

UPDATED AS OF 8/16/2016
ITEMS 1A1 (Attachments Revised) and 1J (Added)
CITY OF BILLINGS

CITY OF BILLINGS VISION STATEMENT:

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

AGENDA

COUNCIL CHAMBERS

August 22, 2016

6:30 P.M.

CALL TO ORDER: Mayor Hanel

PLEDGE OF ALLEGIANCE: Mayor Hanel

INVOCATION: Councilmember Sullivan

ROLL CALL: Councilmembers present on roll call were:

MINUTES: August 8, 2016

COURTESIES:

PROCLAMATIONS:

ADMINISTRATOR REPORTS - TINA VOLEK

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #1 ONLY. Speaker sign-in required. (Comments offered here are limited to one (1) minute for one item, or three (3) minutes for multiple items. 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. **Approval** of Employment Status and Non-Bargaining Random Drug/Alcohol and Reasonable Suspicion Policy Revisions.
- B. **Acceptance** of Contract with the Montana Department of Transportation (MDOT) for TransADE Operating Assistance; \$60,664.
- C. **Right-of-Way Easement** with NorthWestern Energy for completion of power line installation to Low Level Wind Shear Alert System Tower.
- D. **Utility Easement** with Northwestern Energy to provide upgraded electrical service to a new commercial building being constructed at 5327 Southgate Drive.
- E. **Transtech Center Subdivision, Third Amendment.**
- F. **Acceptance of Donation** for the Yellowstone Kelly Grave & Interpretive Site from The Billings Tourism Business Improvement District, Kris and Larry Carpenter, Kampgrounds of America, Lee Enterprises, Singh Contracting, Inc., \$169,000 over four years.
- G. **Acceptance** of Downtown Tax Increment Financing (TIF) grant for rehabilitating the Hart-Albin Parking Garage, \$500,000.
- H. **Acceptance** of Downtown Billings Partnership (DBP) grant for 1111 Entertainment, LLC for fire alarm and fire suppression improvements in the expanded Pub Station, \$35,000.
- I. **Bills and Payroll:**
 - 1. July 25, 2016
 - 2. August 1, 2016
- J. **Resolution Repealing Resolution of Intent #16-10576** to create SID 1401, 62nd Street West turn lane, and set a public hearing date of September 12, 2016.

REGULAR AGENDA:

- 2. **PUBLIC HEARING AND RESOLUTION** setting General Obligation (GO) Debt and Public Safety (PS) 2 mill levy rates for FY17. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

3. **PUBLIC HEARING AND RESOLUTION** approving and adopting budget amendments for FY16. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

4. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward IV to include recently annexed property in Annexation #16-04: for an approximate 11 acre parcel of land described as Lot 8, Sunny Cove Fruit Farms, located at the southeast corner of Rimrock Road and 62nd Street West. Tule Ridge Development, owner/petitioner. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

5. **PUBLIC HEARING AND SPECIAL REVIEW #945:** a special review to locate an all beverage license with gaming in a new 3,500 square foot building in a Controlled Industrial (CI) zone, on Lot 3B, Block 2 of Trillium Subdivision Amended, a 1.431-acre parcel of land generally located at 545 S. 18th St. West. Greg Post, owner; Jerry Jones, agent. Zoning Commission recommends conditional approval and adoption of the findings of the 3 criteria. (Action: approval or disapproval of Zoning Commission recommendation.)

6. **PUBLIC HEARING AND SPECIAL REVIEW #946:** a special review to construct a new 43-space parking lot with alley access and landscaping in a Residential 7,000 (R-70) zone, on the North 130 feet of Lot 8 and the North 140 feet of Lot 7, Block 3 of West View Subdivision, a 20,250 square foot parcel of land generally located on the east side of 16th St. West just north of the intersection of Lewis Avenue. Donald Lee, owner; Dave Pfohl, applicant. Zoning Commission recommends conditional approval and adoption of the findings of the 3 criteria. (Action: approval or disapproval of Zoning Commission recommendation.)

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

COUNCIL INITIATIVES

ADJOURN

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

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

Regular City Council Meeting

Meeting Date: 08/22/2016

TITLE: HR Policy Revisions

PRESENTED BY: Karla Stanton, Human Resources Director

Department: City Hall Administration

PROBLEM/ISSUE STATEMENT

Previous City Administrators adopted City of Billings Employment policies through Administrative Orders. But, current City Administration believes policies are the prerogative of the City Council and procedures are set by City Administration. However, City Administration doesn't want to burden City Council with policies involving State and Federal law (e.g. FMLA, Wage and Hour).

MMIA conducted an audit regarding the City's Employment Practices Liability Coverage and mandated the following policies be revised:

- Employment Status
- Non-Bargaining Random Drug/Alcohol and Reasonable Suspicion policy

Once revisions were completed, MMIA approved the policies.

ALTERNATIVES ANALYZED

City Council may:

- Approve the revised policies, or;
- Disapprove the revised policies. The impact of disapproving the policies is that MMIA will not underwrite the City's Employment Practices Liability coverage.

FINANCIAL IMPACT

There is no financial impact.

RECOMMENDATION

Staff recommends that the City Council approve amendments to the Employment Status and Non-Bargaining Random Drug/Alcohol and Reasonable Suspicion policies.

APPROVED BY CITY ADMINISTRATOR

Attachments

Employment Status
Non-Bargaining

EMPLOYMENT STATUS

SEPARATION of SERVICE

Separation of employment within an organization can occur for several different reasons.

All employees that separate service with the **City of Billings** will receive their final paycheck with the next scheduled payroll cycle based on their last *working* day or within 15 calendar days, whichever is less. If the employee is eligible for accrual payouts in the final paycheck, vacation is paid 100%, compensatory time is paid 100%, and sick is paid at 25% per state statute. Any outstanding amounts owed to the **City of Billings** and/or in accordance with MCA 39-3-205 and/or MCA 2-18-617 will be deducted from the employee's final paycheck. Human Resources will provide a copy of the City Grievance procedures to all non-probationary, permanent position employees who depart employment with the City.

Employees may not extend their employment and benefits by using sick accruals, vacation accruals, compensatory time or personal days. Your last day on the payroll should be a working day. Resignations and Retirement notices must be in writing and signed by the employee.

Employees must return all **City of Billings** property in his/her possession, to their division. This includes but is not limited to: City identification badges; keys; phone; tools; uniforms; books or manuals; computer or office equipment; parking passes; or City cars and credit cards.

A. RESIGNATION

Although the City hopes your employment with us will be a mutually rewarding experience, the City understands that varying circumstances cause employees to voluntarily resign employment. The **City of Billings** requests that employees give a minimum of two (2) weeks written notice of intention to leave the city. The letter should be given to the employee's immediate supervisor. The City reserves the right to provide an employee with two weeks' pay in lieu of notice in situations where job or business needs warrant such action. If an employee provides more notice than requested, we will evaluate whether the additional notice is necessary for effective business operations and will notify the employee of the final date of employment based on those needs.

When an employee voluntarily resigns his/her position with the **City of Billings**, the division shall email the written notice to Human Resources immediately and then route the original. Human Resources will then contact the employee to schedule their exit meeting in order to close out the employee's employment and benefits.

B. RETIREMENT

The **City of Billings** requests that employees that qualify for retirement per MPERA (www.MPERA.gov) provide a minimum of one (1) month written notice of intention to leave the city. The letter should be given to the employee's immediate supervisor.

When an employee retires his/her position with the **City of Billings**, the division shall email the written notice to Human Resources immediately and then route the original. Human Resources will then contact the employee to schedule their retirement meeting in order to process the employee's retirement and benefits options.

If an employee applies for MPERA Disability Retirement and is approved, typically your **City of Billings** retirement date will be the day after the MPERA board meeting.

C. TERMINATION

Non-probationary permanent position employees that are terminated by the **City of Billings** will be provided with a letter summarizing the reasons for their termination and the effective date of the

termination. The **City of Billings** will follow the procedures outlined in the Progressive Discipline/Corrective Action section.

Probationary, permanent position employees may be dismissed at any time during their probationary period without cause by the **City of Billings**.

Temporary, Short Term, non-permanent position employees may be discharged for any reason that the **City of Billings** deems appropriate. Temporary, Short Term, non-permanent position employees may not appeal their termination through the formal grievance procedure.

D. JOB ABANDONMENT

Employees who fail to report to work or contact their supervisor for three (3) consecutive workdays shall be considered to have abandoned the job without notice, effective at the end of their normal shift on the third day. The employee's supervisor should try to contact the employee during this period of time. The supervisor shall notify Human Resources of the situation. At the expiration of the third workday, the supervisor should initiate the paperwork to terminate the employee with Human Resources.

E. RE-EMPLOYMENT

Depending on the circumstances surrounding the separation of service from the **City of Billings**, former employees may be eligible for re-employment. Former employees will be required to complete the regular application process and proceed through the regular hiring procedure, the same as other applicants. A former employee who is re-hired by the **City of Billings** will be considered a new employee and required to complete the probationary period.

F. LAYOFF / REDUCTION IN FORCE (RIF)

The **City of Billings** does have the authority to determine if the workload, funding or other business decisions are such that terminations (via layoff or RIF) are required. Whenever possible, employees will be provided at least two (2) weeks advance notification before the layoff or RIF.

**NON-BARGAINING RANDOM DRUG/ALCOHOL AND
REASONABLE SUSPICION POLICY**

PURPOSE:

The purpose of this policy is to provide an alcohol and drug-free workplace for the protection and well being of the City of Billings, its employees, and the public it serves along with City property, equipment, and operations. Employees are expected to report to work alcohol and drug free in order to enable safe and efficient job performance. Employees, while on-the-job, while on department premises, or in the scope and course of employment are expected to engage in activities which are appropriate for the work environment and do not compromise the City's integrity or interest in maintaining a safe, secure, and alcohol and drug free workplace.

For purposes of random drug testing, supervisors who are required to have Commercial Driver's Licenses are subject to the Commercial Driver's License (CDL) policy for the random drug testing , not this policy. MET Transit supervisors are subject to the Federal Transportation Administration (FTA) policy for random drug testing, not this policy. CDL supervisors and MET transit supervisors are also subject to the reasonable suspicion and other directives, restrictions, and prohibitions that are set forth in this policy.

