE, in consideration of the mutual covenants and agreements herein contained, the receipt and sufficiency whereof being hereby acknowledged, the parties hereto agree as follows:

1. **PURPOSE:** **CITY** agrees to hire **VENDOR** as an independent contractor to perform the services and supply the hardware and software as described in the attached Exhibit “A” and by this reference made a part hereof. In performing these services, the **VENDOR** shall at all times comply with all federal, state and local statutes, rules and ordinances applicable. These services and all duties incidental or necessary therefore, shall be performed diligently and completely and in accordance with professional standards of conduct and performance.

2. **TERM:** This **AGREEMENT** shall be for a period of three years, from the execution of this **AGREEMENT**. This **AGREEMENT** may be extended for two (2) one year options by mutual agreement of both parties, in writing, thirty (30) days prior to termination.



3. **PAYMENT:** In consideration of the services provided by the **VENDOR** under this **AGREEMENT**, the **CITY** agrees to pay **VENDOR** per the prices specified in Exhibit "A." **CITY** agrees to pay **VENDOR** 50% of the hardware and software costs upon execution of order and 50% prior to shipment. **CITY** further agrees to pay **VENDOR** for services within 30 days from the invoice date and pay recurring support fees quarterly in advance.

In the event scope of work issues arise, the **VENDOR** shall immediately discuss them with the Project Manager for the **CITY**. It is understood that the Vendor will not perform any work that the **CITY** deems outside the scope prior to receiving written approval from the **CITY**, and at a rate agreed upon by both parties. Any payment for work not agreed upon by the **CITY** shall be denied.

4. **INDEPENDENT CONTRACTOR STATUS:** The parties agree that **VENDOR** is an independent Contractor for purposes of this **AGREEMENT** and is not to be considered an employee of the **CITY** for any purpose. **VENDOR** is not subject to the terms and provisions of the **CITY**'s personnel policies handbook and may not be considered a **CITY** employee for workers' compensation or any other purpose. **VENDOR** is not authorized to represent the **CITY** or otherwise bind the **CITY** in any dealings between **VENDOR** and any third parties.

5. **INDEMNITY AND INSURANCE:**

- A. The Vendor agrees to indemnify, defend and save City, its officers, agents and employees harmless from any and all losses, damage and liability occasioned by, growing out of, or in any way arising or resulting from any intentional or negligent act on the part of Vendor or its agents or employees.
- B. The Vendor shall not indemnify, defend, save and hold Billings harmless from claims, causes of action, lawsuits, damages, judgments, liabilities, and litigation costs and expenses or attorneys' fees and costs arising from wrongful or negligent acts, error or omission solely of Billings occurring during the course of or as a result of the performance of the **AGREEMENT**.
- C. Where claims, lawsuits or liability, including attorneys' fees and costs arise from wrongful or negligent act of both Billings and the Vendor, the Vendor shall indemnify, defend, save, and hold Billings harmless from only that portion of claims, causes of action, lawsuits, damages, judgments, liabilities, and litigation costs and expenses including attorneys' fees and costs, which result from the Vendor's or any subcontractor's wrongful or negligent acts occurring as a result from the Vendor's performance pursuant to this **AGREEMENT**.



- D. The **VENDOR** shall maintain in good standing the insurance described in this Section. Before rendering any services under this **AGREEMENT**, the **VENDOR** shall furnish the **CITY** with proof of insurance in accordance with this Section.

The **VENDOR** shall provide the following insurance:

1. Workers' compensation and employer's liability coverage as required by Montana law.
2. Commercial general liability, including contractual and personal injury coverage's -- \$750,000 per claim and \$1,500,000 per occurrence.

Each policy of insurance required by this Section shall provide for no less than 30 days' advance written notice to the **CITY** prior to cancellation.

The **CITY** shall be listed as an additional insured on all policies except Worker's Compensation Policies.

In addition, all policies except Worker's Compensation shall contain a waiver of subrogation against Billings.

VENDOR shall comply with the applicable requirements of the Workers' Compensation Act, Title 39, Chapter 71, MCA, and the Occupational Disease Act of Montana, Title 39, Chapter 71, MCA. **VENDOR** shall maintain workers' compensation insurance coverage for all members and employees of **VENDOR's** business, except for those members who are exempted as independent **VENDORS** under the provisions of §39-71-401, MCA.

VENDOR shall furnish **CITY** with copies showing one of the following: **(1)** proof of registration as a registered Contractor under Title 39, Chapter 9, MCA; **(2)** a binder for workers' compensation coverage by an insurer licensed and authorized to provide workers' compensation insurance in the State of Montana; or **(3)** proof of exemption from workers' compensation granted by law for independent Contractors.



6. **AGREEMENTS OF VENDOR:** As an inducement to the execution of this **AGREEMENT** by the **CITY** and in consideration of the agreements to be performed by the **CITY**, the **VENDOR** agrees that:

A. Qualifications

The **VENDOR** is qualified to perform the services to be furnished under this **AGREEMENT** and is permitted by law to perform such services, and all personnel engaged in the work shall be qualified and so permitted to do the work they perform.

B. Solicitation of Agreement

The **VENDOR** has not employed any person to solicit this **AGREEMENT** and has not made, and will not make, any payment or any agreement for the payment of any commission, percentage, brokerage, contingent fee, or other compensation in connection with the procurement of this **AGREEMENT**.

C. Facilities and Personnel

The **VENDOR** has and will continue to have proper facilities and personnel to perform the services and work agreed to be performed.

D. Subcontracting

None of the work or services covered by this **AGREEMENT** shall be subcontracted without the prior approval of the **CITY**.

E. Affidavits of Compliance

The **VENDOR** will, if requested by the **CITY**, furnish the **CITY** affidavits certifying compliance with the provisions of this Section.

7. **AGREEMENTS OF CITY:**

A. To furnish all labor, materials, equipment, supplies, and incidentals necessary to conduct and complete the City of Billings' portion of the project as designated in Exhibit "A."

B. Name a Project Manager who shall be the liaison between the Vendor and the City of Billings. For this project, the Project Managers for **VENDOR** designated is George May and Mark Fournier and the Project Manager for **CITY** designated is Jennifer Duray.



8. **NONDISCRIMINATION:**

- A. The **VENDOR** will not discriminate against any employee or applicant for employment because of race, color, religion, national origin, ancestry, age, sex, or marital status or who is a "qualified individual with a disability" (as that phrase is defined in the Americans With Disabilities Act of 1990). The **VENDOR** will take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to their race, color, religion, or mental or physical impairment/disability. Such action shall include, without limitation, employment, upgrading, demotion or transfer, recruitment or recruiting advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training including apprenticeship. The **VENDOR** agrees to post, in conspicuous places available to employees and applicants for employment, notices setting forth the provisions of this non-discrimination clause.
 - B. The **VENDOR** shall state, in all solicitations or advertisements for employees to work on jobs, that all qualified applicants will receive equal consideration for employment without regard to race, color, religion, national origin, ancestry, age, sex or marital status, or mental or physical impairment/disability.
 - C. The **VENDOR** shall comply with any and all reporting requirements that may apply to it that the **CITY** may establish by regulation.
 - D. The **VENDOR** shall include the provisions of Subsections A through C of this Section in every subcontract or purchase order under this **AGREEMENT**, so as to be binding upon every such sub-consultant or vendor of the **VENDOR** under this **AGREEMENT**.
 - E. The **VENDOR** shall comply with all applicable federal, state, and city laws concerning the prohibition of discrimination.
9. **PERMITS, LAWS, AND TAXES:** The **VENDOR** shall acquire and maintain in good standing all permits, licenses and other entitlements necessary to its performance under this **AGREEMENT**. All actions taken by the **VENDOR** under this **AGREEMENT** shall comply with all applicable statutes, ordinances, rules and regulations. The **VENDOR** shall pay all taxes pertaining to its performance under this **AGREEMENT**.
10. **NONWAIVER:** The failure of either party at any time to enforce a provision of this **AGREEMENT** shall in no way constitute a waiver of the provision, nor in any way affect the validity of this **AGREEMENT** or any part hereof, or the right of such party thereafter to enforce each and every provision hereof.



11. **SUCCESSORS AND ASSIGNS:** This **AGREEMENT** and all of the covenants hereof shall inure to the benefit of and be binding upon the **CITY** and the **VENDOR** respectively and his partners, successors, assigns, and legal representatives. Neither the **CITY** nor the **VENDOR** shall have the right to assign, transfer, or sublet his interest or obligations hereunder without written consent of the other party.
12. **CHANGES IN WORK:** Any change in the scope of **VENDOR's** services as stated in this **AGREEMENT** for whatever reason, will be negotiated between the **CITY** and the **VENDOR** and an amendment to this **AGREEMENT** will be issued with the appropriate change of services and **AGREEMENT** fee noted.
13. **LEGAL RELATIONS:** The **VENDOR** shall comply with all Federal, State, and local laws and ordinances applicable to the work to be done.
14. **TERMINATION OF AGREEMENT:** Either party may terminate this **AGREEMENT** at any time upon not less than thirty (30) days written notice to the other party.

In the event the **CITY** terminates this **AGREEMENT**, the **VENDOR** shall be paid for the amount of work performed or services rendered to date of termination per the **AGREEMENT** fee.

In the event the **VENDOR** terminates this **AGREEMENT**, the **CITY** shall be refunded for the amount that has been paid for services not rendered.
15. **ENDORSEMENTS:** The **VENDOR** shall furnish signatures, statements, or other suitable means to signify responsible endorsement of work on all reports furnished by him.
16. **OWNERSHIP OF DOCUMENTS:** All information relating to the project and prepared under the terms of this **AGREEMENT**, including reports, data, recommendations, exhibits, analyses, and plans shall be deemed the property of the **CITY**. Reproducibles of all notes, reports, and plans shall be made available at the **CITY'S** request.
17. **PUBLIC INFORMATION:** The **VENDOR** shall not issue any statements, releases, or information for public dissemination without prior written approval of the **CITY**.



18. **PROPRIETARY RIGHTS:** If patentable discoveries or inventions should result from work required herein, all rights accruing from such discoveries or inventions shall be the property of the **CITY**.
19. **RECORDS:** The **VENDOR** shall maintain accounting records and other evidence pertaining to the cost incurred and to make the records available at all times during the **AGREEMENT** term and for three (3) years from the date of final payment. Such accounting records and other evidence pertaining to the cost incurred will be made available for inspections authorized by the **CITY** and copies thereof shall be furnished if requested.
20. **ATTORNEY'S FEES AND COSTS:** That in the event it becomes necessary for either Party to this **AGREEMENT** to retain an attorney to enforce any of the terms or conditions of the **AGREEMENT** or to give any notice required herein, then the prevailing Party or the Party giving notice shall be entitled to reasonable attorney's fees and costs.
21. **LITIGATION LOCATION:** The parties agree that this **AGREEMENT** shall be governed in all respects by the laws of the state of Montana, and the parties expressly agree that venue shall be in the Montana Thirteenth Judicial District County for Yellowstone County and there shall be no other venue for resolution of disputes arising from the **AGREEMENT** or the performance of its terms.
22. **MODIFICATION AND AMENDMENTS:** That any amendment or modification of this **AGREEMENT** or any provisions herein shall be made in writing and executed in the same manner as this original document and shall after execution become a part of this **AGREEMENT**.



IN WITNESS WHEREOF, the parties hereto have executed this instrument the day and year first above written.

CITY OF BILLINGS, MONTANA

VENDOR (Print Name Above)

By _____
Thomas W. Hanel, Mayor

By _____

Print Name _____

Print Title _____

APPROVED AS TO FORM:

By _____
BRENT BROOKS, CITY Attorney



ROUTEWARE®

AN INTEGRATED TECHNOLOGY SOLUTIONS PROVIDER

SALES PROPOSAL

Prepared For City of Billings
By Bryan Campbell
February 01, 2016



Sales Contact: Bryan Campbell
Phone: (503) 906-8507
Email: bcampbell@routeaware.com

Date: February 01, 2016
Quote Expires: 30 day(s)

Quotation # 000128-R3

Customer:

City of Billings
PO Box 1178
Billings, MT 59103-1178

Contact: Jennifer Duray
Phone: (406) 657-8239
Email: durayj@ci.billings.mt.us

Ship to: City of Billings
2251 Belknap Ave
Billings, MT 59101

HARDWARE

ITEM #	DESCRIPTION	QTY	UNIT PRICE	TOTAL
RWHD200-BA	Heavy Duty Tablet (Internal Modem, Accessories)	40	2,810.00	112,400.00
RWCAM100-BA	Camera	40	355.00	14,200.00
RWHDV100-BA	Basic Heavy Duty Vehicle (HDV) Modem, no jBUS	8	140.00	1,120.00
Hardware Total:				127,720.00

SOFTWARE

ITEM #	DESCRIPTION	QTY	UNIT PRICE	TOTAL
SW License - RCC	RouteWare Command & Control (up to 15 units)	1	19,995.00	19,995.00
SW License - RCC Add	RouteWare Command & Control Additional	25	250.00	6,250.00
SW License - OBC	Perpetual OBC Software License	40	2,500.00	100,000.00
SW License - Camera	Camera License	40	195.00	7,800.00
Software Subtotal:				134,045.00
Software Total:				134,045.00

SERVICES

ITEM #	DESCRIPTION	QTY	UNIT PRICE	TOTAL
Prof Svs - PM&T	Project Management and Training	1	10,000.00	10,000.00
Prof Svs - RMS Interf	Third Party Software Interface	1	10,000.00	10,000.00
Prof Svs - Truck Inst	Truck Installation	40	200.00	8,000.00
Prof Svs - Camera Inst	Camera Installation	40	100.00	4,000.00
Prof Svs - Basic Inst	Basic unit Installation	8	29.00	232.00
Services Total:				32,232.00
Order Total:				293,997.00
Deposit Due:				130,882.50

Payment Terms:

Hardware & Software: 50% due upon execution of order, 50% prior to shipment
Services: Due 10 days from invoice date
Monthly Fees: Due quarterly in advance

Quotation # 000128-R3 | Date: February 01, 2016



Sales Contact: Bryan Campbell
Phone: (503) 906-8507
Email: bcampbell@routeware.com

Date: February 01, 2016
Quote Expires: 30 day(s)

Quotation # 000128-R3

Basic Support & Cellular	29.99	Per Unit, Per Month
On-Board Computer Support Fee	59.00	Per Unit, Per Month
Camera System Fee	5.00	Per Unit, Per Month
Routeware Back Office Software Support Fee	4,986.55	Per Year

Support Fees include the following:

1. CPU support (whether purchased from Routeware or not)
2. Monitor support
3. Camera support
4. Modem support
5. Cabling support
6. One-year warranty on hardware
7. Troubleshooting software in the vehicle
8. Troubleshooting the back office server
9. Routinely updating software in the vehicle with patches and fixes
10. Routinely updating software on the server with patches and fixes
11. Troubleshooting and monitoring the cellular network
12. Providing new functionality to vehicle software at no additional cost
13. Providing new functionality to back office software at no additional cost
14. Providing phone support
15. Imaging hardware with software
16. Performing hardware warranty work (for hardware purchased from Routeware)
17. Years of continuing research on the type of hardware that customers should purchase
18. Supporting and troubleshooting the RMS/billing interface
19. Consulting about best practices in waste fleet automation

This quotation and all products and services herein are subject to and limited to the terms and conditions contained in Routeware's Master Terms located at <http://www.routeware.com/Clients>. Any purchase orders issued in response to this Quotation, will be deemed acceptance of such terms and any acknowledgement Routeware issues is expressly conditioned on such acceptance.

<http://www.routeware.com/Clients>

Username: CityofBillings

Password: C1tyOfB1ll1ngs

Order commitment is for three years of service.

Prices are exclusive of any federal, state, or local taxes. The customer is responsible for all federal, state, and local taxes.

This system requires a specific server to operate Routeware software, which may need to be purchased separately.

This system requires cellular connectivity for each vehicle which will need to be purchased separately.

Routeware is not a Billing or Route Management System (RMS) expert and does not represent any RMS or Billing company in any way.

On-Board Computer software is sold as a perpetual license, allowing the license to be activated on replacement hardware.

Any lapse in support voids perpetual license.

Pricing does not include freight cost or travel expenses, which will be invoiced as they are incurred.

Customers please read and initial. The customer is responsible for:

_____ A dedicated Routeware Server Running Windows Server 2008/2012 or newer

_____ SQL 2008/2012 or newer

Quotation # 000128-R3 | Date: February 01, 2016

16575 SW 72nd Ave. Portland, OR 97224 • Office: 503.906.8500 • Fax: 503.906.8544



Sales Contact: Bryan Campbell
Phone: (503) 906-8507
Email: bcampbell@routeaware.com

Date: February 01, 2016
Quote Expires: 30 day(s)

Quotation # 000128-R3

I authorize this purchase subject to the terms and conditions of the Master Terms.

City of Billings

Signature

Title

Name (Printed)

Date

RouteWare, Inc.

Signature

Title

Name (Printed)

Date

Quotation # 000128-R3 | Date: February 01, 2016

16575 SW 72nd Ave. Portland, OR 97224 • Office: 503.906.8500 • Fax: 503.906.8544

Regular City Council Meeting

Meeting Date: 02/22/2016

TITLE: Beartooth RC&D Memorandum of Understanding

PRESENTED BY: Tina Volek, City Administrator

Department: City Hall Administration

PROBLEM/ISSUE STATEMENT

The Beartooth Resource Conservation and Development Area, Inc. (Beartooth RC&D) is asking the City Council to renew a Memorandum of Understanding (MOU) for Beartooth's economic development services through December 31, 2016. Beartooth RC&D is a Federal grant-funded rural and economic development agency that has operated since 1969 in five south-central Montana counties, including Yellowstone County. Federal funds are matched in Yellowstone County by a \$3,500 membership fee and a \$23,920.95 assessment, both of which are split among the County, the Big Sky Economic Development and the cities of Billings and Laurel. The City of Billings's portion of that amount is \$9,871.54. Those paying membership fees are represented on the Beartooth Board of Directors; the current Billings representative is Councilmember Al Swanson.

ALTERNATIVES ANALYZED

City Council may:

- Approve the MOU and payment;
- Postpone action on the MOU and payment, or;
- Disapprove the MOU and/or payment.

FINANCIAL IMPACT

The annual board dues for the City of Billings are \$9,871.54. These represent 36% of Yellowstone County's base fee of \$3,500, plus an assessment of .1537 cents per capita, based on the most current Federal Census estimate. A total of \$10,000 is budgeted for the Beartooth RC&D contributions in FY2016.

Other contributions from the area are: \$6,581.03 (24%) from Yellowstone County; \$1,645.26 (6%) from the City of Laurel; and \$9,323.12 (34%) from BSEDA.

RECOMMENDATION

Staff recommends that the City Council approve the MOU and payment of the invoices.

APPROVED BY CITY ADMINISTRATOR

Attachments

Letter and MOU
2015 Projects
Annual CEDS Update



City of Billings
PO Box 1178
Billings, MT 59101

January 28, 2016

Re: Renewal of Annual MOU with Beartooth RC&D

Dear Mayor Hanel and Council Members,

Each year Beartooth RC&D executes a memorandum of understanding (MOU) with the City of Billings as part of our delivery of services to the region and in support of the grant we receive from the U. S. Economic Development Administration. We are pleased to report that our EDA grant was renewed in 2016 for the next three years, and that we have received an increase in the annual grant amount from \$62,000 to \$66,000 annually. Your approval of the yearly MOU and payment of the assessment is a vital part of meeting our requirements under the EDA grant, which requires a match from regional entities.

The MOU document has been updated for 2016 and is enclosed for your review. No change has been made for 2016 in the assessment level, other than updates to the population figure used within the assessment calculation.

Our staff is scheduled to appear in person at your February 16, 2016 meeting to answer any questions you may have, and to gain your feedback on your priorities in 2016 so we may continue to align our efforts with your goals.

We look forward to seeing you on February 16th. In the meantime, please contact our office if you have any questions or concerns we should address prior to your meeting. We sincerely appreciate your past support and look forward to serving you in 2016 and beyond.

Sincerely,

Earl Atwood
Office Manager
406-962-4914

A
MEMORANDUM OF UNDERSTANDING
between
Yellowstone County Commissioners, Big Sky Economic Development Authority,
City of Billings, City of Laurel
and
Beartooth Resource Conservation & Development Area, Inc.

THIS MEMORANDUM OF UNDERSTANDING is made and entered into this ____ day of _____, 2016, by and between **Beartooth Resource Conservation & Development Area, Inc.**, whose principal business address is P.O. Box 180, Joliet, Montana 59041, hereinafter referred to as “Beartooth RC&D” and **Yellowstone County Commissioners (in cooperation with the City of Billings, City of Laurel, and Big Sky EDA)**, and hereinafter referred to as “**the Entity**”.

WHEREAS, The Beartooth RC&D has been formally recognized by the U.S. Department of Commerce, Economic Development Administration (EDA) as a designated Economic Development District (EDD), and as a District, the Beartooth RC&D has been awarded funding to carry out its Comprehensive Economic Development Strategy (CEDs). This funding will provide a staff person, administrative support and operating costs. This is a continual grant, renewable based on successful program operation and availability of federal funds. Local match is required.

WHEREAS, Each entity participating in the District will designate a representative and an alternate to the regional Economic Development Committee. This individual will convey the needs and development goals of the local entity to the committee. Regular meetings will be held every two months to assess project status, assign workload and evaluate progress.

NOW THEREFORE IT IS UNDERSTOOD AS FOLLOWS:

ARTICLE 1: SCOPE OF WORK:

Beartooth RC&D employs an Economic Development Coordinator to assist in Economic Development efforts in the region. The Coordinator’s time will be allocated consistent with the goals in the Comprehensive Economic Development Strategy by the regional Economic Development Committee. The Committee is composed of one representative and an alternate from Big Horn, Carbon, Stillwater, Sweet Grass and Yellowstone Counties, Crow Tribe and Big Sky Economic Development Authority. Input to this Committee by local entities is essential for obtaining the services of the Coordinator.

Higher priority will be assigned projects of regional scope or projects with strong local leadership. Grant funding for this position is from EDA, therefore, emphasis will be on regional economic development planning and projects which have a correlation to job creation. Matching funds are from participating entities and emphasis will be placed on their specified projects. Specific items of work for this project year are detailed in the attached “Annual Report and Update”. It is understood that this Annual Report will be presented each year.

Annual Evaluation:

The performance of the Economic Development Coordinator will be evaluated annually by local entities participating on the regional Economic Development Committee. Progress and/or

accomplishments on each program/project will be evaluated to ensure resources are being utilized in the most effective and efficient manner possible.

ARTICLE 2: PERIOD OF PERFORMANCE:

The term of this Memorandum of Understanding shall be from the date it is signed through **December 31, 2016**, unless extended by mutual agreement by both parties. Such extension must be in writing, signed by authorized representatives of both parties, and made a part of the original Memorandum of Understanding by modification reference. This Memorandum of Understanding supersedes the prior Memorandum for participation in the Economic Development District.

ARTICLE 3: PAYMENT:

The Entity's annual contribution will be **\$3,500.00** as a "Membership" fee plus a per capita assessment of **.1537** cents per person. These funds will provide the necessary match to obtain the \$66,000.00 in federal funds. Entities who do not participate financially in the match requirement will not receive services from the Economic Development Coordinator. The calculated fee for **Yellowstone County** is **\$27,420.95**. This figure is a total of the **\$3,500.00** county fee plus **\$23,920.95** per capita formula using a population of **155,634** as per the 2014 Census data. Yellowstone County's full payment will be separated into a four-way payment system. Each entity within the county will pay a percentage (%) similar to the previous year. Big Sky EDA- 34% or **\$9,323.12**, City of Billings- 36% or **\$9,871.54**, City of Laurel- 6% or **\$1,645.26** and Yellowstone County- 24% or **\$6,581.03**.

Annually, the Beartooth RC&D/EDD staff will provide a comprehensive report of the past year's activity. A new Memorandum of Understanding will be prepared and a request for the following year's match submitted. Entities will be billed for match funds after January 1, 2016, for the current year's assessment.

Payment as provided in this section shall be full compensation for work performed, services rendered and for all materials, supplies, equipment, and incidentals necessary to complete the work.

ARTICLE 4: EXAMINATION OF RC&D RECORDS:

The Entities or their representatives shall have the right to examine any books, records, or other documents of the Beartooth RC&D directly relating to costs when such costs are the basis of compensation hereunder.

ARTICLE 5: OWNERSHIP AND USE OF DOCUMENTS:

Reproducible copies of all documents and other materials produced by the Beartooth RC&D in connection with the services rendered under this memorandum of understanding shall be provided to the Entity for the Entity's use whether the project for which they are made is executed or not. The Beartooth RC&D shall be permitted to retain originals, including reproducible originals, of drawings and specifications for information, reference and use in connection with Beartooth RC&D's endeavors.

ARTICLE 6: WARRANTY:

The Beartooth RC&D warrants that all services performed herein shall be performed using that degree of skill and care ordinarily exercised in and consistent with generally accepted practices for the nature of the services and shall conform to all requirements of this Memorandum of Understanding.

ARTICLE 7: SAFETY:

The Beartooth RC&D agrees to fully comply with the Occupational Safety and Health Act of 1970, all regulations issued there under and all state laws and regulations enacted and adopted pursuant thereto. The Beartooth RC&D shall take all necessary precautions in performing the services hereunder to prevent injury to persons or damage to property.

ARTICLE 8: CONFIDENTIALITY AND CONFLICTS OF INTEREST:

The Beartooth RC&D agrees to hold in strict confidence any proprietary or other data, findings, results, or recommendations deemed to be confidential by the Entity and obtained or developed by the Beartooth RC&D in connection with the work under this memorandum of understanding. The Beartooth RC&D warrants and agrees they do not and will not have any conflicts of interest regarding the performance of services hereunder.

ARTICLE 9: APPLICABLE LAW:

This Memorandum of Understanding shall be governed in all respects by the laws of the State of Montana. No changes, amendments or modifications of any of the terms and conditions hereof shall be valid unless agreed to in writing. Venue of any proceeding arising hereunder shall be the Thirteenth Judicial District.

ARTICLE 10: COMPLIANCE WITH LAWS:

The Beartooth RC&D shall in performing the services contemplated by this Memorandum of Understanding, faithfully observe and comply with all federal, state, and local laws, ordinances and regulations, applicable to the services to be rendered under this Memorandum of Understanding.

ARTICLE 11: CHANGES:

The parties, by mutual agreement, may, at any time during the term of this Memorandum of Understanding and without invalidating the Memorandum of Understanding, make changes within the general scope of the Memorandum of Understanding. The Beartooth RC&D agrees to perform such changed services. The Entity's priority list for project work within their county can be changed at any time. In such case, Beartooth RC&D will be informed of this change at the Entity's earliest convenience.

ARTICLE 12: TERMINATION:

This Memorandum of Understanding may be terminated in whole or in part, in writing, by either party in the event of substantial failure by the other party to fulfill its obligations under this Memorandum of Understanding through no fault of the terminating party, provided that no

termination may be effected unless the other party is given: (1) not less than ten (10) days written notice (delivered by certified mail, return receipt requested) of intent to terminate, and (2) an opportunity for consultation with the terminating party prior to termination.

Upon such termination the Entity shall pay the Beartooth RC&D amounts due and unpaid for services rendered as of the effective date of termination, and the Beartooth RC&D shall provide to the Entity all materials, surveys, reports, data, and other information performed or prepared as of such date.

ARTICLE 13: INDEMNIFICATION:

The Beartooth RC&D agrees to and does hereby indemnify and save the Entities, their officers, officials and employees, harmless against and from:

1. Any and all claims and liabilities, including but not limited to costs, expenses, and attorney fees arising from injury to, or death of, persons (including claims and liabilities for care or loss of services in connection with any bodily injury or death) and including injuries, sickness, disease, or death to Beartooth RC&D employees occasioned by a negligent act, omission, or failure of the Beartooth RC&D;
2. Any and all claims and liabilities, including costs and expenses, for loss or destruction of or damage to any property belonging to the Beartooth RC&D or the Entities caused by a negligent act, omission, or failure of the Beartooth RC&D and;
3. Any fines, penalties, or other amounts assessed against the Entities by reason of the Beartooth RC&D's failure to comply with all health, safety, and environmental laws and regulations applicable to the services; resulting directly or indirectly from, or occurring in the course of the Beartooth RC&D's performance of the services. However, this indemnity shall not extend to claims and liabilities for (i) injury or death to persons or (ii) loss of or damage to property to the extent that these claims and liabilities result directly from the Entity's negligence or willful misconduct.

ARTICLE 14: INSURANCE:

The Beartooth RC&D shall maintain and demonstrate the following types of insurance:

1. The Beartooth RC&D agrees that its employees and particularly the employees designated to work on this memorandum of understanding are covered by applicable Worker's Compensation provisions. The Beartooth RC&D further agrees that if the Entities should legally incur any costs whatsoever under the Worker's Compensation laws by reason of the Beartooth RC&D employees' injury or death while engaged in the contract work, the RC&D will indemnify and hold harmless the Entities' for such costs which the Entities' may be legally be required to pay to employees of the Beartooth RC&D.
2. Comprehensive general liability insurance for bodily injury, death, or loss of or damage to property of third persons or other liability due to the negligent acts of the Beartooth RC&D in the minimum amounts of \$500,000 per occurrence and \$1,000,000 aggregate for personal injury; and \$500,000 per occurrence/aggregate for property damage. Proof of coverage as required by this section shall be delivered to the Entity within fifteen (15) days of execution of this Agreement.

3. Professional liability errors and omissions insurance in a minimum amount of \$100,000.00.

ARTICLE 15: NONDISCRIMINATION:

The Beartooth RC&D will not discriminate against any employee or applicant for employment relating to this project on the basis of race, color, religion, creed, political ideas, sex, age, marital status, physical or mental handicap or national origin. All hiring associated with any project shall be on the basis of merit and qualifications related to the requirements of the particular position being filled.

ARTICLE 16: INDEPENDENT CONTRATOR:

The Beartooth RC&D and the Entity agree that the Beartooth RC&D is an independent contractor with respect to the services provided pursuant to this Memorandum of Understanding. Nothing in this Memorandum of Understanding shall be considered to create the relationship of employer and employee between the parties hereto. Neither the Beartooth RC&D nor any employee of the Beartooth RC&D shall be entitled to any benefits accorded Entity employees by virtue of the services provided under this Memorandum of Understanding. The Entity shall not be responsible for withholding or otherwise deducting federal income tax or social security or for contributing to the state Worker's Compensation program, nor shall the Entity be deemed in any way to assume the duties of an employer with respect to the Beartooth RC&D, or any employee of the Beartooth RC&D.

ARTICLE 17: ASSIGNMENT:

The Beartooth RC&D shall not sublet or assign any of the services covered by this Memorandum of Understanding without the express written consent of the Entity.

ARTICLE 18: NON-WAIVER:

Waiver by the County of any provision of this memorandum of understanding or any time limitation provided for in this memorandum of understanding shall not constitute a waiver of any other provision.

ARTICLE 19: NOTICES:

Any Notice to be served hereunder may be served upon the parties personally or served by certified mail, return receipt. Notice served by mail shall be deemed complete upon deposit of said notice in any United States Post Office, postage prepaid, directed to the party to be served, at the following addresses:

ENTITY: City of Billings
PO Box 1178
Billings, MT 59101

RC&D: Beartooth RC&D
P.O. Box 180
Joliet, MT 59041

ARTICLE 20: INTEGRATED AGREEMENT:

This Memorandum of Understanding together with attachments or addenda represents the entire and integrated Agreement between the Entity and the Beartooth RC&D and supersedes all prior negotiations, representations, or agreements, written or oral. This Memorandum of Understanding may be amended only by written instrument signed by both the Entity and the Beartooth RC&D.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals to this Memorandum of Understanding the day and year in this instrument first above written.

CITY OF BILLINGS

Thomas W. Hanel
Mayor

BEARTOOTH RC&D/EDD

Charles E. Egan

Charles E. Egan
Chairman

ATTEST: _____

Date: _____

Beartooth Resource Conservation and Development, Inc.

Joliet, Montana

2015 Success Stories

Brief 2015 Project Summaries are included here to recap our efforts in 2015:

Crow Agency Rest Area: Beartooth RC&D is fulfilling the role of liaison for this project, which has now moved beyond the site selection and preliminary site layout phases. This is a collaborative development project including the Crow Tribe, MT Dept. of Transportation, and National Park Service. Participating parties are working towards the potential co-location of a Crow tribal museum, State of MT Rest Area, and Little Big Horn Battlefield Visitor's Center.

BillingsWorks Workforce Council: As reported earlier in this annual update, a full-time workforce coordinator has been hired to implement the strategic goals of this project that was initiated during 2014. Big Sky Economic Development is the lead agency in this effort and they have also launched a recruitment website similar to the state of Montana's site to further encourage employee relocation to the region. This is an initiative we are looking forward to be involved with since it has such a big impact on underemployment issues in the Billings area.

Red Lodge's Old Roosevelt School: Beartooth RC&D had received a \$15,750 Big Sky Trust Fund planning grant to assist with the hiring of a consultant to conduct a feasibility study for Red Lodge's Old Roosevelt School. The consultant delivered his final report to the committee in December of 2015 and the Red Lodge School District is now better able to make a determination as to the potential reuse of Old Roosevelt. Beartooth continues to assist with this project as a member of the Advisory Committee.

Big Timber Resource Team Assessment – One Year Celebration: On a particularly blustery night and following day in early December, key members of the community along with two of the original assessment team members, Beartooth's economic development director, and several State of Montana employees came together in Big Timber to celebrate the one-year anniversary of their community assessment. The event was intended to recap milestones achieved during 2015 and reinvigorate efforts to move forward with various priorities identified by the community. It was a well-attended and upbeat event that will likely initiate a few new projects during 2016.

Montana Main Street Project: Beartooth staff attended the Governor's Workforce Summit in Bozeman to learn more about activities happening throughout the state and networking with workforce sector resources. As a result of attending the summit, we are exploring the possibility

of encouraging the creation of industry sector groups in our service region, including specialty manufacturing and potentially an ag-based sector group.

C&K Meats: This is a family owned and operated state inspected meat processing facility in Forsythe, MT. Beartooth FADC staff continues to work with them and assist this business in developing a Growth Through Ag grant for a business expansion. They made a successful presentation to the Growth Through Ag committee on November 17th. The business secured funding to purchase \$50,000.00 in equipment to assist their business growth.

Story Mill: Dan Story in Laurel works for safflower technologies buying and sourcing specialty crops and oilseeds for producers in Montana. He and his wife have decided to start their own business milling some specialty grains and pressing oil seeds for sale locally. They have been working on the upgrading their facilities and installing their equipment for seed processing. The business was awarded \$8,000.00 from the Growth Through Ag program.

One Montana: This Company, headquartered in Bozeman completed a feasibility study for a new multi-species (primarily beef and bison) meat processing facility to be located in Montana and they needed assistance to apply for grant funding to develop a business prospectus for the proposed project. Beartooth was able to assist in grant preparation to fund this phase of the project in the mount of \$6,500 from Big Sky Trust Fund.

Stillwater County Branding: Marissa Hauge, with Stillwater County Economic Development approached Beartooth late in the year to request assistance with the facilitation of two branding workshops. These were held in November and December and we are looking forward to further involvement in this project during 2016. By developing a cohesive brand they will be able to better market and promote the County to visitors and potential new residents and businesses while being able to make better decisions as to where and why to spend their limited marketing dollars to ensure better results.

Rocky Fork Food Hub: Rocky Fork Food Hub based in Red Lodge, MT is a small business that provides a service marketing locally produced foods to consumers seeking local foods via a website that is constantly updated. In 2014 we assisted the group in securing grant funding through USDA to assist them in marketing to both their producers and consumers for their business. The consultant delivered a new logo, Facebook page and marketing materials for the project in 2015.

Coal Country Coalition: Early in the 2015, our region began to take action to address potential impacts caused by pending changes in the regulation of coal mining and generation in Montana. The Corette Plant in Billings was mothballed in February and taken down at the end of the year. As a result of this closure and other indicators from our region and surrounding areas, we made a decision to become a partner in a Coal Country Coalition in order to take proactive steps to gain a better understanding of just what could potentially happen that would negatively impact our region, especially in terms of job outmigration. Beartooth was the lead agency in securing half of the funding needed to commission an impact study to look at the economic footprint of coal, assess workforce skill sets and develop strategies to minimize potential negative impacts. We were able to secure \$50,000 in funding from The Big Sky Trust Fund and have submitted an

application to EDA for the balance of the project funding. We hope to have this project underway in the second quarter of 2016.

Infrastructure Working Group: During the Fall Montana Economic Development Association (MEDA) conference held in Billings, an afternoon session “Call to Action” was devoted to a discussion on infrastructure deficiencies and sources of funding and what we might be able to do to increase infrastructure investment throughout the state. Beartooth’s economic development director is part of the working group that continues to address this vital issue.

Lockwood TEDD: Beartooth partnered with Big Sky EDA on this project to address the need for planned industrial space in the Lockwood neighborhood east of Billings. During 2015, we assisted in securing the funding package to hire a consultant to prepare planning documents for the Commissioners’ consideration. Early in the project it became evident that additional funding would be necessary in order to complete the scope of work. This was accomplished and the Steering Committee was able to come to a decision as to which firm to hire for the project. Contract documents were completed at the very end of the year and the work is scheduled to be completed during the first half of 2016.

Custer-Gallatin Working Group: Beartooth continues to provide support services to this collaborative working group in the form of meeting facilitation and coordination, website maintenance, fiscal management and planning. The members of the working group represent a total of nine counties and the monthly meetings are generally held in Bozeman. During the course of 2015, the group worked towards the development of a more cohesive effort and realized the importance of ongoing communication.

The Pub at Billings Central Catholic High School: Beartooth was contacted by the Montana Department of Commerce to take part in a “Shark Tank” type review of a student run business located in the school. The enterprise is an ongoing initiative, but the students graduate out of the business each year. Near the beginning of the school year, the students have to make a presentation worthy of receiving seed money for the academic year. Beartooth’s economic development director took part in the presentation this fall and it was a good experience for all parties. As economic developers we don’t always have the opportunity to cultivate student entrepreneurship, but this was a refreshing exception.

2015 Annual Comprehensive Economic Development Strategy (CEDS) And Progress Report

Grantee: Beartooth RC&D Area, Inc.

Project Number: 05-83-05307-01

Period covered by the report: Jan. 1, 2015 – Dec. 31, 2015

Adjustments: No significant adjustments were made to the strategy during this period; the Board structure, mission, and service coverage remain unchanged. The only change we made was a slight one in the Board membership through a change in by-laws. The previous membership was based upon a specific number of at-large members, but that was changed to allow us to expand the Board to better reflect the makeup of the region, especially in terms of adding private sector Board members. Also, during the transition period in the Economic Development Director position, the Board saw the need for a strategic planning effort. We have begun that process and it will likely cause adjustments to the mission and minor adjustments to program activities in 2016.

Since graduating from the NRCS-guided organizational model that Beartooth operated under until the middle of 2011, we continue to seek opportunities to further increase and diversify revenue sources in order to ensure a sustainable future and the ability to expand staffing levels as new programs to benefit the service area are identified.

Through participating in the BillingsWorks Master Plan to address the state of the workforce in the Billings area, we have become more aware of the low unemployment rates and the challenges associated with a shortage of skilled workers. During 2015 a full-time workforce coordinator was hired for the Billings area and as a result we will be seeing new initiatives to address workforce-related issues, including training and better alignment with employer needs. One of the areas that we believe will be important in 2016 is to garner a better understanding of workforce housing needs. State-wide, we are seeing an upswing in efforts to attract workers, especially former residents and alumni, but there is a lack of desirable housing throughout the region. We intend to take steps to identify strategies to address this problem, especially stepping up efforts in the area of housing initiatives. Existing housing assessments do not always address the type of housing needed for the type of workers that an area is hoping to recruit, and this has often been an obstacle in housing development. We acknowledge that there are programs in place to assist homeowners, especially low to moderate income individuals and families, with the purchase of a home, but we seem to be lacking in the area of getting the homes built. This is particularly challenging for workforce housing. The underlying issue seems to lie in the ability of a community or county to attract a developer willing to invest in the housing market, while keeping the homes affordable for workers who provide essential services to a community. We will strive to work with counties and municipalities, developers and realtors so they can work together to identify specific needs and possible solutions to this increasing challenge.

Announced in December 2014, construction of a 120-turbine wind farm is continuing in Carbon County. The \$550 million Mud Springs Wind Ranch located 12 miles southeast of Bridger is one of

the biggest wind projects in Montana and is expected to take several years to complete. In 2015, the company constructed roads through a portion of the project to facilitate build-out.

Overall the region's economy is feeling the effects of a decrease in oil prices, causing less activity in the Baaken and as stated earlier, a decrease in mineral prices is having a negative effect in Stillwater and surrounding counties. However, our downtown economies are still doing better with an increase in new businesses and the value-added agriculture sector throughout the region is seeing a significant increase in activity.