POLICY:

The City of Billings is committed to protecting the safety, health, and well being of all employees and the individuals with whom the employees come into contact. Therefore, the City establishes an alcohol and drug-free workplace program that balances our respect for individuals with the need to maintain an alcohol and drug-free environment.

If there are employees who have drug or alcohol problems, the City encourages affected employees to seek help through the Employee Assistance Program (EAP) and the benefits available through the City's medical plan. The City will not terminate employment, discipline, or discriminate against an employee solely because an employee voluntarily seeks treatment for an alcohol or substance abuse problem by following the City's controlled substance safe-harbor procedures prior to any occurrence, including testing notification.

The unlawful manufacture, distribution, possession, sale, transfer, or use of illegal drugs; or illegal use of a legally obtainable drug or substance; or misuse of alcohol is strictly prohibited. Illegal possession of drug paraphernalia is prohibited. As a condition of employment, all employees must abide by this prohibition while in any employment capacity with the City, and while on City property, in any City vehicle, and at any City office or facility. All employees are expected to be at work without being under the influence of drugs and/or alcohol, including controlled substances, in order to enable safe and efficient job performance.

Violation of this policy will result in the discipline set out in the attached procedures.

The provisions of the Workforce Drug and Alcohol Testing Act, Sections 39-2-205 through 39-2-211, MCA, provide the basis for this policy.

DEFINITIONS:

For the purposes of this policy.

Alcohol – means an intoxicating agent in alcoholic beverages, food, or medication; ethyl alcohol, also called ethanol; or the hydrated oxide of ethyl.

Controlled Substance(s) – means any drug, substance, or precursor included in Schedules I through V as defined by Section 812 of Title 21 of the United States Code (21 USC 812) or any drug, substance, or precursor included within the definition of "Dangerous Drug" in Title 50 Chapter 32 Part 2, Montana Code Annotated (for example, but not limited to: cocaine, marijuana, medical marijuana, and methamphetamine) For the purpose of this policy, the term 'controlled substance' does not include the use of prescribed drugs, which have been legally obtained and are being used in the manner and for the purpose for which they were prescribed. The term does not include distilled spirits, wine, malt beverages, or tobacco. It does include medical marijuana.

Illegally Used Drugs / Illegal use of drugs – means:

- a. any prescribed drug which is legally obtainable but has not been legally obtained or is not being used for prescribed purposes or in the prescribed manner;
- b. any other over-the-counter or non-drug substances (for example, but not limited to: airplane glue) being used for other than their intended purpose.

EMPLOYEES SUBJECT TO THIS POLICY

~~A.~~ ^pAll part-time and full-time employees of the City of Billings engaged in the performance, supervision, or management of work in a hazardous work environment, security position, position affecting public safety, or fiduciary position are subject to Random Drug Testing. Refer to Appendix A: List of Covered Positions.

~~A.B.~~ ^AAll Covered part-time and full-time employees of the City of Billings are subject to Reasonable Suspicion Drug Testing.

~~B.~~ ^AProspective job applicants for covered, non-bargaining positions are subject to pre-employment testing and a positive test will result in the prospective employee not being hired.

~~C.~~

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ROLES AND RESPONSIBILITIES:

A. ~~All~~ *Employees* are prohibited from:

- Using, consuming, distributing, or possessing alcoholic beverages or illegal drugs while on duty or reporting for duty while under the influence of alcoholic beverages or illegal drugs.
- Use of, consumption of, distribution of, or possession of alcoholic beverages and illegal drugs by employees are prohibited in City worksites and at all times whether on duty or off duty. The term “worksites” includes City vehicles and private vehicles while being used by employees in the performance of their duties.
- Use, distribution, dispensation, possession, manufacture, or sale of illegal drugs while off duty which adversely affects the employee’s work performance, the safety of the employee or others at work, or the City’s regard of reputation in the community. This includes reporting to duty while under the influence of illegal drugs.
- Use of alcohol off duty that adversely affects the employee’s work performance, the safety of the employee or others at work, or the City’s regard or reputation in the community. This includes reporting to duty while under the influence of alcohol.

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B. ~~All~~ *Employees* shall notify Human Resources of any drug or alcohol criminal conviction no later than five (5) calendar days after conviction.

C. Supervisors are required to:

1. attend training sessions on alcohol misuse, controlled substance misuse, and the illegal use of drugs in the workplace when offered;
2. when reasonable suspicion is confirmed, initiate an alcohol/drug test as described in this policy;
3. refer employees to the City’s designated Substance Abuse Professional (SAP) under appropriate conditions for assistance in obtaining counseling and rehabilitation upon a finding of alcohol abuse, use of controlled substances or illegal use of legal drugs;
4. initiate appropriate disciplinary action upon a finding of alcohol use, controlled substance use, and/or the illegal use of legal drugs;
5. in conjunction with Human Resources, assist higher-level supervisors and the SAP Administrator in evaluating employee performance and/or personnel problems that may be related to

alcohol misuse, use of controlled substances or the illegal use of legal drugs; and

6. ensure confidentiality of all information regarding employee testing, disciplinary action and rehabilitation.

D. Human Resources shall:

1. direct and implement this program to ensure it is administered consistently;
2. consult with Department Head or designee in determining appropriate action for situations related to this program; and
3. ensure that all records and information of personnel actions taken against employees with verified positive test results remain confidential and only shared with individuals having a legal right to access.

AUTHORITY TO IMPLEMENT PROCEDURES

The City Administrator is authorized to develop and maintain procedures to enact this policy.

PERIODIC REVIEW

This policy will be reviewed by the City Council every three (3) years.

**POSITIONS COVERED UNDER NONBARGAINING
RANDOM DRUG/ALCOHOL & REASONABLE SUSPICION POLICY:**

Accountant II	Communications Center Manager	Land Management Coord
Accounting Manager	Comm. Development Grant Coord	Legal Secretary
Accounting Supervisor	Community Services Manager	Library Director
Accounting Technician	Control Systems Prog. Analyst II	Library IS Coordinator
Administrative Assistant	Deputy City Attorney	Mental Health Court Coord
Administrative Support II	Drug Court Coordinator	Municipal Court Administrator
Administrative Support III	DUI Court Coordinator	Network Administrator
Administrative Support IV	Elec. Control Systems Specialist	Park Planner
Airport Engineer/Plan Manager	Electrical Inspector I	Parking Manager
Airport Facilities Supt	Electrical Inspector II	Parks Superintendent
Airport Police Supervisor	Electrical Maintenance Spvsr	Parks Supervisor
Animal Control Supervisor	Emergency Service Dispatch Spvsr	Parks, Rec & Public Lands Dir.
Application Developer	Engineer I	Payroll/HR Analyst
Application Development Mgr	Engineer II	Payroll/HR Generalist
Assistant Aviation Director	Engineer III	PC Support Specialist
Assistant City Administrator	Engineering Data Specialist	PC/Computer Forensic Exam.
Assistant City Attorney	Engineering Inspection Supervisor	Plant Mechanic Supervisor
Assistant Fire Chief	Environmental Compliance Coord	Plant Operator Supervisor
Assistant Library Director	Environmental Coordinator I	Police Records Supervisor
Asst Network Administrator	Environmental Engineer	Public Safety Tech Supp Spec
Aviation & Transit Business Mgr	Executive Secretary	Public Safety Technician
Aviation & Transit Director	Facilities Manager	Public Works Deputy Director
Bicycle & Pedestrian Coord	Field Service Manager	Public Works Director
Billings Services Coordinator	Financial Services Director	Public Works Financial Analyst
Building Official	Fire Chief	Public Works Financial Mgr
Cemetery Superintendent	GIS Coordinator	Purchasing Agent
Chemist	GIS Specialist	Recreation Specialist
Chief Chemist	GIS Technician	Recreation Superintendent
Chief Information Officer	Grants Technician	Safety & Training Coord
City Administrator	HR Admin Support II	Sr. Admin. Support IV
City Attorney	Human Resources Associate	Sr. Application Developer
City Engineer	Human Resources Director	Sr. Engineering Technician
City Traffic Engineer	Identification Supervisor	Sr. GIS Technician
Civil Deputy City Attorney	Internal Services Specialist	Sr. Permit Tech/Coordinator
Code Enforcement Mgr/Zoning	Inventory Control Specialist II	Sr. Plans Examiner
Code Enforcement Officer	Investment Debt Coordinator	Sr. Services Specialist
Comm. Code Enforcement Ofcr	IT Manager	Surveyor/CAD Technician

**POSITIONS COVERED UNDER NONBARGAINING
RANDOM DRUG/ALCOHOL & REASONABLE SUSPICION POLICY (cont'd):**

Telecommunications System Manager	Treatment Court Support Specialist	Volunteer Coordinator
Traffic Technician	Utility Billing Supervisor	Wastewater Trt Plant Supt
Transit Manager	Utility Systems Engineer	Water Treatment Manager
Transit Planning & Dev Coord	Victim Witness Program Coord	
Transportation Planner	Victim Witness Specialist	

Regular City Council Meeting

Meeting Date: 08/22/2016

TITLE: Acceptance of Contract with the Montana Department of Transportation (MDOT) for TransADE Operating Assistance

PRESENTED BY: Kevin Ploehn, Director of Aviation and Transit

Department: Transit

PROBLEM/ISSUE STATEMENT

The City of Billings MET Transit Division was advised by the Montana Department of Transportation (MDOT) - Transit Section, of the availability of State funds that can be used to offset paratransit operating costs. The intent of the TransADE funding is to encourage agencies to provide coordinated transit service for elderly and disabled citizens. The rising cost of transporting these individuals has a significant impact on operating budgets and the State is recognizing that its assistance is vital to continuing this needed service. The grant of \$60,644 will be used to reimburse MET for approximately 4.9% of its paratransit FY 2017 operating costs.

ALTERNATIVES ANALYZED

City Council may:

- Approve this contract with the MDOT and accept \$60,644 of TransADE funding to reimburse a portion of the MET Plus Transit's operating expenses; or
- Disapprove the contract with the MDOT for the TransADE funding.

FINANCIAL IMPACT

This contract will allow MET Transit to access \$60,644 to reimburse MET Plus for operating expenses incurred for transporting elderly and disabled citizens. This funding was not anticipated or included in the FY 2017 Revenue budget and is additional income for MET that will be used to cover approximately 4.9% of the paratransit operation's budgeted costs.

RECOMMENDATION

Staff recommends that Council approve and the Mayor execute the attached Operating Assistance Contract with the MDOT for \$60,644 of paratransit operating assistance through the TransADE grant program.

APPROVED BY CITY ADMINISTRATOR

Attachments

TransADE Contract

**MEMORANDUM AGREEMENT
BETWEEN
MONTANA DEPARTMENT OF TRANSPORTATION (MDT), PO Box 201001, Helena MT
59620-1001, and City of Billings, MET Transit, 1705 Monad Rd, Billings, MT 59101**

TransADE

Transportation Assistance for Senior Citizens and Persons with Disabilities (MCA 7-14-112)

This agreement made and entered by and between the Montana Department of Transportation (MDT) and City of Billings (RECIPIENT). Liaison for the State is David Jacobs, Transit Supervisor. Liaison for the Recipient is Lynne Arnold. The parties to this agreement agree to the following:

1. The purpose of this agreement is to set forth the terms and conditions for MDT Transit to provide operating funds pursuant to 49 USC 5311 to counties, incorporated cities and towns, reservations, transportation districts, or nonprofit organizations for transportation services to persons at least 60 years of age and to persons with disabilities. The funds cannot be used to purchase capital items and must supplement any operating funds already provided by the local government and/or agency for public transportation activities.
2. This agreement is effective during **SFY 2017 (JULY 1, 2016 - June 30, 2017)** and shall terminate on June 30, 2017, or upon earlier completion of all terms of this agreement.
3. Funding - MCA 15-68-820 states that twenty-five percent of the revenue collected on the base rental charge for rental vehicles must be deposited in the state special revenue fund for senior citizens and persons with disabilities transportation services account.
4. Process for payment - RECIPIENT agrees to submit an annual financial statement showing the amount expended to support transportation services to persons at least 60 years of age and to persons with disabilities.
5. Method of payment - MDT agrees to review the annual expense reports and issue reimbursement payment for approved expenses to the RECIPIENT until the total amount of \$60,644.00 to be used for RECIPIENT'S public transportation services (operating funds or matching funds) is depleted, or until the June 30th end of the fiscal year, whichever occurs soonest. MDT will inform the provider of the amount remaining with each reimbursement. RECIPIENT agrees that if the total amount awarded for each fiscal year is not expended by RECIPIENT the remaining awarded funds will revert to the state special revenue account for future award to any applicant.
6. Access and Retention of Records - RECIPIENT agrees to provide the state, Legislature Auditor, or their authorized agents access to any records supporting this Agreement for a period of three years after the completion date of this Agreement or the conclusion of any claim, litigation, or exception relating to this Agreement taken by the State of Montana or a third party.
7. Choice of Law and Venue - In the event of litigation concerning this Agreement, venue will only be in District Court of the First Judicial District of the State of Montana in and for the County of Lewis and Clark. This Agreement will be interpreted according to Montana law.
8. Agreement Modification - Any change to this Agreement will only be by written agreement between parties.
9. Assignment, Transfer and Subcontracting - RECIPIENT shall not assign, transfer or subcontract any portion of the contract without the express written consent of MDT.
10. Indemnification - The parties agree that MDT's only role in this Agreement is to provide payment for the public transportation system. RECIPIENT agrees to protect, defend, and save the State, MDT, its elected and appointed officials, agents and employees, while acting within the scope of their duties as such, harmless from and against all claims, demands, causes of action of any kind or character,

including the costs of defense including attorneys' fees, arising in favor of RECIPIENT employees or third parties on account of bodily or personal injuries, death, or damage to property arising out of RECIPIENT or MDT's performance of this Agreement, including any use for public transportation activities under this Agreement.

11. Severability and Integration - If any single part or parts of this Agreement are determined to be void, the remaining parts will remain valid and operative. This Agreement, as written, expresses the total, final and only agreement of the parties relevant to its subject matter. No provision, expressed or implied, arising from any prior oral written request, bid, inquiry, negotiation, contract, or any other form of communication shall be a provision of this Agreement unless specifically provided within the written terms herein.
12. Compliance with Laws - RECIPIENT must, in the performance of this Agreement, fully comply with all applicable federal, state or local laws, rules and regulations, including the Montana Human Rights Act, the Civil Rights Act of 1964, the Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973. Attachment A, Non-Discrimination Notice, is incorporated into this Agreement and during the performance of this Agreement, RECIPIENT for itself, its assignees and successors in interest, agrees to adhere to the contents of Attachment A.
13. Termination - The parties may mutually terminate this Agreement in writing at any time. MDT, at its sole discretion, may terminate or reduce the scope of this Agreement if available funding is reduced for any reason. Either party may terminate this Agreement in whole or in part at any time the other party fails to perform the Agreement terms as set forth.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed.

**STATE OF MONTANA
DEPARTMENT OF TRANSPORTATION**

CITY OF BILLINGS

By: _____

By: _____

Lynn Zanto, Administrator

Printed Name: _____

MDT-Rail, Transit and Planning Division

Title: _____

Dated: _____ 20__

Dated: _____ 20__

APPROVED FOR CIVIL RIGHTS CONTENT

By: _____

Date: _____ 20__

MDT Civil Rights Bureau

APPROVED FOR LEGAL CONTENT

By: Carol M. Bell Morris

RECIPIENT LEGAL REVIEW (optional)

By: _____

Date: July 5 20 16

Date: _____ 20__

MDT Legal Services

**MDT NONDISCRIMINATION
AND
DISABILITY ACCOMMODATION NOTICE**

Montana Department of Transportation (“MDT”) is committed to conducting all of its business in an environment free from discrimination, harassment, and retaliation. In accordance with State and Federal law MDT prohibits any and all discrimination and protections are all inclusive (hereafter “protected classes”) by its employees or anyone with whom MDT does business:

Federal protected classes

Race, color, national origin,
sex, sexual orientation, gender identity,
& Limited English Proficiency

State protected classes

Race, color, national origin, parental/marital status,
pregnancy, childbirth, or medical condition age, disability,
related to pregnancy or childbirth, religion/
creed, social origin or condition, genetic
information, sex, sexual orientation, gender
identification or expression, national origin,
ancestry, age, disability mental or physical, political
or religious affiliations or ideas, military service or
veteran status

For the duration of this contract/agreement, the PARTY agrees as follows:

(1) Compliance with Regulations: The PARTY (hereinafter includes consultant) will comply with all Acts and Regulations of the United States and the State of Montana relative to Non-Discrimination in Federally and State-assisted programs of the U.S. Department of Transportation and the State of Montana, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.

(2) Non-discrimination:

- a. The PARTY, with regard to the work performed by it during the contract, will not discriminate, directly or indirectly, on the grounds of any of the protected classes in the selection and retention of subcontractors, including procurements of materials and leases of equipment, employment, and all other activities being performed under this contract/agreement.
- b. PARTY will provide notice to its employees and the members of the public that it serves that will include the following:
 - i. Statement that PARTY does not discriminate on the grounds of any protected classes.
 - ii. Statement that PARTY will provide employees and members of the public that it serves with reasonable accommodations for any known disability, upon request, pursuant to the Americans with Disabilities Act as Amended (ADA).
 - iii. Contact information for PARTY’s representative tasked with handling non-discrimination complaints and providing reasonable accommodations under the ADA.
 - iv. Information on how to request information in alternative accessible formats.
- c. In accordance with Mont. Code Ann. § 49-3-207, PARTY will include a provision, in all of its hiring/subcontracting notices, that all hiring/subcontracting will be on the basis of merit and qualifications and that PARTY does not discriminate on the grounds of any protected class.

(3) Participation by Disadvantaged Business Enterprises (DBEs):

- a. If the PARTY receives federal financial assistance as part of this contract/agreement, the PARTY will make all reasonable efforts to utilize DBE firms certified by MDT for its subcontracting services. The list of all currently certified DBE firms is located on the MDT website at mdt.mt.gov/business/contracting/civil/dbe.shtml
- b. By signing this agreement the PARTY assures that:

The contractor, sub recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these

requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate.

c. PARTY must include the above assurance in each contract/agreement the PARTY enters.

(4) Solicitation for Subcontracts, Including Procurement of Materials and Equipment: In all solicitations, either by competitive bidding, or negotiation, made by the PARTY for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the PARTY of the PARTY's obligation under this contract/agreement and all Acts and Regulations of the United States and the State of Montana related to Non-Discrimination.

(5) Information and Reports: The PARTY will provide all information and reports required by the Acts, Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information and its facilities as may be determined by MDT or relevant US DOT Administration to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the PARTY will so certify to MDT or relevant US DOT Administration, as appropriate, and will set forth what efforts it has made to obtain the information.

(6) Sanctions for Noncompliance: In the event of a PARTY's noncompliance with the Non-discrimination provisions of this contract/agreement, MDT will impose such sanctions as it or the relevant US DOT Administration may determine to be appropriate, including, but not limited to:

- a. Withholding payments to the PARTY under the contract/agreement until the PARTY complies; and/or
- b. Cancelling, terminating, or suspending the contract/agreement, in whole or in part.

(7) Pertinent Non-Discrimination Authorities:

During the performance of this contract/agreement, the PARTY, for itself, its assignees, and successor in interest, agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Federal

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21;
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airways Improvement Act of 1982, (49 U.S.C. § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (broadened the scope, coverage, and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients, and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 CFR parts 37 and 38;
- The Federal Aviation Administration's Non-Discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);

- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which prevents discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of Limited English Proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. § 1681 *et seq.*).
- Executive Order 13672 prohibits discrimination in the civilian federal workforce on the basis of gender identity and in hiring by federal contractors on the basis of both sexual orientation and gender identity.

State

- Mont. Code Ann. § 49-3-205 Governmental services;
- Mont. Code Ann. § 49-3-206 Distribution of governmental funds;
- Mont. Code Ann. § 49-3-207 Nondiscrimination provision in all public contracts.

(8) Incorporation of Provisions: The PARTY will include the provisions of paragraph one through seven in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and/or directives issued pursuant thereto. The PARTY will take action with respect to any subcontract or procurement as MDT or the relevant US DOT Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the PARTY becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the PARTY may request MDT to enter into any litigation to protect the interests of MDT. In addition, the PARTY may request the United States to enter into the litigation to protect the interests of the United States.