One area of concern for our region and two of the surrounding regions are uncertainties in the coal industry. As a result of this concern, we have partnered with nine other entities to form a Coal County Coalition and have made applications to fund a coal impact study that is designed to evaluate the economic impact of the coal industry in Montana, analyze workforce skills, and develop economic development and workforce development strategies to address the changes in the industry so as to minimize negative outcomes of pending changes. We feel that this effort has to be proactive instead of reactive, as is so often the case. As of the end of 2015, we have secured half of the funding for this study and have made an application for the balance.

We continue to be involved in many exciting projects throughout the region and 2015 marked a large increase in the number of Revolving Loan Fund applications. It has been a good year for the local economic development and chambers of commerce located within the region as well and Beartooth partnered with these agencies as often as possible to further strengthen those relationships and to further leverage available resources to ensure success for their jurisdictions.

Board/CEDS Committee List: EDD BOARD MEMBERSHIP ROSTER

Updated 12/31/15

1. GOVERNMENT REPRESENTATIVES (51-65%)

Elected officials and/or employees of a general purpose unit of state, local or Indian tribal government who have been appointed to represent the government.

Name	Government	Position
Page Dringman	City of Big Timber	City Planner/Appointed by Big Timber City Council
Robert Faw	Sweet Grass County	County Commissioner
Dick Rath	Sweet Grass Cons. Dist.	Forester, Sweet Grass Cons. Dist. Board Employee
Al Swanson	City of Billings	City Councilmember
Dan Lowe	Big Horn Cons. Dist.	Board Member-elected County position
Jim Reno	Yellowstone County	County Commissioner
Gerald Dell	Stillwater County	County Commissioner
Yolanda Good Voice	Crow (Apsaalooke) Nation	RLF Manager-Appointed as employee of Crow Nation
Marissa Hauge	Stillwater County	Economic Dev. Coord.-employee of Stillwater County
John Pulasky	Yellowstone Conservation District	Board Member-elected County position
Mike Creeden	Carbon Conservation District	Board Member-elected County position
Doug Tucker	Carbon County	County Commissioner
Bill Foisy	City of Red Lodge	City Councilmember

Clayton Greer	City of Hardin	City Councilmember
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2. NON-GOVERNMENT REPRESENTATIVES (35-49%)

A. Private Sector Representatives: *Any senior management official or executive holding a key decision-making position, with respect to any for-profit enterprise. (At least one required)*

Name	Company / Enterprise	Position
Royce Njos	Bank of Red Lodge	Asst. Vice President
Sidney Fitzpatrick	Apsaalooke Construction	Owner
John Beaudry	Stillwater Mining Company	Public Affairs Manager/Appointed by CEO
Bob Van Oosten	Van Oosten Ranch	Owner/Operator
Bob Carr	Elation, Inc.	Assistant to the Founders
Clinton Giesick	Bank of Bridger	Loan Officer/Appointed by President
Holly Higgins	First Interstate Bank of Hardin	Branch Manager

B. Stakeholder Organization Representatives: *Executive directors of chambers of commerce, or representatives of institutions of post-secondary education, workforce development groups or labor groups. (At least one required)*

Name	Organization	Position
Lisa Skriner	MSU-Billings College of Tech.	Project Manager – College of Technology
Ryan Van Ballegooyen	Billings Job Service	Region 4 Director
Jeffery McDowell	Hardin Chamber of Commerce /Two Rivers Authority	Past President / Executive Director

3. AT LARGE REPRESENTATIVES: *Interested individuals qualified to provide input on behalf of their respective communities.*

Name	Company / Enterprise	Position
Charles Egan	City of Columbus	Appointed Representative for City of Columbus
Marvin Carter	City of Laurel	Appointed Representative for City of Laurel
Steve Arveschoug	Big Sky EDA	Executive Director

CALCULATIONS

	<u>Number</u>	<u>Percent</u>
1. Government Representatives (51-65%)	<u>14</u>	<u>52%</u>
2. Non- Government Representatives (35-49%)	<u>10</u>	<u>37%</u>
A. Private Sector Representatives (at least 1)	<u>7</u>	
B. Stakeholder Organization Representatives (at least 1)	<u>3</u>	
3. At Large Representatives	<u>3</u>	<u>11%</u>
Total Board Membership	27	100%

EDD STRATEGY COMMITTEE ROSTER

Updated 12/31/15

NOTE: This committee structure has been utilized by the organization since 1997 as a subset of the Board of Directors to discuss important issues and provide a representative perspective of the regional economy.

1. PRIVATE SECTOR REPRESENTATIVES (At least 51%)

Any senior management official or executive holding a key decision-making position, with respect to any for-profit enterprise.

Name	Company	Position
Bob Carr	Elation, Inc.	Assistant to the Founders
Monte Koch	Opportunity Bank	Branch President
Ken Gomer	LARC Citizen's Committee	Community Organizer
Holly Higgins	First Interstate Bank	Branch Manager
Royce Njos	Bank of Red Lodge	Assistant Vice President
Bob Van Oosten	Van Oosten Ranch	Owner/Operator

2. REPRESENTATIVES OF OTHER ECONOMIC INTERESTS (No more than 49%)

Persons who provide additional representation of the main economic interests of the region. These may include, but are not limited to: public officials, community leaders, and representatives of workforce development boards, institutions of higher education, minority and labor groups, and private individuals.

Name	Area of Interest	Position
Steve Arveschoug	BSEDA-Yellowstone County ED	Executive Director
Marissa Hauge	Stillwater County ED	Economic Development Director
Lisa Skriner	Higher Education/Job Training	Project Director-MSU Billings COT
Jeffery McDowell	Economic Development	Executive Director
Yolanda Good Voice	Native American Business	Apsaalooke Nation RLF Manager

CALCULATIONS

	<u>Number</u>	<u>Percent</u>
Private Sector Representatives (at least 51%)	<u>6</u>	<u>54%</u>
Representatives of Other Economic Interests (no more than 49%)	<u>5</u>	<u>46%</u>
Total Committee Membership	<u>11</u>	<u>100%</u>

Staff:

Beartooth RC&D / Economic Development District is a 40-plus year old organization professionally staffed through funding provided by our local communities, counties, Conservation Districts, Montana Department of Agriculture, Montana Department of Commerce, and the US Dept. of Commerce EDA. By virtue of our time in business we provide excellent stability, continuity and capacity to the communities we serve. Our current staff includes 3 full time and 2 part time positions.

Joel Bertolino, hired in October, 2007, is the Ag Program Manager and assists with the Economic Development District. He spent 7 years with USDA Farm Services Agency administering a variety of price support, and emergency disaster programs as well as 6 years with Carbon County Historical Society as a Historic Preservation Officer. Joel also holds a B.A. in Political Science/Public Administration from Montana State University – Bozeman and has spent his life assisting with the family cattle ranch north of Red Lodge, MT which he now helps operate.

Jillann Knutson serves the organization as the Revolving Loan Fund Manager and Bookkeeper providing financial assistance to small businesses and staff support to our Revolving Loan Committee. She began working for Beartooth RC&D in June of 2006 as the administrative assistant, and was promoted to her current position in September of 2009. Jillann has several years of administrative experience. She is a graduate from Rocky Mountain College with a B.Sc. in Business Administration.

Earl Atwood joined the staff as an Office Manager in October of 2011. Originally from Wyoming, Earl moved to Fishtail, Montana in 2009 after retiring from Wyoming State Government. Earl's background is in tax and technology administration, including telecommunications management. Earl provides assistance with Board correspondence and planning our regular meeting schedule as well as managing special projects and initiatives for the team as needed.

Dick Rath is a retired Forest Service Fuels Behavior Specialist and manages our fuels reduction program. Dick has extensive experience working with local governments, emergency responders, and local citizens to plan and implement wildfire and hazard mitigation activities. We also have obtained grant funding sufficient to provide three local staff positions in partnership with local fire departments.

Sue Taylor was hired to replace Luke Walawander as the Economic Development Director and began employment on July 8, 2015. She has 10 years of experience in community and economic development through positions held in Wyoming, Wisconsin and previous work in Montana. She brings experience in providing small business support, CEDS planning and research, and nonprofit management. Sue is the lead staff person for both the EDA program and the Certified Regional Development program.

Report:

In the section below, we outline our specific scope of work items for 2015 as well as the level to which each objective was achieved. The attached excel spreadsheet titled "2015 Project Spread-Year End" provides a summary of our project activity for 2015 and is intended to be used as a reference to this report.

Scope of Work and Implementation Methodology FY 2015 – The following outlined list of action items is derived from our CEDS Goals and Objectives, which are listed with each action item section.

I. Maintain Eligibility with EDA.

- a. Supply the EDA with timely information on plant and large business closures and the number of employees affected.

ACCOMPLISHMENTS ACHIEVED: One business in Carbon County, Timberweld, closed during the past year, although at the time of closure the number of FTE was 15, at its peak the company employed up to 45. The owners are attempting to sell the building and equipment, but both are dated and may not be able to generate the funds necessary to pay off outstanding debt. During August of 2015 Stillwater Mine experienced layoffs of 119 workers, largely due to declining mineral prices where it became more costly to extract the platinum and palladium than the market could support. Also, early in the year the Corette Power Plant in Billings was mothballed and then later demolished. The plant began operation in 1968 and at the time of closure had 35 full-time employees.

QUANTIFY DELIVERABLES: Stillwater Mine hosted a job fair within two weeks of the layoff notices and several workers were able to secure work, but the majority chose not to actively seek employment immediately after the layoffs. The Corette Plant operators (PPL) worked with employees on a transition plan.

DIFFICULTIES ENCOUNTERED: As with any sparsely populated area, the impact to suppliers and secondary jobs dependent on the closed business is felt as a ripple effect, especially with the mining jobs averaging \$80,000 per year in wages and benefits.

- b. Submit semi-annual and year-end financial reports as required.

ACCOMPLISHMENTS ACHIEVED: We a submitted timely semi-annual SF-425 document, and anticipate submitting a timely year-end SF-425 document.

QUANTIFY DELIVERABLES: Final SF-425 document is to be submitted by January 31, 2015.

DIFFICULTIES ENCOUNTERED: None

- c. Submit combined annual CEDS & progress report by December 31, 2015.

ACCOMPLISHMENTS ACHIEVED: Beartooth RC&D submitted annual CEDS and progress report on January 8, 2016.

QUANTIFY DELIVERABLES: Final annual CEDS and progress report was submitted on January 8, 2016.

DIFFICULTIES ENCOUNTERED: Final Annual CEDS Progress Report was submitted eight days late due to Economic Development Director's first time submitting report and staff out of office during holiday season.

- d. Strengthen and enhance the district's ability to provide programs and services on a regional basis which augment local community efforts through coordination, facilitation and education in the following areas:

- Revolving Loan Fund
- Montana Certified Regional Development Corporation
- Montana Food and Ag Center / MT Co-op Development
- Public Facility Enhancement
- Hazardous Fuels Reduction
- Montana Main Street Program

- Business Expansion and Retention (BEAR) Program
- Business Planning/Technical Assistance (with SBDC)

ACCOMPLISHMENTS ACHIEVED: Beartooth RC&D staff continues to be active regionally in all of these programs that have been established over time to fulfill the expectations of our member communities and Board members while maintaining eligibility for economic development program participation. Generally we have been successful in all areas as evidenced by the numbers and examples of projects listed in our individual scope of work items below as well as the attached spreadsheet. We are actively serving on committees and assisting with projects of our partner organizations including: Big Sky EDA, Stillwater County Economic Development Committee, Crow Economic Development, Billings BEAR Team, Beartooth Rural BEAR Team, Montana Economic Developers Working Groups (RLF, Resource Assessment, and Infrastructure Call to Action), Custer-Gallatin Forest Working Group, and BillingsWorks Workforce Council.

QUANTIFY DELIVERABLES: This scope of work item is listed to reflect the various state and federal programs, as well as committees and boards, we successfully participate in, thus the results are brief and refer to our continued eligibility, while the actual projects are referenced below in individual scope of work items.

DIFFICULTIES ENCOUNTERED: None

- e. Continue to promote regional communication and awareness of economic development-related issues through bi-monthly Board of Directors meetings, press releases, regular updates of our website and Facebook page, board/community reports, success stories, etc.

ACCOMPLISHMENTS ACHIEVED: Beartooth RC&D utilizes a variety of ways to deliver information throughout the District. We continue to host bi-monthly Board of Directors meetings, wherein, each staff member is asked to deliver project updates, as well as success stories, and each board member provides an update from their respective organization and community. Many times these Board member updates result in a new project. Beartooth RC&D staff members also routinely provide updates at other community and board meetings. Our website and Facebook page are updated as needed, but not as often as they should be updated.

QUANTIFY DELIVERABLES: This scope of work line item is listed to reflect the various ways that Beartooth RC&D staff promotes communication and awareness of economic development related issues throughout the District. These results are a part of our on-going delivery of services.

DIFFICULTIES ENCOUNTERED: The former Economic Development Director, Luke Walawander, launched a Facebook page for the organization, but it has not been updated on a regular basis since he left. We will be addressing this as well as taking a look at a website update in the first part of 2016.

II. Provide and support business planning and recruitment efforts through our RLF & a high quality technical assistance program. (CEDS Goal II, Objective 1)

- a. Provide business technical assistance to *fifteen* clients for business, strategic, and financial planning.

ACCOMPLISHMENTS ACHIEVED: *44 clients* received business technical assistance for business, strategic, and financial planning. These numbers do not include food and ag clients who are listed elsewhere in the report.

2014 Clients who received additional service during 2015: As is most generally the case, many of our clients received assistance beyond the 2014 calendar year: Weave Management Group, GTUIT, LLC, Promise Holdings, LLC, Elation, Inc., Billings Chamber of Commerce, Red Lodge Area Community Foundation, BillingsWorks Workforce Council, Fishtail General Store, Southeastern Montana Geotourism, Sweet Grass County Resource Team Assessment, Many Arrows CDC, Stillwater County's Economic Development Department (multiple projects), City of Hardin's Planning Department, Big Sky EDA (multiple projects), Crow Tribe Economic Development Department (2 projects), Stillwater Gym, Quilt Lodge, Feeling Special, and Kids Club.

2015 New Clients: One Montana, Null Church, Book Store Co-op group, InnerCircle, Laurel Aquatic Recreation Complex, Coal Country Coalition, Tin Sign Highway, The Pub at Billings Central Catholic High School, Salon 212, and Big Sky EDA Targeted Economic Development District. We also assisted ten businesses with financial planning projects as an extension of our RLF program and five businesses through the Rural BEAR program.

QUANTIFY DELIVERABLES: Several projects included in the previous years' report wrapped up activity and expended the balance of their grant funding. These included: Fishtail General Store, BillingsWorks Workforce Council, Billings Chamber of Commerce, Red Lodge Area Community Foundation (Old Roosevelt School), and Weave Management Group. GTUIT, LLC has not yet expended their grant from 2014 and will spill over into 2016 activity. We are pleased to report that as a result of the completion of the BillingsWorks Master Plan document, Big Sky Economic Development was able to justify hiring a full-time workforce coordinator who is actively pursuing the goals and addressing challenges identified in the plan. Beartooth also entered into a joint project with Big Sky EDA to work towards the possible creation of a Targeted Economic Development District being proposed for the Lockwood neighborhood east of Billings, allowing for planned industrial space, which is currently lacking in the greater Billings area. A grant from the Big Sky Economic Development Trust Fund in the amount of \$26,250 was secured to assist with this project, with the balance of the \$100,000 funding package provided by a \$50,000 CDBG grant and the remaining amount from private investment. A \$6,000 grant was secured for One Montana in order to assist with the creation of a business prospectus for a multi-species meat processing plant, and a \$50,000 grant from Big Sky Economic Development Trust Fund was secured in order to provide half of the funding for a Coal Impact Study targeting three Economic Development Districts in Montana. Collectively, Beartooth RC&D received \$82,250 in Big Sky Trust Fund planning grants in 2015, which is a decrease from previous years and largely due to a transition in the economic development director position.

DIFFICULTIES ENCOUNTERED: The Old Roosevelt School project tended to drag out a bit over the original timeline, largely due to the number of vested groups involved in the project. Also, a change in staffing accounted for a little less activity than in previous years.

- b. Continue partnerships with the local Small Business Development Center (SBDC), the MT Dept. of Commerce, local ED specialists, the BEAR program, Job Service personnel, and local institutions of higher education to provide assistance to businesses and provide access to these important programs.

ACCOMPLISHMENTS ACHIEVED: Partnerships and agreements with our co-service providers are active and very successful. We continue to maintain a very high level of respect and professionalism among our partner agencies, organizations, institutions, etc. and rank this quality as one of our highest priorities.

QUANTIFY DELIVERABLES: This scope of work item is listed to reflect the various local partnerships we successfully participate in, thus the results are brief and refer to our continued relationships, while quantifiable projects are referenced elsewhere in individual scope of work items. We continue to be an affective intermediary for Montana Department of Commerce and Montana Department of Agriculture programs, whereby, connecting small businesses with grant and loan products. We are widely utilized in this intermediary role to bridge private business with the local Small Business Development Center, as well as other local economic development specialists within the region, Job Service, and the BEAR program.

DIFFICULTIES ENCOUNTERED: None

- c. Provide assistance that would lead to funding from the RLF to *two* new or existing businesses. EDD staff will promote and market the RLF while making technical assistance visits and providing planning assistance to business clients. Expand the RLF by marketing its services to and cooperating with commercial bankers throughout the region.

ACCOMPLISHMENTS ACHIEVED: 2015 was a banner year for the RLF with six new businesses receiving funding from our Revolving Loan Fund and one business approved for additional funding. Additionally, two loans were paid off and three were turned back after receiving approval. Only one loan was declined by the review committee. Two loans were paid off in full, one loan was written off due to the business ceasing operations, and one loan was refinanced for an interest rate reduction. During the course of the year, the loan committee met 8 out of 12 months, which is twice as often as a typical year and we saw an increase in the number of referrals from banking partners throughout the region.

QUANTIFY DELIVERABLES: Start-up business, Montana Chiropractic Health secured a \$17,000 loan for the purchase of equipment; State Cinema in Sweet Grass County purchased an existing business and was loaned \$40,000 for the purchase; Petal Pushers borrowed \$40,000 to purchase a building they had been leasing; Keystone Mortgage borrowed \$25,000 for a building purchase; Big Timber Pizza was approved for a \$67,000 loan to purchase a building and equipment; Touch of Class Catering borrowed \$25,000 for operating capital and equipment; and Y Stop in Roberts was approved for an increase to their initial loan in the amount of \$7,800 for equipment upgrades. Overall, the number of approved loans was up from previous years, but the loan amounts were lower. Three loans were approved by the committee, but turned back by the business: Big Blue Sky Gallery decided not to make some of the building improvements they had originally planned so their need for funding was eliminated; Columbus RV Park was not able to secure the balance of funding needed for their project; and Base Camp Bar & Casino in Columbus decided not to purchase the building they had planned to due to the results of a building inspection which revealed several costly improvements that would have been necessary. Fireline was able to pay off their loan by selling excess equipment and Cottonwood Cinema was purchased by State Cinema and used proceeds from the sale to pay off their loan with Beartooth.

DIFFICULTIES ENCOUNTERED: Sweet Grass Dairy closed its doors and left an outstanding loan balance of \$30,000. We may still recover those funds due to a second mortgage on the primary residence, but that may not be settled for some time.

- d. Continue assistance to the local economic development partners to recruit and develop businesses that want to locate in our region.

ACCOMPLISHMENTS ACHIEVED: We responded to leads from three of our partnering agencies and provided initial assistance in the form of program information. As of the date of this report, those leads have not yet led to the relocation of a business to the region. We were also in contact with a business, Gazelle Oil Field Services, who is relocating from Casper, Wyoming to Billings. We may be further involved with them during 2016 in the area of workforce training, but they did not require specific assistance in 2015. The biggest source of activity in this area is in connection with the Revolving Loan Fund in terms of developing businesses within the region. Specifics on those clients can be found in other parts of the report.

QUANTIFY DELIVERABLES: There are no quantifiable deliverables to report related to this activity.

DIFFICULTIES ENCOUNTERED: In the case of Gazelle's there was a minor difficulty in terms of timing. They had a need to make several upgrades to their building, including a fire suppression system, but could not wait for a potential grant to offset a portion of the costs for design work.

III. Support the development/creation of value-added industries. (CEDS Goal II, Objective 3)

- a. Support the development of *one* new renewable energy project.

ACCOMPLISHMENTS ACHIEVED: We are still assisting in supporting the development of one new renewable energy project in Carbon County, but our involvement during 2015 was minimal. The company constructed roads and dealt with environmental issues during the bulk of the year and they hope to be moving forward with the project in 2016. As stated in the 2014 update, this wind resource project has the potential to have significant long-term value for the economic development of Carbon County, as a commercial-scale wind farm is a multi-million dollar project employing many local contractors for project development and maintenance. In addition, this specific project has the potential to financially benefit a number of local ranchers and farmers, which in turn will add to the tax base of Carbon County and Montana. Everpower is the developer for this project. This project was a benefactor of a USDA-RD RBEG grant in 2009.

QUANTIFY DELIVERABLES: Although we didn't assist or support any new projects in the past year, the wind monitoring station near Warren, MT has led to a sizeable development opportunity, which is mentioned in the previous paragraph.

DIFFICULTIES ENCOUNTERED: The landscape for developing wind, solar, and other small projects has changed significantly in the last several years. The realities of connecting to and metering power on a complex electrical grid system are much more difficult than once thought. Montana's power systems are much more generative than consumptive, resulting in overloaded systems that export a majority of the energy out of the state. In addition the reduction in prices and continued development of oil and natural gas resources lessens the viability of renewable energy projects. An additional factor that is causing delays to the Warren project is the concern over the potential impact to the sage grouse population.

- b. Serve agriculture-related businesses, and value-added processing opportunities for locally grown crops, as one of Montana's four Food and Ag Centers. Assist **five** businesses/producers with value-added ag project planning and development. Work to ensure that this program is well-reported and understood so that it is refunded by the State of Montana.

ACCOMPLISHMENTS ACHIEVED: Our Food and Ag Center program is a vital part of Beartooth's service offerings and program manager, Joel Bertolino is also a working rancher allowing him valuable insight into the opportunities and challenges facing this segment of clients. We assisted 23 agriculture projects during the year.

2014 Clients who received additional service during 2015: Colt James Signature Beef, Becky's Berries; Rocky Fork Food Hub, Yellowstone Boys and Girls Ranch. Yellowstone Valley Farm, and Powder River Meat.

2015 New Clients: Yellowstone River Farms, Agribest Feeds, North 40 Ag, C&K Meats, Red Lodge Ales, Miller/Coors, Story Mill, Henigman Greenhouse, White Deer Ranch, Wholesome Foods Farm, Timber Bar, Red Rooster Kitchen, High Plains Brewery, Mary Anna Espeland, Cream of the West, Lazy SR Ranch, and Androlia Family Ranch

QUANTIFY DELIVERABLES: C&K Meats was the recipient of a \$50,000 Growth through Ag (GTA) grant for business expansion, Story Mill received an \$8,000 GTA grant for start-up phase activities, and Rocky Fork Food Hub received a \$13,000 USDA grant to create a marketing plan. The other clients listed above received a variety of business planning, technical assistance planning and financial planning services.

DIFFICULTIES ENCOUNTERED: Beartooth worked with Miller/Coors, NRCS in three counties (Yellowstone, Big Horn and Carbon), and the corresponding conservation districts in making application for a NRCS Regional Conservation Partnership Program to develop conservation best management practices on irrigated malt barley farms in all three counties to assess which practices conserve energy, soil and/or water and therefore promote Regional Agricultural Sustainability. The initial proposal was not selected, but the group was invited to resubmit in 2016, which they are likely to do and we will assist with their application.

- c. Continue working with potential companies to locate a bio-diesel or coal to liquids plant in the region.

ACCOMPLISHMENTS ACHIEVED: Other than the ongoing project with GTUIT, LLC we did not have an opportunity to work with any bio-diesel or coal to liquids companies in 2015 and this is no longer a state-wide priority so we have not actively pursued projects that fall into this area.

QUANTIFY DELIVERABLES: We do not have any quantifiable deliverables in this area for 2015.

DIFFICULTIES ENCOUNTERED: This has become a lower priority, lower activity area than in previous years.

- d. Assist **two** businesses with cooperative business development, marketing, etc.

ACCOMPLISHMENTS ACHIEVED: During 2015, we continued work with the Rocky Fork Food Hub and started initial work with a potential bookstore co-op based in Billings. We also fielded exploratory calls from a group of producers in Yellowstone

County who have an interest in a local foods co-op for producers, bringing the total number of cooperative business development clients to three.

QUANTIFY DELIVERABLES: There were no new cooperative development projects which had quantifiable deliverables for 2015. Becky's Berries and Rocky Fork Food Hub received USDA-RBEG grants for \$16,000 and \$13,743, respectively.

DIFFICULTIES ENCOUNTERED: None.

IV. Provide community and economic development planning and facilitation. (CEDS Goal II, Objective 1; CEDS Goal III, Objective 6)

- a. Provide technical assistance that would lead to funding for *three* clients engaging in planning activities such as feasibility studies, building expansion, and industrial growth.

ACCOMPLISHMENTS ACHIEVED: During 2015, we worked with the following clients who engaged in planning or pre-planning activities: Lockwood TEDD (Big Sky Economic Development); Coal County Coalition (multiple partners); City of Hardin Planning Department; and Laurel Aquatic Recreation Complex. We also continued to actively work with projects that were initiated in previous years: Old Roosevelt (Red Lodge Area Community Foundation); Montana Cowboy Hall of Fame; Many Arrows CDC, Billings Area Chamber of Commerce; and BillingsWorks Workforce Council. Our total number of active clients during 2015 totaled *nine*.

QUANTIFY DELIVERABLES: The TEDD project is leveraging funding in the amount of \$26,250 from the Big Sky Trust Fund, \$50,000 from CDBG, and \$25,000 in private investment in order to prepare planning and feasibility documents in order for the Yellowstone County Commissioners to determine the suitability and viability of a TEDD. A contractor has been hired to complete the scope of work for the TEDD and contract documents are ready for signature as of December 31st. The Coal Country Coalition has thus far secured a commitment of \$50,000 in funding from Big Sky Trust Fund with another \$50,000 pending approval from EDA. The City of Hardin was successful in securing CDBG funding for a feasibility study, but turned the funding back due to the building being sold and put to other use. Laurel Aquatic Recreation Complex is not yet ready to make an application for a feasibility study, but has plans to do so in the first half of 2016, once they have secured matching dollars for their project. The Old Roosevelt School project was able to deliver the final feasibility report in December. The BillingsWorks Master Plan and Billings Area Chamber of Commerce Convention Center Feasibility Study were both delivered in the first half of 2015 and the MT Cowboy Hall of Fame project was able to wrap up their most recent planning phase during 2015.

DIFFICULTIES ENCOUNTERED: The Coal Country Coalition partners have struggled to secure funding due to two applications being tabled. One by EDA – lack of secured match at the time of review, and one by the Montana Coal Board – lack of available funding versus the number of applications considered during the fourth quarter. Neither application was denied, but the timing of each prevented us from being able to launch this project in 2015. We have since made a short-term planning grant application from EDA and are awaiting review and possible approval. The Aquatic Center group had been hesitant to leverage public funding, but has since decided that it would be beneficial to engage the services of a professional to assist with a feasibility study to lend further credibility and viability to the project.

- b. Continue providing facilitation assistance to community projects through services offered such as project coordination, community organizing, and work as a liaison; Assist *two* community-based planning projects.

ACCOMPLISHMENTS ACHIEVED: During 2015, we assisted with *four* community-based planning projects including: the Custer-Gallatin Working Group in a role of project coordination and facilitation; Bridging Cultures Committee as an organizer; and the Little Big Horn Rest Area project as a liaison. In addition to these multi-year projects, we assisted Stillwater County with two branding workshops which will enable them to become more targeted in their marketing efforts and make more efficient use of available dollars for marketing and recruitment activities.

QUANTIFY DELIVERABLES: The nature of these projects does not generally allow for quantifiable deliverables, but we anticipate that the Stillwater project may result in deliverables during 2016. Progress has been made with the Custer-Gallatin group in terms of moving them towards a more strategic view of their work and possible sub-committees formed to address specific issues relative to their mission.

DIFFICULTIES ENCOUNTERED: None.

- c. Work with partnering entities to identify ways to enhance workforce development efforts throughout the region, and specifically in rural areas.

ACCOMPLISHMENTS ACHIEVED: A VISTA member located in Red Lodge at the Community Foundation requested assistance with a Red Lodge Area Jobs Fair, which we hope to use as a model for the other rural counties of Stillwater, Sweet Grass and Big Horn. We worked with him to organize the event, establish a budget and recruit businesses. We also continue to work with the local Job Service office and with the new workforce coordinator at BillingsWorks.

QUANTIFY DELIVERABLES: This is an activity which is difficult to quantify since it is part of the larger picture in our region. We will continue to build upon our relationships with partnering entities throughout the region and state in order to further enhance workforce development efforts.

DIFFICULTIES ENCOUNTERED: The Carbon County Job Fair had originally been scheduled to take place in November, but they organizing group decided to postpone the event until spring, when employers are most likely to hire seasonal workers.

V. Assist communities in providing the necessary infrastructure to maintain their quality of life and support future development. (CEDS Goal I, Objectives 1,2 &3)

- a. Work with our cities and towns to develop affordable housing, including: redevelopment of existing properties, use of vacant local govt.-owned property, self-help housing projects, and local developers. Maintain partnerships with organizations like NeighborWorks, HRDC, HomeWORD, etc. for the development of these opportunities.

ACCOMPLISHMENTS ACHIEVED: Throughout 2015, we have continued to encourage and support organizations engaged in housing activities. The most notable achievement in this activity was the grand opening of The Home Center in Billings. The purpose of this “one-stop shop” is to provide rental information and counseling to help tenants find a rental that meets their needs; identify ways to improve neighborhoods, remove blight and renovate existing housing stock; ease the shortage of good housing by collaborating with developers and builders to create more quality workforce housing;

and encourage family savings plans to help with a down payment. The Home Center is a collaborative effort of the city of Billings, the Human Resources Development Council, Rural Dynamics, Inc., Homework, Habitat for Humanity, Rebuilding Together, the Housing Authority of Billings and NeighborWorks Montana. In anticipation of the creation of this type of service facility, Beartooth transitioned its homebuyer education program to this group of partners. We look forward to identifying ways to support and assist their efforts.

QUANTIFY DELIVERABLES: The Home Center opened for business in late July, 2015 and was able to raise \$106,000 prior to opening through a fundraising campaign supported by local financial institutions and private businesses in Billings and Yellowstone County.

DIFFICULTIES ENCOUNTERED: None.

- b. Assist communities in the region with *three* public infrastructure projects through project planning, financing, administration, etc.

ACCOMPLISHMENTS ACHIEVED: Due to the long-term nature of public infrastructure projects, our activities in this area are primarily carried over from 2014 projects. Two of the four projects initiated in 2014 are still active – Laurel Urban Revitalization Agency (LURA) and the Crow Rest Area. The Big Sky Trust Fund application submitted on behalf of the Lockwood Pedestrian Safety Advisory Board was not funded, because the review committee felt there was not a strong enough tie to economic development and thus fell out of the parameters of the Trust Fund program priorities. The City of Hardin’s project was put on a back burner by the City and will be revisited in 2016. One new project was initiated in 2015 and we recently executed a professional services agreement with Sanderson-Stewart to undertake the development of a proposed TEDD district for Lockwood. The purpose of the TEDD is to create planned industrial space for Yellowstone County in close proximity of Billings. Active projects in this activity area for 2015 number *three*.

QUANTIFY DELIVERABLES: The TEDD planning project is funded with a \$26,250 Big Sky Economic Development Trust Fund grant, \$50,000 from Community Development Block Grant funds and \$25,000 in private investment.

DIFFICULTIES ENCOUNTERED: The initial TEDD project had a budget of \$50,000, but two of the qualified firms indicated that the scope of work could not be completed with the initial budget, so the project start was delayed somewhat while additional funds were secured through the CDBG program.

IV. Assist communities with upgrading community services, particularly emergency services. (CEDS Goal IV, Objective 1)

- a. Continue assisting our rural communities with fuels reduction efforts in the wildland/urban interface, while building the capacity of rural emergency response providers. Complete *twenty* new fuels reduction projects on at least *150 acres*.

ACCOMPLISHMENTS ACHIEVED: As was the case during 2014, summer and fall months provided both the Red Lodge and Columbus fire department mitigation crews favorable field conditions and relatively light wildfire demands, allowing mitigation projects to be continued in each county. Also, Red Lodge Mountain personnel were able to treat additional acres adjacent to ski runs and lift infrastructure. Final months during the year allowed for burning of piles to bring a number of ongoing efforts to completion,

although a number of the piles on Red Lodge Mountain were not fully burned due to the amount of green wood in the piles. We were not able to reach our goal of twenty new fuels reduction projects during 2015, but we were able to surpass the total number of acres. The program itself is moving to a sunset phase and the projects have evolved from individual residences to larger-scale projects, including a multi-year project on Red Lodge Mountain in Carbon County. The Red Lodge project has an added benefit of improving ski trails through the removal of sections of timber. A total of four new fuels reduction projects on over 200 acres was accomplished during the reporting period.

QUANTIFY DELIVERABLES: \$153,997 in public funds, and \$43,462 in private funds, helped to fund the fuels reduction projects and fire safety training and outreach projects in 2015. Public funding was provided by grants through BLM and the Montana DNRC. Private funding came through local match, primarily through landowners' direct payment of a percentage of funded projects and in-kind labor contributions per their individual mitigation agreements. Landowner matches typically run 25% to 50%, however the work performed on Red Lodge Mountain was matched at 100% by the ski area, due in large part to the contribution of labor.

DIFFICULTIES ENCOUNTERED: None.

- b. Work with rural fire departments to build capacity to more completely serve the needs of their communities. Assist in funding *three* staff positions in local departments.

ACCOMPLISHMENTS ACHIEVED: We were not able to meet our goal of three new staff positions during 2015. As we mentioned above, this program is reaching its sunset and available funding is drying up, with no immediate forecast to fund in the near future. The staff positions created in Carbon and Stillwater counties during 2014 were retained in 2015, but there was no new gain.

QUANTIFY DELIVERABLES: Unfortunately, there are no quantifiable deliverables to report in this particular activity.

DIFFICULTIES ENCOUNTERED: None other than what was reported above.

Evaluate:

The numbers of projects listed under each goal and objective in the **REPORTS** section above is one means we utilize for evaluating our annual progress and success. We also review and discuss the Project Spread each year as compared to previous years. We evaluate our program planning, implementation, and success with our Board of Directors at our bi-monthly meetings and twice a year review these same items with the Strategy Committee. The Board and staff have agreed that 2015 was a fairly successful year in terms of accomplishment and productivity as well as overall organizational health, even with a transition in the economic development director position. One of the areas that was discussed during the transition, was to take a look at existing programs and organizational operations. As a result of that review, the Board of Directors is involved in conducting a strategic plan with input from Board members, funding partners, strategic partners, current and past employees, and current and past clients to determine if there are changes to implement that would strengthen the organization and increase future capacity. We are schedule to wrap up that process in the first half of 2016.

Another key to our continued success is measured not just by the projects we complete, the jobs that are created or retained, the private and public funding that is secured, but by our many connections and relationships that we foster across the region. Each year we strive to ensure that each county in our region has multiple projects receiving assistance through Beartooth RC&D. We continue to foster good relationships with local Economic Development staffers, Chambers of Commerce, Downtown

Business Associations, and tribal entities to confirm that our CEDS is meeting the needs across the area and our service priorities are actively changing to meet the shifting demands in the region.

The attached project list format (2015 Project Spread) continues to be adjusted, but has served as an excellent way for us to track our program activity throughout the year and make necessary adjustments to be certain that we are adequately covering the entire region and service coverage areas.

As required per EDA regulations, the following section describes each of the five performance measures considered critical information in the final report. The numbers reported in the following section can be reviewed according to their relationship to each project as reported on the attached document titled “2015 Project Spread”.

1) Number of jobs created after implementation of the CEDS

The number of jobs created after implementation of the CEDS Goals and Objectives in our 2015 work plan was 10. These positions are itemized per business entity served on the attached document titled “2015 Project Spread”. This number may appear to be lower than in previous years due to the fact that we deleted the jobs created in previous years from the spreadsheet so as to further distinguish between 2015 projects and those that have carry-over activity.

2) Number and types of investments undertaken in the region

The number and types of public investments undertaken in the region that Beartooth staff contributed to significantly to during 2015 are described as follows: Marketing design, materials, and website development—one investments totaling \$13,000 (Rocky Fork Food Hub); Architecture/engineering design and planning—four investments totaling \$145,500 (One Montana, Hardin Housing Study, TEDD, Coal Country Study); and Business expansion, inventory, equipment and purchases—two investments totaling \$58,000. In addition to the above amounts, Beartooth’s Revolving Loan Fund approved seven investments totaling \$221,800. The Fuels Reduction program also secured \$153,997 in the form of mitigation funds, fire safety training and capacity building for local fire departments.

3) Number of jobs retained in the region

The number of jobs retained in the region in projects that involved Beartooth RC&D staff during the 2015 year was 85, which does not include any carry-over projects from previous years. These positions are itemized per business entity served on the attached document titled “2015 Project Spread-Year end”.

4) Amount of private sector investment in the region after implementation of the CEDS

The amount of private sector investment in the region after implementation of the CEDS Goals and Objectives in our 2015 work plan was \$960,962. These amounts once again do not include carry-over activity from previous years and these are itemized per business entity served on the attached document titled “2015 Project Spread-Year end”. A large segment of this total is derived from the RLF loans approved during 2015. The seven named businesses contributed \$543,000 of private investment dollars in the form of traditional bank loans and personal investment.

5) Changes in the economic environment of the region

The changes in the economic environment of the region were not quite as positive as in the past few years, due largely to a decrease in higher wage jobs within the extraction industries. Also, the areas which had been positively impacted by the Baaken oil play in eastern Montana and western North Dakota have seen a sizeable decrease in activity due to lower gas prices. Companies that provide support services and parts for the oil industry are especially impacted. We are also beginning to see signs of a significant change in the coal industry, which we anticipate will have a major impact in 2016 and beyond. On a positive note however, Billings is experiencing a good deal of growth and as a result construction jobs are plentiful, with Shiloh Crossing and the Zoo Drive areas on the western edge of Billings being home to the largest retail and motel sector growth, expanding westward into

the Shiloh and Zoo Drive Interstate Exit areas. The agricultural sector continues to be a major driver of the region's economy with record cattle prices and very good crop years for major commodities such as grains, sugar beets, corn, and others. Tourism also continues to grow across the region with the continued popularity of the Little Big Horn Battlefield, Yellowstone National Park, Red Lodge Mountain Ski Area, world class fly fishing, and other recreational opportunities.

Brief 2015 Project Summaries are included here:

2015 Success Stories

Crow Agency Rest Area: Beartooth RC&D is fulfilling the role of liaison for this project, which has now moved beyond the site selection and preliminary site layout phases. This is a collaborative development project including the Crow Tribe, MT Dept. of Transportation, and National Park Service. Participating parties are working towards the potential co-location of a Crow tribal museum, State of MT Rest Area, and Little Big Horn Battlefield Visitor's Center.

BillingsWorks Workforce Council: As reported earlier in this annual update, a full-time workforce coordinator has been hired to implement the strategic goals of this project that was initiated during 2014. Big Sky Economic Development is the lead agency in this effort and they have also launched a recruitment website similar to the state of Montana's site to further encourage employee relocation to the region. This is an initiative we are looking forward to be involved with since it has such a big impact on underemployment issues in the Billings area.

Red Lodge's Old Roosevelt School: Beartooth RC&D had received a \$15,750 Big Sky Trust Fund planning grant to assist with the hiring of a consultant to conduct a feasibility study for Red Lodge's Old Roosevelt School. The consultant delivered his final report to the committee in December of 2015 and the Red Lodge School District is now better able to make a determination as to the potential reuse of Old Roosevelt. Beartooth continues to assist with this project as a member of the Advisory Committee.

Big Timber Resource Team Assessment – One Year Celebration: On a particularly blustery night and following day in early December, key members of the community along with two of the original assessment team members, Beartooth's economic development director, and several State of Montana employees came together in Big Timber to celebrate the one-year anniversary of their community assessment. The event was intended to recap milestones achieved during 2015 and reinvigorate efforts to move forward with various priorities identified by the community. It was a well-attended and upbeat event that will likely initiate a few new projects during 2016.

Montana Main Street Project: Beartooth staff attended the Governor's Workforce Summit in Bozeman to learn more about activities happening throughout the state and networking with workforce sector resources. As a result of attending the summit, we are exploring the possibility of encouraging the creation of industry sector groups in our service region, including specialty manufacturing and potentially an ag-based sector group.

C&K Meats: This is a family owned and operated state inspected meat processing facility in Forsythe, MT. Beartooth FADC staff continues to work with them and assist this business in developing a Growth Through Ag grant for a business expansion. They made a successful

presentation to the Growth Through Ag committee on November 17th. The business secured funding to purchase \$50,000.00 in equipment to assist their business growth.