Regular City Council Meeting

Meeting Date: 08/22/2016

TITLE: Approval of NorthWestern Energy Electrical Power Easement to a Low Level Wind Shear Alert System (LLWAS) Tower

PRESENTED BY: Kevin Ploehn, Director of Aviation and Transit

Department: Airport

PROBLEM/ISSUE STATEMENT

NorthWestern Energy is requesting an Easement to install a new electrical power service line to one of the Low Level Wind Shear Alert System (LLWAS) towers located on the north side of the Airport. On July 14, 2016, the City approved an Agreement with NorthWestern Energy to provide 1,200 feet of new underground single phase power line to the LLWAS tower. A new power line is required because the existing power line had to be removed to accommodate the Pond D Storm Drainage System Project. Since the new power feed and associated easement will be located on Airport property, a Right-of-Way Easement must be approved by the City Council and signed by the Mayor before the new electrical power feed can be installed. NorthWestern Energy has numerous power line easements with the City to provide power at the Airport, so this is a fairly routine item.

ALTERNATIVES ANALYZED

City Council may:

- Approve the Easement with NorthWestern Energy; or
- Decline to approve the Easement with NorthWestern Energy delaying the completion of the power line installation to the out of service LLWAS tower.

FINANCIAL IMPACT

This Easement will not produce any financial impact to the City of Billings.

RECOMMENDATION

Staff recommends that the City Council approve the Right-of-Way Easement with NorthWestern Energy for the installation of a new electrical power feed to an LLWAS tower at the Billings Logan International Airport.

APPROVED BY CITY ADMINISTRATOR

Attachments

NWE Easement

After Recording, Return To:
NorthWestern Energy
Lands & Permitting Department
11 East Park Street
Butte, MT 59701-1711

UNDERGROUND ELECTRIC POWERLINE EASEMENT

CITY OF BILLINGS (AIRPORT), of P.O. Box 1178, Billings, MT 59103-1178 "Grantor", in consideration of \$1.00 and other good and valuable consideration, in hand paid, the receipt of which is acknowledged, does grant and convey to **NORTHWESTERN CORPORATION D/B/A NORTHWESTERN ENERGY**, a Delaware corporation, 11 East Park Street, Butte, MT 59701-1711, "Grantee", and to its successors, assigns and apportionees, an easement up to ten feet (10') in width, with an additional six feet (6') during construction, upon which to construct, operate, maintain, replace, upgrade, and remove underground electric powerline(s) and necessary appurtenances, including any that may extend beyond the easement width, over, under, along and across that certain real property located in Yellowstone County, Montana, and particularly described as follows:

TOWNSHIP 1 NORTH, RANGE 26 EAST, M.P.M

Sections 19 & 29; AND

Section 30: C.O.S. 2334, Parcel 1, Tract 1 C.O.S. 2334 & Tract 1 C.O.S. 2423 & Lots 10A1-10A4, 10B Alkali Creek Subdivision 4th Filing, LESS AND EXCEPT 2.06 acres for Airport Road (09)

TOWNSHIP 1 NORTH, RANGE 25 EAST, M.P.M

Section 24 & 25

As further described on Exhibit "A", attached hereto and made a part hereof.

TOGETHER with reasonable right of access to and from the easement area over lands of the Grantor using existing roads and trails where practicable; the right to use and keep the easement area free and clear of any and all obstructions or structures, except fences; and the right to clear and remove all timber, brush, or vegetation outside of the easement area that may, in the Grantee's sole opinion, endanger the powerline, communications system, necessary appurtenances or guy wires.

GRANTOR covenants with the Grantee that the Grantor is lawfully seized and possessed of the real estate above-described, and that the Grantor has a good and lawful right to convey it, or any part thereof.

DATED this _____ day of _____, 20____.

GRANTOR: City of Billings (Airport)

By: _____

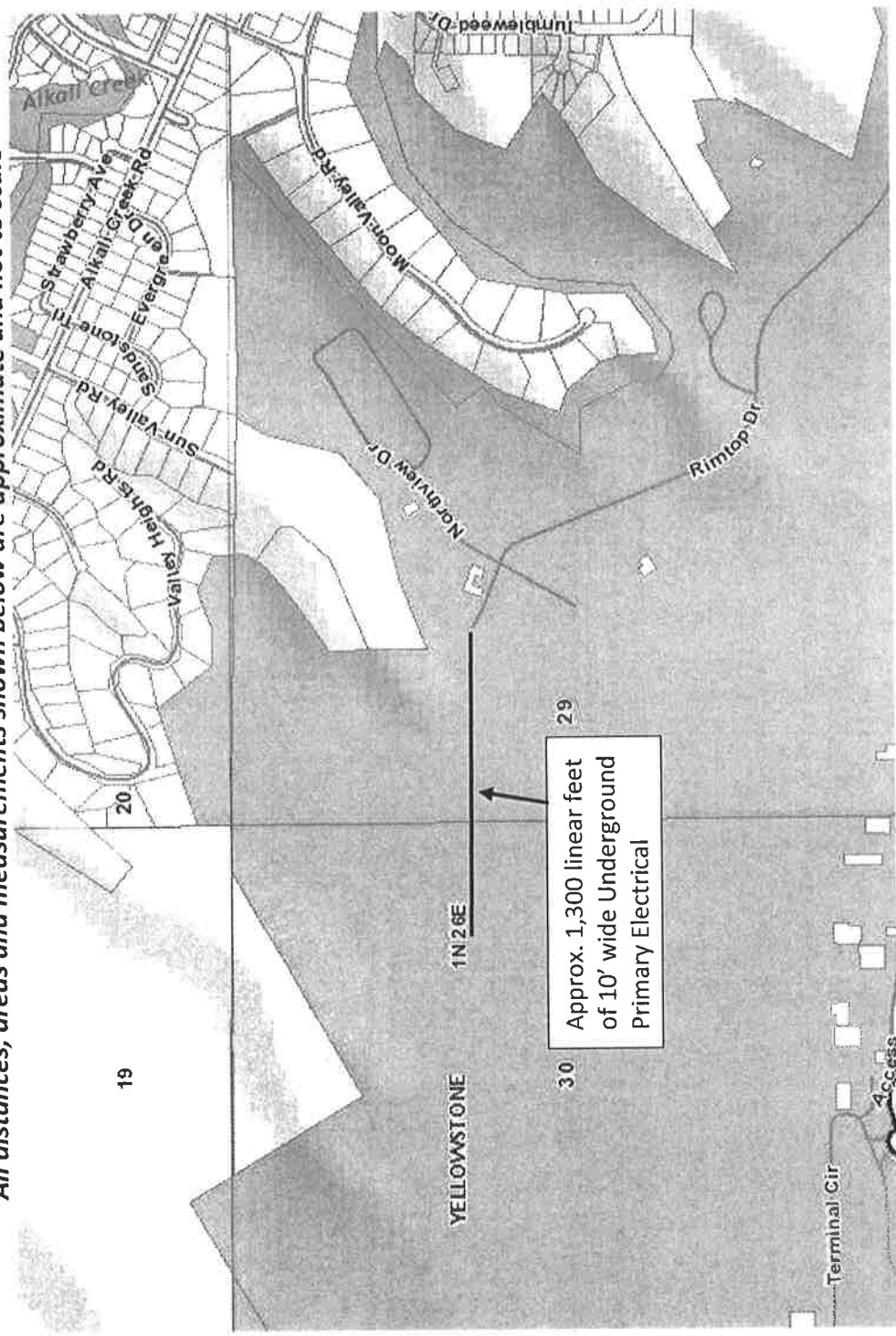
Its: _____

Acknowledgement appears on next page

“Exhibit A”

The following is made a part of that certain Underground Electrical Easement dated _____ by _____ and between City of Billings (Airport) “Grantor” and Northwestern Corporation D/B/A NorthWestern Energy as “Grantee”

All distances, areas and measurements shown below are approximate and not to scale



TOWNSHIP 1 NORTH, RANGE 26 EAST, M.P.M

Sections 19 & 29; AND

Section 30: C.O.S. 2334, Parcel 1, Tract 1 C.O.S. 2334 & Tract 1 C.O.S. 2423 & Lots 10A1-10A4, 10B Alkali Creek Subdivision 4th Filing, LESS AND EXCEPT 2.06 acres for Airport Road (09)

TOWNSHIP 1 NORTH, RANGE 25 EAST, M.P.M

Section 24 & 25

ALL IN YELLOWSTONE COUNTY, MONTANA

Regular City Council Meeting

Meeting Date: 08/22/2016

TITLE: Northwestern Energy Utility Easement at South Gate Park

PRESENTED BY: Mike Whitaker, Parks, Recreation & Public Lands Director

Department: Parks/Rec/Public Lands

PROBLEM/ISSUE STATEMENT

Northwestern Energy has requested a utility easement across Southgate Park to provide upgraded electrical service to a new commercial building being constructed at 5327 Southgate Drive. The requested easement will cross Southgate Park for approximately 100 Lineal Feet. The upgraded electrical service will be installed using underground directional boring techniques that will have minimal or no impact to Southgate Park.

ALTERNATIVES ANALYZED

City Council may:

- Approve, or;
- Disapprove

FINANCIAL IMPACT

There is no financial impact to the park or to the City of Billings. Northwestern Energy will be paying all costs associated with the installation. Any potential impacts to the Park will be corrected by Northwestern Energy as per the guidelines established in the City of Billings Department of Parks, Recreation and Public Lands Park Easement Policy.

RECOMMENDATION

Staff recommends that City Council approve the proposed easement.

APPROVED BY CITY ADMINISTRATOR

Attachments

Southgate Park Northwestern Energy Easement



CITY OF BILLINGS DEPARTMENT OF PARKS, RECREATION AND PUBLIC LANDS

EASEMENT APPLICATION FORM

All Easements are Subject to City Council Approval.

Name of Utility Company Northwestern Energy

Address 1944 Monard

City Billings State MT Zip Code 59108

Contact Person Jordan McNaught Phone (Cell) 406-672-7753 (Office) 406-655-6432

Type of Utility: Underground Primary, 3 Phase #2 AL in 2" conduit

Purpose of Easement: To install new 3 phase primary to serve existing pumps and new building at 5327 Southgate

Type of Easement Requested: Service Non-Service NOTE: Reference Policy on Utility Easements in Parks

Easement Square Footage: 270 FT²

Name of Park: King Ave East between Parkway Dr and S 12th St W

Park Location (nearest intersection and directions to proposed easement location): _____

Approximately 500 FT East of Parkway Ln and King Ave East

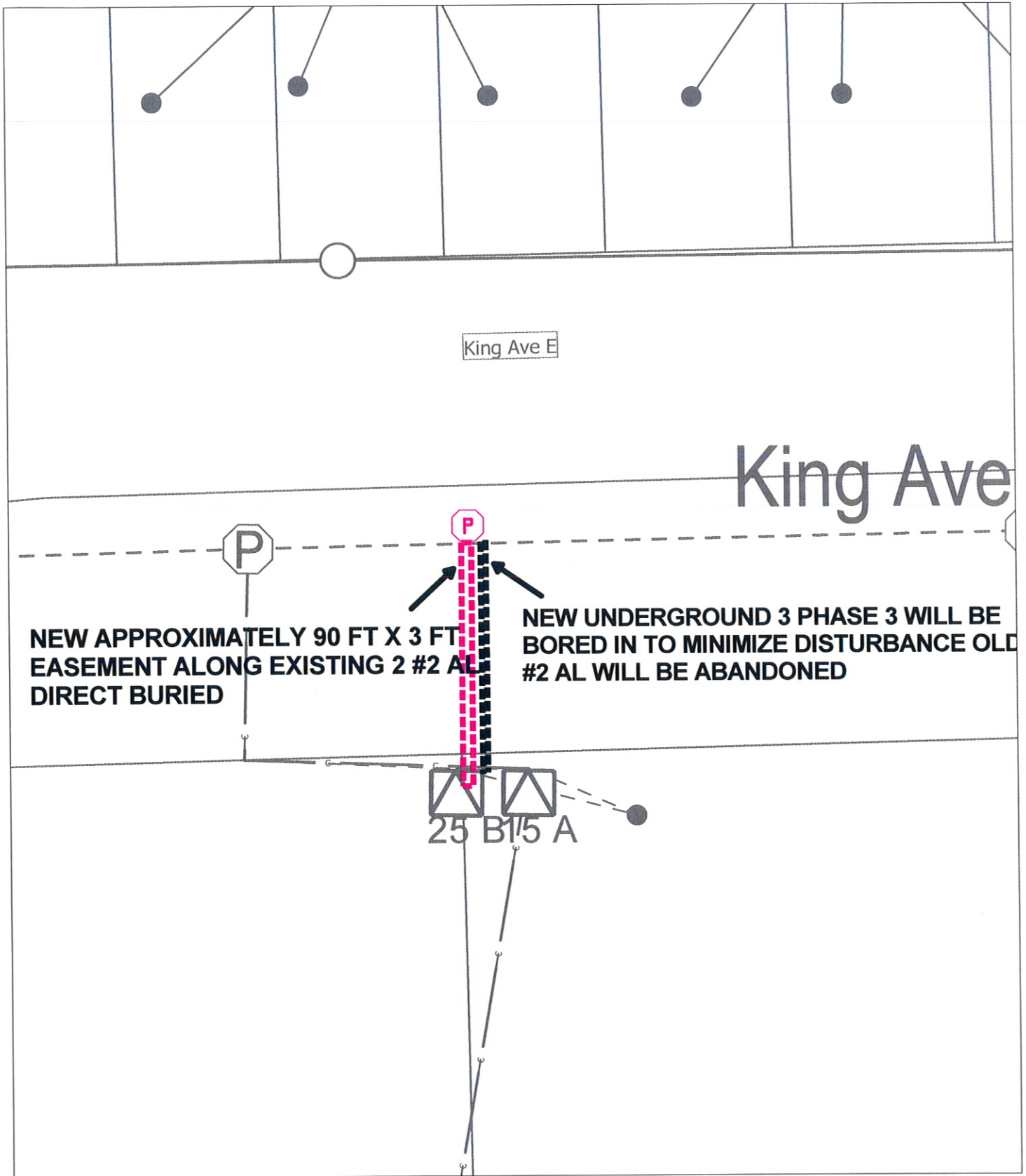
Anticipated Construction Start Date: 8/22/16

Anticipated Construction Completion (45 calendar days) 8/25/16

Please attach a detailed to scale drawing of the subject site. Identify the location of all trees, shrubs and park features within 40 feet of the proposed easement. Show location and dimension of proposed easement. Show proposed easement in relation to the property line of the park.

Utility Company shall obtain an Excavation Surety Bond with Insurance in compliance with City of Billings Ordinance 03-5250. See Procedure to Obtain a Utility Easement in City Parks (attached).

Attach copy of current excavation bond and insurance certificates with this application.



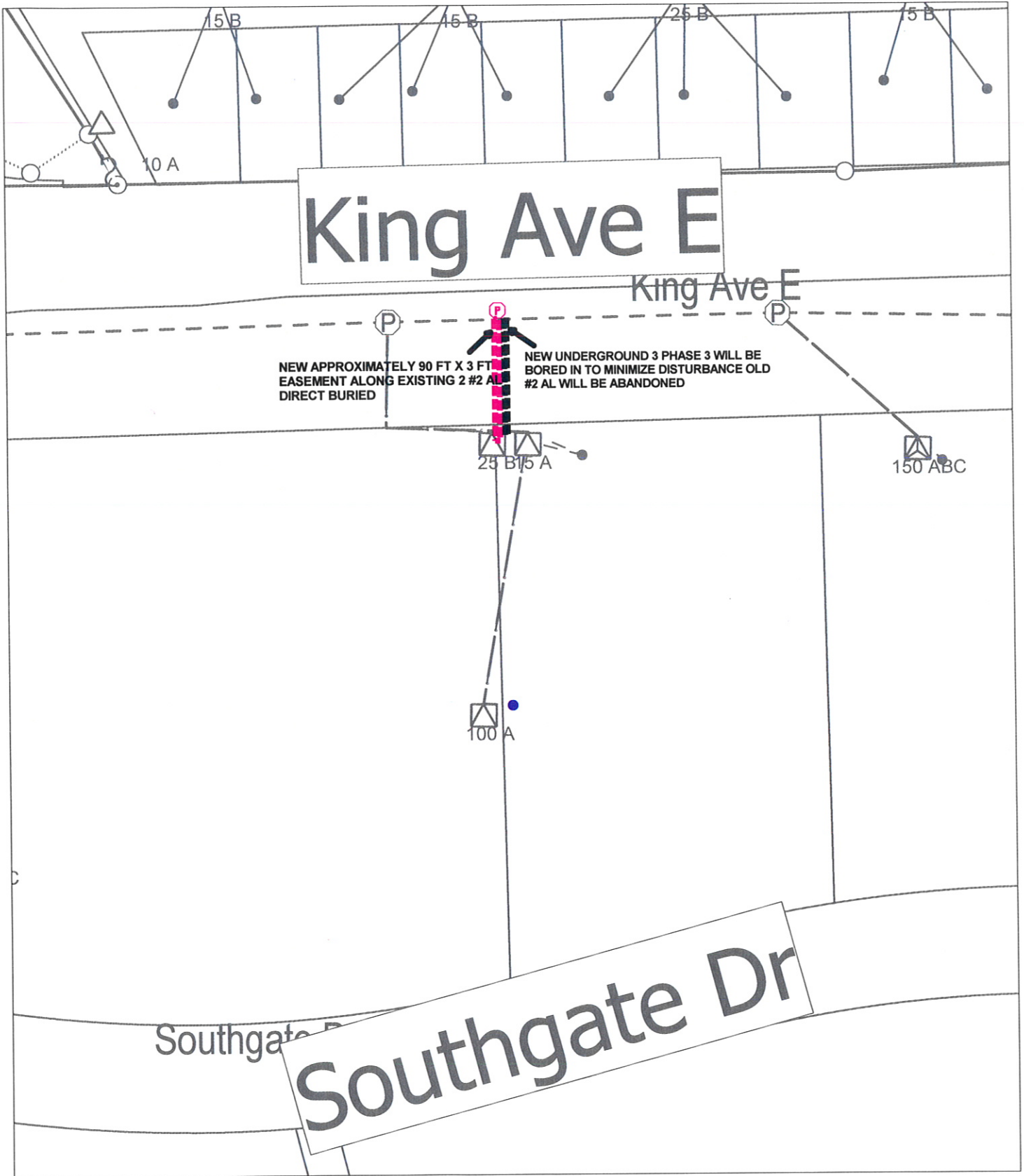
Time: 8/3/2016 10:39:43 AM

Scale: 1 IN = 50 FT

Session: C:\Users\00082068\Desktop\Billings.gts

NorthWestern Energy Map Extract

*This information is proprietary and confidential data of NorthWestern Energy
Center: (2211190.0, 550232.7) Zoom: 54.0*



Time: 8/3/2016 10:40:01 AM

Scale: 1 IN = 100 FT

Session: C:\Users\00082068\Desktop\Billings.gts

NorthWestern Energy Map Extract

This information is proprietary and confidential data of NorthWestern Energy

Center: (2211181.9, 550048.5)

Zoom: 486.3

Regular City Council Meeting

Meeting Date: 08/22/2016

TITLE: Transtech Center Subdivision, Third Amendment

PRESENTED BY: David Mumford, Public Works Director

Department: Public Works

PROBLEM/ISSUE STATEMENT

The property owners of Transtech Center Subdivision submitted an amended subdivision plat allowing for a new access along Gabel Road. The original plat for this lot had a no-access strip along Gabel Road with common access points at the street openings. A new access is proposed along Gabel Road for Unit 17. The City Traffic Engineer reviewed data showing that a new access will not be detrimental to Gabel Road and he concurs with the request. The original no-access strip was established with the original plat and requires City Council approval in order to create this new access.

ALTERNATIVES ANALYZED

City Council may:

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

FINANCIAL IMPACT

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

RECOMMENDATION

Staff recommends that Council approve the Third Amendment of Transtech Center Subdivision.