Story Mill: Dan Story in Laurel works for safflower technologies buying and sourcing specialty crops and oilseeds for producers in Montana. He and his wife have decided to start their own business milling some specialty grains and pressing oil seeds for sale locally. They have been working on the upgrading their facilities and installing their equipment for seed processing. The business was awarded \$8,000.00 from the Growth Through Ag program.

One Montana: This Company, headquartered in Bozeman completed a feasibility study for a new multi-species (primarily beef and bison) meat processing facility to be located in Montana and they needed assistance to apply for grant funding to develop a business prospectus for the proposed project. Beartooth was able to assist in grant preparation to fund this phase of the project in the amount of \$6,500 from Big Sky Trust Fund.

Stillwater County Branding: Marissa Hauge, with Stillwater County Economic Development approached Beartooth late in the year to request assistance with the facilitation of two branding workshops. These were held in November and December and we are looking forward to further involvement in this project during 2016. By developing a cohesive brand they will be able to better market and promote the County to visitors and potential new residents and businesses while being able to make better decisions as to where and why to spend their limited marketing dollars to ensure better results.

Rocky Fork Food Hub: Rocky Fork Food Hub based in Red Lodge, MT is a small business that provides a service marketing locally produced foods to consumers seeking local foods via a website that is constantly updated. In 2014 we assisted the group in securing grant funding through USDA to assist them in marketing to both their producers and consumers for their business. The consultant delivered a new logo, Facebook page and marketing materials for the project in 2015.

Coal Country Coalition: Early in the 2015, our region began to take action to address potential impacts caused by pending changes in the regulation of coal mining and generation in Montana. The Corette Plant in Billings was mothballed in February and taken down at the end of the year. As a result of this closure and other indicators from our region and surrounding areas, we made a decision to become a partner in a Coal Country Coalition in order to take proactive steps to gain a better understanding of just what could potentially happen that would negatively impact our region, especially in terms of job outmigration. Beartooth was the lead agency in securing half of the funding needed to commission an impact study to look at the economic footprint of coal, assess workforce skill sets and develop strategies to minimize potential negative impacts. We were able to secure \$50,000 in funding from The Big Sky Trust Fund and have submitted an application to EDA for the balance of the project funding. We hope to have this project underway in the second quarter of 2016.

Infrastructure Working Group: During the Fall Montana Economic Development Association (MEDA) conference held in Billings, an afternoon session “Call to Action” was devoted to a discussion on infrastructure deficiencies and sources of funding and what we might be able to do to increase infrastructure investment throughout the state. Beartooth’s economic development director is part of the working group that continues to address this vital issue.

Lockwood TEDD: Beartooth partnered with Big Sky EDA on this project to address the need for planned industrial space in the Lockwood neighborhood east of Billings. During 2015, we assisted in securing the funding package to hire a consultant to prepare planning documents for the Commissioners' consideration. Early in the project it became evident that additional funding would be necessary in order to complete the scope of work. This was accomplished and the Steering Committee was able to come to a decision as to which firm to hire for the project. Contract documents were completed at the very end of the year and the work is scheduled to be completed during the first half of 2016.

Custer-Gallatin Working Group: Beartooth continues to provide support services to this collaborative working group in the form of meeting facilitation and coordination, website maintenance, fiscal management and planning. The members of the working group represent a total of nine counties and the monthly meetings are generally held in Bozeman. During the course of 2015, the group worked towards the development of a more cohesive effort and realized the importance of ongoing communication.

The Pub at Billings Central Catholic High School: Beartooth was contacted by the Montana Department of Commerce to take part in a "Shark Tank" type review of a student run business located in the school. The enterprise is an ongoing initiative, but the students graduate out of the business each year. Near the beginning of the school year, the students have to make a presentation worthy of receiving seed money for the academic year. Beartooth's economic development director took part in the presentation this fall and it was a good experience for all parties. As economic developers we don't always have the opportunity to cultivate student entrepreneurship, but this was a refreshing exception.

Schedule:

Action/Implementation Plan:

CEDS Goals Outline: The attached spreadsheet titled "2016 Action and Implementation Plan" which includes all of our goals and objectives from the current version of the CEDS document as well as action plan items to be implemented in 2016, responsible party, funding source, timeframe, priority, and jobs created goal.

Scope of Work for upcoming year: *Please see attached document titled "Scope of Work and Implementation Methodology FY2016"**

**Please note that this document is awaiting final Board of Directors approval on January 21st and may be subject to revisions based upon Board input during that meeting.*

Regular City Council Meeting

Meeting Date: 02/22/2016

TITLE: Limited Commercial Aviation Building and Ground Lease with Billings Clinic – Lot 1

PRESENTED BY: Kevin Ploehn, Director of Aviation and Transit

Department: Airport

PROBLEM/ISSUE STATEMENT

Billings Clinic desires to renew the Limited Commercial Aviation Building and Ground Lease it has utilized for the past fifteen years. The Billings Clinic is asking for an additional five-year lease term for this City owned hangar property, located in the Executive Hangar area on the west end of the Airport at 2421 Overlook Drive. This is one of two hangars the Billings Clinic leases at the Airport. Billings Clinic currently utilizes this 60' x 80' square foot hangar to operate its emergency flight service functions, including office space, pilot quarters, and the storage, maintenance, and preparation of its fixed wing aircraft for the transport of seriously ill patients to and from distant locations. The Lease commences March 1, 2016 and terminates on February 28, 2021. A copy of the Lease is on file in the City Clerk's office.

ALTERNATIVES ANALYZED

City Council may:

- Approve renewal of the Limited Commercial Aviation Building and Ground Lease with Billings Clinic for a five-year term; or
- Disapprove renewal of the Limited Commercial Aviation Building and Ground Lease with Billings Clinic for a five-year term.

FINANCIAL IMPACT

This five-year Lease will generate \$27,085.08 in annual revenue in the first year, with lease rentals in subsequent years adjusted on an annual basis using the Department of Labor Consumer Price Index for All Urban Consumers (CPI-U) published by the Bureau of Labor Statistics.

RECOMMENDATION

Staff recommends the City Council approve renewal of the Limited Commercial Aviation Building and Ground Lease with Billings Clinic for a five-year term.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 02/22/2016

TITLE: Warranty Deed For Purchase of Lots 1 & 2, Block 2, Yerger Heights Subd.

PRESENTED BY: David Mumford, Public Works Director

Department: Public Works

PROBLEM/ISSUE STATEMENT

Staff is in the early process of developing future solutions to West Billings storm drainage and identified Lots 1 and 2, Block 2 of Yerger Heights Subdivision as important lots to purchase for storm water management purposes. The property is located south of Rimrock Road, near 50th Street West. Staff approached the property owner, Ms. Beatrice Rice, and found she was interested in selling the property to the City. The original asking price of the property was \$60,000. The City obtained an appraisal which listed the market value of the property at \$42,500. The City made an offer of appraised value plus 5%, \$44,625, per City Resolution 93-16740, which was accepted by the property owner. In order to purchase the property, a Warranty Deed needs to be accepted.

ALTERNATIVES ANALYZED

City Council may:

- Approve purchasing the property and accept the Warranty Deed with Ms. Beatrice Rice, or;
- Do not purchase the property.

FINANCIAL IMPACT

The cost of the property from Ms. Beatrice Rice is \$44,625. This will be paid out of the approved FY '16 Budget utilizing Storm Drain Funds.

RECOMMENDATION

Staff recommends that Council approve purchasing Lots 1 and 2, Block 2, Yerger Heights Subdivision for \$44,625 and accept the Warranty Deed from Ms. Beatrice Rice.

APPROVED BY CITY ADMINISTRATOR

Attachments

Warranty Deed - Rice

WARRANTY DEED

THIS INDENTURE, made this _____ day of _____, 20_____.

FOR VALUABLE CONSIDERATION, lawful money of the United States to them in hand paid by the **CITY OF BILLINGS**, THE receipt whereof is acknowledged, **WITNESSTH THAT:**

Beatrice Rice
2556 Lillis Lane
Billings, MT 59102

does hereby **GRANT, BARGAIN, SELL CONVEY, WARRANT AND CONFIRM** unto the **CITY OF BILLINGS** for the benefit and use of **The Public** the following described real property, to wit:

The entirety of Lots 1 and 2, Block 2, Yerger Heights Subdivision, located in the NW1/4 of Section 32, T. 1 N., R. 25 E., P.M.M, as recorded in Document No. 575291, Yellowstone County, Montana.

AS SHOWN by Exhibit "A", consisting of one sheet attached hereto and made a part hereof.

PURPOSE OF ACQUISITION is to use the parcel for future City of Billings infrastructure purposes.

EXCEPTING AND RESERVING, however, all gas and oil, beneath the surface of the above described and conveyed premises, together with the right to extract the same, provided that in the exercise of such right the surface thereof shall not be disturbed, interfered with, or in anyway damaged.

FURTHER EXCEPTING AND RESERVING, unto the grantors, their successors and assigns all water, water rights, ditches, canals, irrigation systems, existing or as relocated, if any, including but not limited to, water stock or shares, bonds, certificates, contracts and any and al other indicia, of water, water right and ditch ownership, or any interest therein, appurtenant to the land described herein.

TO HAVE AND TO HOLD the above described and conveyed premises, with all the reversions, remainders, tenements, hereditaments and appurtenances thereto, unto the **CITY OF BILLINGS**, and to its successors and assigns forever.

IN WITNESSTH WHEREOF, the undersigned have executed these premises the day and year first above written.

By: _____

Beatrice Rice
2556 Lillis Lane
Billings, MT 59102

STATE OF MONTANA)
)
) ss
County of _____)

On this _____ day of _____, 20____, before me the undersigned Notary Public for the State of Montana, personally appeared Beatrice Rice, known to me to be the person who signed the foregoing instrument and who acknowledged to me that he/she executed the same. Witness my hand and seal the day and year herein above written.

Notary Public in and for the State of Montana
Residing in _____
My commission expires _____

Print Name _____

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

Date _____

City Clerk

County of Yellowstone)

Notary Public in and for the State of Montana
Residing in _____
My commission expires _____

Print Name

[illegible]

Regular City Council Meeting

Meeting Date: 02/22/2016

TITLE: Acceptance of Post Emergent Makerspace Sub-grant from the National Writing Project

PRESENTED BY: Bill Cochran, Library Director

Department: Library

PROBLEM/ISSUE STATEMENT

The Billings Public Library was awarded a \$5,000 sub-grant from the National Writing Project to participate in a problem-solving exercise for organizations with maker spaces. A maker space is a public space equipped for do-it-yourselfers to create and learn. The Library opened the TECH Lab in June of 2014 for teens to learn 21st century digital literacy skills in the areas of science, technology, engineering, art and math (STEAM). It is an after-school learning space staffed by one librarian where teens participate in instructor-led workshops and pursue independent projects. Equipment available for teen projects includes robotics, film and still cameras, 3D printers, vinyl cutter, computers for coding and design, circuitry kits, sound booth and iPads.

By accepting the sub-grant and committing to the 7-month problem-solving exercise, the Library intends to focus on one issue - staff development. This will increase the number of staff trained on the use of the equipment, allow staff to more fully utilize equipment to provide more advanced activities to all ages of patrons and educate staff on the concepts of connected learning - connecting information learned in school with outside-of-school activities. Local professionals will instruct a core group of Library staff with hands-on activities meant to increase knowledge of the equipment. This core group will read appropriate literature, learn from each other, and participate in a national network of learning labs to cull ideas from leading organizations across the nation.

ALTERNATIVES ANALYZED

City Council may:

- Approve acceptance of \$5,000 sub-grant, or;
- Not accept the sub-grant.

FINANCIAL IMPACT

There is no budgetary impact as the staff development will be paid by the sub-grant. However, the skills of Library staff will be strengthened, improving digital literacy services offered to all ages.

RECOMMENDATION

Staff recommends that the City Council accept the \$5,000 sub-grant from the National Writing Project.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 02/22/2016

TITLE: Submittal and Acceptance of Grant Application to the Montana Department of Transportation (MDT) for Capital Assistance

PRESENTED BY: Kevin Ploehn, Director of Aviation and Transit

Department: Transit

PROBLEM/ISSUE STATEMENT

Each year the City of Billings MET Transit Division applies for various types of grants with the Transit Planning Division of the State of Montana Department of Transportation (MDT). These grant funds may be available for planning, capital, training, demonstration, and/or operating assistance grants. The City of Billings MET Transit Division was advised by the MDT Transit Planning Division, of the availability of Federal grant funds for capital assistance applied for through the State of Montana. The MDT Transit Planning Division has two grant programs, Section 5310 and Section 5339.

Under the Transportation Bill, MAP-21, Section 5310 is funding that has been allocated to the State of Montana's three larger urban systems (Missoula, Great Falls, and Billings) for capital assistance. This program will be administered by the State, and MET Transit is looking to apply to receive funding for two paratransit vans. This funding will provide 80% for the cost of the vans. The local match would be 20%. These vans will be included in the FY17 Transit capital budget.

Additionally, Section 5339 created by the MAP-21 Transportation Bill provides capital funding to replace, rehabilitate, and purchase buses and related equipment, and to construct bus-related facilities. Should funding become available for Section 5339 funding, MET would apply to these funds as well.

In order to apply for these grants, it is necessary to include with this Grant Application a City Council approved Resolution formally authorizing the City of Billings Mayor to execute any Grant Agreements with the MDT.

ALTERNATIVES ANALYZED

City Council may:

- Approve the City of Billings applying for and executing grant agreements administered by the MDT's Transit Planning Division to include the purchase of vehicles; or
- Disapprove the City of Billings applying for any grant programs administered by the MDT's Transit Planning Division.

FINANCIAL IMPACT

Through these grants, the City's Transit Division will be able to replace two vans and other capital needs, typically with a grant that covers 80% of the cost and a local match at 20%.

RECOMMENDATION

Staff recommends that the City Council approve the City of Billings MET Transit applying to MDT Transit Planning Division for any available Sections 5310, 5339, and any other available grants with the execution by the Mayor of any subsequently awarded Grant Agreement(s) provided by the MDT.

APPROVED BY CITY ADMINISTRATOR

Attachments

Resolution FY16 - MDT

AUTHORIZING RESOLUTION

RESOLUTION NO. 16-

A RESOLUTION AUTHORIZING THE FILING OF ALL APPLICATIONS WITH THE TRANSIT PLANNING DIVISION, STATE OF MONTANA DEPARTMENT OF TRANSPORTATION, FOR FEDERAL TRANSPORTATION FUNDS FOR PLANNING, CAPITAL, TRAINING, DEMONSTRATION, AND/OR OPERATING ASSISTANCE GRANTS.

WHEREAS, the City of Billings has the power to enter into agreements with the Montana Department of Transportation; and

WHEREAS, the Montana Department of Transportation 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 Montana Department of Transportation required for the project.

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

1. That the City of Billings is authorized to execute and file all applications with the Montana Department of Transportation – Transit Planning Division to aid in the financing of all planning, capital, training, demonstration and/or operating assistance projects.
2. That the City of Billings is authorized to execute and file with such applications the annual certifications and assurances, and any other documents required by the Montana Department of Transportation – Transit Planning Division 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 Montana Department of Transportation – Transit Planning Division.
4. That the Transit Manager is designated to furnish such additional information as the Montana Department of Transportation – Transit Planning Division may require in connection with all the applications.

APPROVED this 22nd day of February 2016.

THE CITY OF BILLINGS:

BY: _____
Thomas W. Hanel, Mayor

ATTEST:

BY: _____
Billie Guenther, 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 February 22, 2016.

If applicant has an Official Seal, impress here.

(Seal)

Signature of Recording Officer

Title of Recording Clerk

Date

Regular City Council Meeting

Meeting Date: 02/22/2016

TITLE: Recreational Trails Grant 2016 Application

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

Department: Planning & Community Services

PROBLEM/ISSUE STATEMENT

The Planning Division and the Parks, Recreation and Public Lands Department are seeking approval from the City Council to apply for the 2016 Recreational Trails Program (RTP) grant for \$45,000 to continue trail connections, wayfinding, and informational signage facilities at Swords Park. Montana State Parks manages the RTP grant process that administers federal funding with oversight from the Federal Highway Administration.

Award of this grant would significantly supplement funding and expand projects already proposed by the Parks, Recreation and Public Lands Department and the Yellowstone Kelly Steering Committee to improve and enhance the user experience along some of Billings' longest continuous trails. The proposed signage will utilize the guidelines of the Billings Parks, Recreation and Public Lands Signage Framework Plan, and will likely include a kiosk to be located near the intersection of Swords Park, Aronson Avenue, and Alkali Creek. Wayfinding signage would be located at places like the Swords Park trail/Aronson trail intersections, and near the Yellowstone Kelly interpretive site. Trail construction includes connections to and from the main Swords Park trail to the Yellowstone Kelly Interpretive Site and trail circulation within the interpretive site.

ALTERNATIVES ANALYZED

The City Council may:

- Approve the 2016 RTP Grant Application for signage, trail mile markers, an informational kiosk, and trail construction in the Swords Park area; or
- Not approve the 2016 RTP Grant Application for signage, trail mile markers, an informational kiosk, and trail construction in the Swords Park area. Not approving the application would limit the financial opportunities for improvements, amenities, and information for trail and park users that the Parks Department and Planning Division continue to work to provide in the community. In addition, significant local funds are being provided for further improvements to the Yellowstone Kelly Interpretive site and the Swords Park. The addition of this grant will advance the improvement plans in this City park.

FINANCIAL IMPACT

If awarded, this grant will provide the City of Billings with up to \$45,000 of additional funding for Swords Park improvements. This grant provides reimbursement after expenditure of funds and requires a 20% local match. The required local match, of up to \$9,000, will come from existing budget allocations and donations managed by the Parks Department for signage and trail amenities. Planning and engineering of the Yellowstone Kelly Interpretive Site can also be used for local match. No additional match is being requested from the City. Much of the budget for trail amenities in the Swords Park area has come from private contributions and this grant will

maximize the impact of those donations.

RECOMMENDATION

The Planning Division staff and Parks, Recreation, and Public Lands Department staff recommend the Council approve submitting a 2016 RTP Grant Application for signage, trail mile markers, an informational kiosk, and trail construction in the Swords Park area.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 02/22/2016

TITLE: Amendment of Resolution 06-18388, Adoption of the Purchasing Policy

PRESENTED BY: Patrick M. Weber, Finance Director

Department: City Hall Administration

PROBLEM/ISSUE STATEMENT

In 2006, the City Council passed a resolution to formally adopt a Purchasing Policy and authorized a procedures manual which outlines the various methods of appropriate procurement practices used by the City of Billings. Those practices are designed to produce an efficient and equitable system of public purchasing by the City while obtaining the best pricing. State law requirements regarding municipal contracts have changed since 2006, which necessitate amendments and updates to the policy document, consisting of date changes and minor housekeeping edits. The purchasing procedures will also be amended by Administrative Order to reflect necessary modifications.

ALTERNATIVES ANALYZED

City Council may:

- Approve, or;
- Disapprove the amended resolution. Disapproval will mean the policy and accompanying procedures will not be in compliance with all Federal and State laws as they may apply.

FINANCIAL IMPACT

There is no financial impact.

RECOMMENDATION

Staff recommends City Council approve the attached resolution amending and updating the City's purchasing policy.

APPROVED BY CITY ADMINISTRATOR

Attachments

Resolution 06-18388 - with edits

Resolution 16-_____ - Adopting the City Purchasing Policy

RESOLUTION NO. 06- 18388

A RESOLUTION OF THE BILLINGS, MONTANA CITY
COUNCIL ADOPTING A CITY-WIDE PURCHASING POLICY

WHEREAS, the City of Billings Purchasing Policy was officially adopted in 2006;
and

WHEREAS, the City of Billings Purchasing Manual has been in use since 1994 but has never been adopted as the official policy of the City of Billings; and

WHEREAS, the City purchases a substantial amount of goods and services each year through its various departments and agencies; and

WHEREAS, state law requirements regarding municipal contracts have changed since ~~1994~~2006; and

WHEREAS, the City of Billings has a Purchasing Policy, ~~WHEREAS, the City of Billings needs to adopt a Purchasing Policy to establish city purchasing policies~~ as well as a procedures manual outlining the various methods of appropriate procurement practices used by the City of Billings in order to provide for an efficient and equitable system of public purchasing by the City; to obtain the maximum purchasing value of public funds in procurement by the City, and to provide for a procurement system of quality and integrity; and

WHEREAS, the ~~2006~~ new *City of Billings Purchasing Procedures* are being adopted contemporaneously by Administrative Order.

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

That the City of Billings hereby adopts the ~~2006~~ 2016 *City of Billings Purchasing Policy* which is set forth in Attachment 'A'. All prior versions of the City of Billings Purchasing Policies are repealed, revoked and superseded thereby.

APPROVED AND PASSED by the City Council of the City of Billings, this ~~13th~~22nd day of February, ~~2006~~2016.

THE CITY OF BILLINGS:

BY: _____
~~Ron Tussing~~ Thomas W. Hanel,

MAYOR

ATTEST:

BY:

Marita Herold, CMC/AAE
Billie Guenther, CITY CLERK

Attachment 'A'

CITY OF BILLINGS
PURCHASING
POLICY

February 20062016

Introduction

In order to provide an efficient purchasing program built on excellence and expertise it is important that all personnel (Citywide) function as a team with cooperation as the essential element. Those individuals whose duties require them to become a part of the purchasing cycle must be completely acquainted with the program and have a clear definition and understanding of its purposes, insofar as it applies to the procurement of materials, supplies, equipment and professional services at the lowest possible cost consistent with the quality needed for the operation of municipal departments.

Policy Summary

The City of Billings Purchasing Policy establishes an efficient, fiscally responsible, centralized purchasing system, a program, which will effectively provide day-to-day service and support citywide. This policy recognizes and addresses the importance of the overall support mission and the need for maximizing and enhancing whenever possible, the value of each tax dollar expended.

The City of Billings requires departments, divisions, units and City personnel to cooperate fully in their adherence to policy and procedure related to the Purchasing Policy and Procedures as adopted by the ~~City Administrator and/or the City Council~~ and/or the City Administrator.

Personnel Behavior according to Purchasing Policy

1. City of Billings personnel will govern themselves in a manner that is consistent with the Code of Ethics, City Codes and Resolutions.
2. The Purchasing Policy and accompanying procedures are is created to promote and cultivate at all personnel levels within the City of Billings goodwill and good business relationships with vendors in order to establish equity and protect the public interest in such a way that enhances the City's reputation for impartiality, courtesy, ethical deportment, service, and economy.
3. The Purchasing Policy and accompanying procedures assures that all purchases receive the benefit of competition to the maximum extent practicable, through the use of formal sealed bids, quotes ~~bids~~, proposals, cost verification methods, and other recognized and professionally acceptable methods of procurement that accrues positive benefit to the City of Billings.

I. Purpose

This policy establishes efficient procedures and guidelines shall be created and maintained to aid each department of the City of Billings in monitoring its own compliance and commitment to authorizing, approving and processing expenditures.

II. Scope

- II.1. This policy supersedes all previous City of Billings purchasing policies. If future policies conflict with or supersede parts of this policy, the remaining sections of the policy will stay in effect.
- II.2. The policy and accompanying procedures ~~applyies~~ to all City of Billings departments and divisions. It applies to ALL types of expenditures.
- II.3. Public procurement functions essentially share primary fundamental goals such as obtaining maximum value for each tax dollar expended and establishing systematic, consistent and fiscally responsible accountability and control over all purchases.
- II.4. The City of Billings Finance Department is responsible for maintaining overall control and implementation of the policy and accompanying procedures.
- II.5. The City Council approves the Purchasing Policy and the City Administrator establishes the Purchasing Procedures of the City of Billings through Administrative Order.

III. Policy Statement

- III.1. It is the policy of the City of Billings to obtain maximum value for each tax dollar expended in the purchase of goods and services, and to establish systematic, consistent and fiscally responsible accountability and control over all City purchases.
- III.2. This policy and accompanying procedures ~~applyies~~ to all activities, including the City's State and Federally-funded programs or grants and other entities under the authority of the City Administrator and/or City Council. It includes but is not limited to the acquisition of:
 - Equipment
 - Merchandise
 - Materials
 - Professional services
 - Other services
 - Construction contracts

- III.3. This policy and accompanying procedures ~~are~~ is-in compliance with all Federal and State laws as they may apply.
- III.4. Those who fail to comply with this policy and accompanying procedures may be subject to disciplinary action.
- III.5. This policy will be used in conjunction with the policies in place for the Capitalization Policy/CIP, the Equipment Replacement Plan (ERP), and the Technology Replacement Plan (TRP). These policies are available for reference in Appendix A.
- III.6. Upon adoption of this policy, the City Council authorizes the City Administrator to establish any procedures and standards necessary for implementation.
- III.7. The City Administrator will review this policy at least every two years and make recommendations for changes to the City Council.

RESOLUTION NO. 16-_____

A RESOLUTION OF THE BILLINGS, MONTANA CITY
COUNCIL ADOPTING A CITY-WIDE PURCHASING POLICY

WHEREAS, the City of Billings Purchasing Policy was officially adopted in 2006;
and

WHEREAS, the City purchases a substantial amount of goods and services each
year through its various departments and agencies; and

WHEREAS, state law requirements regarding municipal contracts have changed
since 2006; and

WHEREAS, the City of Billings has a Purchasing Policy, as well as a procedures
manual outlining the various methods of appropriate procurement practices used by the
City of Billings in order to provide for an efficient and equitable system of public
purchasing by the City; to obtain the maximum purchasing value of public funds in
procurement by the City, and to provide for a procurement system of quality and integrity;
and

WHEREAS, the new *City of Billings Purchasing Procedures* are being adopted
contemporaneously by Administrative Order.

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

That the City of Billings hereby adopts the *2016 City of Billings Purchasing Policy*
which is set forth in Attachment 'A'. All prior versions of the City of Billings Purchasing
Policies are repealed, revoked and superseded thereby.

APPROVED AND PASSED by the City Council of the City of Billings, this 22nd day
of February, 2016.

CITY OF BILLINGS:

BY: _____
Thomas W. Hanel, Mayor

ATTEST:

BY: _____
Billie Guenther, City Clerk

Attachment “A”

CITY OF BILLINGS
PURCHASING
POLICY

February 2016

Introduction

In order to provide an efficient purchasing program built on excellence and expertise it is important that all personnel (Citywide) function as a team with cooperation as the essential element. Those individuals whose duties require them to become a part of the purchasing cycle must be completely acquainted with the program and have a clear definition and understanding of its purposes, insofar as it applies to the procurement of materials, supplies, equipment and professional services at the lowest possible cost consistent with the quality needed for the operation of municipal departments.

Policy Summary

The City of Billings Purchasing Policy establishes an efficient, fiscally responsible, centralized purchasing system, a program, which will effectively provide day-to-day service and support citywide. This policy recognizes and addresses the importance of the overall support mission and the need for maximizing and enhancing whenever possible, the value of each tax dollar expended.

The City of Billings requires departments, divisions, units and City personnel to cooperate fully in their adherence to policy and procedure related to the Purchasing Policy and Procedures as adopted by the City Council and/or the City Administrator.

Personnel Behavior according to Purchasing Policy

1. City of Billings personnel will govern themselves in a manner that is consistent with the Code of Ethics, City Codes and Resolutions.
2. The Purchasing Policy and accompanying procedures are created to promote and cultivate at all personnel levels within the City of Billings goodwill and good business relationships with vendors in order to establish equity and protect the public interest in such a way that enhances the City's reputation for impartiality, courtesy, ethical deportment, service, and economy.
3. The Purchasing Policy and accompanying procedures assure that all purchases receive the benefit of competition to the maximum extent practicable, through the use of formal sealed bids, quotes, proposals, cost verification methods, and other recognized and professionally acceptable methods of procurement that accrues positive benefit to the City of Billings.

I. Purpose

This policy establishes efficient procedures and guidelines shall be created and maintained to aid each department of the City of Billings in monitoring its own compliance and commitment to authorizing, approving and processing expenditures.

II. Scope

- II.1. This policy supersedes all previous City of Billings purchasing policies. If future policies conflict with or supersede parts of this policy, the remaining sections of the policy will stay in effect.
- II.2. The policy and accompanying procedures apply to all City of Billings departments and divisions. It applies to ALL types of expenditures.
- II.3. Public procurement functions essentially share primary fundamental goals such as obtaining maximum value for each tax dollar expended and establishing systematic, consistent and fiscally responsible accountability and control over all purchases.
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- II.5. The City Council approves the Purchasing Policy and the City Administrator establishes the Purchasing Procedures of the City of Billings through Administrative Order.

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- III.1. It is the policy of the City of Billings to obtain maximum value for each tax dollar expended in the purchase of goods and services, and to establish systematic, consistent and fiscally responsible accountability and control over all City purchases.
- III.2. This policy and accompanying procedures apply to all activities, including the City's State and Federally-funded programs or grants and other entities under the authority of the City Administrator and/or City Council. It includes but is not limited to the acquisition of:
 - Equipment
 - Merchandise
 - Materials
 - Professional services
 - Other services
 - Construction contracts
- III.3. This policy and accompanying procedures are in compliance with all Federal and State laws as they may apply.

- III.4. Those who fail to comply with this policy and accompanying procedures may be subject to disciplinary action.
- III.5. This policy will be used in conjunction with the policies in place for the Capitalization Policy/CIP, the Equipment Replacement Plan (ERP), and the Technology Replacement Plan (TRP).
- III.6. Upon adoption of this policy, the City Council authorizes the City Administrator to establish any procedures and standards necessary for implementation.
- III.7. The City Administrator will review this policy at least every two years and make recommendations for changes to the City Council.

Regular City Council Meeting

Meeting Date: 02/22/2016

TITLE: Amendment of Resolution 06-18387, City Administrator Signing Authority

PRESENTED BY: Patrick M. Weber, Finance Director

Department: City Hall Administration

PROBLEM/ISSUE STATEMENT

In 2013, Montana Code Annotated 7-5-2301, was amended to increase the dollar amount above which sealed bids are required from \$50,000 to \$80,000. Additionally, City Council has asked staff to review existing resolutions and code to see if the City Administrator, rather than the City Council, would be able to approve small change orders and contract amendments. Staff has determined that increasing the bid threshold and the City Administrator's signing authority to \$80,000 and adding "amendments and change orders," to a previously adopted Resolution would effectively accomplish this task. These changes will also be made in the Purchasing Procedures, which will concurrently be adopted by Administrative Order.

ALTERNATIVES ANALYZED

City Council may:

- Approve, or;
- Disapprove the amended resolution. Disapproval will mean the Purchasing Procedures will not be in compliance with all Federal and State laws as they may apply, as well as continued small amendments and change orders being presented to City Council for approval.

FINANCIAL IMPACT

The City may benefit from savings in staff time and associated costs by quoting, instead of bidding, projects costing between \$50,000 and \$80,000.

RECOMMENDATION

Staff recommends that the City Council approve the attached resolution that increases the bid threshold and the City Administrator's contracting authority from \$50,000 to \$80,000 and allows the City Administrator to execute small change orders and contract amendments..

APPROVED BY CITY ADMINISTRATOR

Attachments

Resolution 06-18387 - with edits

Resolution 16-_____ - CA approval up to \$80k

MCA 7-5-2301

RESOLUTION NO. ~~06-18387-16-~~_____

A RESOLUTION OF THE BILLINGS, MONTANA CITY COUNCIL
AUTHORIZING THE CITY ADMINISTRATOR TO APPROVE AND EXECUTE
CERTAIN CONTRACTS ON BEHALF OF THE CITY AND REPEALING
RESOLUTION 03-1801606-18387.

WHEREAS, each year the City Council duly approves and adopts by resolution, a budget which provides specific funding for specific purposes; and,

WHEREAS, formal approval of said annual budget constitutes legal authorization by the City Council to expend funds for specified purposes; and,

WHEREAS, pursuant to State law, MCA 7-5-4302, competitive, advertised, sealed bids are used for purchases for any automobile, truck, other vehicle, road machinery, other machinery, apparatus, appliances, equipment, materials or supplies, or for construction, repair or maintenance in excess of \$580,000.

WHEREAS, the City Council may legally delegate to the City Administrator the authority to approve and execute contracts which are funded in the Council-approved budget \$580,000 or less.

WHEREAS, the Council desires to eliminate unnecessary additional Council action on such contracts.

NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:

Section 1: The City Administrator is hereby authorized to approve and execute on behalf of the City contracts, amendments, and change orders for \$580,000 or less.

Section 2: The City Administrator may designate, in writing, City employees authorized to act on his/her behalf in executing the contracts referred to in this resolution.

Section 3: Resolution ~~03-1801606-18387~~ is hereby repealed.

| APPROVED AND ADOPTED by the City Council this ~~43th~~22nd day of February,
~~2006~~2016.

CITY OF BILLINGS:

BY: _____
~~Ron Tussing~~ Thomas W. Hanel, Mayor

ATTEST:

BY: _____
~~Marita Herold, CMC/AAE~~ Billie Guenther, City Clerk

RESOLUTION NO. 16-_____

A RESOLUTION OF THE BILLINGS, MONTANA CITY COUNCIL
AUTHORIZING THE CITY ADMINISTRATOR TO APPROVE AND EXECUTE
CERTAIN CONTRACTS ON BEHALF OF THE CITY AND REPEALING
RESOLUTION 06-18387.

WHEREAS, each year the City Council duly approves and adopts by resolution, a budget which provides specific funding for specific purposes; and,

WHEREAS, formal approval of said annual budget constitutes legal authorization by the City Council to expend funds for specified purposes; and,

WHEREAS, pursuant to State law, MCA 7-5-4302, competitive, advertised, sealed bids are used for purchases for any automobile, truck, other vehicle, road machinery, other machinery, apparatus, appliances, equipment, materials or supplies, or for construction, repair or maintenance in excess of \$80,000.

WHEREAS, the City Council may legally delegate to the City Administrator the authority to approve and execute contracts which are funded in the Council-approved budget \$80,000 or less.

WHEREAS, the Council desires to eliminate unnecessary additional Council action on such contracts.

NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:

Section 1: The City Administrator is hereby authorized to approve and execute on behalf of the City contracts, amendments, and change orders for \$80,000 or less.

Section 2: The City Administrator may designate, in writing, City employees authorized to act on his/her behalf in executing the contracts referred to in this resolution.

Section 3: Resolution 06-18387 is hereby repealed.

APPROVED AND ADOPTED by the City Council this 22nd day of February, 2016.

CITY OF BILLINGS:

BY: _____
Thomas W. Hanel, Mayor

ATTEST:

BY: _____
Billie Guenther, City Clerk

Montana Code Annotated 2015

[Previous Section](#) [MCA Contents](#) [Part Contents](#) [Search](#) [Help](#) [Next Section](#)

7-5-2301. Competitive, advertised bidding required for certain large purchases or construction contracts. (1) Except as provided in [7-5-2304](#) and Title 18, chapter 2, part 5, a contract for the purchase of any vehicle, road machinery or other machinery, apparatus, appliances, equipment, or materials or supplies or for construction, repair, or maintenance in excess of \$80,000 may not be entered into by a county governing body without first publishing a notice calling for bids.

(2) The notice must be published as provided in [7-1-2121](#).

(3) Subject to [7-5-2309](#) and except as provided in Title 18, chapter 2, part 5, every contract subject to bidding must be let to the lowest responsible bidder.

History: En. Sec. 1, Ch. 8, L. 1933; amd. Sec. 1, Ch. 87, L. 1935; re-en. Sec. 4605.1, R.C.M. 1935; amd. Sec. 1, Ch. 42, L. 1941; amd. Sec. 1, Ch. 128, L. 1951; amd. Sec. 1, Ch. 25, L. 1963; amd. Sec. 1, Ch. 331, L. 1969; amd. Sec. 1, Ch. 127, L. 1973; amd. Sec. 1, Ch. 55, L. 1975; R.C.M. 1947, 16-1803(part); amd. Sec. 1, Ch. 134, L. 1981; amd. Sec. 6, Ch. 349, L. 1985; amd. Sec. 1, Ch. 98, L. 1991; amd. Sec. 1, Ch. 203, L. 1997; amd. Sec. 1, Ch. 239, L. 1999; amd. Sec. 2, Ch. 252, L. 1999; amd. Sec. 1, Ch. 523, L. 2003; amd. Sec. 4, Ch. 574, L. 2005; amd. Sec. 1, Ch. 110, L. 2013.

Provided by Montana Legislative Services

<="">

Regular City Council Meeting

Meeting Date: 02/22/2016

TITLE: Glynn Abbey Major Subdivision Preliminary Plat

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

Department: Planning & Community Services

PROBLEM/ISSUE STATEMENT

On November 30, 2015, the Planning Division received an application for preliminary plat approval for the proposed Glynn Abbey Subdivision, a major residential subdivision. The property is located on the north side of Rimrock Road between the intersection of 54th Street West and Rimrock Road and the intersection of Mickey Wright Lane and Rimrock Road. The subdivision is proposed to include 33 lots for single family residential development and one lot for open space/parkland and stormwater management area. The Planning Board conducted a public hearing at its meeting on January 26 and is recommending conditional approval of the preliminary plat, adoption of the Findings of Fact, and approval of one of two requested variances from the City Subdivision Regulations. The owner is Glynn Abbey, LLC, and the representing agent is Performance Engineering and Consulting.

ALTERNATIVES ANALYZED

In accordance with state law, the City Council has 60 working days to act upon this preliminary major plat. The 60 working day review period for the proposed plat ends on February 26, 2016. State and City subdivision regulations also require that preliminary plats be reviewed using specific criteria, as stated within this report. The City may not unreasonably restrict an owner's ability to develop land if the subdivider provides evidence that any identified adverse effects can be mitigated. Within the 60-day review period, the City Council is required to:

1. Approve;
2. Conditionally Approve; or
3. Deny the Preliminary Plat

FINANCIAL IMPACT

If the City Council approves the preliminary plat, the subject property may develop under private ownership, resulting in additional tax revenues. While the new development would require City services, some of the proposed features of the subdivision, like private roads and privately maintained park land, may require fewer City services than comparable residential subdivisions.

BACKGROUND

General location: Northside of Rimrock Road at the intersection of 58th Street West and Rimrock Road

Legal Description: Tracts 3 and 4, C/S 836 in the SW1/4SE1/4 Section 30, T1N, R25E

Owner/Subdivider: Glynn Abbey, LLC

Surveyor/Engineer: Performance Engineering and Consulting

Existing Zoning: Residential-9600

Proposed Zoning: Residential-9600

Existing land use: Vacant

Proposed land use: Single-Family Residential Development

Gross area: 22 acres

Net area: 22 acres (private roads are proposed)

Proposed number of lots: 33 residential lots and 1 open space/park land lot

Parkland requirements: Parkland required for this subdivision is about 1.5 acres. The parkland proposed is about 3.7 acres, with the area functioning as park land/open space and stormwater and flood management.

STAKEHOLDERS

A public hearing was held at the January 26, 2016 Planning Board meeting. Along with the applicant and the agent, five property owners in the area of the subdivision spoke at the public hearing. The main concerns voiced by those testifying were depth and effect on groundwater by the development, surface water drainage effects from the development, and effects by the new development on how floodwater currently flows across the subject and neighboring properties in the area. Planning Board Members also asked for and received clarification on the private maintenance of the park land proposed, the engineering of the proposal to bury an existing irrigation lateral across the subject property, and the request for the sidewalk variance and how some lots might access the internal trail system in the park land that was proposed. City Engineering staff also attended the hearing and provided comment on questions related to the stormwater system proposed for the subdivision, the required cash contribution to the future improvement of Rimrock Road that the subdivision must provide, and the general requirements of the City or managing installation of water and sewer lines in high groundwater areas.

The five property owners that live in the area of the subject property expressed serious concern to the Board regarding how storm events affect surface water drainage on and around the subject property. One neighbor stated that water flows across Arnold Palmer Drive and over into the existing irrigation lateral on the subject property before flowing south toward Rimrock Road. He said that if the irrigation lateral is piped as proposed, this surface water will either flow onto the new subdivision or back up and flow onto the neighboring properties. Another neighbor stated that the groundwater in the area is between 3 feet and 7 feet below the surface and he questioned how the proposed ponds and ditch along Rimrock Road could help manage stormwater and flood water if they will already have groundwater in them for most of the year. A third neighbor said he was concerned that when the water and sewer lines are being installed for this subdivision, de-watering will be needed in the trenches and settling of homes in the area may occur. He said he already experienced this in the past when the City ran water and sewer lines to Ironwood. One neighbor also expressed concern about the 55 mph speed limit currently on Rimrock Road in the area and how ingress and egress to this new subdivision might impact traffic flow in the area.

At the direction of the Planning Board, the applicant's agent provided information in response to the concerns. He stated the applicant is going through the FEMA process to obtain a letter of map revision and is being required to ensure there is no impact to neighboring properties regarding the floodplain. He explained that they are working to lower the existing ground level for the pond storage areas to enable them to store some storm water on the property, and the plan is either to pump storm water to Cove Creek or utilize injection wells in order to meet City requirements to evacuate storm water after 72 hours and allow for adequate storage. He agreed the ponds will contain some water year round. He pointed out that the open lateral irrigation ditch directs excess water into the ditch along Rimrock Road and may be contributing to standing water now, but would not if it were piped in this area. He also explained that groundwater monitoring has been ongoing on the property for more than one year to help with proper design and planning for the project. The applicants agent explained that there will be low traffic volumes from the proposed subdivision and there will be room for traffic to turn into the development without creating any serious traffic problems on Rimrock Road.

City Engineering staff provided additional information following the applicant. He said the applicant will have to construct the water and sewer lines in the winter when the water is lower. He explained the new requirements to monitor buildings a certain distance away from the de-watering. He stated that the applicant has provided calculations showing the project is able to retain the water on site as required for storm water management.

The Planning Board after some discussion, made a motion to conditionally approve the subdivision, add a condition to address pedestrian access to the trail system for three lots, and recommend support of one of the two variances requested by the applicant. This information is detailed in the Recommendation section of this memo.

CONSISTENCY WITH ADOPTED POLICIES OR PLANS

Consistency with the 2008 City of Billings and Yellowstone County Growth Policy, the 2014 Billings Urban Area Long Range Transportation Plan, West Billings Plan, and the Billings Area Bikeway and Trail Master Plan are discussed within the Findings of Fact.

RECOMMENDATION

The Planning Board recommends that the City Council conditionally approve the preliminary major plat of Glynn Abbey Subdivision, based on the Findings of Fact as presented in the staff report. The Planning Board also recommends the City Council approve one of two variances from the subdivision regulations requested by the applicant and outlined below.

Recommended Conditions of Approval:

1. To minimize effects on agriculture and agricultural water user facilities, prior to final plat approval the subdivider will add language to Section VIII of the SIA as to the maintenance responsibilities of the relocated and piped irrigation ditch and documentation in writing that ditch user Ted McFarland has accepted the maintenance plan for the relocated piped ditch.
2. To minimize the effects on local services, prior to final plat approval the subdivider will receive approval from the City Engineering Division for the content of the City of Billings Right-Of-Way Easement and prepare the easement document for execution and recording

at the time of final plat approval.

3. To minimize effects on local services and ensure ongoing operation of electric utilities, prior to final plat approval the subdivider will provide written documentation that the Yellowstone Country Club has approved relocation and burying of the overhead power line that crosses the subject property and serves the Yellowstone County Club.
4. To minimize the effects on local services and address management of storm water in the subdivision as per City Engineering Division specifications, prior to final plat approval the subdivider will update language in Section V of the SIA to read: "The existing property does not have any existing or active storm water detention or retention facilities located onsite. The development will include installation of four (4) storm water ponds used for routing and detention. Total detention volume within the central open space area will be sized in accordance with the Storm Water Management Manual for a commercial site. Water will either be pumped to the Cove Ditch from the ponds or conveyed via injection well(s) to reduce pond volume to pre-storm volume within 72 hours. All ponds shall be maintained by the Home Owner's Association." The subdivider also will submit a copy of the agreement with the Cove Ditch for pumping storm water and the easement necessary to pump storm water to the ditch where it crosses Yellowstone Country Club Property to City Engineering for review and approval prior to final plat approval. If the subdivider chooses to employ injection wells to manage the storm water, design, operation and maintenance plans, and any state permitting requirements must be provided to City Engineering for review and approval prior to final plat approval.
5. To minimize the effects on local services and address management of storm water in the subdivision as per City Engineering Division specifications, prior to final plat approval the subdivider will submit the Glynn Abbey HOA language regarding maintenance of the storm water facilities to City Engineering for review and approval.
6. To minimize effects on local services and as specified in Section III (A) of the SIA , prior to final plat approval the subdivider will provide the required cash contribution to the City Engineering Division equivalent to construction of half a residential street to fund the future reconstruction of Rimrock Road adjacent to the subdivision to a Principal Arterial Street standard.
7. To minimize the effects on local services and public health and safety, and to ensure emergency access to the subdivision, prior to final plat approval the subdivider will receive approval from the City Fire Department and City Public Works Department that the access gates at the entrances to the subdivision are designed to meet all City requirements for emergency and maintenance access.
8. To minimize the effects on local services and ensure that the park land requirements are met, prior to final plat approval the subdivider will provide public access easement documents for review and recording and will show public access easements on the plat over the park land/open space areas of the subdivision to ensure public access is maintained for the park land areas.
9. To minimize the effects on local services and ensure public pedestrian access on the 20-foot-wide utility easement on the western boundary of the subject property, prior to final plat approval the subdivider will provide a revised public access and utility easement documents for recording that ensures that both utility and public pedestrian access is allowed on the 20-foot-wide utility easement on the west boundary of the subject property.
10. To ensure connectivity between the subject property and existing neighborhoods to the west, the subdivider will update Section III (B) of the SIA to clarify that at time of construction of the sidewalks and trails within the subdivision, a 6-foot wide sidewalk will be constructed from where the public right-of-way for Mickey Wright Lane and Arnold Palmer Drive meet the subject property line and the 20-foot-wide public access and utility easement to where the 8-foot-wide trail between Lot 14 and Lot 15 is being built to connect

to sidewalk on Glynn Abbey Way and the internal trail system in the open space of the subdivision.

11. To minimize the effects on local services, prior to final plat approval the subdivider will provide a letter from the United States Postal Service acknowledging its agreement with the placement of mail delivery facilities in the subdivision.
12. To minimize the effects on public health and safety, prior to final plat approval the subdivider will provide documentation that the subdivision has completed a Conditional Letter of Map Revision process through FEMA on the impacts the proposed project may have on the Special Flood Hazard Area of the Cove Creek Drainage, and an approved Floodplain Permit issued by the City of Billings Floodplain Administrator. The Cove Creek 100-Year Floodplain also will be delineated on the final plat.
13. To minimize effects on public health and safety and ensure pedestrian access for lots 25, 26, and 27 to the trail system in the park areas, if the variance to not provide boulevard sidewalks on the south (inside) of Glynn Abbey Way is approved, engineered footbridges will be provided for each of these three lots to access the trails across the drainage system in the park land areas. If the variance to not provide boulevard sidewalks on the south (inside) of Glynn Abbey Way is denied, making sidewalk required, then the footbridges are not required as each of the three lots will have access via sidewalk to the park areas.
14. Minor changes may be made in the SIA and final documents, as requested by Planning and/or Engineering/Public Works to clarify the documents and bring them into the standard acceptable format.
15. The final plat shall comply with all requirements of the City Subdivision Regulations, rules, regulations, policies, and resolutions of the City of Billings, and the laws and Administrative Rules of the State of Montana.

VARIANCES REQUESTED

Two variances have been requested from the City of Billings Subdivision Regulations for this proposal.

Sidewalk Variance

One variance is regarding provision of sidewalks on both sides of all of the internal streets in the subdivision. The applicant is requesting a variance to provide boulevard style sidewalk on only the north side of Glynn Abbey Way and not on either side of Aston Bay Circle. In lieu of complete boulevard sidewalk within the subdivision, the applicant is proposing to utilize an internal trail network that runs behind the lots on the south side of Glynn Abbey Way and may provide pedestrian connections to the lots in the subdivision. Justification for the variance request is provided by the applicant in an attachment to this memo.

The Planning Board is recommending this variance not be approved for local residential streets per the Boards authority under Section 23-406 (B)(13) CSR. The Board concurred with Planning and Engineering staff and recommends that boulevard sidewalks be installed on both sides of Glynn Abbey Way and Aston Bay Circle throughout the subdivision. The recommendation is based primarily on the safety of pedestrians circulating within the subdivision and access for pedestrians to neighboring lots in the subdivision. Other benefits of boulevard sidewalks include snow storage, off-street and off-sidewalk location for garbage and yard waste bins, landscaping, and in some cases mail delivery.

Street Name Variance

The second variance is regarding the requirement Section 23-406(A)(8) that streets in a new subdivision that are aligned with existing streets shall have matching names. The proposed internal Glynn Abbey Way is aligned with 58th Street West where it intersects Rimrock Road on the west side of the subdivision. The applicant is proposing that 58th Street West not continue across Rimrock Road but have the name change to Glynn Abbey Way when it enters the subdivision.

The Planning Board is recommending this variance be approved. The Board concurred with the City's Address Coordinator, City Fire Department, and County GIS (manages the street name database for emergency services), to support this variance request for the change in street name on the 58th Street West alignment. The varying direction of Glynn Abbey Way and its lack of connection further north of Rimrock were factors in supporting this variance request.

APPROVED BY CITY ADMINISTRATOR

Attachments

Proposed Plat

Findings of Fact
Draft SIA
Sidewalk Variance
Street Name Variance
Mayor's Approval Letter

PRELIMINARY PLAT OF
GLYNN ABBEY SUBDIVISION

BEING TRACTS 3 AND 4 OF CERTIFICATE OF SURVEY 836 LOCATED IN THE SW 1/4 OF THE SE 1/4 OF SECTION 30, T 01 N,
R 25 E, P.M.M., CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA



VICINITY MAP
NOT TO SCALE

SITE DATA	
# OF OPEN SPACE LOTS	1
# OF RESIDENTIAL LOTS	33
MAX. LOT AREA	±0.91 AC
MIN. LOT AREA	±0.47 AC
LINEAL FEET OF STREETS	±2,488 LF

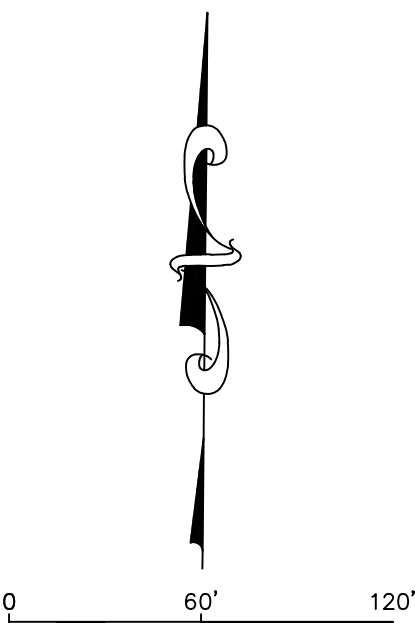
AREA DATA	
OPEN SPACE	±3.70 AC
GROSS LOTS	±18.18
TOTAL	±21.88 AC

LEGEND	
	FOUND QUARTER CORNER
	FOUND PROPERTY CORNER
	SET 1/8" INCH REBAR WITH RED PLASTIC CAP MARKED EWEN 17788LS UNLESS NOTED OTHERWISE
	STORM DRAIN MH
	STORM INLET
	WATER VALVE
	FIRE HYDRANT
	SANITARY SEWER MH
	STREET SIGN

EXISTING LAND USE: N/A
EXISTING ZONING: RESIDENTIAL 9600
PROPOSED LAND USE: RESIDENTIAL
PROPOSED ZONING: RESIDENTIAL 9600

PROPERTY OWNERS:
GLYNN ABBEY, LLC

PRELIMINARY PLAT DATE: DEC. 1, 2015



CLIENT
GLYNN ABBEY, LLC

1010 CENTRAL AVE., SUITE 1
BILLINGS, MT 59102
(406) 690-2070

PROJECT TITLE
GLYNN ABBEY
SUBDIVISION

SHEET TITLE
PRELIMINARY PLAT

SHEET

1

PLAN

PEC STANDARD CTB

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FINDINGS OF FACT

The Planning staff has prepared the following Findings of Fact for the preliminary plat of Glynn Abbey Subdivision for adoption by the Billings City Council. These findings are based on the preliminary plat application and supplemental documents and address the review criteria required by the Montana Subdivision and Platting Act (76-3-608, MCA) and the City of Billings Subdivision Regulations (Section 23-303(H), BMCC).

A. What are the effects on agriculture, local services, the natural environment, wildlife, wildlife habitat, and public health, safety and welfare? [MCA 76-3-608(3) (a) and BMCC 23-302(H)(2)]

1. Effect on agriculture and agricultural water user facilities

The subject property has been in the City but used for agricultural purposes or left vacant for many years. It has utilized irrigation water in the past and also has an irrigation lateral that runs from the Cove Ditch Main Canal north of the subject property to serve property south of Rimrock Road. The irrigation lateral currently crosses the property through the western half. The subdivider is proposing to relocate the ditch to an existing 20-foot-wide utility easement along the west edge of the subject property and install it in a pipe system. The ditch runs south, crosses under Rimrock Road, and goes further south to serve property owned by Ted McFarland.

The subdivider indicates that discussions have been conducted with Ted McFarland and he has indicated that relocating the lateral and putting it into pipe was acceptable as long as he was able to still draw the same amount of water. The subdivider has designed the pipe to ensure that it will convey adequate flows to the McFarland's property. Maintenance of the piped ditch outside of Glynn Abbey Subdivision will be the responsibility of the ditch user. Maintenance of the piped ditch from its head gate north of Glynn Abbey Subdivision to the point where the connection for irrigation for the subdivision is located will be handled by the subdivision HOA and Ted McFarland. Maintenance of the piped ditch from the point of the connection for irrigation for the subdivision south to Rimrock Road will be the responsibility of the ditch user Ted McFarland. Prior to final plat approval, the City will need clarification in the SIA as to the maintenance responsibilities of the piped ditch and documentation in writing that the responsible party has accepted the maintenance **(Condition #1)**.

No water rights are being transferred to future property owners within the subdivision but the subdivider is proposing to have the new Home Owners Association for the subdivision hold irrigation water rights from the Cove Creek Ditch and the property owners will have access to the water via a grey water distribution system owned and operated by the HOA. The property, as it exists, has rights to purchase water shares from the irrigation district of which will be transferred to the HOA. A connection from the relocated irrigation lateral will be stemmed into the central ponds and controlled by a float activated valve. While the subdivider anticipates that the groundwater levels should keep the ponds adequately filled, if

these levels were to drop the connection may be used to fill the ponds back up to the minimum storm water storage level.

2. Effect on local services

- a. **Utilities** – Water service will be provided by the City of Billings from the water main in Rimrock Road. The developer will install new water mains in Glynn Abbey Way and Aston Bay Circle, new individual services to all of the lots, and new fire hydrants in accordance with design standards, specifications, rules and regulations of the City of Billings Public Works Department, Fire Department, and the Montana Department of Environmental Quality (MDEQ). While the internal streets in the subdivision are proposed to be private a public utility easement is being provided over the roads to enable the City of Billings to access the public water mains for maintenance and repair. The easement will be recorded at the time of final plat approval (**See Condition #2**).
- b. Sanitary sewer service will be provided by connecting to the existing City sewer main at the intersection of Rimrock Road and 58th Street West. The subdivider will install new sewer mains in the local streets and individual services for each lot in accordance with design standards, specifications, rules and regulations of the City of Billings Public Works Department and MDEQ. While the internal streets in the subdivision are proposed to be private a public utility easement is being provided over the roads to enable the City of Billings to access the public sewer mains for maintenance and repair. The easement will be recorded at the time of final plat approval (**See Condition #2**).

Montana-Dakota Utilities (MDU) will provide gas services and Northwestern Energy (NWE) will provide electric services to the subdivision. MDU and NWE staff indicated that they would prefer 8-foot wide utility easements along the front lot lines for servicing the subdivision. The subdivider has shown 11-foot-wide easements for utilities along the front lot lines.

NWE staff also pointed out that there is an existing overhead power line running north to south across approximately the western quarter of the subdivision property. The line is owned by the Yellowstone Country Club, the property owner directly north of the subject property. The subdivider in Section VI of the Subdivision Improvement Agreement (SIA) indicates that the plan is to realign the overhead line in the access and utility easement of Glynn Abbey Way from Rimrock Road to where Glynn Abbey Way turns east at Lots 11 and 12. At this point, a 10-foot-wide utility easement is shown on the plat that will enable the power line to reach the Yellowstone Country Club property as it does now. The subdivider plans to bury the power line along the entire corridor in the subdivision. The subdivider will need to provide written approval from the Yellowstone Country Club that this realignment and burying of the power line is approved (**See Condition #3**).

- c. **Storm water** – Storm water drainage for the private streets is proposed to be provided by a network of curb and gutter that discharges into storm water pipes and eventually to four ponds to be used for routing and retention. The four ponds are to be located in the

private park land being provided by the subdivider and are intended to function for stormwater, flood management, irrigation supply, and as amenities to the parkland. The ponds are designed to hold water year round. The subdivider is working with the City Engineering Division on the entire storm water system as it has several more complex systems to handle large storm events. The system is being designed to use some of the storm water collected in the ponds for irrigation of lots in the subdivision through a grey water system. Storm water also will either be pumped to the Cove Ditch north of the subject property to reduce pond volumes after storm events or managed using injection wells on the property to send the water underground.

City Engineering staff has proposed language to replace the first bulleted paragraph in Section V of the SIA as follows:

“The existing property does not have any existing or active storm water detention or retention facilities located onsite. The development will include installation of four (4) storm water ponds used for routing and detention. Total detention volume within the central open space area will be sized in accordance with the Storm Water Management Manual for a commercial site. Water will be pumped to the Cove Ditch from the ponds or conveyed via injection well(s) to reduce pond volume to pre-storm volume within 72 hours. All ponds shall be maintained by the Home Owner’s Association.”

Engineering staff is proposing a condition of final plat approval that the subdivider submit a copy of the agreement with the Cove Ditch for pumping storm water and the easement necessary to pump storm water to the ditch where it crosses Yellowstone Country Club Property prior to final plat approval. If the subdivider chooses to employ injection wells to manage the storm water, design, operation and maintenance plans, and any state permitting requirements must be provided to City Engineering for review and approval prior to final plat approval. (**See Condition 4**).

The City has most recently been reviewing storm water facilities proposed in new subdivisions and directing that the facilities remain privately held by the subdivision home owners associations. The home owner associations are being required to maintain the facilities. Prior to final plat approval, City Engineering must review the Glynn Abbey HOA language regarding maintenance of the storm water facilities (**See Condition 5**). Regardless of the design, ownership and maintenance requirements, all drainage improvements shall also satisfy the criteria set forth by the *City of Billings Storm Water Management Manual* and will be subject to review and approval by the City Engineering Division.

- d. **Solid waste** – The City of Billings will provide solid waste collection and disposal. The City’s landfill has adequate capacity for this waste.
- e. **Streets** – The lots within the subdivision will be served by internal private streets with two full accesses off of Rimrock Road. Glynn Abbey Way is the main street through the subdivision and connects to Rimrock Road at two points in a loop. A second street is Aston Bay Circle and is a small cul-de-sac off of Glynn Abbey Way to serve five of the

lots in the subdivision. Glynn Abbey Way and Aston Bay Circle will be paved and built to City Standards, with 34-foot widths, curb and gutter.

The subdivider will make a contribution equivalent to construction of half a residential street to fund the future reconstruction of Rimrock Road adjacent to the subdivision to a Principal Arterial Street standard. The contribution will take into account what is already built for Rimrock Road. This requirement is specified in Section III (A) Streets of the Subdivision Improvement Agreement. The contribution will be made prior to final plat approval (**See Condition 6**).

Since the streets are proposed to be private, security gates are planned at both entrances to the subdivision at the intersections of Glynn Abbey Way and Rimrock Road. The gates are intended to be open from 5 am to 9 pm and closed overnight. The gates must be designed to meet all requirements of the City Fire Department and City Public Works Department for emergency and maintenance access (**See Condition 7**).

Sidewalks

The subdivider is proposing to have boulevard-style sidewalks along the outer edge (north side) of Glynn Abbey Way and a short boulevard sidewalk segment along the south side of Aston Bay Circle. These are shown on the preliminary plat. As discussed in the Variance section of the memo for this preliminary plat and in the variance attachments, the subdivider is requesting a variance from the requirement to provide boulevard sidewalks on both sides of the streets in the subdivision. The subdivider is proposing that the variance be granted since the development will provide an interior trail system in the park land on the inner (or south side) of Glyn Abbey Way that will serve as pedestrian access and connectivity in lieu of sidewalk along the lot frontages. Justification for the variance request is provided by the applicant in an attachment to this memo and City staff's reasons for not supporting the variance are outlined in the Variances Requested portion of the memo. It is important that the Yellowstone County Board of Planning understand that it is the Board that may choose to recommend to the City Council that the sidewalk requirements be waived or modified for local residential streets as per Section 23-406 (B)(13) CSR.

To ensure connectivity between the subject property and existing neighborhoods to the west, the subdivider will update Section III (B) of the SIA to clarify that at time of construction of the sidewalks and trails within the subdivision, a 6-foot wide sidewalk will be constructed from where the public right-of-way for Mickey Wright Lane and Arnold Palmer Drive meet the subject property line and the 20-foot-wide public access and utility easement to where the 8-foot-wide trail between Lot 14 and Lot 15 is being built to connect to sidewalk on Glynn Abbey Way and the internal trail system in the open space of the subdivision (**See Condition #10**).

Since the sidewalk referenced above from Mickey Wright Lane and Arnold Palmer Drive will utilize the existing 20-foot wide utility easement along the western boundary of the subdivision, the easement must be updated to reflect public pedestrian access is allowed. Prior to final plat approval the subdivider will provide a revised public access

and utility easement documents for recording that ensures that both utility and public pedestrian access is allowed on the 20-foot-wide utility easement on the west boundary of the subject property (See **Condition #9**).

- f. **Emergency services and access** – The Billings Police and Fire Departments will respond to emergencies within the proposed subdivision. The nearest fire station is located at 54th St. West and Grand Ave. (Station #7), about 1.3 miles from the subdivision. The subdivision is located within the ambulance service area of American Medical Response (AMR). Police Department stated that while this subdivision is located in an area that includes a mix of City and County properties, it is within an existing patrol area.

Since the subdivision is proposing to have private streets and security gates at the access points, the gates must be designed to meet all requirements of the City Fire Department and City Public Works Department for emergency and maintenance access (See **Condition 7**). Language is also included in Section IV of the SIA regarding the type access systems the gates will be equipped with as per the Billings Fire Department.

Language also is included in Section IV of the SIA that specifies the requirements for emergency access for the Fire Department during initial home construction prior to completion of all roads and infrastructure.

- g. **Schools** – School District #2 provides educational services to elementary through high school students. Schools serving these students are Arrowhead Elementary School, Will James Middle School, and West High School. The District provided information on the student capacities of all three schools. Arrowhead and Will James had limited capacity for additional students while West High is currently 242 students over capacity. The district has completed a master plan for growth addressing school capacity and facilities, including building a new middle school in west Billings, moving 6th grades from the elementary schools to the middle schools, and preparing a redistricting plan for elementary schools. With these modifications, some school enrollments are expected to match capacity in the next few years.
- h. **Parks and Recreation** – Residential subdivisions creating lots with housing densities at or less than one dwelling unit per ½-acre are required by State and local laws to dedicate 11% of the net land area (or provide an equivalent cash contribution) for parkland. Residential subdivisions creating lots with housing densities greater than ½ acre and less than 1 acre are required by State and local laws to dedicate 7.5% of the net land area (or provide an equivalent cash contribution) for parkland. This subdivision has a mix of lots in these two size ranges, so the total has been calculated to reflect this. The subdivider is proposing to provide more than what is required, at 3.7 acres as private park land maintained by the subdivision's Home Owners Association but with public access easements on the land so that it is open to the public. This arrangement has been used in City subdivisions before and is being applied here to enable the subdivider to receive credit for the park land and to make it so that the Parks, Recreation and Public Lands Department (PRPL) does not have to manage maintenance and fund improvements.

PRPL staff is in agreement with this proposal as long as the access easements are provided on the park land to ensure public access (**See Condition 8**).

Pedestrian Access for Lots 25, 26, and 27:

During the Planning Board public hearing on January 26, it was noted by Planning Board Member Francisco Saldivar that if the variance to not provide sidewalks along Glynn Abbey Way was to be approved, Lots 25, 26, and 27 would not be able to easily access the internal trail system in the subdivision because the pond and water drainage system separated the lots from the trails. Mr. Saldivar pointed out that if the subdivider was making a case for the trails instead of the sidewalks, then all lots affected should have easy access to the trails. The subdivider agreed that this was a valid issue and agreed that footbridges across the drainage system for these lots to access the trail would make sense.

Mr. Saldivar then made a motion that an additional condition be added to the preliminary approval that engineered footbridges be provided for the three lots. This motion was made, and supported by the Board, before the sidewalk variance was discussed and voted on. When the Board considered the sidewalk variance itself, Mr. Saldivar supported the variance in alignment with his motion to provide the foot bridges. However, the sidewalk variance failed to be recommended for approval by the Board. Given this situation, staff has drafted Condition 13 so that if the City Council approves the sidewalk variance then the footbridges will be required but if the Council denies the sidewalk variance the footbridges will not be required as sidewalk will then provide pedestrian access to Lots 25, 26, and 27 (**See Condition 13**).

- i. **Mail Delivery** - The United States Postal Service will provide postal service to the subdivision. In order to assure the coordination of mailbox locations, it is recommended as a condition of approval that the subdivider provide a letter from the postal service acknowledging its agreement with the mailbox locations prior to final plat approval (**See Condition 11**).

3. Effect on the natural environment

The subject property is in an area with a mix of development and property in the City and County. The area consists of irrigated agricultural land, large-lot single family development in the County, a golf course, and some large lot residential development and higher density residential development in the City.

The most significant effect of development in this area on the natural environment is related to the natural drainage in this area and is also discussed in more detail in the Section 5 Public Health, Safety, and Welfare of these Findings of Fact. There is a mapped floodplain for Cove Creek that is being addressed through the proposed development of this property as a portion of the property is within the floodplain of Cove Creek. The subdivider will need to receive the proper floodplain permit(s) for the proposed development prior to final plat approval (**See Condition 12**).

In addition to the floodplain issues, during development, storm water pollution prevention best management practices are required to be used and monitored to prevent erosion on exposed ground. These provisions should help address some impacts on the natural environment from development activity during construction.

4. Effect on wildlife and wildlife habitat

Montana Fish, Wildlife and Parks staff provided comments regarding this proposed subdivision. There are no known endangered or threatened species on the property. There is a note in the SIA that warns future lot owners of the presence of deer and antelope in the area, which may cause damage to their landscaping. Montana Fish, Wildlife and Parks staff also stated that a fish and wildlife water right and private pond permit would be required if the subdivider plans to stock fish in the proposed ponds on the property. This subdivision should have a minimal effect on wildlife and wildlife habitat.

5. Effect on the public health, safety and welfare

Soil conditions and flooding may be the most significant potential effects on the public health, safety, and welfare related to this proposed subdivision.

Soil conditions have the potential to impact the public health and safety of future property owners in this subdivision. A geotechnical investigation was conducted by Rimrock Engineering. The Geotechnical Report for the development found that: Based on subsurface profiles encountered within the borings, it is likely that a majority of the foundations and associated concrete floor slabs will bear on lean clay soils. Silty sand soils were encountered along the south end of the property. Fluctuating groundwater levels should be taken into consideration during design and construction of residential structures. Basement construction may not be feasible unless lower level slabs can be kept 3-feet above groundwater. Language has been added to Section II and Section IX of the SIA alerting future property owners to the Geotechnical Report and stating that homebuilders should perform a geotechnical exploration for each specific structure due to the potential variation from site to site.

According to the current National Flood Insurance Program's (NFIP) Flood Insurance Rate Map (FIRM), approximately 10 acres of the subject property is located in the Special Flood Hazard Area of the Cove Creek Drainage. The subdivider has been working with the City Floodplain Administrator for about one year to seek approval of a floodplain permit for the proposed subdivision. While a permit has not yet been issued by the City, the Federal Emergency Management Agency (FEMA) has been brought into the process through a Conditional Letter of Map Revision to obtain FEMA comments on the impacts the proposed project may have on the Special Flood Hazard Area of the Cove Creek Drainage. The City's Floodplain Administrator has stated that a local floodplain permit may not be issued until the subdivider receives a determination from FEMA on whether the subdivision as proposed requires an update to the Special Flood Hazard Area map through a Conditional Letter of Map Revision process through FEMA. The subdivider will need to receive the proper floodplain permit(s) for the proposed development prior to final plat approval and that approval may contain conditions that must be met prior to construction (**See Condition 12**).

If the subdivision is permitted through the floodplain permitting processes, language has been added to Section II and Section V of the SIA informing future property owners that specific lots in the subdivision are within the Cove Creek 100-Year Floodplain and buildings on those lots will be required to have a finished floor elevation of at least 2 feet above the base flood elevation. The Cove Creek 100-Year Floodplain also is delineated on the preliminary plat and will be required to be shown on the final plat (**See Condition 12**).

During the plat review by the Planning Board on January 12, the subdivider stated that the fencing along the Rimrock Road frontage of the subdivision would likely be a mix of earth berming and intermittent masonry wall. It is important that the subdivider be aware that if earth berms and an intermittent masonry wall are contemplated along the Rimrock Road frontage these elements must be considered in the floodplain permitting and stormwater design for the property.

B. Was an Environmental Assessment required? [(MCA 76-3-616 and BMCC 23-302(H)(1))]

The proposed subdivision is exempt from the requirement for an Environmental Assessment pursuant to Section 76-3-616, MCA.

C. Does the subdivision conform to the Yellowstone County-City of Billings 2008 Growth Policy, the Urban Area Transportation Plan 2009 Update and the Billings Area Bikeways and Trail Master Plan? [BMCC 23-302(H)(4)]

1. Yellowstone County-City of Billings 2008 Growth Policy

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

1. Goal: New developments that are sensitive to and compatible with the character of adjacent City neighborhoods and County townsites (p. 6).

While large lot development like what is proposed in this subdivision is more costly to provide services to for the City, the location of this property partially in a mapped floodplain and with the existing large-lot residential development around it, may make the larger lots and added opens space in the proposed subdivision more compatible with the character of the adjacent City and County areas.

2. Goal: A multi-purpose trail network integrated into the community infrastructure that emphasizes safety, environmental preservation, resource conservation and cost effectiveness (p. 10).

The proposed trail connections to adjacent property to the west as well as the internal trail network through the open space in the subdivision that provides access to Rimrock Road provides connections and utilizes open space for stormwater management and recreation.

2. 2014 Billings Urban Area Transportation Plan

The proposed subdivision adheres to the goals and objectives of the 2009 Transportation Plan Update and preserves the street network and street hierarchy specified in the plan. Rimrock Road in this area has an existing 120-foot road right-of-way as per City requirements for a Principal Arterial Street.

3. Billings Area Bikeway and Trail Master Plan

The proposed subdivision lies within the jurisdiction of the Billings Area Bikeway and Trail Master Plan. The Billings Area Bikeway and Trail Master Plan identifies bike lanes on Rimrock Road along the frontage of the subject property. While major improvements to Rimrock Road are not planned with this subdivision, future improvements to the Rimrock Road corridor may include bike lanes in this area. This language has been included in Section III (F) of the SIA.

The subdivider as per comments from the Planning Division and Engineering Division in lieu of a full road connection to existing roads abutting the subdivision to the west, is providing a sidewalk connection from the end of both Mickey Wright Lane and Arnold Palmer Drive along the existing 20-foot-wide Pedestrian and Access Easement on the west edge of the subdivision, and along a 12-foot-wide pedestrian access easement between Lots 14 and 15 to the sidewalk along Glynn Abbey Way. This pedestrian connection where it intersects Glynn Abbey Way will align with the internal trail in the Glynn Abbey Subdivision parkland area to create a pedestrian connection through the park land in the subdivision and between the neighborhood to the west and Rimrock Road.

4. West Billings Plan

The proposed subdivision is consistent with the following goals and policies of the West Billings Plan:

- Create developments in West Billings that are compatible with their surroundings and provide a safe and desirable environment for residents, shoppers, workers and visitors (Community Character Goal 1, Page 38). *This subdivision, while low density for urban services, does fit in with the large lot residential development in the City and County in this area.*
- Identify and protect open spaces, flood channels, waterways, and scenic resources in West Billings (Open Space Goal 1, Page 46). *While this development is occupying a portion of the Cove Creek floodplain, the design will meet local, state and federal floodplain regulations and is utilizing areas of open space for natural drainage and flood management on the property.*
- New parklands should benefit both the individual neighborhood and the overall community park and linear open space system (Open Space Goal 4, Page 50). *Pedestrian connections from the neighborhood to the west of this subdivision and pedestrian walkways and trails through the open space in this subdivision connecting to the west and to Rimrock Road provides for benefits to the subdivision residents and neighbors in the area. When Rimrock Road is reconstructed with pedestrian facilities, these trail connections will be even more beneficial for the area.*

D. Does the subdivision conform to the Montana Subdivision and Platting Act and to local subdivision regulations? [MCA 76-3-608(3)(b) and BMCC 23-302(H)(3)(a)]

If approved with the proposed conditions of approval, the proposed subdivision satisfies the requirements of the Montana Subdivision and Platting Act and the design standards specified in the local subdivision regulations. The subdivider and the local government have complied with the subdivision review and approval procedures set forth in the local and state subdivision regulations.

E. Does the proposed subdivision conform to all requirements of the zoning in effect? [BMCC 23-302(H)(3)(e)]

The subject property is currently zoned Residential-9600 and single-family residential development is planned with the proposed subdivision. The lot sizes within the subdivision will conform to the requirements of the R-9600 zone. Setbacks and structure specific requirements will be reviewed for compliance at the time of building permit review.

F. Does the proposed plat provide easements for the location and installation of any utilities? [MCA 76-3-608(3)(c) and BMCC 23-302(H)(3)(b)]

The subdivider is already proposing to provide 11-foot-wide utility easements, exceeding the 8-foot-wide easements requested by MDU and Northwestern Energy on the face of the plat.

G. Does the proposed plat provide legal and physical access to each parcel within the subdivision and notation of that access on the plat? [MCA 76-3-608(3)(d) and BMCC 23-302(H)(3)(c)]

Legal and physical access is provided to the proposed lots from Rimrock Road via Glynn Abbey Way and Aston Bay Circle.

CONCLUSIONS OF FINDINGS OF FACT

- The preliminary plat of Glynn Abbey Subdivision, if the proposed conditions of approval are met, should not create any adverse impacts that warrant denial of the subdivision. However, several of the conditions are integral to approval of the subdivision as proposed/designed, including the floodplain and stormwater system conditions.
- The proposed subdivision conforms to several of the goals and policies of the 2008 Growth Policy Update and does not conflict with the Transportation or Bikeway/Trail Plans.

- If proposed conditions of approval are met, the proposed subdivision will comply with state and local subdivision regulations, local zoning, and sanitary requirements and will provide legal and physical access to each lot.
- Any potential negative or adverse impacts will be mitigated with the proposed conditions of approval.

Approved by the Billings City Council, February 22, 2016.

Thomas W. Hanel, Mayor

SUBDIVISION IMPROVEMENTS AGREEMENT
Glynn Abbey Subdivision
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City of Billings

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SUBDIVISION IMPROVEMENTS AGREEMENT

Glynn Abbey Subdivision

This agreement is made and entered into this ____ day of _____, 20__, by and between *Glynn Abbey, LLC* whose address for the purpose of this agreement is **1010 Central Ave., Suite 1, Billings, MT 59102**, hereinafter referred to as "Subdivider," and the **CITY OF BILLINGS**, Billings, Montana, hereinafter referred to as "City."

WITNESSETH:

WHEREAS, the plat of *Glynn Abbey Subdivision*, located in The City of Billings, Yellowstone County, Montana, was submitted to the Yellowstone County Board of Planning; and

WHEREAS, at a regular meeting conducted on ____ day of _____, 20__, the Board of Planning recommended conditional approval of a preliminary plat of *Glynn Abbey Subdivision*; and

WHEREAS, at a regular meeting conducted on ____ day of _____, 20__, the City Council conditionally approved a preliminary plat of *Glynn Abbey Subdivision*; and

WHEREAS, a Subdivision Improvements Agreement is required by the City prior to the approval of the final plat.

WHEREAS, the provisions of this agreement shall be effective and applicable to *Glynn Abbey Subdivision* upon the filing of the final plat thereof in the office of the Clerk and Recorder of Yellowstone County, Montana. The Subdivision shall comply with all requirements of the City of Billings Subdivision Regulations, the rules, regulations, policies, and resolutions of the City of Billings, and the laws and administrative rules of the State of Montana.

THEREFORE, THE PARTIES TO THIS AGREEMENT, for and in consideration of the mutual promises herein contained and for other good and valuable consideration, do hereby agree as follows:

I. VARIANCES

Subdivider is requesting a variance to provide curbwalk style sidewalk on the exterior side of the main road, Glynn Abbey Way, only. An interior trail system will provide pedestrian access throughout the subdivision in lieu of a second interior roadside sidewalk.

II. CONDITIONS THAT RUN WITH THE LAND

- A.** Lot owners should be aware that this subdivision is being built in close proximity to prime deer and antelope habitat and it is possible that homeowners will experience problems with damage to landscaped shrubs, flowers, and gardens. The Montana Fish, Wildlife, and Parks Department does not provide damage assistance unless there is damage to commercial crops and/or a threat to public health and safety.
- B.** A geotechnical investigation was conducted by Rimrock Engineering in August, 2014. The Geotechnical Report for the development found that: "Based on subsurface profiles encountered within the borings, it is likely that a majority of the foundations and associated concrete floor slabs will bear on lean clay soils. Silty sand soils were encountered along the south end of the property. Fluctuating groundwater levels should be taken into consideration during design and construction of residential structures. Basement construction may not be feasible unless lower level slabs can be kept 3-feet above groundwater." Homebuilders should perform a geotechnical exploration for each specific structure due to the potential variation from site to site. Geotechnical recommendations can be found in the Geotechnical Engineering Report for Proposed Glynn Abbey Subdivision completed by Rimrock Engineering in September, 2014 which is kept by Glynn Abbey, LLC. Reference Section IX for further geotechnical information.
- C.** No water rights have been transferred to the lot owners.
- D.** One private irrigation ditch providing water from the Cove Ditch Company Main Canal to lands owned by Yellowstone Meadows Partners exists on the property. The lateral has been relocated and piped along the western and southern boundary of the development and its facilities shall remain in place and shall not be altered by subsequent lot owners.
- E.** There is attached hereto a Waiver waiving the right to protest the creation of a special improvement district or districts which by this reference is expressly incorporated herein and made as much a part hereof as though fully and completely set forth herein at this point. The Waiver will be filed with the plat, shall run with the land, and shall constitute the guarantee by the Subdivider and property owner or owners of the developments described herein. Said Waiver is effective upon filing and is not conditioned on the completion of the conditions set forth in this Agreement. The Subdivider and owner specifically agree that they are waiving valuable rights and do so voluntarily.
- F.** The subdivider and subsequent contractors/builders acknowledge that there is a Stormwater Pollution and Prevention Plan (SWPPP) filed with the city and the

Montana Department of Environmental Quality (MDEQ). This SWPPP shall be adhered to during all phases of construction and shall be updated as required by MDEQ under the General Permit for Stormwater Discharges Associated with Construction Activity, Chapter 28, BMCC and the Billings Stormwater Management Manual.

- G. Individual lot owners should be aware that Best Management Practices for stormwater control shall be required for new construction on lots. Best Management Practices are defined within Section 28-201, BMCC and detailed in the Billings Stormwater Management Manual.
- H. Lot owners should be aware that portion(s) of this property lie within the designated floodplain, as depicted on the FEMA maps for this area. Please be advised that residential dwellings Lots 1-4, 12-22, 24, and 31-33 will/may be required to have a finished floor elevation of at least 2-feet above the base flood elevation (BFE).

III. TRANSPORTATION

A. Streets

- Glynn Abbey Way will serve as the main access road for the Glynn Abbey Subdivision off of Rimrock Road.
- Pursuant to City of Billings Subdivision Regulations, Glynn Abbey Way and Aston Bay Circle will be considered private roads and will be improved to meet City subdivision and emergency access standards. A cul-de-sac turn-around will be constructed at the end of Aston Bay Circle. A security gate will be provided at both connections of Glynn Abbey Way to Rimrock Road.
- Internal roads will be paved with a width of 34-foot to back of curb and a 60-foot radius within the cul-de-sac.
- All streets will be constructed with curb and gutter meeting design standards outlined in the City of Billings Standard Modification Drawing Sm_M02528-1.
- The Subdivider will provide a cash equivalent contribution towards the improvement of Rimrock Road to a residential standard as specified in the City of Billings Standard Modifications. Subdivider will be given credit for in-place improvements, being responsible for half of the street and adjoining improvements.

B. Sidewalks

- The development has been designed with a boulevard style sidewalk along the outer edge of Glynn Abbey Way throughout the subdivision. The Subdivider is requesting a variance to the sidewalk requirements outlined in Section 23-406.B.13 by allowing for sidewalk installation on the outer edge of the road only, using the interior trail system as substitute for the interior sidewalk requirement.

- The interior trail system shall be constructed at the same time as the street improvements. The 5-foot boulevard sidewalks along the Glynn Abbey Way and Aston Bay Circle shall be installed at the time of lot development by the lot owner. Sidewalks shall be installed by the lot owner within two years of purchase of the property.

C. Street Lighting

- Street lighting is proposed for the development. Lights will be placed along both Glynn Abbey Way and Aston Bay Circle and will be connected to Northwestern Energy's electrical grid. Energy and maintenance costs will be the responsibility of the HOA.