APPROVED BY CITY ADMINISTRATOR

Attachments

Subdivision Plat
Site Plan

DRAFT THIRD AMENDED PLAT OF
TRANSTECH CENTER SUBDIVISION

SITUATED IN THE NE1/4 AND THE SE1/4 OF SECTION 14, T. 1 S., R. 25 E., P.M.M.
IN THE CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA

PREPARED FOR: BOTTRELL FAMILY INVESTMENTS
PREPARED BY : SANDERSON STEWART

JUNE 2016
BILLINGS, MONTANA

NOTE: THIS AMENDED PLAT HAS BEEN PREPARED AND FILED TO REVISE THE
"1' WIDE NO VEHICULAR ACCESS STRIP" LOCATED NEAR THE SOUTHWEST CORNER
OF THE SUBDIVISION AS SHOWN ON THE 2nd AMENDED PLAT.

NO ADDITIONAL LOTS ARE BEING CREATED WITH THIS PLAT.

CERTIFICATE OF SURVEYOR

STATE OF MONTANA)
) :ss
County of Yellowstone)

The undersigned, a Montana Licensed Land Surveyor, hereby declares that during the month of June 2016, a survey was performed under his supervision of a tract of land situated in the NE1/4 and the SE1/4 of Section 14, T. 1 S., R. 25 E., P.M.M., in the City of Billings, Yellowstone County, Montana, said tract being more particularly described as follows, to wit:

Lot 1A-1 in Block 1 of Second Amended Plat of Transtech Center Subdivision as filed in the office of the Clerk and Recorder of Yellowstone County, Montana under Document No 3759146, containing an area of 2,316,312 square feet or 53.1752 acres, more or less; subject to all easements of record or apparent on the ground.

That the monuments found and set are of the character and occupy the positions shown hereon, that said survey and the plat hereof shows true and correct dimensions and that the plat conforms with the work on the ground.

SANDERSON STEWART

By: _____
Peter B. Knapp

Montana License No. 8377-S

Date: _____

ERRORS AND OMISSIONS REVIEW

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

Examining Land Surveyor _____ Date _____

CERTIFICATE OF CITY ATTORNEY

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

Date: _____

Reviewed by: _____

CERTIFICATE OF COUNTY TREASURER

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

Date: _____

Yellowstone County Treasurer

By: _____
Deputy

CERTIFICATE OF CITY COUNCIL APPROVAL

STATE OF MONTANA)
) :ss
County of Yellowstone)

We hereby certify that we have examined the annexed and foregoing THIRD AMENDED PLAT OF TRANSTECH CENTER SUBDIVISION, and find that said plat conforms with the requirements of the laws of the State of Montana, and the requirements of The Yellowstone County Board of Planning. It is therefore approved and accepted.

IN WITNESS WHEREOF, we have set our hands and the seal of the CITY OF BILLINGS, MONTANA, this ____ day of _____, 2016.

CITY OF BILLINGS, MONTANA
By: _____
Mayor

Attest: _____
City Clerk

RESERVED FOR CLERK AND RECORDER

PURPOSE OF SURVEY - REVISE "NO ACCESS STRIP"

The undersigned hereby certify that purpose of this survey is to revise the "1' WIDE NO VEHICULAR ACCESS STRIP" as shown on the Second Amended Plat of Transtech Center Subdivision, recorded under Document No 3759146, records of Yellowstone County, Montana, and no new or additional lots are being created.

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

This survey is not subject to review by the Department of Environmental Quality pursuant to ARM 17.36.605(2)(b)(i)&(ii) for "a parcel that has a previous approval issued under Title 76, chapter 4, part 1, MCA".

Owner:
Transtech Center Unit 1-A, Unit 2A-1, Unit 4A-1B, Unit 7, Unit 8A, Unit 9A-1, Unit 10, Unit 11-A, Unit 12-A, Unit 14B, Unit 17;

BOTTRELL FAMILY INVESTMENTS
LIMITED PARTNERSHIP
By: DIAMOND B COMPANIES, INC.
a Montana corporation, as general Partner

By: _____
James R. Bennett,

Title: _____

STATE OF MONTANA)
) :ss
County of Yellowstone)

This instrument was acknowledged before me on _____, 2014, by James R. Bennett as President of Diamond B Companies, general partner of the Bottrell Family Investments Limited Partnership.

Signature of Notary

Owner:
Transtech Center Unit 4A-1A

NESLO, LLC

By: _____

Title: _____

STATE OF MONTANA)
) :ss
County of Yellowstone)

This instrument was acknowledged before me on _____, 2014, by _____ as _____ of NESLO, LLC.

Signature of Notary

Owner:
Transtech Center Unit 5A-1, Unit 6A-1;

LRS, LLC

By: _____

Title: _____

STATE OF MONTANA)
) :ss
County of Yellowstone)

This instrument was acknowledged before me on _____, 2014, by _____ as _____ of LRS, LLC.

Signature of Notary

Owner:
Transtech Center Unit 13;

Tech Properties Development, LLC

By: _____

Title: _____

STATE OF MONTANA)
) :ss
County of Yellowstone)

This instrument was acknowledged before me on _____, 2014, by _____ as _____ of Tech Properties Development, LLC.

Signature of Notary

Owner:
Transtech Center Unit 14A;

Rusty Roof, LLC
By: Bottrell Family Investments LP
By: Diamond B Companies, Inc., general partner

By: _____
Title: _____

STATE OF MONTANA)
) :ss
County of Yellowstone)

This instrument was acknowledged before me on _____, 2014, by _____ as _____ of Diamond B Companies, general partner to the Bottrell Family Investments LP, a member of Rusty Roof, LLC.

Signature of Notary

Owner:
Transtech Center Unit 15A;

Pine Co., LLC

By: _____

Title: _____

STATE OF MONTANA)
) :ss
County of Yellowstone)

This instrument was acknowledged before me on _____, 2014, by _____ as _____ of Pine Co., LLC.

Signature of Notary

Owner:
Transtech Center Unit 15B;

Bobcat Land Holdings, LLC

By: _____

Title: _____

STATE OF MONTANA)
) :ss
County of Yellowstone)

This instrument was acknowledged before me on _____, 2014, by _____ as _____ of Bobcat Land Holdings, LLC.

Signature of Notary

Owner:
Transtech Center Unit 16;

ACE Transtech, LLC

By: _____

Title: _____

STATE OF MONTANA)
) :ss
County of Yellowstone)

This instrument was acknowledged before me on _____, 2014, by _____ as _____ of ACE Transtech, LLC.

Signature of Notary

DRAFT THIRD AMENDED PLAT OF TRANSTECH CENTER SUBDIVISION

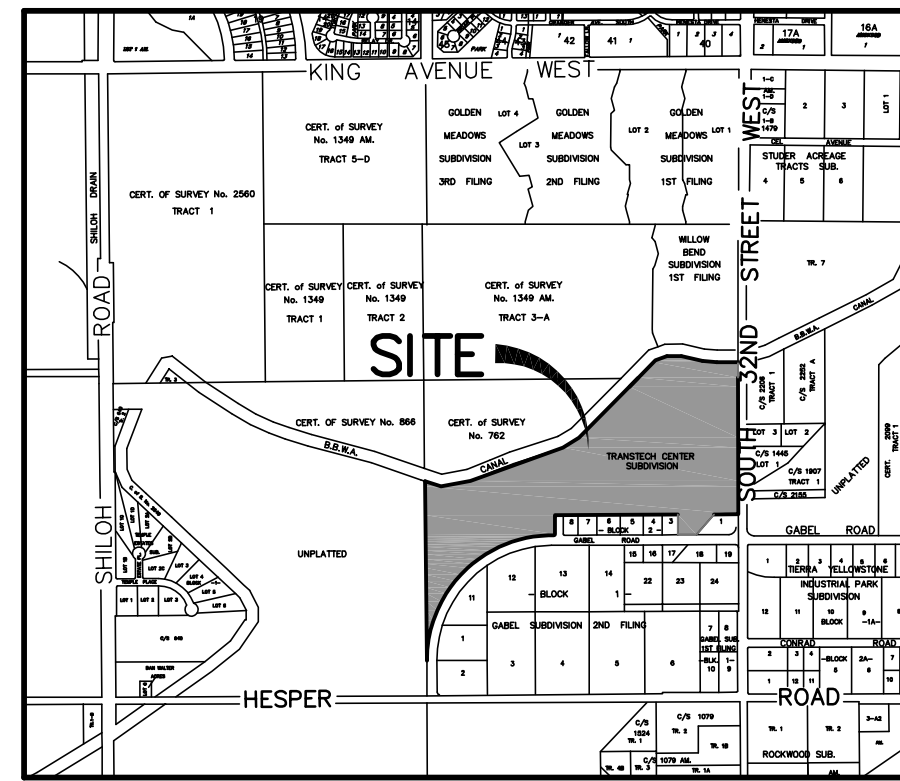
SITUATED IN THE NE1/4 AND THE SE1/4 OF SECTION 14, T. 1 S., R. 25 E., P.M.M.
IN THE CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA

PREPARED FOR: BOTTRELL FAMILY INVESTMENTS
PREPARED BY : SANDERSON STEWART

JUNE 2016
BILLINGS, MONTANA

NOTE: THIS AMENDED PLAT HAS BEEN PREPARED AND FILED TO REVISE THE
"1" WIDE NO VEHICULAR ACCESS STRIP" LOCATED NEAR THE SOUTHWEST CORNER
OF THE SUBDIVISION AS SHOWN ON THE 2nd AMENDED PLAT.