D. Traffic Control Devices

- Stop signs will be installed on Glynn Abbey Way at both intersections with Rimrock Road.

E. Gated Private Access

- The development includes two access locations on Rimrock Road. The West access occurs at the intersection of Rimrock Road and 58th Street West. The East access occurs on Rimrock Road 650-feet east of the Rimrock Road-58th Street West intersection. Both approaches on Rimrock Road are 34-feet wide and meet design standards outlined in the City of Billings Standard Modifications.
- The Subdivider will install an access control gate at each Subdivision entrance. In addition to providing access to lot owners and their guests within the Subdivision, the gate will provide access to emergency personnel as well as City of Billings personnel and other authorized persons needing access to City utilities. Specific details regarding access, and maintenance of the public utilities are as outlined within the easement document recorded at the Yellowstone County Clerk and Recorder's Office under document number XXXXXX.
- The security gates will restrict public access to the Subdivision between the hours of 9 p.m. and 5 a.m. The gates will remain open during all other hours of the day.
- The Subdivider will provide specifications to the City regarding the gate operations pertaining to access requirements. In the event of power failure, the access control gate shall automatically open on battery back-up power and remain open until primary power is restored. The gate and gate operating equipment shall be reviewed and approved by the Billings Fire Department prior to installation.
- Subdivider acknowledges that in case of emergency, including emergency access to City utilities, should the gate operations fail, the gate may be destroyed or removed. Subdivider will be responsible for all costs related to reinstalling or repairing the gate.

- Connectivity to the adjacent Yellowstone Club Estates subdivision will be provided by way of a pedestrian access easement connecting the Glynn Abbey Way to Mickey Wright Lane.
- The existing utility easement and maintenance road located along the western boundary of the development will remain and will not be modified to allow for utility maintenance. No construction, including fencing, shall be located in the easement.

F. Billings Area Bikeway and Trail Master Plan

- An internal trail system through the Open Space within the subdivision will be developed by the Subdivider as part of the subdivision improvements. The internal trail system will provide for connectivity to and throughout the interior area of the subdivision.
- Internal trail system will be maintained by the local Homeowners' Association and located within the Open Space area made available to the general public through a public access easement. No further easement is necessary for expansion or existing systems.
- The Billings Area Bikeway and Trail Master Plan identifies bike lanes on Rimrock Road along the frontage of the subject property. While major improvements to Rimrock Road are not planned with this subdivision, future improvements to the Rimrock Road corridor may include bike lanes in this area.

G. Public Transit

- No location for public transit connection will be provided within the development.

IV. EMERGENCY SERVICE

Construction of buildings made of combustible materials shall have adequate fire apparatus access roads and water supply (fire hydrants) in place to allow for fire suppression requirements. Prior to the issuance of a building permit for construction using combustible materials (i.e. lumber, plywood, wood trusses, etc.), fire apparatus access roads and water supply requirements shall be provided in accordance with the International Fire Code as adopted by the City of Billings.

At a minimum, the following is required:

- An unobstructed gravel road or gravel road base must be within 150 feet of the furthest portion of a building under construction as measured along the approved route.
- The access roads are required to support fire apparatus vehicle loading (40 tons) during all weather conditions and shall be a minimum of twenty (20) feet wide.
- An operational fire hydrant shall be located within 600 feet of the furthest portion of a residence under construction or within 400 feet of the furthest portion of a commercial building under construction as measured along the access roads to the site.

- The above requirements do not alter or effect the current minimum subdivision requirements for fire apparatus access and water supply.

Subdivision privacy gates shall be equipped with an approved Knox Key Switch located on the exterior of each gate to provide access to fire and emergency services. Subdivider to contact the Billings Fire Department prior to acquiring the system.

Emergency access to the subdivision will occur at the locations described in Section III. TRANSPORTATION, Subsection E. Access. Approaches and internal roads are designed to accommodate emergency vehicles described previously. The development is occurring in a developed area of the City of Billings and will not have Urban Wildland Interface Code requirements.

V. STORM DRAINAGE

All drainage improvements shall comply with the provisions set forth in Chapter 28, BMCC, and the Stormwater Management Manual in place at the time of development. A complete stormwater management plan shall be submitted to the Engineering Division for review and approval at the time of development.

- The existing property does not have any existing or active stormwater detention or retention facilities located onsite. The development will include installation of four (4) stormwater ponds used for routing and retention. Pond 3 will act as the primary stormwater detention facility. The detention volumes required for 50-year and 100-year 24-hour storms are 43,438 cubic feet and 60,848 cubic feet, respectively. Total detention volume within the central open space area is approximately 43,438 cubic feet. The system has been designed to detain runoff and reduce peak discharge rates to below the pre-development conditions.
- Curb and gutter in addition to stormwater inlets and underground piping will be installed throughout the development as designed to manage and route stormwater into the pond detention system. The stormwater collection system will comply with the Billings Stormwater Management Manual and City of Billings Standard Modifications.
- Lot owners should be aware that portion(s) of this property are located within the Cove Creek 100-Year Floodplain. Please be advised that residential dwellings Lots 1-4, 12-22, 24, and 31-33 will/may be required to have a finished floor elevation of at least 2 feet above the base flood elevation.

VI. UTILITIES

The Subdivision Improvements Agreement does not constitute an approval for extension of or connection to water mains and sanitary sewers. The property owner shall make application for extension/connection of water mains and sanitary sewers to the Public Works Department – Engineering Division. The extension/connection of/to water mains and sanitary sewers is subject to the

approval of the applications and the conditions of approval. Applications shall be submitted for processing prior to the start of any construction and prior to review and approval of any project plans and specifications.

The Developer/Owner acknowledges that the subdivision shall be subject to the applicable System Development and Franchise Fees in effect at the time new water and/or sanitary sewer service connections are made.

The design/installation of sanitary sewers and appurtenances, and water mains and appurtenances (fire hydrants, etc) shall be in accordance with design standards, specifications, rules, regulations of and as approved by the City of Billings Public Works Department, Fire Department and the Montana Department of Environmental Quality.

A. Water

The subdivision will be served by an 8-inch water main placed within Glynn Abbey Way. The 8-inch line will tie into the existing 20-inch water main along Rimrock Road with appropriate valve and hydrant placement to meet City of Billings Public Works Department and Montana DEQ standards, rules, and regulations.

B. Sanitary Sewer

The subdivision will be served by 8-inch gravity collection mains placed within the interior roads. Collection system grades and placement will meet City of Billings Public Works Department and Montana DEQ standards, rules, and regulations. The collection system will tie into the existing 48-inch manhole located within the 58th Street West approach on Rimrock Road. The sanitary sewer tie in will require installation of an interior drop structure within the existing manhole.

C. Power, Telephone, Gas, and Cable Television

Power, natural gas, telephone, and cable will all be located within the subdivision's access and utility easement(s).

The existing overhead powerline is owned by the Yellowstone Country Club with service provided by Northwestern Energy. The overhead line will be realigned and buried within the access and utility easement(s) of the Glynn Abbey Subdivision as agreed upon by the two parties.

VII. PARKS/OPEN SPACE

- The City of Billings Subdivision Requirements require a minimum of 2.42 acres to be provided for the Glynn Abbey Subdivision (11% of Gross property area less roadway easement). The subdivision will provide 3.70 acres of proposed publicly accessible Open Space to fill the minimum

requirement. Portions of this Open Space will contain stormwater retention ponds and a trail network throughout.

- The park will be dedicated and held privately by the Homeowners Association. A public access easement will overlay the parkland area to provide access to the general public.
- Local Homeowners Association will be set up to maintain the open space proposed within the subdivision. Until 51 percent of the lots have been sold, the Subdivider will be responsible for maintenance of the open space proposed within the subdivision.
- If the proposed open space is not properly maintained based, on City of Billings Standards, the City of Billings withholds the right to create a Maintenance District to assume maintenance of the open space. Homeowners Association should be given notice of intent to create a new Maintenance District and an opportunity to implement corrective measures prior to creation of the District.

VIII. IRRIGATION

- One existing private lateral connected to the Cove Ditch Main Canal is located within the subdivision. The existing lateral will be relocated to the western and southern boundaries of the subdivision. Additionally, the existing open lateral will be converted to a closed pipeline system through the property. Owner of the private lateral is responsible for operation and maintenance.
- Installation of the irrigation improvements will be completed in a timely manner as to ensure uninterrupted service to its users. Developer will ensure the ability to irrigate is not impeded during construction of the subdivision.
- The existing lateral maintains a prescriptive easement through the property with no definite width from centerline of the canal. The lateral is proposed to be relocated within the existing utility easement along the western and southern boundaries of the subdivision.
- No water rights are being transferred to future property owners within the subdivision. Irrigation water rights from the Cove Creek Ditch will be held by the Homeowners Association. Subdivision lots will have access to the said water right by way of a private greywater distribution system that is owned and operated by the HOA.
- A private greywater distribution system will distribute irrigation water from the centrally located ponds to the subdivision lots. The HOA shall be responsible for associated operation and maintenance costs.

IX. SOILS/GEOTECHNICAL STUDY

- The subsurface profile varies across the site. In general the subsurface profile along the north portion of the property consists of mainly lean clay soils with lenses and laminations of silty sand. The subsurface profile

along the south portion consists of approximately 4 to 7 feet of lean clay overlying silty sand soils. Groundwater was encountered at approximate depths ranging from 3 to 7 feet.

- Clay and sandy soils encountered within the site generally are weak and highly compressible. The moisture content within the near surface clay soils is usually relatively low, which helps to form a crust of material typically having moderate shear strength and low compressibility. Below the crust, the soils become considerably moister and exhibit low shear strength and high compressibility. Additionally, the presence of relatively shallow groundwater is of concern.
- Potentially soft/loose and saturated soils should be expected within excavations below the groundwater table. De-watering and the use of trench boxes will likely be required within the utility trenches. The base excavations for utility installation may require stabilization prior to utility installation.
- Based on the subsurface profile encountered within the borings, it is likely that a majority of the foundations and associated concrete floor slabs will bear on lean clay soils. Silty sand soils were encountered along the southern property boundary. Fluctuating groundwater levels should be taken into consideration during design and construction of residential structures. Basement construction may not be feasible unless lower level slabs can be kept 3 feet above the groundwater table.
- Homebuilders should perform a geotechnical exploration for each specific structure due to the potential variation from site to site.
- Soils were found to be corrosive for concrete. All concrete should be Type V Portland Cement for projects or infrastructure within the subdivision.
- A full version of the Geotechnical Report can be obtained from the developer or from the City of Billings Building Division.

X. FINANCIAL GUARANTEES

Except as otherwise provided, Subdivider shall install and construct said required improvements with cash or by utilizing the mechanics of a private contract secured by letters of credit or a letter of commitment to lend funds from a commercial lender. All engineering and legal work in connection with such improvements shall be paid by the contracting parties pursuant to said private contract, and the improvements shall be installed as approved by the City Engineer and Utility Department Manager.

XI. LEGAL PROVISIONS

- A.** Subdivider agrees to guarantee all public improvements for a period of one year from the date of final acceptance by the City of Billings.

- B.** The owners of the properties involved in this proposed Subdivision by signature subscribed herein below agree, consent, and shall be bound by the provisions of this Agreement.
- C.** The covenants, agreements, and all statements in this Agreement apply to and shall be binding on the heirs, personal representatives, successors and assigns of the respective parties.
- D.** In the event it becomes necessary for either party to this Agreement to retain an attorney to enforce any of the terms or conditions of this Agreement or to give any notice required herein, then the prevailing party or the party giving notice shall be entitled to reasonable attorney fees and costs.
- E.** Any amendments or modifications of this Agreement or any provisions herein shall be made in writing and executed in the same manner as this original document and shall after execution become a part of this Agreement.
- F.** Subdivider shall comply with all applicable federal, state, and local statutes, ordinances, and administrative regulations during the performance and discharge of its obligations. Subdivider acknowledges and agrees that nothing contained herein shall relieve or exempt it from such compliance.

IN WITNESS WHEREOF, the parties hereto have set their hands and official seals on the date first above written.

“SUBDIVIDER”

Glynn Abbey Development, LLC

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 _____, known to me to be the _____ of *Glynn Abbey, LLC* who executed the foregoing instrument and acknowledged to me that he/she executed the same.

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

This agreement is hereby approved and accepted by the City of Billings, this ____ day of _____, 20____.

“CITY”
CITY OF BILLINGS
MONTANA

By: _____
Mayor

Attest: _____
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, respectively, of the City of Billings, Montana, whose names are subscribed to the foregoing instrument in such capacity and acknowledged to me that they executed the same on behalf of the City of Billings, Montana.

Notary Public in and for the State of Montana

Printed Name: _____

Residing at: _____

My commission expires: _____

Waiver of Right to Protest

FOR VALUABLE CONSIDERATION, the undersigned, being the Subdivider and all of the owners of the hereinafter described real property, do hereby waive the right to protest the formation of one or more special improvement district(s) for a period of no more than twenty years from the recording of this waiver, for street light maintenance and energy, and for the construction of streets, street widening, sidewalks, survey monuments, street name signs, curb and gutter, street lights, driveways, traffic signals, and traffic control devices, parks and park maintenance, trails, sanitary sewer lines, water lines, storm drains (either within or outside the area), and other improvements incident to the above which the City of Billings may require.

This Waiver and Agreement is independent from all other agreements and is supported by sufficient independent consideration to which the undersigned are parties, and shall run with the land and shall be binding upon the undersigned, their successors and assigns, and the same shall be recorded in the office of the County Clerk and Recorder of Yellowstone County, Montana.

The real property hereinabove mentioned is more particularly described as follows:

Glynn Abbey Subdivision

Signed and dated this ____ day of _____, 20__.

Subdivider/Owner

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 _____, known to me to be Glynn Abbey, LLC the person who executed the forgoing instrument and acknowledged to me that he/she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year hereinabove written.

Notary Public in and for the State of Montana

Printed Name: _____

Residing at: _____

My commission expires: _____



2101 Overland Ave • Billings, MT 59102 • 406-384-0080

MEMORANDUM

To: City of Billings Planning Board
From: Craig Dalton, Project Engineer
Date: December 23, 2015
Subject: Glynn Abbey Sidewalk Variance Request

On behalf of the Glynn Abbey Development group, Performance Engineering and Consulting (PEC) is submitting a variance request for the proposed Glynn Abbey residential subdivision. The subdivider is requesting a variance from the City of Billings subdivision regulations requiring sidewalks on both sides of a street. The subdivider is proposing to construct a sidewalk along the exterior side of the main road and utilize an interior trail system in lieu of a second interior sidewalk along the main road. In accordance with Section 23-1101 of the subdivision regulations the following requests must be satisfied by the request:

1. The granting of the variance will not be detrimental to the public health, safety, or general welfare or injurious to other adjoining properties;
2. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, an undue hardship to the owner would result if the strict letter of the regulation was enforced.
3. The variance will not result in an increase in taxpayer burden;
4. The variance will not in any manner place the subdivision in nonconformance with any adopted zoning regulations or Growth Policy; and
5. The subdivider must prove that the alternative design is equally effective and the objectives of the improvements are satisfied.

The proposed variance meets all of the criteria stated above as it will not jeopardize public health or safety or impact current zoning regulations. Furthermore, as stated in Section 23-406.B.13 the requirement for sidewalks on both sides of a local residential street may be waived if the subdivision constructs an approved multi-use bicycle/pedestrian path. The proposed trail system will offer an effective alternative to a second sidewalk by providing pedestrian access throughout the subdivision.

To: City of Billings Planning Board
From: Craig Dalton, Project Engineer
Date: December 23, 2015
Subject: Glynn Abbey Street Name Variance Request

On behalf of the Glynn Abbey Development group, Performance Engineering and Consulting (PEC) is submitting a variance request for the proposed Glynn Abbey residential subdivision. The subdivider is requesting a variance from the City of Billings subdivision regulations requiring the continuation of road names through intersections. The subdivider is proposing to name the main road for the proposed subdivision Glynn Abbey Way in lieu of a continuing the 58th Street West road name north of Rimrock Road. In accordance with Section 23-1101 of the subdivision regulations the following requests must be satisfied by the request:

1. The granting of the variance will not be detrimental to the public health, safety, or general welfare or injurious to other adjoining properties;
2. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, an undue hardship to the owner would result if the strict letter of the regulation was enforced.
3. The variance will not result in an increase in taxpayer burden;
4. The variance will not in any manner place the subdivision in nonconformance with any adopted zoning regulations or Growth Policy; and
5. The subdivider must prove that the alternative design is equally effective and the objectives of the improvements are satisfied.

The proposed variance meets all of the criteria stated above as it will not jeopardize public health or safety or impact current zoning regulations. Furthermore, the renaming of the road will eliminate the potential confusion with having two 58th Street West intersections or intermittent name changes along a continuous roadway.



CITY OF BILLINGS

THOMAS W. HANEL, MAYOR

*P.O. BOX 1178
BILLINGS, MONTANA 59103
(406) 687-8296
FAX (406) 657-8390*

Mayor's Approval Letter— Glynn Abbey Subdivision

February 23, 2016

Glynn Abbey, LLC
1010 Central Avenue, Suite 1
Billings, MT 59102

Dear Property Owner:

On February 22, the Billings City Council conditionally approved the preliminary plat of Glynn Abbey Subdivision, subject to the following conditions of approval:

1. To minimize effects on agriculture and agricultural water user facilities, prior to final plat approval the subdivider will add language to Section VIII of the SIA as to the maintenance responsibilities of the relocated and piped irrigation ditch and documentation in writing that ditch user Ted McFarland has accepted the maintenance plan for the relocated piped ditch.
2. To minimize the effects on local services, prior to final plat approval the subdivider will receive approval from the City Engineering Division for the content of the City of Billings Right-Of-Way Easement and prepare the easement document for execution and recording at the time of final plat approval.
3. To minimize effects on local services and ensure ongoing operation of electric utilities, prior to final plat approval the subdivider will provide written documentation that the Yellowstone Country Club has approved relocation and burying of the overhead power line that crosses the subject property and serves the Yellowstone County Club.
4. To minimize the effects on local services and address management of storm water in the subdivision as per City Engineering Division specifications, prior to final plat approval the subdivider will update language in Section V of the SIA to read: "The existing property does not have any existing or active storm water detention or retention facilities located onsite. The development will include installation of four (4) storm water ponds used for routing and detention. Total detention volume within the central open space area will be sized in accordance with the Storm Water Management Manual for a commercial site. Water will either be pumped to the Cove Ditch from the ponds or conveyed via injection well(s) to reduce pond volume to pre-storm volume within 72 hours. All ponds shall be maintained by the Home Owner's Association." The subdivider also will submit a copy of the agreement with the Cove Ditch for pumping storm water and the easement necessary to pump storm water to the ditch where it crosses Yellowstone Country Club Property to City Engineering for review and approval prior to final plat approval. If the subdivider chooses to employ injection wells to manage the storm water, design, operation and maintenance plans, and any state permitting requirements must be provided to City Engineering for review and approval prior to final plat approval.
5. To minimize the effects on local services and address management of stormwater in the subdivision as per City Engineering Division specifications, prior to final plat approval the subdivider will submit the Glynn Abbey HOA language regarding maintenance of the stormwater facilities to City Engineering for review and approval.
6. To minimize effects on local services and as specified in Section III (A) of the SIA , prior to final plat approval the subdivider will provide the required cash contribution to the City Engineering

Division equivalent to construction of half a residential street to fund the future reconstruction of Rimrock Road adjacent to the subdivision to a Principal Arterial Street standard.

7. To minimize the effects on local services and public health and safety, and to ensure emergency access to the subdivision, prior to final plat approval the subdivider will receive approval from the City Fire Department and City Public Works Department that the access gates at the entrances to the subdivision are designed to meet all City requirements for emergency and maintenance access.
8. To minimize the effects on local services and ensure that the park land requirements are met, prior to final plat approval the subdivider will provide public access easement documents for review and recording and will show public access easements on the plat over the park land/open space areas of the subdivision to ensure public access is maintained for the park land areas.
9. To minimize the effects on local services and ensure public pedestrian access on the 20-foot-wide utility easement on the western boundary of the subject property, prior to final plat approval the subdivider will provide a revised public access and utility easement documents for recording that ensures that both utility and public pedestrian access is allowed on the 20-foot-wide utility easement on the west boundary of the subject property.
10. To ensure connectivity between the subject property and existing neighborhoods to the west, the subdivider will update Section III (B) of the SIA to clarify that at time of construction of the sidewalks and trails within the subdivision, a 6-foot wide sidewalk will be constructed from where the public right-of-way for Mickey Wright Lane and Arnold Palmer Drive meet the subject property line and the 20-foot-wide public access and utility easement to where the 8-foot-wide trail between Lot 14 and Lot 15 is being built to connect to sidewalk on Glynn Abbey Way and the internal trail system in the open space of the subdivision.
11. To minimize the effects on local services, prior to final plat approval the subdivider will provide a letter from the United States Postal Service acknowledging its agreement with the placement of mail delivery facilities in the subdivision.
12. To minimize the effects on public health and safety, prior to final plat approval the subdivider will provide documentation that the subdivision has completed a Conditional Letter of Map Revision process through FEMA on the impacts the proposed project may have on the Special Flood Hazard Area of the Cove Creek Drainage, and an approved Floodplain Permit issued by the City of Billings Floodplain Administrator. The Cove Creek 100-Year Floodplain also will be delineated on the final plat.
13. To minimize effects on public health and safety and ensure pedestrian access for lots 25, 26, and 27 to the trail system in the park areas, if the variance to not provide boulevard sidewalks on the south (inside) of Glynn Abbey Way is approved, engineered footbridges will be provided for each of these three lots to access the trails across the drainage system in the park land areas. If the variance to not provide boulevard sidewalks on the south (inside) of Glynn Abbey Way is denied, making sidewalk required, then the footbridges are not required as each of the three lots will have access via sidewalk to the park areas.
14. Minor changes may be made in the SIA and final documents, as requested by Planning and/or Engineering/Public Works to clarify the documents and bring them into the standard acceptable format.
15. The final plat shall comply with all requirements of the City Subdivision Regulations, rules, regulations, policies, and resolutions of the City of Billings, and the laws and Administrative Rules of the State of Montana.

The City Council also approved one of two variances from the City Subdivision Regulations that were requested. The approved and denied variances are described as follows:

Sidewalk Variance

One variance is regarding provision of sidewalks on both sides of all of the internal streets in the subdivision. The applicant is requesting a variance to provide boulevard style sidewalk on only the north side of Glynn Abbey Way and not on either side of Aston Bay Circle. In lieu of complete boulevard

sidewalk within the subdivision, the applicant is proposing to utilize an internal trail network that runs behind the lots on the south side of Glynn Abbey Way and may provide pedestrian connections to the lots in the subdivision. Justification for the variance request is provided by the applicant in an attachment to this memo. It is important that the Yellowstone County Board of Planning understand that it is the Board that may choose to recommend to the City Council that the sidewalk requirements be waived or modified for local residential streets as per Section 23-406 (B)(13) CSR.

The City Council concurred with the Planning Board and staff and did not approve this variance. Boulevard sidewalks will be installed on both sides of Glynn Abbey Way and Aston Bay Circle throughout the subdivision. The decision to deny the variance is based primarily on the safety of pedestrians circulating within the subdivision and access for pedestrians to neighboring lots in the subdivision. Other benefits of boulevard sidewalks include snow storage, off-street and off-sidewalk location for garbage and yard waste bins, landscaping, and in some cases mail delivery.

Street Name Variance

The second variance is regarding the requirement Section 23-406(A)(8) that streets in a new subdivision that are aligned with existing streets shall have matching names. The proposed internal Glynn Abbey Way is aligned with 58th Street West where it intersects Rimrock Road on the west side of the subdivision. The applicant is proposing that 58th Street West not continue across Rimrock Road but have the name change to Glynn Abbey Way when it enters the subdivision.

The City Council concurred with the Planning Board and staff and did approve this variance. The change in street name on the 58th Street West alignment in this subdivision to Glynn Abbey Way is approved.

Should you have questions please contact the Wyeth Friday at (406) 247-8660 or by email at fridayw@ci.billings.mt.us

Sincerely,

Thomas W. Hanel, Mayor

Pc: Craig Dalton, Performance Engineering and Consulting



Regular City Council Meeting

Meeting Date: 02/22/2016

TITLE: Payment of Claims January 19, 2016

PRESENTED BY: Patrick M. Weber, Finance Director

Department: City Hall Administration

PROBLEM/ISSUE STATEMENT

Claims in the amount of \$2,428,024.09 have been audited and are presented for City Council payment approval. A complete listing of the claims dated January 19, 2016, 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

CouncilMemo_1.19.2016

Check Date	Check	Name	Amount	Account	Item Desc
01/19/2016	790758	Aerzen USA Corporation	\$134,056.90	5130-84910-409390	WO 15-17 WWTP Aeration Blower Improvements
01/19/2016	790759	Air Controls-Billings Inc	\$3,340.00	6500-15660-403990	Inv. #118144
01/19/2016	790759	Air Controls-Billings Inc	\$4,300.00	5210-15920-402450	Park Two Booth. Installed air handler CBX-25UH036 and duct-work.
01/19/2016	790763	American Title & Escrow	\$15,000.00	2840-65810-407277	FTHB Kara Helland 1115 2nd Street West
01/19/2016	790768	Archie Cochrane	\$134.39	1500-21120-402320	5170747
01/19/2016	790768	Archie Cochrane	\$126.23	5020-75000-402320	5170931
01/19/2016	790768	Archie Cochrane	\$14.00	1500-21120-402320	5171015
01/19/2016	790768	Archie Cochrane	\$28.40	1500-21120-402320	5171195
01/19/2016	790768	Archie Cochrane	\$177.93	5020-75000-402320	5171248
01/19/2016	790768	Archie Cochrane	\$4,148.35	6300-17530-407310	Inv. #836626-2 BPD #1413 #2015-172
01/19/2016	790768	Archie Cochrane	\$82.52	6300-17530-407310	Inv. 696726-1
01/19/2016	790780	Brenntag Pacific Inc	\$5,945.68	2110-31320-404720	hicothaw used for melting snow in the street
01/19/2016	790780	Brenntag Pacific Inc	\$5,741.63	2110-31320-404720	hicothaw used to melt snow on streets
01/19/2016	790784	Business Tax Section	\$2,155.24	5410-31220-409250	WO 15-38 Solid Waste CNG Short-Term Fueling Station
01/19/2016	790784	Business Tax Section	\$3,782.08	4260-00000-201100	WO 12-31 East End Storm Drain Phase II
01/19/2016	790784	Business Tax Section	\$36.71	2050-31310-409310	WO 15-08 Exposition Gateway
01/19/2016	790784	Business Tax Section	\$1,054.64	5030-75910-409340	WO 15-08 Exposition Gateway; CO#1 09/09/2015
01/19/2016	790784	Business Tax Section	\$240.21	8450-31860-409310	WO 15-12 Gabel Road & 32nd W Traffic Signal Improvements
01/19/2016	790784	Business Tax Section	\$3,811.17	5130-84910-409390	WO 15-34 WWTP Hail Damage Repairs
01/19/2016	790784	Business Tax Section	\$128.90	5610-71170-402450	Window Replacement IP-7
01/19/2016	790790	Commercial Roofing	\$377,305.83	5130-84910-409390	WO 15-34 WWTP Hail Damage Repairs
01/19/2016	790790	Commercial Roofing	\$3,398.00	6300-17530-407310	BOC Material Storage Building Underlayment
01/19/2016	790791	Cop Construction Co	\$374,426.49	4260-00000-201100	WO 12-31 East End Storm Drain Phase II
01/19/2016	790794	CTA Inc	\$2,000.00	0100-14110-403546	City of Billings Facilities Master Plan
01/19/2016	790794	CTA Inc	\$5,000.00	0100-14110-403546	City of Billings Facilities Master Plan
01/19/2016	790794	CTA Inc	\$6,000.00	0100-14110-403546	City of Billings Facilities Master Plan
01/19/2016	790794	CTA Inc	\$43.40	5210-15950-409390	Park One Bathroom remodel. VOA. Consulting services from December 1, 2015 - December 31, 2015.
01/19/2016	790796	Cy-Corp	\$4,995.00	6500-15660-402120	Single Axle HD Tilt Trailer
01/19/2016	790797	Dale & Jax Door & Glass Inc	\$12,761.10	5610-71170-402450	Window Replacement IP-7
01/19/2016	790797	Dale & Jax Door & Glass Inc	\$320.00	2600-55120-403690	Invoice 18096
01/19/2016	790803	Denny Menholt Frontier Chevrolet	\$26,869.20	5410-31220-409420	2016 Chevrolet 3/4 Ton 4 wheel drive pick up for Solid Waste. Per ERP
01/19/2016	790804	Desert Mountain Corporation	\$5,045.16	2110-31320-404721	ice slicer used for melting snow in streets

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01/19/2016	790806	DOWL	\$29,848.98	1990-15050-409340	WO 16-06 SBURD Sanitary Sewer - Phase II
01/19/2016	790806	DOWL	\$323.75	5120-82110-403540	Sewer Model
01/19/2016	790806	DOWL	\$1,412.50	8400-31840-403590	WO 15-39 Stormwater Model Hospital Corridor
01/19/2016	790807	Dowl Hkm	\$4,403.88	8450-31860-409310	WO 15-06 Poly Drive - 32nd St West to 38th St West; CO#1 05/26/2015
01/19/2016	790812	Empire Garage Owner's Association	\$7,837.42	5210-15940-403660	City of Billings Non Capital Assessment.
01/19/2016	790812	Empire Garage Owner's Association	\$1,263.12	5210-15940-403660	City of Billings Capital Assessment.
01/19/2016	790818	First Montana Title Co	\$15,000.00	2840-65810-407277	FTHB Alexandria Prince 286 Aristocrat Drive
01/19/2016	790821	Galles Filter Service	\$96.15	5410-31230-402320	Filters for Landfill equipment
01/19/2016	790821	Galles Filter Service	\$176.83	5710-00000-141714	BUS MET PO NUM 298890
01/19/2016	790821	Galles Filter Service	\$36.02	5710-71440-402320	AUTO &TRUCK MAINT.ITEMS
01/19/2016	790821	Galles Filter Service	\$110.34	6010-00000-141000	P-56381-01 PO NUM 298890
01/19/2016	790821	Galles Filter Service	\$151.79	6010-00000-141000	P-56457-01 PO NUM 298890
01/19/2016	790821	Galles Filter Service	\$302.32	6010-00000-141000	P-56562-01 PO NUM 298890
01/19/2016	790821	Galles Filter Service	\$156.99	6010-00000-141000	P-56619-01 PO NUM 298890
01/19/2016	790821	Galles Filter Service	\$177.48	6010-00000-141000	P-56722-01 PO NUM 298890
01/19/2016	790821	Galles Filter Service	\$26.60	5410-31230-402320	P-56384-01
01/19/2016	790821	Galles Filter Service	\$20.70	5410-31230-402320	P-56458-01
01/19/2016	790821	Galles Filter Service	\$14.61	5410-31220-402320	T-56215
01/19/2016	790821	Galles Filter Service	\$3.00	1500-21120-402320	T-56237
01/19/2016	790821	Galles Filter Service	\$25.69	2110-31320-402320	T-56238
01/19/2016	790821	Galles Filter Service	\$60.10	5410-31220-402320	T-56385
01/19/2016	790821	Galles Filter Service	\$306.44	5410-31230-402320	Filters for Landfill equipment
01/19/2016	790821	Galles Filter Service	\$41.30	5710-00000-141714	BUS MET PO NUM 298890
01/19/2016	790821	Galles Filter Service	\$342.73	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 299269
01/19/2016	790821	Galles Filter Service	\$66.42	5710-00000-141714	BUS MET PO NUM 298890
01/19/2016	790821	Galles Filter Service	\$1.81	5710-71440-402320	AUTO &TRUCK MAINT.ITEMS
01/19/2016	790821	Galles Filter Service	\$2.22	5710-71440-402320	AUTO &TRUCK MAINT.ITEMS
01/19/2016	790821	Galles Filter Service	\$419.69	5410-31230-402320	Filters for Landfill equipment
01/19/2016	790821	Galles Filter Service	\$44.92	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 299371
01/19/2016	790821	Galles Filter Service	\$117.63	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 299375
01/19/2016	790821	Galles Filter Service	\$16.35	5120-85000-402320	NONSTOCKING ITEMS-P.U.D.
01/19/2016	790821	Galles Filter Service	\$247.08	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 299584
01/19/2016	790821	Galles Filter Service	\$158.70	5410-31230-402320	Filters for Landfill equipment
01/19/2016	790821	Galles Filter Service	\$206.97	6010-00000-141000	P-56783-01 PO NUM 298890

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01/19/2016	790821	Galles Filter Service	\$271.76	6010-00000-141000	P-56877-01 PO NUM 298890
01/19/2016	790821	Galles Filter Service	\$260.54	6010-00000-141000	P-56965-01 PO NUM 298890
01/19/2016	790821	Galles Filter Service	\$4.90	6010-00000-141000	T-56520 PO NUM 298890
01/19/2016	790821	Galles Filter Service	\$30.31	6010-00000-141000	T-56556 PO NUM 298890
01/19/2016	790827	Guardian Security Inc	\$8,502.40	2600-55120-403574	Invoice 996483
01/19/2016	790830	Hardy Construction Co.	\$213,368.76	5410-31220-409250	WO 15-38 Solid Waste CNG Short-Term Fueling Station
01/19/2016	790832	HDR, Inc.	\$90,975.95	5130-84910-409390	WO 14-11 WWTP Nutrient Upgrade Expansion & Improvements;6/30/14 Moved fund from 4210 to 5130
01/19/2016	790832	HDR, Inc.	\$11,090.88	8450-31860-409310	WO 09-15 GRAND AVE/ZIMMER MAN TRAIL TO SHILOH RD
01/19/2016	790832	HDR, Inc.	\$2,897.36	8450-31860-409310	WO 09-15 Grand Avenue Zimmerman Trail to Shiloh Rd; CO# 1 08/11/14
01/19/2016	790832	HDR, Inc.	\$49,809.74	8450-31860-409310	WO 09-15 Grand Avenue Zimmerman Trail to Shiloh Rd; CO#2 12/21/2015
01/19/2016	790834	High Point Networks LLC	\$4,050.00	6200-19110-405370	Professional Services 30 hours
01/19/2016	790839	Ingram Library Services Inc.	\$66.23	2600-55190-403226	90865837
01/19/2016	790839	Ingram Library Services Inc.	\$77.49	2600-55190-403227	90865837
01/19/2016	790839	Ingram Library Services Inc.	\$9.59	2600-55190-403227	90869604
01/19/2016	790839	Ingram Library Services Inc.	\$10.60	2600-55190-403333	90869604
01/19/2016	790839	Ingram Library Services Inc.	\$11.79	2600-55190-403227	90869605
01/19/2016	790839	Ingram Library Services Inc.	\$25.18	2600-55190-403227	90869606
01/19/2016	790839	Ingram Library Services Inc.	\$36.65	2600-55190-403226	90869607
01/19/2016	790839	Ingram Library Services Inc.	\$39.49	2600-55190-403333	90869608
01/19/2016	790839	Ingram Library Services Inc.	\$41.47	2600-55190-403227	90869609
01/19/2016	790839	Ingram Library Services Inc.	\$82.49	2600-55190-403222	90869610
01/19/2016	790839	Ingram Library Services Inc.	\$413.91	2600-55190-403226	90869610
01/19/2016	790839	Ingram Library Services Inc.	\$283.34	2600-55190-403227	90869610
01/19/2016	790839	Ingram Library Services Inc.	\$30.20	2600-55190-403241	90869610
01/19/2016	790839	Ingram Library Services Inc.	\$93.45	2600-55190-403255	90869610
01/19/2016	790839	Ingram Library Services Inc.	\$35.10	2600-55190-403382	90869610
01/19/2016	790839	Ingram Library Services Inc.	\$14.75	2600-55190-403226	90869611
01/19/2016	790839	Ingram Library Services Inc.	\$149.83	2600-55190-403226	90869612
01/19/2016	790839	Ingram Library Services Inc.	\$4.79	2600-55190-403226	90869613
01/19/2016	790839	Ingram Library Services Inc.	\$10.02	2600-55190-403241	90869613
01/19/2016	790839	Ingram Library Services Inc.	\$20.65	2600-55190-403227	90869614
01/19/2016	790839	Ingram Library Services Inc.	\$29.95	2600-55140-402280	90869615

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01/19/2016	790839	Ingram Library Services Inc.	\$10.62	2600-55190-403226	90973423
01/19/2016	790839	Ingram Library Services Inc.	\$15.90	2600-55190-403227	90973423
01/19/2016	790839	Ingram Library Services Inc.	\$10.03	2600-55190-403227	90973424
01/19/2016	790839	Ingram Library Services Inc.	\$15.92	2600-55190-403226	90973425
01/19/2016	790839	Ingram Library Services Inc.	\$35.73	2600-55190-403222	90973426
01/19/2016	790839	Ingram Library Services Inc.	\$243.41	2600-55190-403226	90973426
01/19/2016	790839	Ingram Library Services Inc.	\$9.57	2600-55190-403227	90973426
01/19/2016	790839	Ingram Library Services Inc.	\$35.81	2600-55190-403241	90973426
01/19/2016	790839	Ingram Library Services Inc.	\$27.37	2600-55190-403255	90973426
01/19/2016	790839	Ingram Library Services Inc.	\$17.93	2600-55190-403226	91024857
01/19/2016	790839	Ingram Library Services Inc.	\$29.97	2600-55190-403241	91024857
01/19/2016	790839	Ingram Library Services Inc.	\$7.35	2600-55190-403226	91032258
01/19/2016	790839	Ingram Library Services Inc.	\$5.49	2600-55190-403242	91032258
01/19/2016	790839	Ingram Library Services Inc.	\$22.98	2600-55190-403222	91032259
01/19/2016	790839	Ingram Library Services Inc.	\$65.06	2600-55190-403226	91032259
01/19/2016	790839	Ingram Library Services Inc.	\$103.96	2600-55190-403227	91032259
01/19/2016	790839	Ingram Library Services Inc.	\$7.79	2600-55190-403241	91032259
01/19/2016	790839	Ingram Library Services Inc.	\$64.80	2600-55190-403226	91032260
01/19/2016	790839	Ingram Library Services Inc.	\$96.83	2600-55190-403227	91032260
01/19/2016	790839	Ingram Library Services Inc.	\$16.19	2600-55190-403241	91032260
01/19/2016	790839	Ingram Library Services Inc.	\$16.16	2600-55190-403227	91032261
01/19/2016	790839	Ingram Library Services Inc.	\$325.00	2600-55190-403227	91032262
01/19/2016	790841	Intermountain Traffic, LLC	\$16,200.00	2110-31320-403660	ATMS.now Annual Software Maintenance 3yrs
01/19/2016	790844	JBT Aero Tech, Jetway Systems	\$2,702.69	5610-71120-402450	Invoice #2323859. Jet Bridge Sensors
01/19/2016	790854	Knife River (JTL Group Inc.)	\$219.37	2110-31320-404520	sand/salt material
01/19/2016	790854	Knife River (JTL Group Inc.)	\$6,322.63	2110-31320-404520	sand/salt material
01/19/2016	790854	Knife River (JTL Group Inc.)	\$3,632.74	2050-31310-409310	WO 15-08 Exposition Gateway
01/19/2016	790854	Knife River (JTL Group Inc.)	\$104,410.93	5030-75910-409340	WO 15-08 Exposition Gateway; CO#1 09/09/2015
01/19/2016	790855	Kois Brothers Equipment Co	\$437.00	6010-00000-141000	105476 PO NUM 298891
01/19/2016	790855	Kois Brothers Equipment Co	\$395.79	5410-31220-402320	105616
01/19/2016	790855	Kois Brothers Equipment Co	\$115.00	5410-31220-402320	105616
01/19/2016	790855	Kois Brothers Equipment Co	\$12,762.70	5410-31220-402320	105191
01/19/2016	790855	Kois Brothers Equipment Co	\$107.14	5410-31220-402320	105191
01/19/2016	790859	Local Government Center	\$3,541.20	0100-14120-403590	Inv. #1529 Ethics Training January 2016
01/19/2016	790862	Mailing Technical Services	\$2,019.60	0100-51250-403990	Mailing for Winter Brochure.