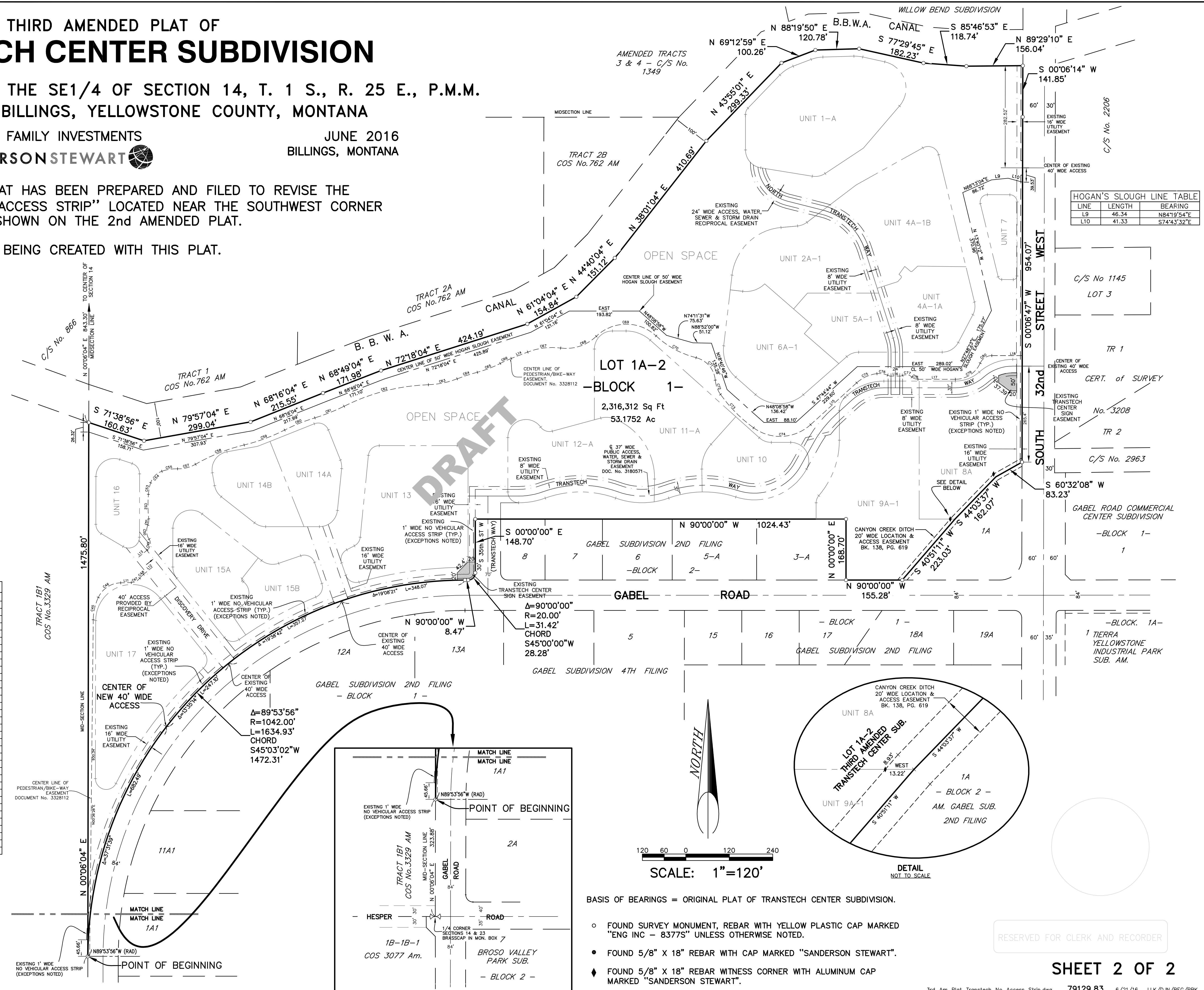
NO ADDITIONAL LOTS ARE BEING CREATED WITH THIS PLAT.



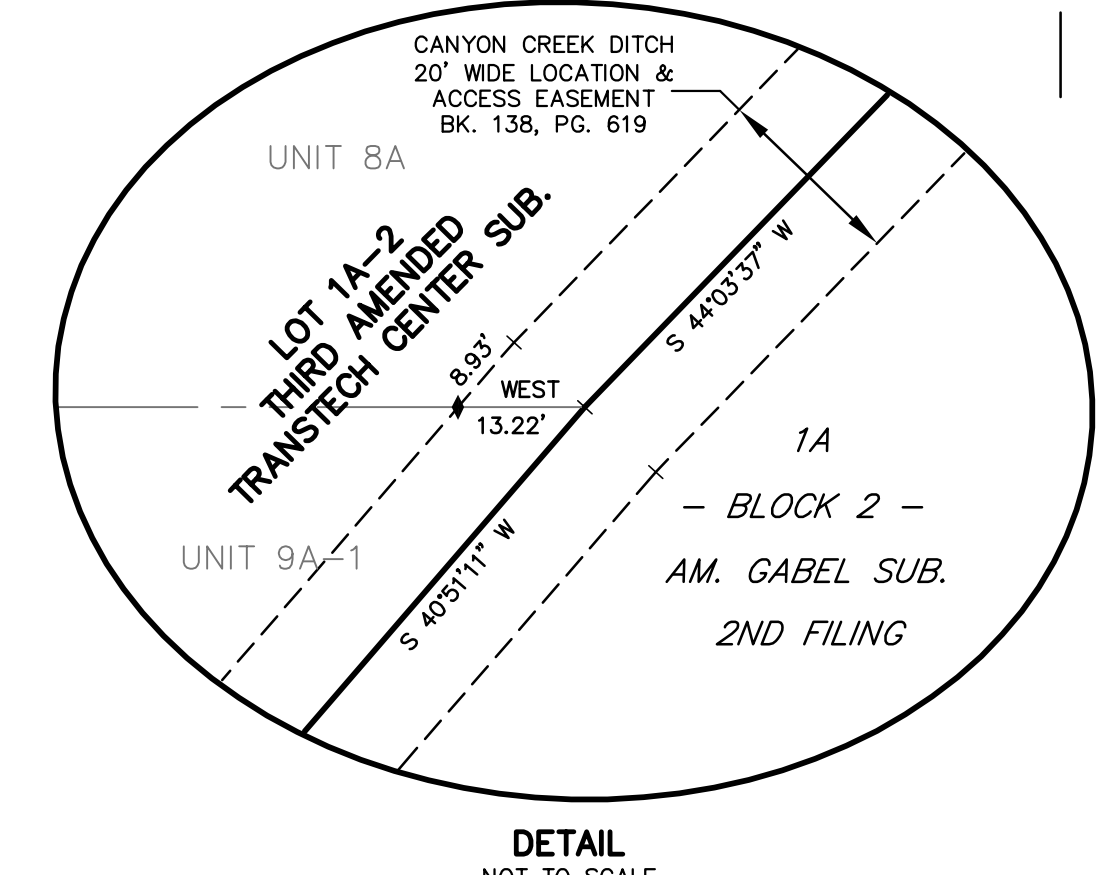
VICINITY MAP

LINE	LENGTH	BEARING
L11	29.17	N88°44'21"E
L12	31.77	N51°12'57"E
L13	30.74	N50°21'57"E
L14	48.80	N68°49'01"E
L15	172.00	N47°44'44"E
L16	30.37	EAST
L17	103.51	EAST
L18	84.18	EAST

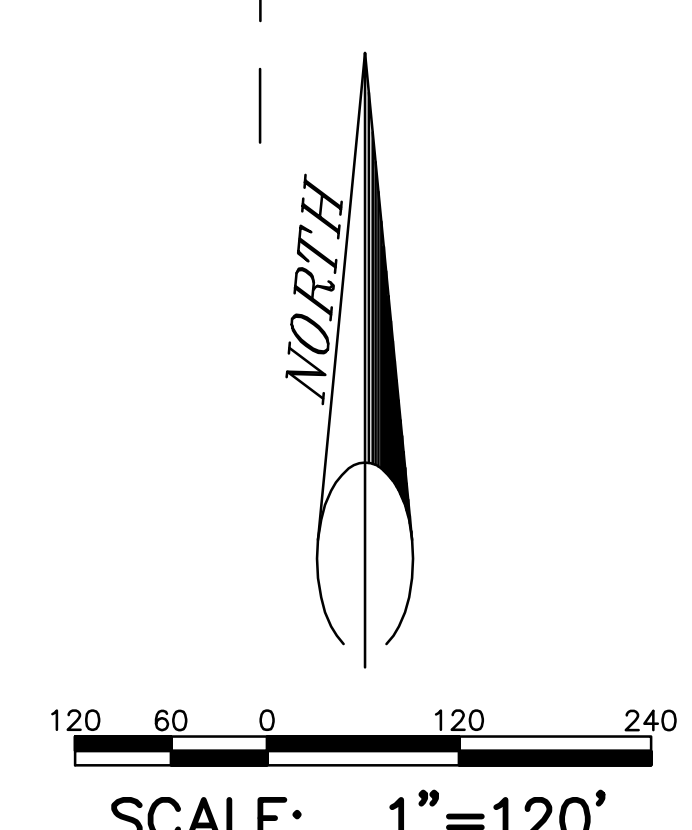
CURVE	DELTA	LENGTH	RADIUS	CHORD BRG	CHORD
C45	24°26'29"	63.99	150.00	N12°49'40"E	63.50
C46	63°41'27"	77.81	70.00	N58°53'38"E	73.87
C47	51°48'27"	27.13	30.00	N62°50'08"E	26.21
C48	141°7'03"	14.96	60.00	N44°04'26"E	14.92
C49	84°02'08"	32.85	22.40	N09°36'48"E	29.99
C50	56°41'32"	41.15	41.58	N05°13'08"W	39.49
C51	30°45'22"	17.17	31.98	N07°46'53"E	16.96
C52	9°49'11"	68.16	397.68	N02°41'12"W	68.07
C53	13°39'21"	32.53	136.48	N11°03'04"E	32.45
C54	52°49'06"	46.17	50.08	N44°17'17"E	44.55
C55	20°51'47"	44.08	121.05	N81°07'43"E	43.84
C57	31°32'40"	51.97	94.39	N75°47'16"E	51.31
C58	16°36'32"	144.94	500.00	N68°19'12"E	144.43
C59	13°42'31"	119.63	500.00	N69°46'12"E	119.35
C60	10°19'46"	90.14	500.00	N68°04'50"E	90.02
C61	9°57'22"	86.88	500.00	N68°16'02"E	86.77
C62	24°47'38"	242.33	560.00	N75°41'10"E	240.44
C63	19°27'11"	81.48	240.00	N78°21'23"E	81.09
C64	6°44'28"	58.83	500.00	N72°00'02"E	58.79
C65	12°57'32"	67.85	300.00	N68°53'30"E	67.71
C66	6°24'18"	33.54	300.00	N65°36'52"E	33.52
C67	28°30'39"	92.56	186.00	N83°04'21"E	91.60
C68	51°11'03"	107.20	120.00	N71°44'09"E	103.67
C69	86°58'16"	182.15	120.00	N89°37'45"E	165.16
C70	29°11'29"	127.37	250.00	S61°28'51"E	126.00
C71	9°15'07"	87.05	70.00	S40°27'02"E	81.55
C72	30°32'55"	42.85	80.00	S22°03'46"E	42.14
C73	18°41'32"	130.50	400.00	S44°42'50"E	129.92
C74	78°11'40"	170.59	125.00	N86°50'34"E	157.66
C75	35°51'27"	62.58	100.00	N65°40'27"E	61.57
C76	28°37'53"	29.98	60.00	S82°04'53"E	29.67
C77	63°10'29"	27.57	25.00	S80°06'21"E	26.19
C78	41°28'53"	18.10	25.00	S69°15'33"E	17.71
C79	66°08'14"	86.57	75.00	N56°55'53"E	81.85
C80	66°08'14"	40.40	35.00	N56°55'53"E	38.20



LINE	LENGTH	BEARING
L9	46.34	N84°19'54"E
L10	41.33	S74°43'32"E



DETAIL NOT TO SCALE



- BASIS OF BEARINGS = ORIGINAL PLAT OF TRANSTECH CENTER SUBDIVISION.
- FOUND SURVEY MONUMENT, REBAR WITH YELLOW PLASTIC CAP MARKED "ENG INC - 83775" UNLESS OTHERWISE NOTED.
 - FOUND 5/8" X 18" REBAR WITH CAP MARKED "SANDERSON STEWART".
 - ◆ FOUND 5/8" X 18" REBAR WITNESS CORNER WITH ALUMINUM CAP MARKED "SANDERSON STEWART".