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01/19/2016	790862	Mailing Technical Services	\$137.45	5210-15210-403110	parking - special inserts only
01/19/2016	790862	Mailing Technical Services	\$1,245.34	0100-15120-403110	Finance
01/19/2016	790862	Mailing Technical Services	\$3,937.52	6050-15150-403110	Postage Fund (weekly bills)
01/19/2016	790863	Maverick Management Solutions	\$6,839.20	1500-21110-403560	Fox Investigation
01/19/2016	790867	Miller Trois LLC	\$1,837.00	0100-43210-405311	I16-014581 Planning & Community Services rent at Miller Building.
01/19/2016	790867	Miller Trois LLC	\$6,029.00	2090-44510-405311	I16-014581 Planning & Community Services rent at Miller Building.
01/19/2016	790867	Miller Trois LLC	\$3,997.00	2400-43010-405311	I16-014581 Planning & Community Services rent at Miller Building.
01/19/2016	790867	Miller Trois LLC	\$4,734.00	2740-67800-405310	I16-014581 Planning & Community Services rent at Miller Building.
01/19/2016	790868	Modern Machinery	\$3,323.24	5020-75000-402320	NONSTOCKING ITEMS-P.U.D.
01/19/2016	790868	Modern Machinery	\$2,484.40	5020-75000-403620	NONSTOCKING ITEMS-P.U.D.
01/19/2016	790869	Montana Dakota Utilities	\$2,995.54	6010-00000-141000	1222215 PO NUM 299611
01/19/2016	790870	Montana Dakota Utilities Co	\$1,389.32	1500-22210-403440	8193601000 8
01/19/2016	790870	Montana Dakota Utilities Co	\$496.20	0100-51220-403440	9023601000 6
01/19/2016	790870	Montana Dakota Utilities Co	\$72.88	1500-21150-403410	06290794947
01/19/2016	790870	Montana Dakota Utilities Co	\$155.87	5020-74000-403440	1626601000 4
01/19/2016	790870	Montana Dakota Utilities Co	\$362.40	1500-22210-403440	6728601000 3
01/19/2016	790870	Montana Dakota Utilities Co	\$174.89	0100-51220-403440	7037601000 8
01/19/2016	790870	Montana Dakota Utilities Co	\$31.28	0100-51260-403440	8796601000 8
01/19/2016	790871	Montana Law Enforcement Academy	\$1,500.00	1500-21400-403822	Invoice 9087 - Montana Law Enforcement Academy Tuition for Lane Diercks
01/19/2016	790871	Montana Law Enforcement Academy	\$1,500.00	1500-21400-403822	Invoice 9091 - Montana Law Enforcement Academy Tuition for Timothy Soucy
01/19/2016	790871	Montana Law Enforcement Academy	\$1,500.00	1500-21400-403822	Invoice 9086 - Montana Law Enforcement Academy Tuition for Ryan Donovan
01/19/2016	790871	Montana Law Enforcement Academy	\$1,500.00	1500-21400-403822	Invoice 9089 - Montana Law Enforcement Academy Tuition for Michael Freeman
01/19/2016	790871	Montana Law Enforcement Academy	\$1,500.00	1500-21400-403822	Invoice 9090 - Montana Law Enforcement Academy Tuition for Colt Kirkpatrick
01/19/2016	790871	Montana Law Enforcement Academy	\$1,500.00	1500-21400-403822	Invoice 9092 - Montana Law Enforcement Academy Tuition for Anthony Carney

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01/19/2016	790871	Montana Law Enforcement Academy	\$1,500.00	1500-21400-403822	Invoice 9088 - Montana Law Enforcement Academy Tuition for Nathan Schara
01/19/2016	790872	Montana Municipal Interlocal Authority	\$14,294.98	6300-17530-407311	Deductible Recovery #1215002
01/19/2016	790873	Montana Municipal Interlocal Authority	\$501,036.98	9000-00000-209941	Workers' Compensation October 1, 2015 to December 31, 2015
01/19/2016	790877	Montana Rail Link Inc	\$5,181.72	4260-31840-409310	WO1231 East End Industrial Sub; Repair to tracks
01/19/2016	790880	Napa Auto Parts	\$13.26	6010-00000-141000	690036 PO NUM 299612
01/19/2016	790880	Napa Auto Parts	\$61.13	6010-00000-141000	690507 PO NUM 299612
01/19/2016	790880	Napa Auto Parts	\$28.62	6010-00000-141000	690520 PO NUM 299612
01/19/2016	790880	Napa Auto Parts	\$278.76	6010-00000-141000	690570 PO NUM 299612
01/19/2016	790880	Napa Auto Parts	\$201.16	6010-00000-141000	691261 PO NUM 299612
01/19/2016	790880	Napa Auto Parts	\$95.76	6010-00000-141000	691450 PO NUM 299612
01/19/2016	790880	Napa Auto Parts	\$102.21	6010-00000-141000	692159 PO NUM 299612
01/19/2016	790880	Napa Auto Parts	\$65.95	6010-00000-141000	692202 PO NUM 299612
01/19/2016	790880	Napa Auto Parts	\$8.75	6010-00000-141000	692303 PO NUM 299612
01/19/2016	790880	Napa Auto Parts	\$47.76	6010-00000-141000	693783 PO NUM 299612
01/19/2016	790880	Napa Auto Parts	\$106.92	6010-00000-141000	693873 PO NUM 299612
01/19/2016	790880	Napa Auto Parts	\$3.73	6010-00000-141000	693873 PO NUM 299612
01/19/2016	790880	Napa Auto Parts	\$45.92	6010-00000-141000	694094 PO NUM 299612
01/19/2016	790880	Napa Auto Parts	\$54.00	6010-00000-141000	694094 PO NUM 299612
01/19/2016	790880	Napa Auto Parts	\$17.25	6010-00000-141000	743978 PO NUM 299612
01/19/2016	790880	Napa Auto Parts	\$66.60	5410-31220-402320	687733
01/19/2016	790880	Napa Auto Parts	\$6.96	2110-31320-402320	690507
01/19/2016	790880	Napa Auto Parts	\$51.44	1500-21720-402320	690572
01/19/2016	790880	Napa Auto Parts	\$38.30	2110-31320-402320	691153
01/19/2016	790880	Napa Auto Parts	\$89.32	1500-21120-402320	691203
01/19/2016	790880	Napa Auto Parts	\$37.99	6010-15530-402650	691558
01/19/2016	790880	Napa Auto Parts	\$60.86	2110-31320-402320	691640
01/19/2016	790880	Napa Auto Parts	\$58.54	0100-51120-402320	691695
01/19/2016	790880	Napa Auto Parts	\$25.91	2110-31320-402320	691715
01/19/2016	790880	Napa Auto Parts	\$17.66	6010-15530-402650	691715
01/19/2016	790880	Napa Auto Parts	\$8.68	5410-31230-402320	692048
01/19/2016	790880	Napa Auto Parts	\$17.45	5410-31230-402320	692115
01/19/2016	790880	Napa Auto Parts	\$28.96	2110-31320-402320	692531

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01/19/2016	790880	Napa Auto Parts	\$43.50	5410-31220-402320	693247
01/19/2016	790880	Napa Auto Parts	\$21.88	2110-31320-402320	693369
01/19/2016	790880	Napa Auto Parts	\$105.68	1500-21120-402320	693728
01/19/2016	790880	Napa Auto Parts	\$19.88	2110-31320-402320	693894
01/19/2016	790880	Napa Auto Parts	\$106.52	1500-21120-402320	743512
01/19/2016	790880	Napa Auto Parts	\$20.44	6010-00000-141000	688106 PO NUM 299603
01/19/2016	790880	Napa Auto Parts	\$251.21	6010-00000-141000	688106 PO NUM 299603
01/19/2016	790880	Napa Auto Parts	\$21.79	6010-00000-141000	688106 PO NUM 299603
01/19/2016	790880	Napa Auto Parts	\$30.96	6010-00000-141000	688286 PO NUM 299603
01/19/2016	790880	Napa Auto Parts	\$12.10	6010-00000-141000	688286 PO NUM 299603
01/19/2016	790880	Napa Auto Parts	\$65.37	6010-00000-141000	688495 PO NUM 299603
01/19/2016	790880	Napa Auto Parts	\$23.55	6010-00000-141000	688516 PO NUM 299603
01/19/2016	790880	Napa Auto Parts	\$25.98	6010-00000-141000	688675 PO NUM 299603
01/19/2016	790880	Napa Auto Parts	\$35.52	6010-00000-141000	689226 PO NUM 299603
01/19/2016	790880	Napa Auto Parts	\$12.32	6010-00000-141000	689256 PO NUM 299603
01/19/2016	790880	Napa Auto Parts	\$5.20	6010-00000-141000	689522 PO NUM 299603
01/19/2016	790880	Napa Auto Parts	\$179.90	6010-00000-141000	690224 PO NUM 299603
01/19/2016	790880	Napa Auto Parts	\$90.16	5410-31220-402320	682527
01/19/2016	790880	Napa Auto Parts	\$282.10	1500-21120-402320	684615
01/19/2016	790880	Napa Auto Parts	\$2.64	2110-31320-402320	687541
01/19/2016	790880	Napa Auto Parts	\$124.64	1500-21120-402320	687699
01/19/2016	790880	Napa Auto Parts	\$47.30	5410-31220-402320	687704
01/19/2016	790880	Napa Auto Parts	\$32.68	5410-31220-402320	687705
01/19/2016	790880	Napa Auto Parts	\$66.60	5410-31220-402320	687773
01/19/2016	790880	Napa Auto Parts	\$11.20	2110-31320-402320	687982
01/19/2016	790880	Napa Auto Parts	\$66.75	2110-31320-402320	687989
01/19/2016	790880	Napa Auto Parts	\$35.50	6700-31410-402320	688215
01/19/2016	790880	Napa Auto Parts	-\$282.10	1500-21120-402320	688346
01/19/2016	790880	Napa Auto Parts	-\$90.16	5410-31220-402320	688346
01/19/2016	790880	Napa Auto Parts	\$447.56	1500-21120-402320	688503
01/19/2016	790880	Napa Auto Parts	\$12.95	6010-15530-402410	688675
01/19/2016	790880	Napa Auto Parts	\$48.77	2090-44520-402320	688701
01/19/2016	790880	Napa Auto Parts	\$503.76	5410-31230-402320	689122
01/19/2016	790880	Napa Auto Parts	\$17.49	1500-21120-402320	689334
01/19/2016	790880	Napa Auto Parts	\$214.06	5410-31230-402320	689352

Check Date	Check	Name	Amount	Account	Item Desc
01/19/2016	790880	Napa Auto Parts	\$15.68	5410-31230-402320	689479
01/19/2016	790880	Napa Auto Parts	\$194.86	5410-31230-402320	689481
01/19/2016	790880	Napa Auto Parts	\$3.89	5410-31220-402320	689522
01/19/2016	790880	Napa Auto Parts	\$307.71	1500-21120-402320	689718
01/19/2016	790880	Napa Auto Parts	\$4.44	6010-15530-402650	689724
01/19/2016	790880	Napa Auto Parts	\$34.20	1500-22260-402320	689725
01/19/2016	790880	Napa Auto Parts	\$3.70	2110-31320-402320	689811
01/19/2016	790880	Napa Auto Parts	\$71.12	1500-21720-402320	689824
01/19/2016	790880	Napa Auto Parts	\$27.30	1500-21120-402320	690188
01/19/2016	790880	Napa Auto Parts	-\$307.71	1500-21120-402320	691912
01/19/2016	790880	Napa Auto Parts	-\$405.01	5410-31230-402320	691912
01/19/2016	790883	NorMont Equipment Company	\$191.52	2110-31320-402420	3 inch round reflectors
01/19/2016	790883	NorMont Equipment Company	\$1,638.00	2110-31320-402420	telspar/anchors/green post for signs
01/19/2016	790883	NorMont Equipment Company	\$1,522.50	2110-31320-402320	brooms and gutter wire for sweepers
01/19/2016	790888	NorthWestern Energy	\$105.23	5020-77000-403410	Electricity for EA
01/19/2016	790888	NorthWestern Energy	\$105.24	5120-87000-403410	Electricity for EA
01/19/2016	790888	NorthWestern Energy	\$9.30	0100-51120-403410	07222870
01/19/2016	790888	NorthWestern Energy	\$54.91	0100-51120-403410	07230451
01/19/2016	790888	NorthWestern Energy	\$682.21	1500-22210-403410	08715468
01/19/2016	790888	NorthWestern Energy	\$0.53	0100-51120-403410	12488631
01/19/2016	790888	NorthWestern Energy	\$0.20	2110-31320-403410	17403577
01/19/2016	790888	NorthWestern Energy	\$0.52	2110-31320-403410	17488966
01/19/2016	790888	NorthWestern Energy	\$35.94	0100-51120-403410	18366666
01/19/2016	790888	NorthWestern Energy	\$73.30	0100-51120-403410	18494088
01/19/2016	790888	NorthWestern Energy	\$7.45	5020-74000-403410	18672659
01/19/2016	790888	NorthWestern Energy	\$71.01	0100-51120-403410	19049444
01/19/2016	790888	NorthWestern Energy	\$16.36	0100-51120-403410	19412436
01/19/2016	790888	NorthWestern Energy	\$1.01	8720-51980-403410	19486679
01/19/2016	790888	NorthWestern Energy	\$1.16	8720-51980-403410	20413621
01/19/2016	790888	NorthWestern Energy	\$6.21	8720-51980-403410	20558177
01/19/2016	790888	NorthWestern Energy	\$7.45	0100-51120-403958	3178260-0
01/19/2016	790888	NorthWestern Energy	\$20.50	5120-85000-403410	17040254
01/19/2016	790888	NorthWestern Energy	\$34.48	5120-85000-403410	17040304
01/19/2016	790888	NorthWestern Energy	\$14.88	2110-31320-403410	17389891
01/19/2016	790888	NorthWestern Energy	\$8.72	0100-51120-403410	19022573

Check Date	Check	Name	Amount	Account	Item Desc
01/19/2016	790888	NorthWestern Energy	\$8.92	2110-31320-403410	20470183
01/19/2016	790888	NorthWestern Energy	\$7.68	0100-51120-403410	11565272
01/19/2016	790888	NorthWestern Energy	\$8.15	8720-51980-403410	15642093
01/19/2016	790888	NorthWestern Energy	\$210.99	0100-51120-403410	07222565
01/19/2016	790888	NorthWestern Energy	\$37.69	0100-51120-403410	07222771
01/19/2016	790888	NorthWestern Energy	\$101.68	5120-85000-403410	ironwood sub lift stn
01/19/2016	790888	NorthWestern Energy	\$1,698.80	5020-74000-403410	5809 canyonwoods
01/19/2016	790888	NorthWestern Energy	\$30,739.81	5610-71120-403410	0100482-9. Main Vault. December 2015
01/19/2016	790888	NorthWestern Energy	\$2,296.81	5610-71130-403410	0719543-1. Airport Parking Lot Lights. December 2015
01/19/2016	790888	NorthWestern Energy	\$36.05	1500-22210-403410	07125321
01/19/2016	790888	NorthWestern Energy	\$145.76	0100-51410-403410	07125388
01/19/2016	790888	NorthWestern Energy	\$449.49	5710-71430-403410	07192255
01/19/2016	790888	NorthWestern Energy	\$268.22	1500-22210-403410	07208176
01/19/2016	790888	NorthWestern Energy	\$151.07	0100-51260-403410	07208416
01/19/2016	790888	NorthWestern Energy	\$2,751.22	5020-74000-403410	07222706
01/19/2016	790888	NorthWestern Energy	\$14.26	8720-51980-403410	07238793
01/19/2016	790888	NorthWestern Energy	\$39.48	0100-51120-403410	08134892
01/19/2016	790888	NorthWestern Energy	\$7.90	2110-31320-403410	08554040
01/19/2016	790888	NorthWestern Energy	\$8.25	8720-51980-403410	08814550
01/19/2016	790888	NorthWestern Energy	\$0.84	8720-51980-403410	09718248
01/19/2016	790888	NorthWestern Energy	\$18.43	0100-51120-403410	09789173
01/19/2016	790888	NorthWestern Energy	\$0.42	8720-51980-403410	10458131
01/19/2016	790888	NorthWestern Energy	\$57.80	2110-31320-403410	10458206
01/19/2016	790888	NorthWestern Energy	\$182.09	5020-74000-403410	11422532
01/19/2016	790888	NorthWestern Energy	\$19.42	0100-51120-403410	11607801
01/19/2016	790888	NorthWestern Energy	\$11.57	5020-74000-403410	11608072
01/19/2016	790888	NorthWestern Energy	\$1,329.86	1500-21710-403410	11834835
01/19/2016	790888	NorthWestern Energy	\$7.45	0100-51120-403410	12422226
01/19/2016	790888	NorthWestern Energy	\$96.76	0100-51120-403410	12488631
01/19/2016	790888	NorthWestern Energy	\$0.64	8720-51980-403410	13127071
01/19/2016	790888	NorthWestern Energy	\$8.46	5020-74000-403410	13466735
01/19/2016	790888	NorthWestern Energy	\$1.26	0100-51120-403410	14093942
01/19/2016	790888	NorthWestern Energy	\$22.33	8720-51980-403410	15138001
01/19/2016	790888	NorthWestern Energy	\$8.59	8720-51980-403410	15143886
01/19/2016	790888	NorthWestern Energy	\$72.10	2090-44510-403963	15696313

Check Date	Check	Name	Amount	Account	Item Desc
01/19/2016	790888	NorthWestern Energy	\$7.45	0100-51120-403410	15882624
01/19/2016	790888	NorthWestern Energy	\$0.84	0100-51120-403410	16926669
01/19/2016	790888	NorthWestern Energy	\$3,511.67	5710-71430-403410	Electricity at Metroplex 11/24/15 to 12/28/15
01/19/2016	790894	Public Utilities	\$9.67	5120-85000-403420	180645
01/19/2016	790894	Public Utilities	\$310.63	6500-15660-403420	158260
01/19/2016	790894	Public Utilities	\$16.34	8720-51980-403420	148398
01/19/2016	790894	Public Utilities	\$5,230.80	5610-71100-403420	136516
01/19/2016	790894	Public Utilities	\$44.27	2910-66980-407275	FORECLOSURE: 3921 Chamberlain 1/7/16 Billings
01/19/2016	790900	Sanderson Stewart	\$43,084.33	5030-75910-409340	WO 16-07 I-90 Water System Loop
01/19/2016	790904	Securitas Security Services USA, Inc	\$1,088.33	5210-15910-403970	Security Patrol in City owned parking garages I, II, III. 12/01/15 - 12/31/15.
01/19/2016	790904	Securitas Security Services USA, Inc	\$1,088.34	5210-15920-403970	Security Patrol in City owned parking garages I, II, III. 12/01/15 - 12/31/15.
01/19/2016	790904	Securitas Security Services USA, Inc	\$1,088.33	5210-15930-403970	Security Patrol in City owned parking garages I, II, III. 12/01/15 - 12/31/15.
01/19/2016	790906	Solid Waste Systems Inc	\$136.75	6010-00000-141000	82313 PO NUM 299638
01/19/2016	790906	Solid Waste Systems Inc	\$4,177.83	5410-31220-402320	82389
01/19/2016	790906	Solid Waste Systems Inc	\$199.26	5410-31220-402320	82389
01/19/2016	790906	Solid Waste Systems Inc	\$2,105.82	5410-31220-402320	82390
01/19/2016	790906	Solid Waste Systems Inc	\$97.74	5410-31220-402320	82390
01/19/2016	790906	Solid Waste Systems Inc	\$2,933.48	5410-31220-402320	82626
01/19/2016	790906	Solid Waste Systems Inc	\$219.12	5410-31220-402320	82626
01/19/2016	790916	The Land Group Inc	\$3,536.80	7690-00000-201100	Retainage release on the Centennial Park Master plan.
01/19/2016	790916	The Land Group Inc	\$934.32	7690-51820-403560	Centennial Park Master Plan update. Final payment request.
01/19/2016	790917	Tire-Rama	\$1,204.50	5410-31220-402390	Recapped tires for the garbage trucks
01/19/2016	790917	Tire-Rama	\$270.00	5410-31220-402390	tire repairs for the garbage trucks
01/19/2016	790917	Tire-Rama	\$381.00	5410-31220-402390	recapped tire for the garbage truck
01/19/2016	790917	Tire-Rama	\$2,250.00	5410-31230-402290	Flat seal for the landfill equipment
01/19/2016	790917	Tire-Rama	\$90.00	5410-31230-402390	Tire repairs for the Landfill
01/19/2016	790917	Tire-Rama	\$120.00	5410-31220-402390	Tire repairs for the garbage trucks
01/19/2016	790917	Tire-Rama	\$113.25	5410-31220-402390	Tire repairs for the garbage trucks
01/19/2016	790917	Tire-Rama	\$40.00	5410-31220-402390	Tire balance for a garbage truck
01/19/2016	790917	Tire-Rama	\$1,133.00	5410-31220-402390	Tire repairs for the garbage trucks
01/19/2016	790917	Tire-Rama	\$100.00	5410-31220-402390	Tire repair for a garbage truck

Check Date	Check	Name	Amount	Account	Item Desc
01/19/2016	790917	Tire-Rama	\$130.00	5410-31220-402390	Tire repairs for the garbage trucks
01/19/2016	790917	Tire-Rama	\$15.00	2110-31320-402320	1050262710
01/19/2016	790917	Tire-Rama	\$851.25	5410-31220-402390	Recapped tires for the garbage trucks
01/19/2016	790919	Town & Country Supply Association	\$379.11	1500-22260-402310	217351: FIRE5 - UNLEADED AND BLENDED DIESEL DELIVERED [20 GALLONS UNLEADED @ \$1.6965; 180 GALLONS #2 @ \$1.0224 AND 120 GALLONS #1 @ \$1.3429)
01/19/2016	790919	Town & Country Supply Association	\$230.12	1500-22260-402310	217352: FIRE3 - BLENDED DIESEL DELIVERED 1/13/2016 (120 GALLONS #2 @ \$1.0224 AND 80 GALLONS #1 @ \$1.3429)
01/19/2016	790919	Town & Country Supply Association	\$852.96	1500-22260-402310	217353: FIRE 1 UNLEADED & DIESEL DELIVERED 1/13/2016 (340 GALLONS UNLEADED @ \$1.6965; 144 GALLONS #2 DIESEL @ \$1.0224 AND 96 GALLONS #1 @ \$1.3429)
01/19/2016	790919	Town & Country Supply Association	\$299.15	1500-22260-402310	217354: FIRE 6 - BLENDED DIESEL DELIVERED 1/13/2016 (156 GALLONS #1 @ \$1.0224 AND 104 GALLONS #1 @ \$1.3429)
01/19/2016	790919	Town & Country Supply Association	\$4,635.72	6010-00000-141000	219653 PO NUM 299616
01/19/2016	790919	Town & Country Supply Association	\$7,582.64	6010-00000-141000	217566 PO NUM 299617
01/19/2016	790919	Town & Country Supply Association	\$5,916.14	6010-00000-141000	219735 PO NUM 299617
01/19/2016	790933	Yellowstone County	\$50,861.98	0100-14110-403930	2015 Municipal Election 11/3/15
01/19/2016	790936	Yellowstone Electric Co	\$23,780.53	8450-31860-409310	WO 15-12 Gabel Road & 32nd Street W Traffic Signal Improvement
01/19/2016	790936	Yellowstone Electric Co	\$4,960.00	5610-71190-402450	Invoice #BIL4983. Replacement NVR for camera system at QTA

Regular City Council Meeting

Meeting Date: 02/22/2016

TITLE: Payment of Claims January 25, 2016

PRESENTED BY: Patrick M. Weber, Finance Director

Department: City Hall Administration

PROBLEM/ISSUE STATEMENT

Claims in the amount of \$1,158,861.38 have been audited and are presented for City Council payment approval. A complete listing of the claims dated January 25, 2016, 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

CouncilMemo_1.25.2016

Check Date	Check	Name	Amount	Account	Item Description
01/25/2016	790938	A & I Distributors	\$33.85	5020-73140-402410	Shop grease gun fitting
01/25/2016	790938	A & I Distributors	\$11.28	5120-83140-402410	Shop grease gun fitting
01/25/2016	790938	A & I Distributors	\$1,340.90	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 299368
01/25/2016	790938	A & I Distributors	\$1,684.45	5410-31230-402310	Oil for the Landfill equipment
01/25/2016	790938	A & I Distributors	\$39.79	1500-21120-402320	2733258
01/25/2016	790938	A & I Distributors	\$39.79	2110-31320-402320	2733258
01/25/2016	790938	A & I Distributors	\$40.35	5410-31220-402320	2733258
01/25/2016	790938	A & I Distributors	\$10.72	5410-31230-402410	Barrel wrench for 55 gallon drums at the landfill
01/25/2016	790938	A & I Distributors	\$433.95	5710-00000-141714	BUS MET PO NUM 298886
01/25/2016	790938	A & I Distributors	\$109.45	5710-71440-402320	AUTO &TRUCK MAINT.ITEMS
01/25/2016	790938	A & I Distributors	\$550.00	5410-31230-402310	Motor oil for Landfill equipment
01/25/2016	790938	A & I Distributors	\$1,453.86	6010-00000-141000	2741599 PO NUM 298886
01/25/2016	790938	A & I Distributors	\$22.93	6010-00000-141000	2743511 PO NUM 298886
01/25/2016	790938	A & I Distributors	\$268.80	5410-31230-403660	Repair of the oil heater at the Landfill
01/25/2016	790938	A & I Distributors	\$178.70	5410-31220-403660	Repair of the oil heater at the BOC
01/25/2016	790938	A & I Distributors	\$105.00	5410-31230-403660	repair of the oil heater at the Landfill
01/25/2016	790938	A & I Distributors	\$513.67	6010-00000-141000	2737986 PO NUM 298886
01/25/2016	790938	A & I Distributors	\$3,906.37	6010-00000-141000	2737986 PO NUM 298886
01/25/2016	790938	A & I Distributors	\$218.90	2110-31320-402320	2740482
01/25/2016	790938	A & I Distributors	\$46.47	5410-31220-402320	2743714
01/25/2016	790938	A & I Distributors	\$323.95	6010-00000-141000	2733258 PO NUM 298886
01/25/2016	790938	A & I Distributors	\$2,200.81	6010-00000-141000	2733258 PO NUM 298886
01/25/2016	790938	A & I Distributors	\$60.00	6010-00000-141000	2733258 PO NUM 298886
01/25/2016	790941	Ace Roofing LLC	\$9,466.36	1500-22260-409250	Fire Station #2 Roof Replacement
01/25/2016	790951	Archie Cochrane	\$12.71	1500-21120-402320	5171528
01/25/2016	790951	Archie Cochrane	\$12.64	1500-21120-402320	5171948
01/25/2016	790951	Archie Cochrane	\$113,925.00	5620-71200-409490	3 New 2016 SUV's
01/25/2016	790960	Billings Depot Inc	\$7,623.11	6600-31100-405310	January Rent and additional CAM expenses
01/25/2016	790960	Billings Depot Inc	\$11,434.67	6700-31410-405310	January Rent and additional CAM expenses
01/25/2016	790966	Boomers Garage N Shop Supplies	\$2,780.65	2110-31320-402420	36" yellow bases and anchors for bike/ped crossings
01/25/2016	790967	Border States Electric	\$12.59	5120-84300-403660	com cards
01/25/2016	790967	Border States Electric	\$188.87	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 299385
01/25/2016	790967	Border States Electric	\$3,885.81	5120-84300-402360	headworks blower controller
01/25/2016	790967	Border States Electric	\$97.23	5020-00000-141000	ELECTRICAL FOR WTP & WWTP PO NUM 299452
01/25/2016	790967	Border States Electric	\$51.86	5020-74000-402360	lights for chemical building

Check Date	Check	Name	Amount	Account	Item Description
01/25/2016	790967	Border States Electric	\$48.79	5120-84300-402360	solids building relamping
01/25/2016	790967	Border States Electric	\$335.95	2110-31320-402360	voltage tester for signals and street lights
01/25/2016	790967	Border States Electric	\$201.60	5020-00000-141000	ELECTRICAL FOR WTP & WWTP PO NUM 299378
01/25/2016	790967	Border States Electric	\$33.33	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 299270
01/25/2016	790967	Border States Electric	\$371.18	5020-00000-141000	ELECTRICAL FOR WTP & WWTP PO NUM 299363
01/25/2016	790967	Border States Electric	\$72.96	2110-31320-402430	punch unit tool for signals
01/25/2016	790967	Border States Electric	\$8,658.70	5020-74000-402360	2 controller motors
01/25/2016	790968	Brannan Construction Company	\$280,136.02	4050-71250-409687	RW 10L/28R Storm Drain Tunnel Boring Project - Federal Share
01/25/2016	790968	Brannan Construction Company	\$31,126.22	4050-71250-409689	RW 10L/28R Storm Drain Tunnel Boring Project - Local Share
01/25/2016	790970	Buildingeye Inc	\$9,850.00	2090-44510-403990	I16-014249 City of Billings, buildineye.com Annual license
01/25/2016	790971	Business Tax Section	\$2,829.65	4050-71250-409687	RW 10L/28R Storm Drain Tunnel Boring Project - Federal Share
01/25/2016	790971	Business Tax Section	\$314.41	4050-71250-409689	RW 10L/28R Storm Drain Tunnel Boring Project - Local Share
01/25/2016	790971	Business Tax Section	\$290.27	1500-22260-409250	REPLACED ROOF AT FIRE STATION #1 - 1% CONTRACTOR'S GROSS RECEIPTS
01/25/2016	790971	Business Tax Section	\$95.62	1500-22260-409250	Fire Station #2 Roof Replacement
01/25/2016	790983	Dana Safety Supply Inc	\$5,695.09	1500-21120-402260	Invoice 408563 - Officer uniforms
01/25/2016	790984	DataProse LLC	\$8,549.88	5020-73110-403110	billing
01/25/2016	790984	DataProse LLC	\$2,634.75	5020-73110-403111	billing
01/25/2016	790984	DataProse LLC	\$5,699.92	5120-83110-403110	billing
01/25/2016	790984	DataProse LLC	\$1,756.50	5120-83110-403111	billing
01/25/2016	790985	Dell Computer L P	\$4,677.80	1500-21500-402925	(5) Dell OptiPlex 3020 No Monitors POLICE
01/25/2016	790985	Dell Computer L P	\$269.11	5120-84000-403660	Dell Maintenance Renewal Dell Power Edge T310 Server SN 43B6HS1 WWTP Quote # 1018971038923
01/25/2016	790986	Dell Marketing Lp	-\$32.01	5020-73110-402190	Credit for invoice xjrr93w63 returned items
01/25/2016	790986	Dell Marketing Lp	-\$32.01	5020-75000-402190	Credit for invoice xjrr93w63 returned items
01/25/2016	790986	Dell Marketing Lp	-\$32.01	5120-83110-402190	Credit for invoice xjrr93w63 returned items
01/25/2016	790986	Dell Marketing Lp	-\$32.01	5120-85000-402190	Credit for invoice xjrr93w63 returned items
01/25/2016	790986	Dell Marketing Lp	\$10,622.94	5120-84000-402925	TRP high end and 2 servers
01/25/2016	790986	Dell Marketing Lp	\$3,540.99	5020-74000-402925	domain controller
01/25/2016	790986	Dell Marketing Lp	\$7,081.96	5030-74910-409480	2 servers
01/25/2016	790988	DOWL	\$9,860.50	8450-31860-409310	WO 16-05 Central Ave - Shiloh to 32nd St W

Check Date	Check	Name	Amount	Account	Item Description
01/25/2016	790988	DOWL	\$5,597.50	5030-75910-409340	WO 16-01 2016 Water/Sewer Main Replc; Sch1 Will James Area Wtr
01/25/2016	790989	Dowl Hkm	\$6,551.91	8400-31840-409310	WO 10-19 Shiloh Conservation Area Amendment #3 Approved by CC 06/23/14
01/25/2016	790989	Dowl Hkm	\$1,501.19	2100-51510-409390	WO 13-21 Swords Park Trail Outlet; Move \$155.85 to fund 2360
01/25/2016	790989	Dowl Hkm	\$232.69	2360-43700-409370	WO 13-21 Swords Park Trail Outlet
01/25/2016	790990	Downtown Billings BID, Inc.	\$8,313.12	7800-15750-407680	Paid December, distributed January 2016
01/25/2016	790990	Downtown Billings BID, Inc.	\$3,000.00	2110-31320-402430	Traffic Signal Box covering
01/25/2016	790996	Empire Roofing Inc	\$29,027.25	1500-22260-409250	FIRE1: ROOF REPLACEMENT / BASE BID \$178,871 PLUS ALTERNATE #1 \$38,381
01/25/2016	790996	Empire Roofing Inc	-\$290.27	1500-22260-409250	MT STATE GROSS CONTRACTORS RECEIPT WITHHOLDING
01/25/2016	791005	First Montana Title Co	\$10,000.00	2770-65810-407277	FTHB Savannah Brennan 2914 4th Avenue South
01/25/2016	791007	Gallagher Benefit Services Inc	\$27,800.00	6270-17520-403560	Inv. #84333 January - June 2016 Health & Welfare Consulting Services
01/25/2016	791010	Gillig Corporation	\$4,036.47	5710-00000-141714	BUS MET PO NUM 299662
01/25/2016	791010	Gillig Corporation	\$536.78	5710-00000-141714	BUS MET PO NUM 299653
01/25/2016	791010	Gillig Corporation	\$3,246.12	5710-71440-402320	AUTO &TRUCK MAINT.ITEMS
01/25/2016	791020	Iaff	\$4,429.95	9000-00000-209920	Payroll Summary
01/25/2016	791025	Integrated Information Solutions Inc.	\$4,389.00	6200-19110-405370	Annual Hardware and Software Maintenance 03/14/2016- 03/15/2017
01/25/2016	791027	Interstate Power Systems, Inc.	\$366.83	5710-71440-402320	AUTO &TRUCK MAINT.ITEMS
01/25/2016	791027	Interstate Power Systems, Inc.	\$4,507.99	5710-71440-402320	AUTO &TRUCK MAINT.ITEMS
01/25/2016	791029	Kadrmas Lee & Jackson	\$10,000.00	5030-00000-201100	WO 14-09 Briarwood Reservoir Expansion
01/25/2016	791033	Kone Inc	\$8,814.00	2600-55120-403660	Invoice 949177867
01/25/2016	791033	Kone Inc	\$1,513.00	5610-71120-403660	FY16 Elevator/Escalator Maintenance Terminal
01/25/2016	791033	Kone Inc	\$61.00	5610-71170-403660	FY16 Elevator/Escalator Maintenance IP-9
01/25/2016	791033	Kone Inc	\$25.00	5610-71130-403660	FY16 Elevator/Escalator Maintenance Operations
01/25/2016	791035	L P Anderson Tire Co. Inc.	\$450.35	5020-75000-402390	Water
01/25/2016	791035	L P Anderson Tire Co. Inc.	\$17.50	5020-75000-402390	Water
01/25/2016	791035	L P Anderson Tire Co. Inc.	\$62.00	5120-85000-402390	Water
01/25/2016	791035	L P Anderson Tire Co. Inc.	\$35.00	5020-75000-402390	Water
01/25/2016	791035	L P Anderson Tire Co. Inc.	\$660.00	5120-84000-402390	Water
01/25/2016	791035	L P Anderson Tire Co. Inc.	\$15.00	5020-75000-402390	Water

Check Date	Check	Name	Amount	Account	Item Description
01/25/2016	791035	L P Anderson Tire Co. Inc.	\$35.00	5020-75000-402390	Water
01/25/2016	791035	L P Anderson Tire Co. Inc.	\$450.35	5020-75000-402390	Water
01/25/2016	791035	L P Anderson Tire Co. Inc.	\$3,015.00	5120-85000-402390	Water
01/25/2016	791035	L P Anderson Tire Co. Inc.	\$2,205.00	5020-75000-402390	Water
01/25/2016	791044	Montana CSED	\$4,298.09	9000-00000-209926	Payroll Summary
01/25/2016	791045	Montana Dakota Utilities Co	\$972.55	1500-21710-403440	169 233 1000 3
01/25/2016	791045	Montana Dakota Utilities Co	\$3,488.76	2600-55120-403440	219 924 4851 0
01/25/2016	791045	Montana Dakota Utilities Co	\$2,162.59	5610-71130-403440	285 580 1000 6
01/25/2016	791045	Montana Dakota Utilities Co	\$11,122.13	5120-84000-403440	293 780 1000 2
01/25/2016	791045	Montana Dakota Utilities Co	\$5,561.06	5120-84000-403440	293 780 1000 2
01/25/2016	791045	Montana Dakota Utilities Co	\$5,561.06	5120-84000-403440	293 780 1000 2
01/25/2016	791045	Montana Dakota Utilities Co	\$66.89	5020-74000-403440	373 580 1000 9
01/25/2016	791045	Montana Dakota Utilities Co	\$66.90	5020-74000-403440	373 580 1000 9
01/25/2016	791045	Montana Dakota Utilities Co	\$511.28	0100-51270-403440	437 780 1000 9
01/25/2016	791045	Montana Dakota Utilities Co	\$75.62	1500-21150-403410	514 117 0478 9
01/25/2016	791045	Montana Dakota Utilities Co	\$149.05	6600-31100-403440	595 373 1000 1
01/25/2016	791045	Montana Dakota Utilities Co	\$223.58	6700-31410-403440	595 373 1000 1
01/25/2016	791045	Montana Dakota Utilities Co	\$6,172.45	5610-71120-403440	595 580 1000 1
01/25/2016	791045	Montana Dakota Utilities Co	\$29.06	5120-85000-403440	596 733 1000 5
01/25/2016	791045	Montana Dakota Utilities Co	\$1,398.23	5610-71170-403440	706 580 1000 7
01/25/2016	791045	Montana Dakota Utilities Co	\$15.74	5210-15920-403440	717 353 1000 6
01/25/2016	791045	Montana Dakota Utilities Co	\$199.22	5210-15950-403440	799 152 1209 0
01/25/2016	791045	Montana Dakota Utilities Co	\$14.26	5610-71170-403440	806 580 1000 6
01/25/2016	791045	Montana Dakota Utilities Co	\$1,070.90	1500-22210-403440	885 880 1000 4
01/25/2016	791045	Montana Dakota Utilities Co	\$3,311.30	6500-15670-403440	929 780 1000 4
01/25/2016	791045	Montana Dakota Utilities Co	\$30.16	5120-85000-403440	955 043 1000 4
01/25/2016	791045	Montana Dakota Utilities Co	\$2,177.36	5710-71430-403440	962 880 1000 0
01/25/2016	791045	Montana Dakota Utilities Co	\$133.28	0100-51120-403410	5014731000 2
01/25/2016	791045	Montana Dakota Utilities Co	\$95.33	5020-74000-403440	5413801000 1
01/25/2016	791045	Montana Dakota Utilities Co	\$711.95	1500-22210-403440	6686701000 2
01/25/2016	791045	Montana Dakota Utilities Co	\$40.56	5020-74000-403440	9215801000 6
01/25/2016	791045	Montana Dakota Utilities Co	\$63.79	5120-85000-403440	lift station #2 2750 bitterrott dr #2
01/25/2016	791047	Montana State Fireman's Assoc	\$3,346.78	9000-00000-209924	Payroll Summary
01/25/2016	791049	Morrison Maierle Inc	\$12,885.48	4050-71250-409687	AIP-50 Extend East Taxi Lane 400' - Design - Federal Share
01/25/2016	791049	Morrison Maierle Inc	\$1,431.72	4050-71250-409689	AIP-50 Extend East Taxi Lane 400' - Design - Local Share

Check Date	Check	Name	Amount	Account	Item Description
01/25/2016	791049	Morrison Maierle Inc	\$82,939.05	5130-85910-409340	WO1601 2016 Water/Sewer Replc; Sch 2 Sanitary Sewer
01/25/2016	791049	Morrison Maierle Inc	\$13,040.18	4050-71250-409687	48" Micro Tunnel Under RW 10L/28R CA - Federal Share
01/25/2016	791049	Morrison Maierle Inc	\$1,448.91	4050-71250-409689	48" Micro Tunnel Under RW 10L/28R CA - Local Share
01/25/2016	791050	Motor Power Equipment Co.	\$541.65	5020-75000-402320	102588
01/25/2016	791050	Motor Power Equipment Co.	\$535.63	5020-75000-402320	102588
01/25/2016	791050	Motor Power Equipment Co.	\$837.58	2110-31320-402320	118792
01/25/2016	791050	Motor Power Equipment Co.	\$34.17	2110-31320-402320	119105
01/25/2016	791050	Motor Power Equipment Co.	\$33.68	2110-31320-402320	119427
01/25/2016	791050	Motor Power Equipment Co.	\$112.83	2110-31320-402320	119538
01/25/2016	791050	Motor Power Equipment Co.	\$904.51	2110-31320-402320	119611
01/25/2016	791050	Motor Power Equipment Co.	-\$495.00	2110-31320-402320	119774
01/25/2016	791052	MPPA Montana Police Protective Association	\$2,542.31	9000-00000-209923	Payroll Summary
01/25/2016	791053	MT Waterworks	\$2,595.63	5020-00000-141000	SYSTEMS PO NUM 299595
01/25/2016	791053	MT Waterworks	\$158.00	5120-84000-402450	muni ball plug
01/25/2016	791056	Net Transcripts Inc	\$2,947.19	1500-21500-403210	Invoice 0005502-IN, Transcription Services
01/25/2016	791059	Northwest Pipe Fittings	\$33.82	5020-74000-402450	valve ironwood
01/25/2016	791059	Northwest Pipe Fittings	\$4,760.00	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 299500
01/25/2016	791059	Northwest Pipe Fittings	\$268.97	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 299485
01/25/2016	791059	Northwest Pipe Fittings	\$10.86	5020-74000-402450	for sump at iw
01/25/2016	791059	Northwest Pipe Fittings	\$54.43	5020-74000-402450	misc parts
01/25/2016	791059	Northwest Pipe Fittings	\$7.75	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 299493
01/25/2016	791059	Northwest Pipe Fittings	\$4.51	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 299429
01/25/2016	791059	Northwest Pipe Fittings	\$783.00	5020-00000-141000	SYSTEMS PO NUM 299433
01/25/2016	791059	Northwest Pipe Fittings	\$32.62	5020-74000-402360	generator leads
01/25/2016	791059	Northwest Pipe Fittings	\$32.63	5120-84300-402360	generator leads
01/25/2016	791059	Northwest Pipe Fittings	\$385.70	5020-73120-402380	battery pack
01/25/2016	791059	Northwest Pipe Fittings	\$797.44	5120-84000-402450	Plumbing
01/25/2016	791059	Northwest Pipe Fittings	\$2,712.25	5020-73120-402380	meter supplies
01/25/2016	791059	Northwest Pipe Fittings	\$19.38	5120-84000-402450	AFT valve
01/25/2016	791059	Northwest Pipe Fittings	\$7,140.00	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 299273
01/25/2016	791059	Northwest Pipe Fittings	\$16,340.40	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 299361
01/25/2016	791059	Northwest Pipe Fittings	\$583.73	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 299380
01/25/2016	791059	Northwest Pipe Fittings	\$47.00	2110-31320-402380	pvc pipe
01/25/2016	791059	Northwest Pipe Fittings	\$274.92	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 299367
01/25/2016	791059	Northwest Pipe Fittings	\$525.66	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 299370

Check Date	Check	Name	Amount	Account	Item Description
01/25/2016	791059	Northwest Pipe Fittings	\$826.35	5020-00000-141000	SYSTEMS PO NUM 299370
01/25/2016	791059	Northwest Pipe Fittings	\$3,204.19	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 299377
01/25/2016	791059	Northwest Pipe Fittings	\$285.00	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 299600
01/25/2016	791059	Northwest Pipe Fittings	\$31.83	1500-22260-402320	1572538
01/25/2016	791059	Northwest Pipe Fittings	\$55.80	5120-84000-402450	solids process strainer
01/25/2016	791059	Northwest Pipe Fittings	\$11.61	5120-84000-402450	solids process drain line
01/25/2016	791059	Northwest Pipe Fittings	\$27.88	5020-74000-402450	boiler piping leak
01/25/2016	791059	Northwest Pipe Fittings	\$969.40	5020-73120-402380	ume for hydrant meter
01/25/2016	791060	NorthWestern Energy	\$43.50	0100-51270-403410	0712387-0
01/25/2016	791060	NorthWestern Energy	\$176.49	0100-51220-403410	0712536-2
01/25/2016	791060	NorthWestern Energy	\$48.41	0100-51220-403410	0720818-4
01/25/2016	791060	NorthWestern Energy	\$73.89	0100-51260-403410	0720821-8
01/25/2016	791060	NorthWestern Energy	\$1,740.03	5020-74000-403410	0722264-9
01/25/2016	791060	NorthWestern Energy	\$3,549.18	5020-74000-403410	0723040-2
01/25/2016	791060	NorthWestern Energy	\$39.81	5020-74000-403410	0723059-2
01/25/2016	791060	NorthWestern Energy	\$131.92	0100-51120-403410	0925496-2
01/25/2016	791060	NorthWestern Energy	\$502.57	6500-15660-403410	0975808-7
01/25/2016	791060	NorthWestern Energy	\$467.41	5020-74000-403410	1116452-2
01/25/2016	791060	NorthWestern Energy	\$912.06	6500-15660-403410	1160802-3
01/25/2016	791060	NorthWestern Energy	\$2,604.09	6500-15660-403410	1160804-9
01/25/2016	791060	NorthWestern Energy	\$3,398.55	6500-15660-403410	1269391-7
01/25/2016	791060	NorthWestern Energy	\$196.84	6070-22350-403410	0721580-9
01/25/2016	791060	NorthWestern Energy	\$47.73	0100-51120-403410	0722237-5
01/25/2016	791060	NorthWestern Energy	\$7.45	0100-51120-403410	0722247-4
01/25/2016	791060	NorthWestern Energy	\$93.88	0100-51120-403410	0722255-7
01/25/2016	791060	NorthWestern Energy	\$12.35	0100-51120-403410	0722269-8
01/25/2016	791060	NorthWestern Energy	\$12.09	0100-51120-403410	0722292-0
01/25/2016	791060	NorthWestern Energy	\$26.04	0100-51120-403410	0722293-8
01/25/2016	791060	NorthWestern Energy	\$9.29	0100-51120-403410	0722905-7
01/25/2016	791060	NorthWestern Energy	\$48.07	0100-51120-403410	0722933-9
01/25/2016	791060	NorthWestern Energy	\$104.42	0100-51120-403410	0723035-2
01/25/2016	791060	NorthWestern Energy	\$8.92	0100-51120-403410	0723036-0
01/25/2016	791060	NorthWestern Energy	\$186.81	0100-51120-403410	0723037-8
01/25/2016	791060	NorthWestern Energy	\$61.57	0100-51120-403410	0723042-8
01/25/2016	791060	NorthWestern Energy	\$19.58	0100-51120-403410	0723055-0
01/25/2016	791060	NorthWestern Energy	\$19.46	0100-51120-403410	0723056-8

Check Date	Check	Name	Amount	Account	Item Description
01/25/2016	791060	NorthWestern Energy	\$10.88	0100-51120-403410	0723057-6
01/25/2016	791060	NorthWestern Energy	\$23.70	0100-51120-403410	0723058-4
01/25/2016	791060	NorthWestern Energy	\$7.45	0100-51120-403410	0723162-4
01/25/2016	791060	NorthWestern Energy	\$7.45	0100-51120-403410	0723644-1
01/25/2016	791060	NorthWestern Energy	\$7.45	0100-51120-403410	0723645-8
01/25/2016	791060	NorthWestern Energy	\$42.68	0100-51120-403410	0789437-1
01/25/2016	791060	NorthWestern Energy	\$271.45	5120-85000-403410	822 shiloh crossing lift
01/25/2016	791060	NorthWestern Energy	\$17.29	0100-51120-403410	Electrical charges for Pioneer tennis court.
01/25/2016	791060	NorthWestern Energy	\$104.37	5610-71130-403410	3085107-5. New Employee Parking. January 2016
01/25/2016	791060	NorthWestern Energy	\$3,008.61	5610-71130-403410	0100483-7. Runway Lights. January 2016
01/25/2016	791060	NorthWestern Energy	\$1,849.63	5610-71130-403410	0100484-5. ARFF Facility. January 2016
01/25/2016	791060	NorthWestern Energy	\$52.16	5610-71130-403410	1647695-4. De Icer. January 2016
01/25/2016	791060	NorthWestern Energy	\$108.79	5610-71170-403410	1138926-9. Aero Interiors. January 2016
01/25/2016	791060	NorthWestern Energy	\$618.33	5610-71170-403410	1669567-8. TSA Building. January 2016
01/25/2016	791060	NorthWestern Energy	\$1,425.11	5610-71190-403410	1993430-6. Car Wash. January 2016
01/25/2016	791060	NorthWestern Energy	\$504.96	5610-71190-403410	2001846-1. Mud Wash. January 2016
01/25/2016	791060	NorthWestern Energy	\$212.29	5610-71190-403410	2001848-7. Detail Bay 1 Hertz. January 2016
01/25/2016	791060	NorthWestern Energy	\$275.48	5610-71190-403410	2001855-2. Detail Bay 2. National/Alamo. January 2016
01/25/2016	791060	NorthWestern Energy	\$170.27	5610-71190-403410	2001862-8. Detail Bay 3 Enterprise. January 2016
01/25/2016	791060	NorthWestern Energy	\$162.38	5610-71190-403410	2001865-1. Detail Bay 4 Avis/Budget. January 2016
01/25/2016	791060	NorthWestern Energy	\$134.25	5610-71190-403410	2001867-7. Detail Bay 5 Thrifty/Dollar. January 2016
01/25/2016	791071	Rimrock Foundation	\$3,716.55	7380-12660-403590	Dec. IOP
01/25/2016	791071	Rimrock Foundation	\$1,815.05	7380-12660-403990	Dec. Case Manager
01/25/2016	791071	Rimrock Foundation	\$3,020.12	2480-12620-403560	Dec. Day Treatment
01/25/2016	791071	Rimrock Foundation	\$2,989.58	7380-12640-403590	Dec. IOP
01/25/2016	791071	Rimrock Foundation	\$670.83	7380-12640-403590	Dec. IOP
01/25/2016	791071	Rimrock Foundation	\$943.83	7380-12640-403590	Dec. Coordinator
01/25/2016	791071	Rimrock Foundation	\$1,519.75	2460-12530-403590	Dec. 15 State Rimrock
01/25/2016	791074	Rocky Mountain Compost Inc	\$10,900.00	8730-51990-409370	Playground chips.
01/25/2016	791074	Rocky Mountain Compost Inc	\$3,160.00	8730-51990-409370	Playground chips.
01/25/2016	791074	Rocky Mountain Compost Inc	\$1,100.00	8730-51990-409370	Playground chips.
01/25/2016	791074	Rocky Mountain Compost Inc	\$9,220.00	8730-51990-409370	Playground chips.
01/25/2016	791078	Sanderson Stewart	\$30,604.50	5030-75910-409340	WO 16-01 2016 Water/Sewer Replc; Sch 3 17th St Wtr
01/25/2016	791078	Sanderson Stewart	\$4,023.30	2400-43010-407214	Rimrocks to Valley Bike and Pedestrian Feasibility Study
01/25/2016	791078	Sanderson Stewart	\$5,166.08	2400-43010-407214	West End Multi-Modal Traffic Modeling Project
01/25/2016	791082	Skyline Services, Inc	\$1,695.00	5610-71120-403660	FY16 Window Washing Services

Check Date	Check	Name	Amount	Account	Item Description
01/25/2016	791082	Skyline Services, Inc	\$1,615.00	2600-55120-403660	Invoice 37790
01/25/2016	791084	Star Service Inc	\$11,187.00	5120-84000-403660	Replace the 12' Drain piping from gravity thickener with pipe fittings supplied by the City of Billings
01/25/2016	791085	State Of Montana,Bldng Codes Bureau	\$4,370.00	2090-44510-407637	I16-014680 2nd Half 2015
01/25/2016	791087	Town & Country Supply Association	\$5,328.17	6010-00000-141000	219768 PO NUM 299676
01/25/2016	791087	Town & Country Supply Association	\$6,681.43	6010-00000-141000	219946 PO NUM 299676
01/25/2016	791087	Town & Country Supply Association	\$4,027.10	5610-71130-402310	Invoice #220033. Diesel fuel for snow removal.
01/25/2016	791087	Town & Country Supply Association	\$6,866.10	5710-00000-141000	BUS MET PO NUM 299654
01/25/2016	791087	Town & Country Supply Association	\$2,562.74	5710-00000-141000	BUS MET PO NUM 299654
01/25/2016	791087	Town & Country Supply Association	\$12,655.91	5610-71180-402313	Invoice #217572. QTA Car Rental Fuel
01/25/2016	791089	Unemployment Ins Contributions Bureau	\$22,839.76	9000-00000-209996	Unemployment Insurance for quarter ending 12/31/2015
01/25/2016	791094	Vaisala Inc	\$4,200.00	5610-71130-403660	Invoice #301034117. Annual fee for pavement sensor system on RWY 10L/28R
01/25/2016	791100	Yellowstone County Finance Dpt	\$13,500.00	1500-21110-403590	December 2015 Jail Boarders

Regular City Council Meeting

Meeting Date: 02/22/2016

TITLE: Public Hearing & Resolution for Weed Assessments

PRESENTED BY: Pat Weber

Department: City Hall Administration

PROBLEM/ISSUE STATEMENT

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

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

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

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

ALTERNATIVES ANALYZED

The Council must hold a public hearing and then may:

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

FINANCIAL IMPACT

The assessments total \$ 2,077.50 and the payments will reimburse the General Fund.

RECOMMENDATION

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

APPROVED BY CITY ADMINISTRATOR

Attachments

Resolution Weeds

RESOLUTION NO. 16 _____

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

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

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

1. LEVYING OF SPECIAL TAX. That for the purpose of collecting funds to defray the cost of cutting and removing of weeds, there is hereby levied and assessed a special tax upon the owners and the lots or parcels described on the list attached hereto.
2. ASSESSMENT AND COLLECTION. Said tax shall be placed upon the assessment rolls and collected in the same manner as other taxes.
3. DISPOSITION OF COLLECTIONS. All monies collected from taxes shall be paid to the General Fund of the City of Billings.
4. NOTICE OF HEARING. On **Monday, February 22nd, 2016**, at 6:30 o'clock p.m., or as soon thereafter as the matter may be considered on the agenda in the Council Chambers of the City Hall, Billings, Montana, the City Council will hear objections to the final adoption of this resolution. The City Clerk published notice hereof twice, on February 4th and February 11th, 2016 in the Billings Times.

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

ADOPTED and APPROVED by the City Council on the **22nd** day of **February, 2016**

CITY OF BILLINGS:

BY: _____
Thomas W. Hanel, MAYOR

ATTEST:

BY: _____
Billie Guenther, CITY CLERK

Attachment A

<u>NAME</u>	<u>ADDRESS</u>	<u>TAX CODE</u>	<u>AMOUNT</u>
STAAB, MONA	314 24th ST W	A06220	202.50
STOCKTON, DANIEL E	1503 BROADWATER	A17348	202.50
STOCKTON, MYKEL	804 CENTRAL	D01396	227.50
NASEANA, THORPE	2938 MILLICE AVE.	C06030A	177.50
SEAL, LAVERNE	24 S. 29TH ST.	A00001	202.50
BOB PENTECOST CONSTRUCTION	3120 E. COPPER RIDGE LOOP	A34125	177.50
A R JUNKERT CONSTRUCTION, INC.	3126 HUNTERS RIDGE LOOP	A31524	177.50
KAUTZMAN, JEROME	612 N. 15TH ST.	A12017	177.50
BOARDMAN WESTPARK LLC	1603 GRAND AVE.	A12621	177.50
CONNOLLY, ROY D & JULIE	517 RIMROCK RD	A13721	177.50
SANDER, MARK	2718 AVALON RD	A16839	177.50
		TOTAL	2,077.50

Regular City Council Meeting

Meeting Date: 02/22/2016

TITLE: Public Hearing and Resolution for Abatement Assessments

PRESENTED BY: Patrick M. Weber Finance Director

Department: City Hall Administration

PROBLEM/ISSUE STATEMENT

A nuisance abatement assessment resolution has been completed by the Finance Department and the assessment is ready to be spread on the tax rolls. Judge Kolar ordered abatement at 1413 18th Street West on July 8, 2015, based on a complaint from February. Violations included open storage of junk & debris and off-street parking of inoperable vehicles. The abatement removed garbage, trash and debris and the County Junk Vehicle Division removed two vehicles from the property. The City paid the Labor Ready charges and Solid Waste disposal fees. The property owner was sent a \$361.44 bill to recover the cleanup costs and had 30 days to pay it. The owner did not pay and the City Code requires that the costs be recovered by an assessment that is included on the tax bill. The abatement occurred in late summer and could not be included in the fall 2015 assessments.

ALTERNATIVES ANALYZED

The Council must hold a public hearing and then may:

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

FINANCIAL IMPACT

The assessment totals \$361.44 and the payment will reimburse the General Fund.

RECOMMENDATION

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

APPROVED BY CITY ADMINISTRATOR

Attachments

Resolution Abatement

RESOLUTION NO. 16 _____

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

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

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

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

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

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

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

4. NOTICE OF HEARING. On Monday, **February 22, 2016**, at 6:30 o'clock p.m., or as soon thereafter as the matter may be considered on the agenda in the Council Chambers of the City Hall, Billings, Montana, the City

Council will hear objections to the final adoption of this resolution. The City Clerk published notice hereof twice, on February 4th, and February 11th 2016 in the Billings Times.

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

ADOPTED and APPROVED by the City Council on the 22nd day of **February, 2016**.

CITY OF BILLINGS:

BY: _____
Thomas W. Hanel, MAYOR

ATTEST:

BY: _____
Billie Guenther, CITY CLERK

Exhibit A

Last Name	First Name	Address	Tax Code	Assessed Amount
Cox,	Christopher & Barbara	1413 18 th St W	A09751	\$ 361.44

Legal Description: KOBER SUBD 3RD FILING, S36, T01 N, R25 E, BLOCK 6, Lot 13, & S65' LT 12 & S65' OF W20' LT 14

Regular City Council Meeting

Meeting Date: 02/22/2016

TITLE: Public Hearing and Resolution Authorizing Filing of Section 5307 Grant and Submittal and Acceptance of Grant Application and Resolution to MDT for Cap

PRESENTED BY: Kevin Ploehn, Director of Aviation and 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 operating costs and capital assistance. For FY 15/16, 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 \$1,834,467. This grant application requires a public hearing and a Resolution authorizing the Mayor to execute the grant documents with the USDOT. Public hearing notices were published in the *Billings Times* on January 14, 21, and 28, 2016.

ALTERNATIVES ANALYZED

City Council will conduct a public hearing and may:

- Approve the Resolution that authorizes filing the grant application in the amount of \$1,834,467 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 15/16, the Section 5307 Federal grant application for operating assistance is \$1,834,467, 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 allowing the Mayor to execute all grant documents with the USDOT FTA upon the receipt of the grant offer.

APPROVED BY CITY ADMINISTRATOR

Attachments

AUTHORIZING RESOLUTION

RESOLUTION NO. 16-

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 22nd day of February 2016.

THE CITY OF BILLINGS:

BY: _____
Thomas W. Hanel, Mayor

ATTEST:

BY: _____
Billie Guenther, 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 February 22, 2016.

If applicant has an Official Seal, impress here.

(Seal)

Signature of Recording Officer

Title of Recording Clerk

Date

Regular City Council Meeting

Meeting Date: 02/22/2016

TITLE: Public Hearing for vacation of a portion of 10th Street West

PRESENTED BY: David Mumford, Public Works Director

Department: Public Works

PROBLEM/ISSUE STATEMENT

The YWCA and Bonini Enterprises have petitioned to vacate 10th Street West from Wyoming Avenue to the alley north of Wyoming Avenue. Both property owners are proposing to develop the adjacent property and would like to utilize the right of way for their developments. There is no right of way for 10th Street West south of Yellowstone Avenue, which prevents 10th Street West from extending in the future. It is the staff recommendation that the right of way be vacated with a 20-foot easement preserved for a multi-use path. With the development of the two properties, a portion of the multi-use path would be required to be constructed. With vacation of this right of way, half would revert to each adjacent property owner. The subdivision on each side of 10th Street West dedicated half of the right of way for the street.

The YWCA was the original subdivider on the east side. Since 10th Street West was not constructed it is recommended per Administrative Order 56 that the east half of the right of way revert back to the YWCA at no cost. Bonini Enterprises, the owner of the lot west of 10th Street West, is not the original subdivider who dedicated the right of way and should pay for their half of the right of way. The area of the right of way proposed to be vacated is 8,400 square feet.

ALTERNATIVES ANALYZED

The Council may:

- After holding a public hearing, approve the vacation of the above-mentioned right-of-way with the condition that an easement be preserved for a multi-use path; or
- After holding a public hearing, approve the vacation of the above-mentioned right-of-way without the condition that an easement be preserved for a multi-use path; or
- After holding a public hearing, do not approve the vacation.

FINANCIAL IMPACT

Charlie Hamwey has established the value of the right of way at \$2.25 per square foot. The west half of the right of way is approximately 4,200 square feet and valued at \$9,450. Because the easement would be located on the east side, the valuation of the west half should not be diminished due to the easement. The east half should be vacated at no cost in accordance with AO 56.

RECOMMENDATION

Staff recommends City Council hold a public hearing and approve the vacation of a portion of 10th Street West with the condition that an easement be preserved by the City.

APPROVED BY CITY ADMINISTRATOR

Attachments

Resolution to Vacate

Valuation Letter

RESOLUTION NO. 16-_____

A RESOLUTION OF THE CITY OF BILLINGS, MONTANA,
DISCONTINUING AND VACATING **a portion of 10th Street West right-of-way.**

WHEREAS, a proper petition was filed with the City Council of the City of Billings, Montana, as per Section 22-601 BMCC, requesting discontinuance and vacation of **a portion of 10th Street West right-of-way** as described hereinafter; and

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

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

1. **DISCONTINUANCE AND VACATION.** Pursuant to Sections 7-14-4114 and 7-14-4115, M.C.A., **a portion of 10th Street West right-of-way** more particularly described as follows:

Being the east portion of 10th Street West dedicated per Y.W.C.A. Subdivision, Recorded May April 13, 1954, under Document Number 522374, adjacent to Lot 10 of Said Y.W.C.A. Subdivision;

And the west portion of 10th Street West dedicated per Broadacre Subdivision, Recorded January 6, 1949, under Document Number 445960, adjacent to Lot 1, Block 1 of Said Broadacre Subdivision;

Said portion of 10th Street West containing 8,415 square feet more or less.

As shown on attached exhibit "A".

Is hereby discontinued, abandoned and vacated.

2. **PUBLIC INTEREST.** The discontinuance, vacation and abandonment of the above described **a portion of 10th Street West right-of-way** is in the best interest of the public and can be done without any public detriment.

PASSED by the City Council and APPROVED this 22nd day of February 2016.

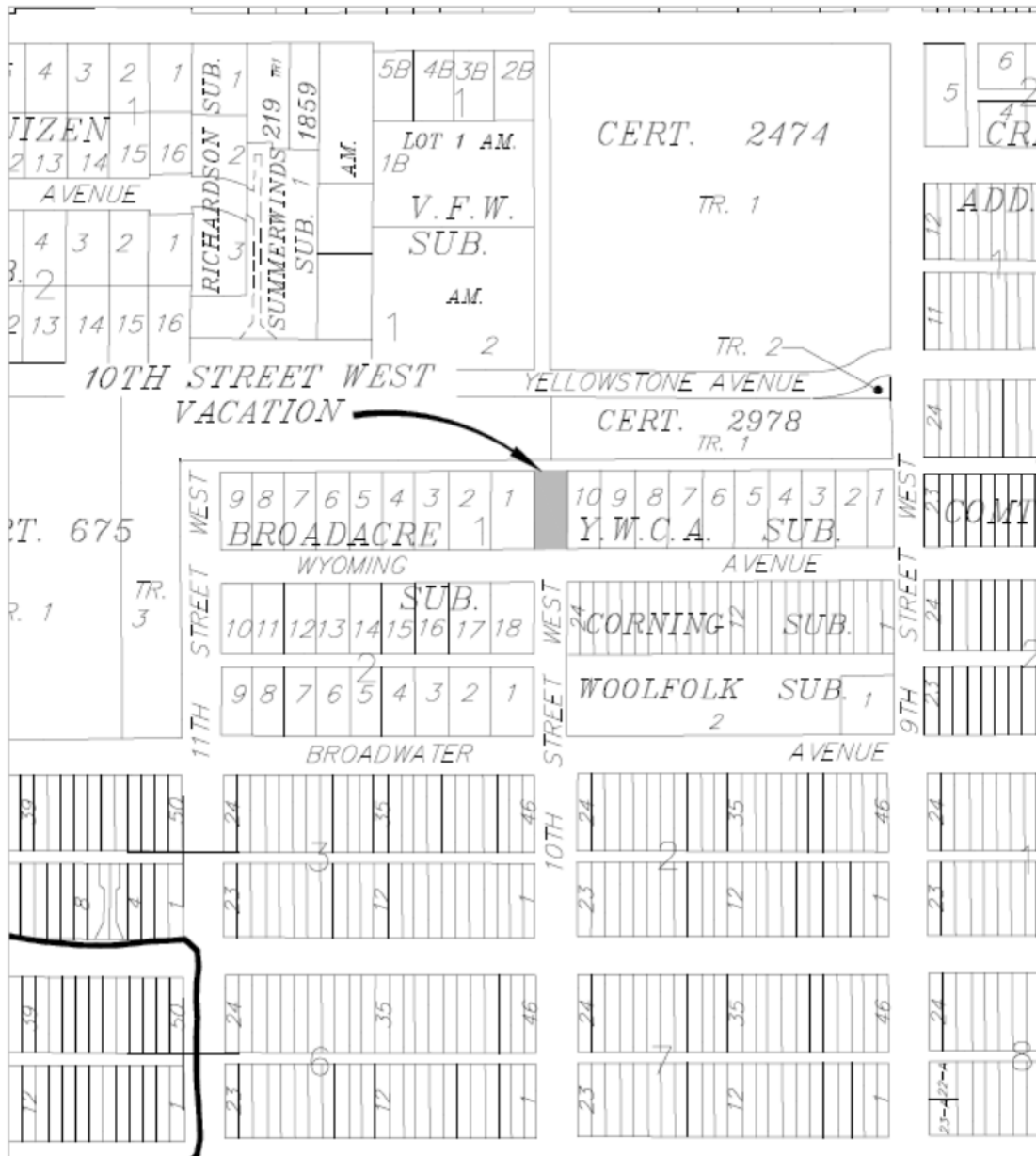
THE CITY OF BILLINGS:

BY: _____
Thomas W. Hanel MAYOR

ATTEST:

BY: _____
Billie Guenther CITY CLERK

EXHIBIT "A"



November 30, 2015

Jon Phillips, CFO
YWCA Billings
909 Wyoming Ave.
Billings MT 59101

RE: Value of public right of way.

Dear Jon,

In researching the land on 10th St. West and the land specifically West of your property that you are interested in. Consists of a parcel of land 30.64 feet wide by 160 feet long or a total of 4,902 sq.ft. which belongs to the City of Billings. In researching this type of land that the city has sold in the past for alleyways and streets has ranged anywhere from \$1.80 per sq.ft. to \$2.50 per sq.ft.

Based on the recent comparables that are adjacent to this property the sellers O.E. Lee & Company and Richard E. Lee & Donald R. Lee sold to Riley & Yvonne Kelly on May 19, 2014 these two parcels of land west of your property for 2.25 per sq.ft. based on that sale and nothing else that I could find that is close to your property, would bring the Estimated Fair Market Value of the land owned by the City of Billings to

\$11,000.

As the YWCA is a non-profit organization, I would approach the City of Billings into requesting that they donate this land to your organization.

Sincerely,


Charlie Hamwey

Regular City Council Meeting

Meeting Date: 02/22/2016

TITLE: Special Review 938

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

Department: Planning & Community Services

PROBLEM/ISSUE STATEMENT

This is a special review request to construct two triplexes and two fourplexes on Lot 6, Wolf Subdivision, in a Residential 6,000 (R-60) zone on a 38,379 square foot parcel of land generally located at 3104 Boulder Avenue. The Zoning Commission conducted a public hearing on February 2, 2016.

Special Review applications are reviewed using criteria referenced in the Alternatives Analyzed section of this memo. Special Reviews do not change the zoning of a property. They are tied to specific uses that are permitted in a given zoning district but are subject to a review by the City prior to the use being allowed. Special Review requests, unlike Zone Changes, may be conditioned to mitigate potential impacts from the use on the subject property or surrounding properties.

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 this application and recommended conditional approval to the Zoning Commission. The Zoning Commission concurred with this recommendation. Before a recommendation of approval or conditional approval can be made, each special review request must demonstrate conformance with three primary criteria: 1) the application complies with all parts of the Unified Zoning Regulations; 2) the application is consistent with the objectives and purposes of the Unified Zoning Regulations and the 2008 Growth Policy; and 3) 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 criterion because the property is in a district that allows multifamily dwellings by special review. The site plan submitted indicates the proposed buildings would meet all required setbacks, building height and lot coverage limitations. The application conforms to the second criterion because it meets the purposes of the zoning regulations and goals and policies of the 2008 Growth Policy. The application conforms in part to the third criterion and conditions of approval are recommended to mitigate potential impacts to surrounding property and bring the application into full conformance with the third criterion. The Zoning Commission is recommending conditions for this special review based on the approval criteria for special

review uses.

Recommended Conditions:

1. The special review approval is for the two triplexes and two fourplexes on Lot 6, of Wolf Subdivision, a 38,379 square foot parcel of land located at 3104 Boulder Avenue (14 dwelling units total). No other use or development is intended or implied by this approval.
2. Any expansion in gross floor area of the proposed buildings or off-street parking greater than 10 percent of what is shown on the submitted site plan will require an additional special review approval.
3. 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. The maximum height of any light pole in the outdoor areas shall be 15 feet above grade.
4. All proposed drive approaches will be reviewed by City Traffic Engineering for final approval and location.
5. No construction activity will occur before 7 am or after 8 pm daily.
6. Prior to Building Permits being issued, a Master Site Plan Review must be submitted to the Planning Division and approved for the project.
7. The site will be developed in substantial conformance with the submitted site plan including landscaping, parking and building locations, and so there is not vehicular access between Colton Boulevard and Boulder Avenue. Installation of a minimum of 4 trees at each private street entrance on Boulder Avenue and Colton Boulevard is required to provide some buffering between properties and to be consistent with existing landscaping along the streets in the area. Mature trees that exists at the Boulder Avenue frontage may be preserved and counted toward the 4 tree total in this area. New trees shall not be any tree with the genus scientific name of Populus or any of its subspecies including any variety of aspens. Also no Salix (willows), Acer negundo (Box Elder) or Ulmus (Elms).
8. A trash receptacle must be provided with a three sided site obscuring fence and a closing gate.
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.

Further the City Council shall consider and may impose modifications or conditions concerning, but not limited to, the following Special Review evaluation criteria:

1. Street and road capacity;
2. Ingress and egress to adjoining streets;
3. Off-street parking;
4. Fencing, screening and landscaping;

5. Building bulk and location;
6. Usable open space;
7. Signs and lighting; and/or
8. Noise, vibration, air pollution and similar environmental influences.

FINANCIAL IMPACT

If the special review is approved, Master Site Plan application fees and City Building permit fees will be paid at the time a permit is submitted and will cover the cost of those permitting services. Development of the property will add taxable value to the city's tax base after the project is constructed.

BACKGROUND

The city requires a special review for this use in the R-60 zoning district. The applicant is proposing to construct a total of 14 units on property that fronts Boulder Avenue on the north and Colton Boulevard on the south. Each unit will be two stories and consist of either three or four bedrooms with an attached single car garage. The property is currently vacant. There are several large, existing multi-family developments on Boulder Avenue as well as the north side of Colton Boulevard. The applicant will be responsible for street improvements along Boulder Avenue as required by the City Engineering Division. The submitted site plan shows one drive approach from Colton Boulevard and one from Boulder Avenue.

This property is in close proximity to Boulder Elementary School, which is at the west end of Boulder Avenue and Colton Boulevard. During school hours, heavy vehicle and pedestrian traffic moves along Boulder Avenue, Colton Boulevard and 32nd Street West (the street fronting Boulder Elementary School). The traffic congestion leads drivers to drop off students along Boulder Avenue and Colton Boulevard and avoid the traffic directly in front of the school. Drivers look for ways to exit the area as quickly as possible. Planning and Engineering staff had concerns with the applicant's original site plan that included a very wide, unobstructed thoroughfare (driveway) connecting Boulder Avenue and Colton Boulevard. This would have provided a cut-across for school traffic to exit the area and negatively affect safety of drivers and pedestrians within this development and on the surrounding streets.

Planning staff, in consultation with the Engineering Division and Fire Department staff, suggested modification to the site plan to separate the development into a north neighborhood and south neighborhood with only a pedestrian connection to eliminate cut-through traffic in the development, discourage school pick up and drop off traffic at the entrances to the development, and increase the safety of residents of the development. The applicant submitted an amended site plan to address these traffic concerns and the plan was accepted by the Zoning Commission at its February 2, 2016, hearing.

The Zoning Commission review and public hearing are detailed under the "stakeholders" section of this report.

STAKEHOLDERS

The Zoning Commission conducted a public hearing on February 2, 2016, and received the staff report and recommendation as well as testimony from the applicants and their agent. Two surrounding property owner also provided comment to the Zoning Commission.

Additional information provided by staff included the amended site plan and five letters in opposition to the project. The letters in opposition included concerns for safety, increased vehicle traffic, noise, lighting and parking. The Commissioners asked staff if this property was developed with the five duplexes allowed by right in the Residential-6000 zoning district, would there be a way to restrict the through driveway from Colton Boulevard to Boulder Avenue. Staff stated the development would have had to still go through the Master Site Plan Review and this issue would have been addressed and staff would have made the same recommendation to the applicant, but the formal condition process under special review would not have been in place.

The public hearing was opened and the Commissioners asked several questions of the applicant. The Commissioners asked if the applicant had considered developing the site with additional parking spaces to help eliminate on street parking issues; if the project would be rented units or if this would become a townhome complex with a homeowner's association; how the mail boxes would be provided; if the Solid Waste Division had been contacted about providing service at that location for a dumpster; if there would be a screening fence or buffer between the properties to the east and west; and if the application was not granted whether the owner would develop the property with the allowed duplex units.

Mr. McDowell stated the applicant is considering adding additional parking spaces, but had not finalized that on a site plan and the project meets parking requirements of the City. He stated the current plan is to construct the units as rentals but they could be considered for townhome ownership in the future. He said this had not been decided. Mr. McDowell also stated a central off-street mail box unit will be provided for both the north and south section. He said Solid Waste had not confirmed it could provide individual cans for curbside service and the applicant would be willing to work with staff on the condition for the trash enclosure if the curbside service is not allowed. He also said the applicant did plan to construct a privacy fence on the east and west property lines. He stated the applicant had not considered the duplex option, but would develop the property with a new design if the special review was denied and they had no other option.

Two surrounding property owners, Maurine and Charles Ernest of 3155 Fairmeadow Drive, spoke in opposition to the project. They stated there is very busy traffic in the area and they were concerned about increased traffic, parking on the streets, lighting, noise, and safety. They were also concerned with the snow removal. They stated that they live on the south side of Colton Boulevard and they would prefer the south entrance to the project be eliminated and a landscape buffer installed instead.

Mr. McDowell provided rebuttal testimony. He explained the applicant could not close off the south entrance due to the lot width and also adhere to the Fire Department requirements for safe access. He stated it appeared many of the issues with traffic were with existing conditions in the neighborhood and the design of the project should help mitigate its impacts. He stated the development of this property would not significantly affect these areas of concern.

Commission Member Dennis Ulvestad made a motion to recommend denial of the special review. The motion died for a lack of a second. Commission Member Michael Larson made a motion to recommend conditional approval with staff recommended conditions, including the amendment to Condition #7 recognizing the amended site plan, and adoption of the findings of

the 3 criteria. The motion was seconded by Commission Member Mike Boyett. The motion was approved on a 4-1 vote with Dennis Ulvestad voting against the motion.

CONSISTENCY WITH ADOPTED POLICIES OR PLANS

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

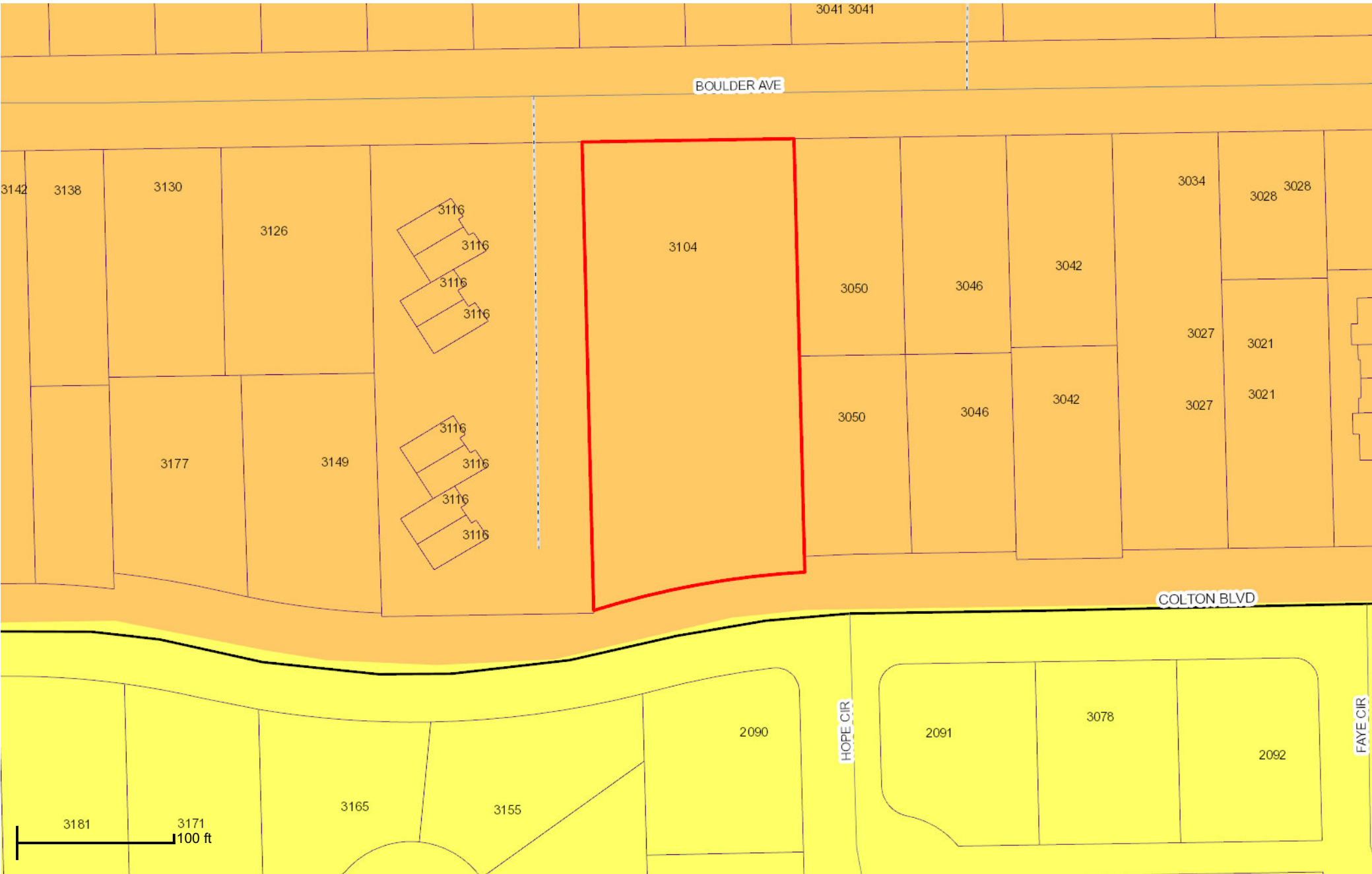
RECOMMENDATION

The Zoning Commission recommends conditional approval and adoption of the findings of the 3 criteria for Special Review 938 on a 4-1 vote.

APPROVED BY CITY ADMINISTRATOR

Attachments

Zoning Map & Site Photos
Applicant Letter and Site Plan
Neighbor Letters & Photos



Attachment
Site photos



Subject Property – View from Colton Blvd.



View east on Colton Blvd.

Attachment continued
Site photos



View south of the subject property



View west on Colton Blvd.

Attachment continued
Site photos



Subject property looking south from Boulder Ave.



Looking east on Boulder Ave.

Attachment continued
Site photos



Looking west on Boulder Ave.



01/04/16

Planning & Community Services Department
2825 3rd Avenue North
4th Floor
Billings, Mt. 59101

RE: Request for Special Review For
Colton Townhomes
3104 Boulder Avenue
Billings, MT 59102

1.
 - A. *In what ways is your proposal consistent with the goals and policies of the adopted Growth Policy?*

Land Use Element 1

- *Issue: Neighborhoods are experiencing pressures from new development and land use changes.*
- *Goal: Predictable land use decisions that are consistent with neighborhood character and preferred land use patterns identified in neighborhood plans.*

The proposed 14 unit development is consistent with the surrounding neighborhood. The proposed project will create additional housing in an area of town that greatly needs it.

Land Use Element 11

- *Issue: Neighborhoods provide the character and strength of the community and the quality of neighborhoods should be preserved.*
- *Goal: Preserve neighborhood character and quality of life.*

The proposed development will be a positive addition to the neighborhood. The new buildings will be aesthetically appealing and the landscaping will provide a greater quality of life for the surrounding neighborhood.

Aesthetic Element 1

- *Issue: There are areas in the City and County that are unattractive and present a poor image of the community.*
- *Goal: Visually appealing communities.*

The proposed development will be aesthetically appealing and will improve the image of the community.

Transportation Element 9

- *Issue: The sidewalk system in the City needs upgrading; many sidewalks are cracked and broken, several critical sections are missing, and important sidewalk routes are not adequately maintained.*
- *Goal: Well maintained network of safe and interconnected sidewalks*

As part of this project, all of the sidewalks on this portion of Colton Boulevard and Boulder Avenue will be required to be repaired and maintained to the current city standards. In doing this, public safety will be improved and a healthy lifestyle will be promoted.



B. *Why is there a need for the intended use of the property on this location.*

There is a need for this special review in order to create more housing in this neighborhood and to create a project that improves the surrounding neighborhood.

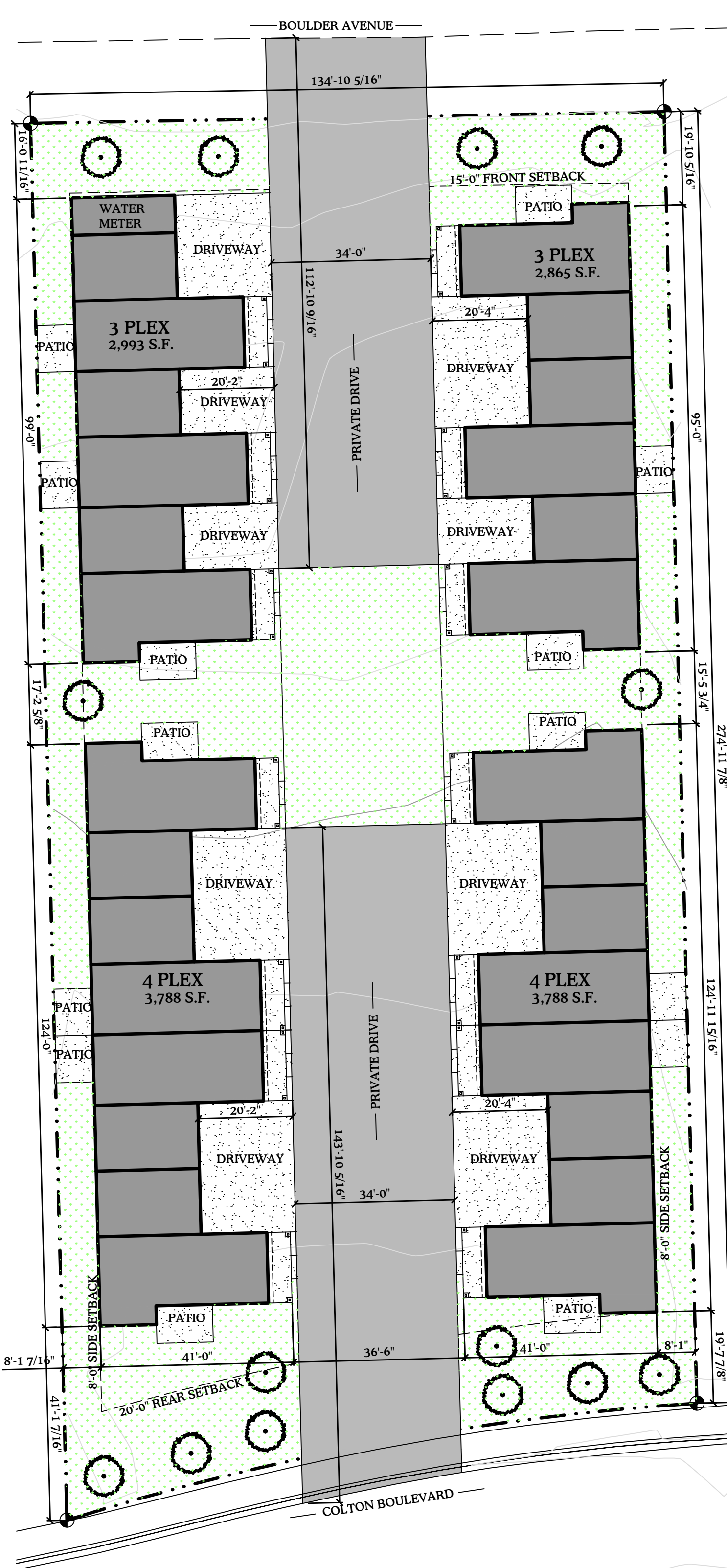
C. *How will the public interest be served if this application is approved?*

The public interest will be served by creating an infill project with an updated development that will be visually appealing and preserve the existing neighborhood character.

D. *Prepare a written statement addressing what is intended to be done with the property, and why the special review is being sought.*

The proposed new development will consist of 4 new buildings, two three-plexes and two four-plexes. Each unit will be two stories tall and consist of either three or four bedroom living units with an attached garage. The exteriors of the project will be virtually maintenance free, consisting of fibercement siding & thin-cut stone veneer. Landscaped green space & open areas will also be provided on the site. The units will be townhome style, with secure entries & improved site lighting. All of these features combined will greatly enhance the quality of life for the tenants and add value to the neighboring properties. This project will be aesthetically pleasing and will be a great addition to this neighborhood.

The special review is being sought because development of three-plexes and four-plexes is not allowed in R-6000 zoning without an approved special review.



CONSTRUCTION TYPE - VB
OCCUPANCY CLASSIFICATION - R-3

LOT COVERAGE:	
Total Lot Area:	38,379 s.f.
4 plex (3,788 x 2):	7,576 s.f.
3 plex :	2,865 s.f.
3 plex w/ Water Meter :	<u>2,993 s.f.</u>
Total Building Footprint:	13,434 s.f.
Max. Lot Coverage = 40% = 15,351 s.f.	
Actual Lot Coverage = 35%	
Asphalt =	7,716 s.f.
Conc. driveways =	4,130 s.f.
Conc. patios =	2,282 s.f.
Buildings =	<u>12,388 s.f.</u>
Total Impervious Surface =	26,516 s.f. (69%)
Landscaping / Grass =	11,863 s.f. (31%)

PARKING :	
1.5 SPACES PER 2 BED UNIT	
14 UNITS x 1.5 = 21 spaces required	
PARKING PROVIDED:	
Garage Parking =	14 spaces
<u>Driveway Parking =</u>	<u>14 spaces</u>
Total Parking =	28 spaces provided

LEGAL DESCRIPTION
3104 BOULDER AVENUE
LOT 6 (LESS 2,120.77 S.F. STREET)
WOLF SUBDIVISION
38,379 s.f.

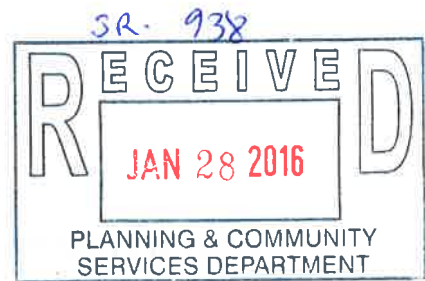


COLTON SITE PLAN
1" = 20'-0"

14 UNITS



VICININTY MAP
N.T.S.



January 22, 2016

To Whom It May Concern:

As long time homeowners in our neighborhood, we oppose the proposed multi-family project at 3104 Boulder Avenue (special review #938). The plan we received raises numerous issues and concerns for our neighborhood.

First and foremost, we object to the absence of a buffer between these large multiplex units and our single-family homes directly across the street. We are already negatively impacted by the large units next door that are over capacity for the current zoning regulations.

The setbacks on this development are at the minimum. The density of these structures will have a severe impact on the area. The useable open space is negligible. Twenty-five Corporation has made little effort to try to minimize the adverse effects this large development will have on our neighborhood or for the people living in the units. A few of these adverse effects are: higher volume of people, additional traffic, increased noise, depreciation of property values, potential safety risks due to mixed residents, and burdening an already overcrowded elementary school.

Also, we oppose the driveway running between Colton and Boulder Avenue. Due to school traffic, Colton is already quite busy. Four times daily, approximately eight school buses travel on this street to access the "bus area" at Boulder School. Additionally, parents line the street picking up and dropping off students several times per day, and children use the street for walking to and from school. For the safety of our children, this area needs to be protected because of its proximity to Boulder School. We recommend adding a green space area with a fence and trees bordering Colton to act as a buffer and help reduce the impact of this project to our neighborhood.

Similarly, parking is a problem. The allowed parking for these units is a single garage with driveway space directly behind it. This does not work well because of shifting cars. We can all attest that the street certainly will be used for parking. Cars parked on the street create an impediment to sightlines of children walking to and from school. Furthermore, where will guests of the multiplex tenants park? Where will snow on this bus route be plowed? As the proposed project plans currently stand, the only possible answer is the street.

Please carefully consider the impact of this project. It is very important to have the assumed quiet enjoyment of our homes that we have worked hard for.

Signature of Homeowner

Terrald Earnest
Maureen Earnest
Charles Croft
Vera J. Croft
Martin C. Nyberg
Charlotte Nyberg

Printed Name

Terrald Earnest
Maureen Earnest
Charles Croft
VERA J. CROFT
MARTIN C. NYBERG
Charlotte Nyberg

Address

3155 Fairmeadow Dr
3155 Fairmeadow Dr
3171 Fairmeadow Dr.
3171 FAIRMEADOW DR.
2060 Hope Circle
2060 Hope Circle

(over)

Signature of Homeowner

Printed Name

Address

Olivia Holden

Olivia Holden

2090 Hope Circle

Ben Holden

Ben Holden

2090 Hope Circle

Rick McLaughlin

Rick McLaughlin

2076 Hope Circle

Raelene McLaughlin

Raelene McLaughlin

2076 Hope Circle

Dean K. Webb

DEAN K. Webb

2061 Hope Circle

William K. Webb

William K. Webb

2061 Hope Circle

Lee E. Stiener

Lee Stiener

3165 Fairmeadow Dr

January 22, 2016

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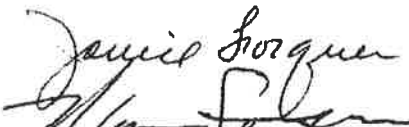
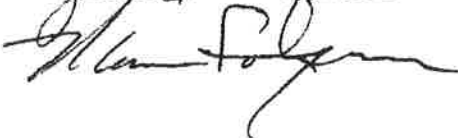
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Please carefully consider the impact of this project. It is very important to have the assumed quiet enjoyment of our homes that we have worked hard for.

Homeowner name

Printed Name

Address

	Janice Forquer	3145 Fairmeadow Dr
	Marvin T Forquer, Jr	3145 Fairmeadow Dr



3160 Fairmeadow Drive
Billings Mt 59102
January 26, 2016

Planning Division
2825 3rd Ave North, 4th Floor
Miller Building,
Billings, Mt 59101

Dear Sirs:

RE: City Special Review #938, Project Number 16-00002

I have resided at 3160 Fairmeadow Drive for over twenty-three years. We purchased our home because it was in a single family dwelling area, and the neighbors in our cul de sac and surrounding blocks have always had consideration for each other regarding traffic, noise, etc.

I am strongly opposed to the proposed multi-family project at 3104 Boulder Avenue! Some of my biggest concerns include:

1. The tremendous amount of traffic, noise, people, and the closeness of so many dwellings in one area. Having so many multi-family dwellings will definitely have an effect on the property value of our single family dwelling home.
2. We have large amounts of traffic during the day with Boulder School - buses coming and going, parents bringing and picking up their children, then add all the extra traffic with the new dwellings where more than likely there will be at least two vehicles per unit. All this additional traffic would be a concern for the grade school children who walk to and from school on Colton Boulevard.
3. There is absolutely not enough property to allow private parking for that many vehicles which will then all move out and park in Colton Boulevard.

Please give the single family residents serious consideration - we have worked hard to keep our homes, paid taxes for many years, and I feel we deserve to 'have our neighborhoods' remain as they are.

Sincerely,
Jean Smith

January 27, 2015

Planning Division
2825 3rd Ave N 4th Floor
Miller Building
Billings, MT 59101

re: City Special Preview # 938
Project Number 16-0000 2
3104 Boulder Ave - Multi-family in R-60 zone

Dear Zoning Commission:

I am strongly opposed to the number of apartments (14) that will be built if you approve the request to build two 4-plexes and two 3-plexes on Lot 6 of Wolf Subdivision. Also of great concern is the proposal to have a private drive run from Colton Blvd to Boulder Ave as if it is a thru street.

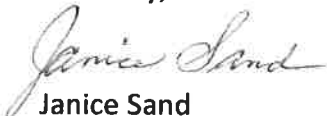
Constructing 14 units will increase the current problem of vehicles parking on the street. Having lived across the street from three 4-plexes for 19 years, I have observed that even though a garage and driveway are provided for each apartment, the residents use the garage for storage, park one vehicle in the driveway and their second or third vehicle is parked on the street. This creates a problem for seeing on-coming traffic in both directions when backing out of my driveway.

Potentially the private drive would enable twenty or more vehicles (14 apartments @ 2 vehicles) to travel Colton Blvd daily. The traffic on Colton Blvd is busy enough currently with nine (9) First Student buses and parents transporting students twice a day to Boulder School, homeowners, renters and all the additional vehicles that drive on it.

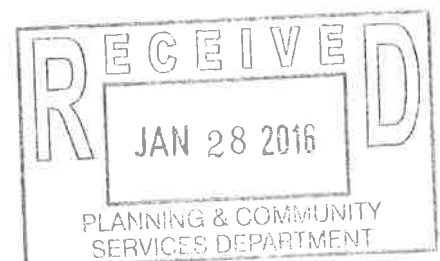
I urge you to request that the developer eliminate the plan to have a private drive that is open from Colton Blvd to Boulder Ave. Instead, revise the proposed plan to have some of the apartments accessible from Boulder and some from Colton as is the case with the three apartment complexes that are east of Lot 6 on the south side of Boulder. This would help to distribute the traffic more evenly between the two streets.

Thank you for considering my concerns.

Sincerely,



Janice Sand
3078 Colton Blvd
Billings, MT



Dated: 1/28/2016

Planning Division
2825 3rd Avenue North,
4th Floor, Miller Building
Billings, Mt. 59101

To Whom It May Concern,

I am a home owner at 2091 Hope Circle since 1998. Please reconsider this application and deny approval to construct two 4-plexes and two 3-plexes on Lot 6, Wolf Subdivision, in a Residential 6,000 (R-60) zone on a 38,739 square foot parcel of land. Tax ID: A18647.

This is a residential zone and we have a high number of children walking to and from school on Colton Boulevard. We have 8 to 10 school buses use this route and they drive in and out of the school daily. We would like to keep the safety of the children as the upmost importance.

Parking is already an issue with the existing tenants in the neighboring apartments owning more than one vehicle, (trailer, equipment, etc.) obstructing the view while driving down the street. This has been a safety hazard and has related in many close mishaps.

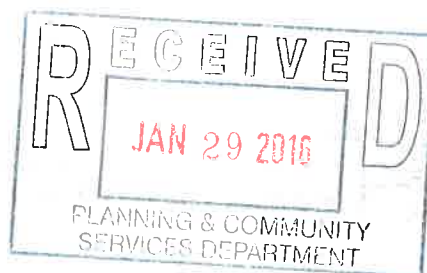
This proposal brings a high concentration of people into too small of an area. This action will overpopulate the area and it will become too congested. This is just too close to Boulevard School and would have a significant impact on the children. Please reconsider this proposal!

Thank you for your time on this matter. It is greatly appreciated!

Respectfully,



Randy J. Kolina
2091 Hope Circle
Billings, Mt 59101



RECEIVED

JAN 29 2016

Mayor

Dated: 1/28/2016

Mayor and City Council
P.O. Box 1178
Billings, Mt. 59103

To Whom It May Concern,

I am a home owner at 2091 Hope Circle since 1998. Please reconsider this application and deny approval to construct two 4-plexes and two 3-plexes on Lot 6, Wolf Subdivision, in a Residential 6,000 (R-60) zone on a 38,739 square foot parcel of land. Tax ID: A18647.

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This proposal brings a high concentration of people into too small of an area. This action will overpopulate the area and it will become too congested. This is just too close to Boulevard School and would have a significant impact on the children. Please reconsider this proposal!

Thank you for your time on this matter. It is greatly appreciated!

Respectfully,



Randy J. Koliha
2091 Hope Circle
Billings, Mt 59101

January 31, 2016

Dear City Council and Zoning Commission,

We are writing to register our concerns over the proposed zone changes at 3104 Boulder Avenue (City Special Review #938).

We own a home on Boulder Avenue and in the time we've lived here have already seen another lot developed into multi-family dwellings. Changing a lot from a single family house to multi-family building significantly increases the amount of traffic generated by the lot. We've already seen that first hand. The more traffic that there is on Boulder Avenue the more noise and safety issues arise for those on the street, including the countless school children who walk Boulder on their way to Boulder Elementary. There is already enough traffic on Boulder and we are concerned about the impacts of adding another seven families.

Additionally, multifamily housing tends to increase light pollution (parking lot lights, front door lights, etc.) more so than an individual house does.

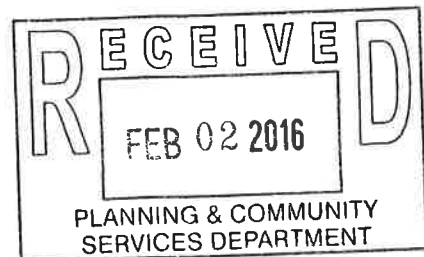
Boulder Avenue is an interesting mix of single and multi-family housing. We are fearful we will soon be one of just a couple of houses on a street otherwise dominated by apartment buildings and duplexes.

I am not sure if there is a way to address these concerns while still allowing the owner of the lot to make it a habitable living space once again.

Thank you for your time and consideration of our concerns. Have a good day!

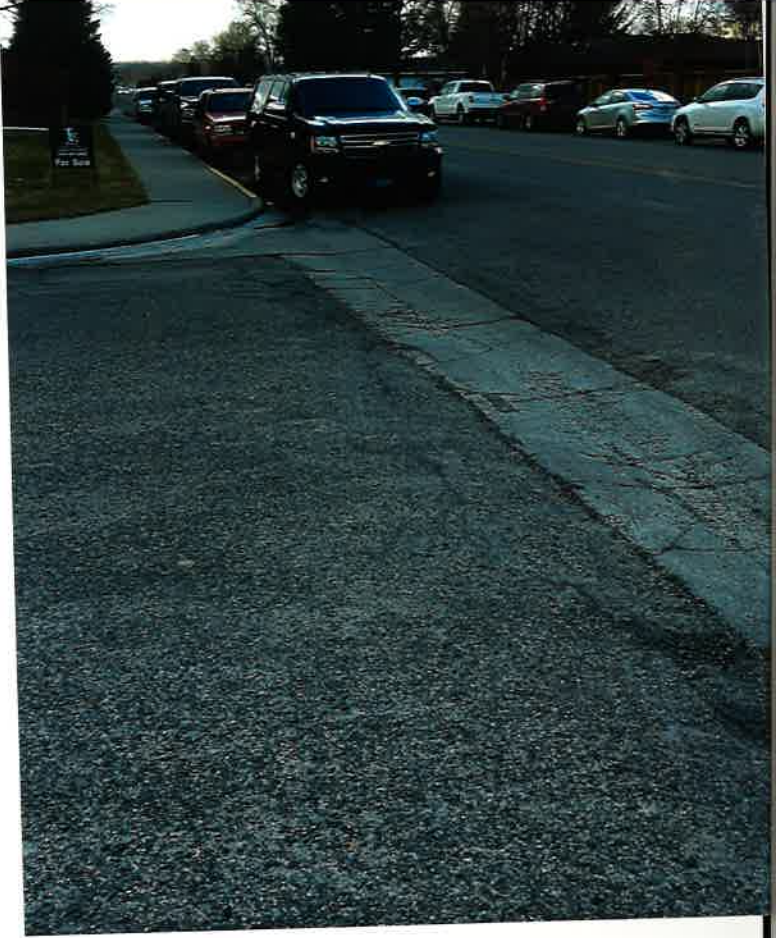
Beth & Matt Schatzke

Bethany and Matt Schatzke
3133 Boulder Ave.
Billings, MT









Regular City Council Meeting

Meeting Date: 02/22/2016

TITLE: Public Hearing and Resolution for Annexation #16-01

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

Department: Planning & Community Services

PROBLEM/ISSUE STATEMENT

Phillips 66 Company submitted a petition to annex land they own using the provisions of Section 7-2-4600, MCA. The subject property is Tract 11, Certificate of Survey 1406, Amended and totals about 3.5 acres. The property is undeveloped and does not have an address. It is located just east of the United States Post Office on South 27th Street between Lillian Avenue and what would be 7th Avenue South (a private road in this area). The owners are requesting annexation in order to begin developing the property in the City with an office building and staging/storage yard. The property is currently zoned Controlled Industrial.

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. The City is able to serve the property and further analysis and discussion is provided in the Consistency with Adopted Plans and Policies section of this memo. The City Council considers this annexation at two separate Council meetings. At the first meeting on February 8, the Council accepted the annexation petition for this property and set a public hearing date for February 22. At this meeting, the Council will conduct the hearing and decide if it will annex the property.

ALTERNATIVES ANALYZED

The City Council may approve or deny a petition submitted by owners of 50% or more of the real property in the area to be annexed (7-2-4601 (3)(b), MCA). The only alternative that is consistent with City Council policy and state law is to conduct a public hearing and review the request before taking action.

FINANCIAL IMPACT

The City is able to provide municipal water and sewer to the subject property via private lines off of 7th Avenue South. Staff is recommending two conditions of approval for this annexation: That a Development Agreement be executed with the City to identify infrastructure improvements and timing of those improvements to serve the property; and/or that a Subdivision Improvement Agreement be signed and recorded between the property owner and the City to identify infrastructure improvements and timing of those improvements to serve the property through a subdivision platting process. Since this property is being developed for commercial uses, the City will realize property tax revenue and also will receive payment for fees and assessments for City services.

BACKGROUND

The subject property totals about 3.5 acres. It is located between the United States Postal Service property near South 27th Street and Interstate 90, and between Lillian Avenue and 7th Avenue South. The property is vacant and includes the Yegen Drain, which flows across the eastern boundary of the property. 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. The city limits border the western edge of the property.

PROCEDURAL HISTORY

- On December 18, 2015, the annexation petition was submitted to the Planning Division by the owner's agent
- On February 8, the City Council accepted the petition to annex the property and set a public hearing date for February 22
- On February 22, the City Council will conduct the public hearing for the annexation and may take action on the request.
- On March 14, if the resolution to annex is approved by the City Council, a public hearing and first reading of an ordinance to include the property in City Council Ward 1 will be conducted.
- On March 28, the City Council will conduct the second and final reading for the ordinance expanding the Ward I boundary.

STAKEHOLDERS

Annexation by petition does not require notification of adjoining landowners; however, it does require that the City Council conduct a public hearing and post the property with information on the annexation petition and public hearing. Notice of the public hearing was posted on the property on February 5 and published in the Billings Times on February 4. The Planning Division has not received any inquiries about this petition at the time this memo was prepared.

CONSISTENCY WITH ADOPTED POLICIES OR PLANS

Although MCA 7-2-4400-4407 does not require a public services plan, it is the City's custom to have staff prepare a brief analysis of predicted impacts to services and facilities. The proposed annexation complies with the adopted Annexation Policy criteria as follows:

1. The area is located within the Limits of Annexation.
2. The City is able to adequately provide municipal water and sewer services to the property.
3. Any proposed public improvements within the area to be annexed will meet City standards.
4. All property owners within the area to be annexed must sign a Waiver of Right to Protest future Special Improvement Districts. The proposed conditions of annexation in the Resolution that the property owner enter into a Development Agreement or Subdivision Improvement Agreement with the City will ensure that the waiver is signed.
5. If annexed, any proposed land use will comply with the zoning. The property is currently zoned Controlled Industrial.

Departmental Response: City and County Departments were given the opportunity to comment on this annexation. City departments responded favorably and detailed responses are provided below. The County Public Works Department did not respond to this annexation request.

City Facilities:

Specific comments from City Departments are provided below:

- **Water:** This property is intended to be served by a water lines currently in the South 7th Avenue corridor in this area where it runs through private property. The subject property will be responsible for connecting and extending service lines at the time of development.
- **Sewer:** The property will be served by sewer mains that run from Lillian Avenue north and south across the subject property. The subject property will be responsible for connecting and extending service lines at the time of development.
- **Storm water:** All of the storm water runoff from this property will need to meet the City of Billings requirements for storm water management. Any future development will follow the City of Billings storm water regulations. At the time of preliminary subdivision or development plan submittal, the developer will provide preliminary drainage plans, a geotechnical/hydrological report, and detail the specific of the sites' storm water system.
- **Transportation:** The subject property has the most direct access via private road on what would be an extension of 7th Avenue South on the north side of the property. There is also the potential for private access from the south, connecting to Lillian Avenue. The property owner has control over the private accesses and will be able to provide access out the public right-of-ways of Lillian or 7th Avenue South for the property.
- **Fire Stations:** The subject property is currently served by the Billings Fire Department through the Billings Urban Fire Service Area and the Billings Fire Department will continue to serve the property upon annexation. The Billings Fire Chief stated that as this and other annexations are built out, additional fire department resources will be needed. The nearest fire station is Station #2, located at 501 South 28th Street, about 0.5 miles northwest of the subject property.
- **Parks:** The subject property is to be developed with commercial and industrial uses and so park land is not likely to be an issue at time of development of this property. However, South Park is located about half a mile west of the subject property and Coulson Park is about one third of a mile east of the subject property and near the Yellowstone River.
- **Bicycle and pedestrian facilities:** The property lies within the jurisdiction of the Billings Area Bikeway and Trail Master Plan. Since the property does not have any frontage on public streets, there are no planned on-street bicycle or pedestrian facilities that would be adjacent to this property. However, there is a long-term plan for a pathway access from Lillian Avenue or South 25th Street West going east under Interstate 90 to the trail corridor at Coulson Park. While the subject property may not participate in this pathway opportunity, it may be that other property owned by Phillips 66 in this area might be able to accommodate a pathway easement in the future. This is a discussion City staff will initiate further with Phillips 66 as development of the subject property and other property in the area moves forward.
- **School facilities:** The subject property would be served by Billings School District #2. Billings School District #2 did not respond, but since this property is to be developed for commercial and industrial uses, there should be not impact to schools in the area.

General City Services: These are the City services that are provided to all residents and businesses in the City, such as police and fire protection, street and storm drain maintenance, and garbage collection and disposal. The service providers that responded did not object to the annexation of this property, however the Fire Department in its comments above did note its concerns as additional property is annexed into the City.

- Transit: MET transit system operators have no objections to the annexation request. Bus service is currently available near this property on South 27th Street, about three blocks west of the subject property.
- Police: The Police Department staff stated that this property is in an area that is already mostly in the City and may be included into patrol area #5.
- Public Utilities: The Public Works-- Distribution and Collection Division had no concerns with the annexation request.
- Public Works -Street and Traffic Division: The Street and Traffic Division stated that it has no concerns with serving the property.
- Public Works-Solid Waste: The Solid Waste Division had no concerns with annexing the property, but pointed out that State Law allows the property owner to choose what garbage hauler may service the property after it is in the City.
- Ambulance Service: The City does not provide ambulance service, however it does dictate the level of service provided by American Medical Response (AMR). By City ordinance, 90% of ambulance calls must be answered within 9 minutes. This property may be within the area of acceptable response time.
- Legal and Finance: General Fund services, such as the Legal and Finance Departments should not be negatively impacted by this annexation.
- Other Departments: City/County services including Library, Planning, and Environmental Health are only slightly affected by the annexation since they will continue to serve the property whether it is in the City or the County. The Planning Division staff was in support of annexation of the property as it is in the Red Area of Annexation and has access to City services, but noted that access to the property is currently private. It was also noted that it would make sense for additional property in this area between South 27th Street and Interstate 90 to be annexed into the City for redevelopment on City services.

Annexation of this property would adhere to the following goals, objectives and policies of the Yellowstone County and City of Billings 2008 Growth Policy:

- More housing and business choices within each neighborhood (Land Use Goal, Page 6). *The subject property is zoned Controlled Industrial. This zoning, if developed to its full capacity and density will provide more business choices in this area of the Community.*
- Protection of groundwater, surface water, riparian areas, air quality, and productive agricultural lands (Natural Resource Goal, Page 9). *Development of this property within the City will ensure that groundwater, surface water, and riparian areas are protected by the use of municipal water and sewer systems.*

RECOMMENDATION

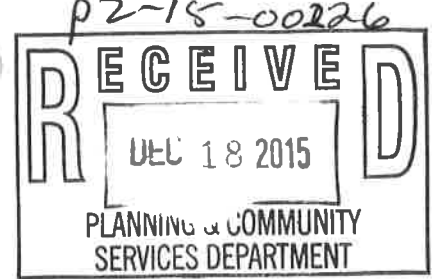
Staff recommends that the City Council conduct the public hearing and approve the Resolution annexing the subject property.

APPROVED BY CITY ADMINISTRATOR

Attachments

Annexation Petition
Annexation Exhibit
Annexation Resolution
Applicant Area Map

**PETITION
FOR ANNEXATION
TO THE CITY OF BILLINGS**



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.

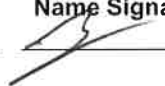
INSTRUCTIONS

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
	Jeff B. Tracy		420 S. Keeler, Billings, OK 74003

(continued on separate page)

(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
S02, T01 S, R26 E, C.O.S. 1406, Parcel 11, AMND	201223	Township: 01 S Range: 26 E Section: 02 C.O.S.: 1406 Parcel: 11	Industrial	Phillips 66 Company	3010 Briarpark Drive, Houston, TX 77042	832-765-1788

ALL ITEMS BELOW SHALL BE COMPLETED BY STAFF

Date Submitted: 12/18/15

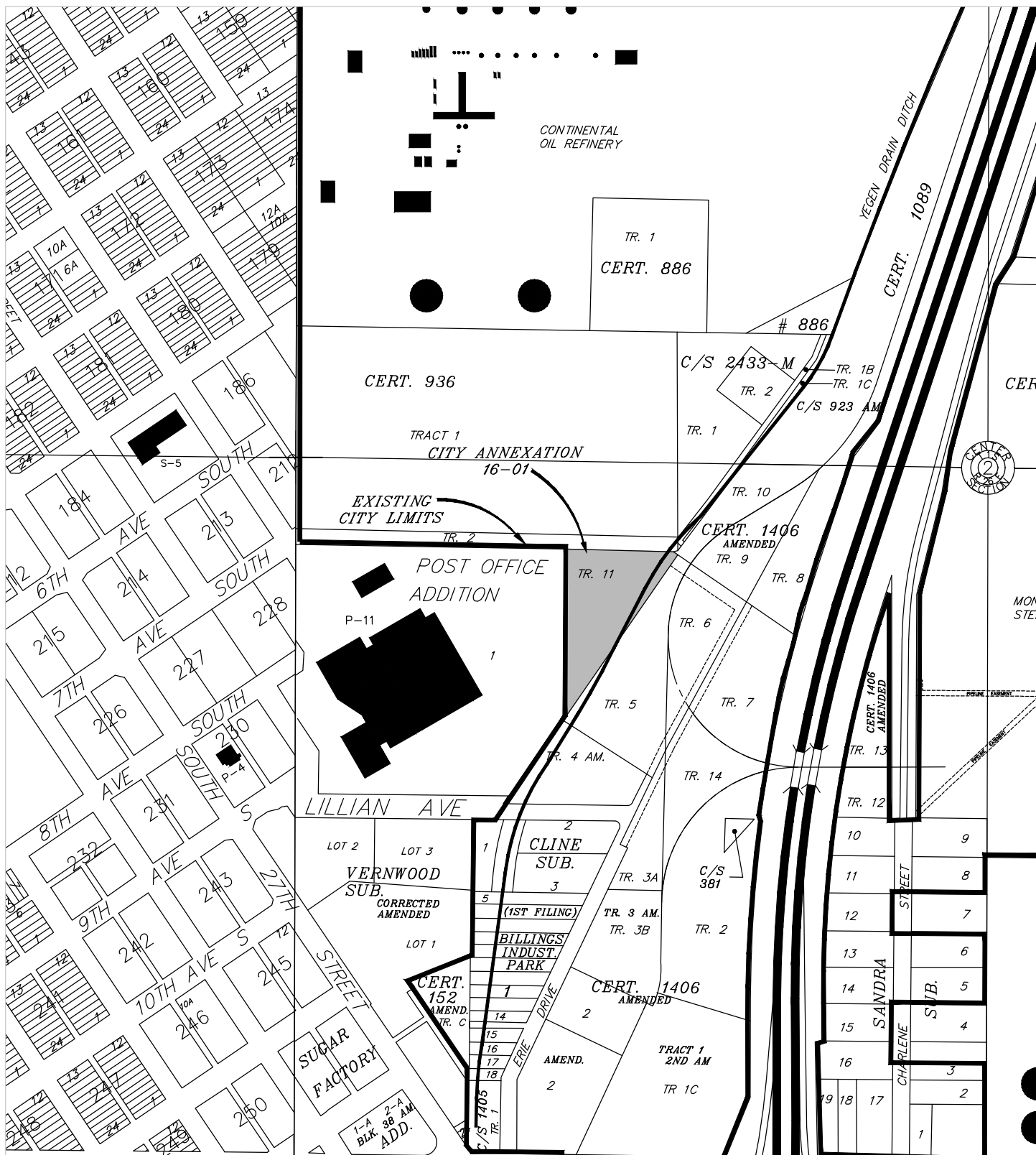
Received By: Tony / myeth

Petition Number: AN#-16-01

Fee Paid: 1,054.00

Includes \$45 sign August

99 1 99



RESOLUTION NO. 16 -

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

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

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

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

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

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

A tract of land situated in the SW1/4 of Section 2, T.1S., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as: Being Tract 11, of Certificate of Survey No. 1406 Amended, Recorded October 3, 1977, under Document No. 1065818, Records of Yellowstone County. Containing 3.541 gross and net acres more or less.
(# 16-01) See Exhibit "A" Attached

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

3. PROCEDURE. All procedures as required under M.C.A., Title 7, Chapter 2, Part 46, have been duly and properly followed and taken.

PASSED by the City Council and APPROVED this 22nd day of February, 2016.

THE CITY OF BILLINGS:

BY: _____

Thomas W. Hanel, MAYOR

ATTEST:

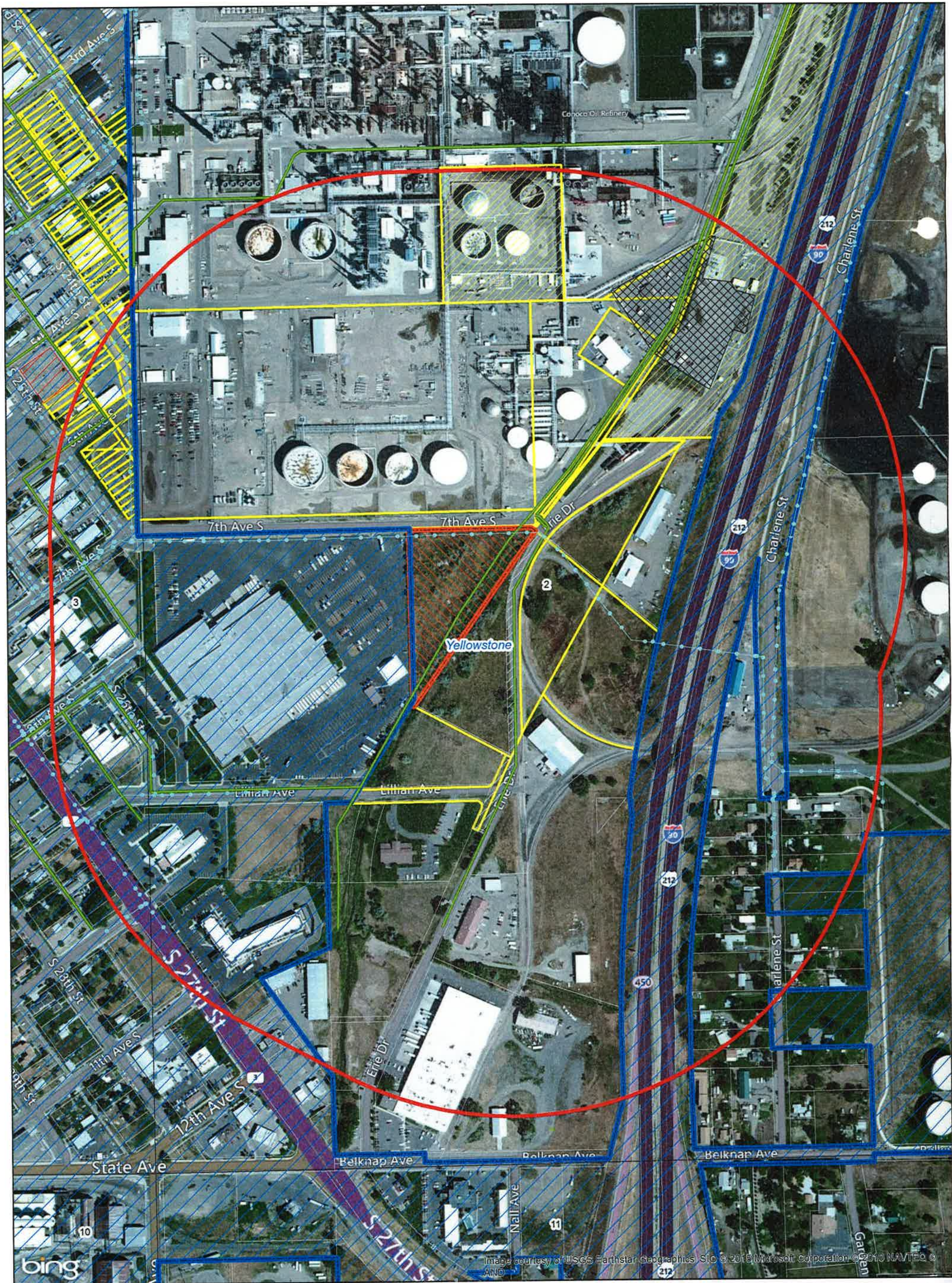
BY: _____

Billie Guenther, CITY CLERK

(AN# 16-01)

This is a detailed plat map of a portion of the City of St. Louis, Missouri. The map shows a grid of streets on the left side, including 6th, 7th, 8th, 9th, and 10th Aves, and South to 25th St. To the right of this grid is a larger area containing several tracts and industrial sites. Key features include:

- Continental Oil Refinery:** Located at the top center, with a large black circle representing a tank.
- Post Office Addition:** A large black-shaded area in the center, labeled "P-11".
- Vernwood Sub.:** A residential subdivision at the bottom left, with lots 1, 2, and 3.
- Cline Sub.:** A residential subdivision at the bottom center, with lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773,



Proposed Property Annex City of Billings Section 2, T10S, R26E Yellowstone County, MT



LEGEND

	1320' Buffer		P66_FeeProperty_Deed_MTSP83		Phillips 66 PL
	Water_Mains_Clip		Label		Prped
	Sanitary_Sewer_Mains_Clip				Less & Except or Sold
	Billings City Limits Existing				YellowstoneOwnerParcel_Whp
	Billings City Limits Proposed				P66 Sections
					P66 Counties

Regular City Council Meeting

Meeting Date: 02/22/2016

TITLE: City Council Committee/Board Assignments

PRESENTED BY: Bruce McCandless, Assistant City Administrator

Department: City Hall Administration

PROBLEM/ISSUE STATEMENT

Following every municipal election, the Mayor and Council select members to serve on a variety of boards or commissions that operate under separate authority but include Councilmembers as voting or nonvoting members. The names of the organizations, their usual meeting dates and times and the 2014-2016 Billings members are shown on the attached list. The Mayor and Council will discuss these appointments at the February 16 work session and will make final selections at this meeting.

ALTERNATIVES ANALYZED

City Council may:

- Approve appointments to the boards and commissions, or;
- Disapprove some or all appointments. Disapproval would diminish the City's influence with these boards and commissions.

FINANCIAL IMPACT

There should not be a significant financial impact. Councilmembers are eligible for actual travel expense reimbursement and at least one of the organizations reimburses the individual or the City for travel costs.

RECOMMENDATION

Staff recommends that the Mayor and Council select from among its members to serve as the City's representatives on the subject boards and commissions.

APPROVED BY CITY ADMINISTRATOR

Attachments

2014-2016 board representatives

Council Member Committees			
Big Sky EDA Board	Jani McCall	Second Thursday of the month in the Yellowstone Room @ 222 N. 32nd Street First floor @ 7:30 AM	
Community Development Board	Becky Bird Ken Crouch (Alt)	First Tuesday of the month in the Miller Building, 2825 3rd Avenue North, 6th floor @ 3:00 PM	
Policy Coordinating Committee	Mayor Hanel Denis Pitman (Alt)	Third Tuesday of the month in the Yellowstone County Commissioners Board Room, 217 N. 27th Street @ 12:00 Noon	
Yellowstone Veterans Cemetery Board	Denis Pitman	First Wednesday of the month in the Yellowstone County Commissions Board Room @ 5:00 PM. Disbanding when cemetery becomes Federal	
Montana League of Cities & Towns *Travel covered for Helena meeting	Denis Pitman	Late June in Helena*; October annual conference	
Beartooth RC & D	Al Swanson	Third Thursday of odd numbered months various locations; winter meetings 1:30 PM, summer meetings 5:30 PM	
Bright & Beautiful	Angela Cimmino	Third Wednesday of month @ Perkins on 27th Street @ 12:00 Noon	
DBP Board	Becky Bird (non-voting) Ed Ulledalen	Fourth Friday of the month in GW Bldg, 2722 3rd Avenue North 1st Floor Conference Room @ 7:30 AM	
Independence Hall Advisory Board	Denis Pitman Angela Cimmino		