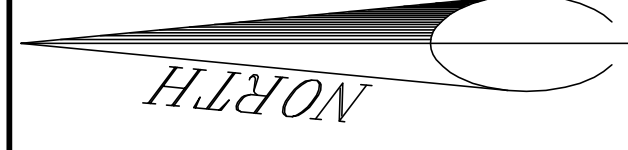
RESERVED FOR CLERK AND RECORDER

CONCEPTUAL SITE LAYOUT

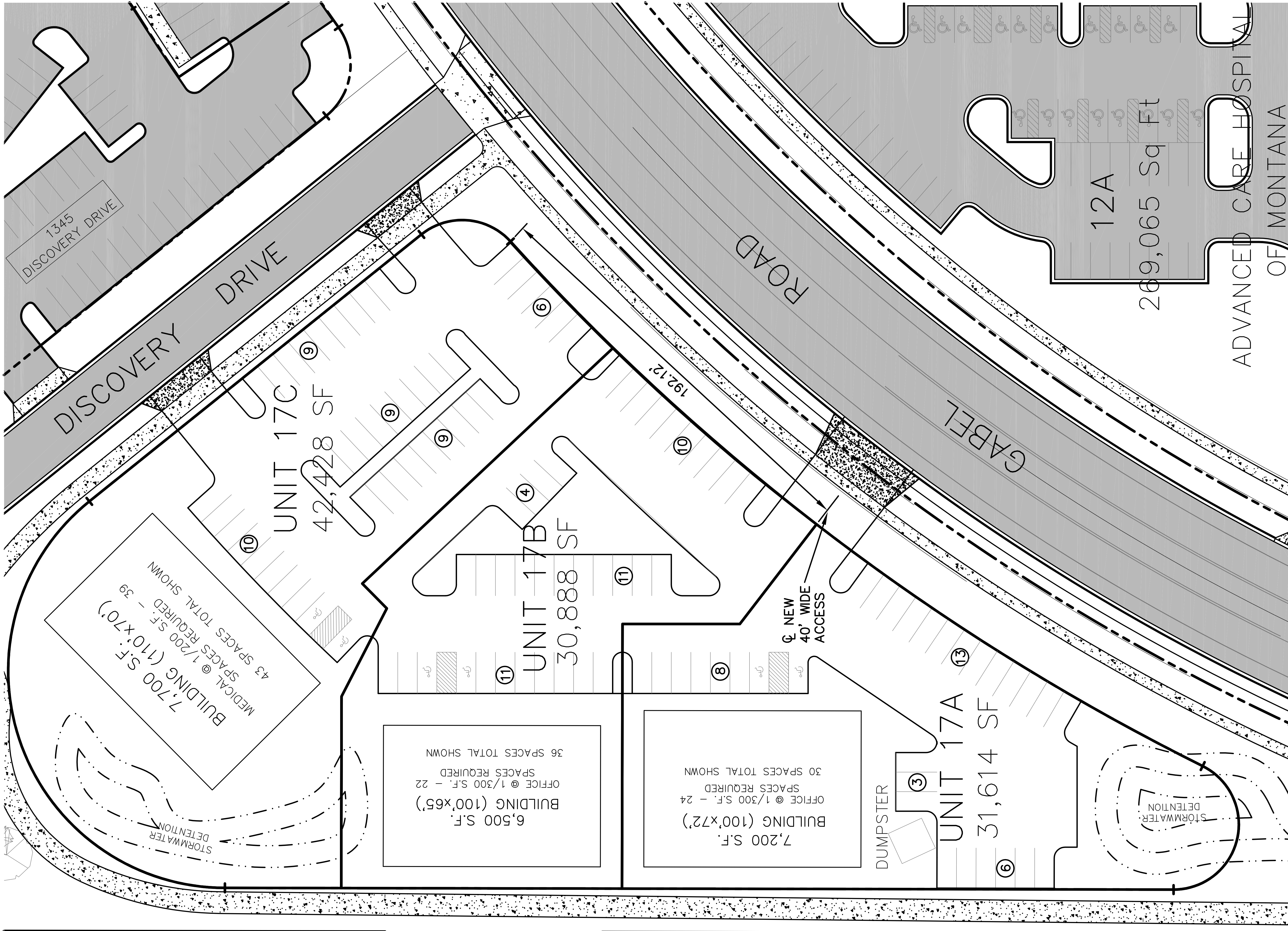
UNIT 17, TRANSTECH CENTER SUBDIVISION

JUNE, 2016
BILLINGS, MONTANA

PREPARED BY : SANDERSON STEWART



SCALE: 1" = 20'



MID-SECTION LINE

Regular City Council Meeting

Meeting Date: 08/22/2016

TITLE: Accept Donations for Yellowstone Kelly Grave & Interpretive Site

PRESENTED BY: Tina Volek, City Administrator

Department: City Hall Administration

PROBLEM/ISSUE STATEMENT

The Billings Chamber of Commerce and the Billings Parks, Recreation and Preservation Foundation have raised pledges of more than \$450,000 for the restoration of the grave site of Luther Sage "Yellowstone" Kelly at Swords Park, and the construction of an interpretive site overlooking the Yellowstone Valley to commemorate the post-Civil War hunter and scout's career in Montana.

A City Administrative Order requires Council approval of any donation of more than \$500. Five pledge agreements, totaling \$169,000 have been received from the following corporations and individuals, and are ready for Council approval:

1. The Billings Tourism Business Improvement District, \$50,000 over three years;
2. Kris and Larry Carpenter, \$4,000 over four years;
3. Kampgrounds of America, \$15,000 over three years;
4. Lee Enterprises, \$20,000 over two years; and
5. Singh Contracting, Inc., \$80,000 over two years.

The construction contract is scheduled to be bid in September and work completed by June 2017.

ALTERNATIVES ANALYZED

City Council may:

- Approve the pledge agreements and accept the donations, or;
- Do not approve the pledge agreements and accept the donations, and find another way to fund the project.

FINANCIAL IMPACT

The City Council previously approved the donation of \$50,000 from the Park District 1 Fund and \$25,000 from James and Linda Roscoe to the project.

Since some of the donations will be funded over two or more years, the City will need to advance about \$100,000 from the General Fund to complete construction. Those funds will be reimbursed by donations as they are received.

In addition, the City will need to schedule repair of Black Otter Trail Road in a future Capital Improvements Plan to handle the traffic that is expected at the site. No funding source has been identified for this project.

RECOMMENDATION

Staff recommends that the City Council approve five pledge agreements and accept the donations for restoring the Yellowstone Kelly grave site in Swords Park.

APPROVED BY CITY ADMINISTRATOR

Attachments

TBID Donation
Carpenter Donation
KOA Donation
Lee Donation
Singh Donation

Yellowstone Kelly Interpretive Site
Pledge Agreement

THIS AGREEMENT is made this _____ day of June, 2016, by and between the **BILLINGS TOURISM BUSINESS IMPROVEMENT DISTRICT**, a 501(c)(6) Montana non-profit corporation, with mailing address of PO Box 31177, Billings, Montana 59107 (“Donor” or “TBID”) and the **CITY OF BILLINGS** (the “City”), with mailing address of 210 N. 27th Street, Billings, Montana 59101.

RECITALS

A. The City, with the assistance of the Billings Chamber of Commerce and the Billings Parks, Recreation and Preservation Foundation (“Foundation”), has undertaken to raise funds for the preservation and enhancement of the grave of Luther Sage “Yellowstone” Kelly and the construction of an historical interpretive site overlooking the Yellowstone Valley in Billings, Montana (“Yellowstone Kelly Interpretive Site”).

B. The Yellowstone Kelly Interpretive Site is to be located in Swords Rimrock Park, which is owned by the City. Acting primarily through the Department of Parks, Recreation, and Public Lands, the City will ultimately construct the site using funds provided by the City and the Foundation.

C. Donor desires to make a pledge to contribute to the fundraising campaign, and the City desires to accept Donor’s pledge upon the terms and conditions specified in this Agreement.

NOW, THEREFORE, FOR VALUABLE CONSIDERATION, IT IS HEREBY AGREED:

1. **Recitals.** The foregoing Recitals are true and correct and by this reference are incorporated into the terms and conditions of this Agreement.

2. **TBID Gift.** In order to help the City pay for the preservation and improvement of the Kelly gravesite and the construction of the Yellowstone Kelly Interpretive Site, Donor will give \$50,000 to the City, which funds shall be used solely for the purpose described herein, on the following schedule:

- a. \$15,000 in calendar year 2016, payment to be made no later than December 31, 2016.
- b. \$15,000 in calendar year 2017, payment to be made no later than December 31, 2017.
- c. \$20,000 in calendar year 2018, payment to be made no later than December 31, 2018.

3. **Donor Pledge Conditions/Mutual Reliance.** The parties acknowledge their mutual reliance upon each other in completing this Agreement:

- a. The City, in conjunction with the Billings Chamber of Commerce, the Foundation, and other donors and supporters,

are expending significant resources and relying on Donor's gift to help fund and complete the Yellowstone Kelly Interpretive Site project; and

- b. Donor is committing to contribute substantial funds in reliance upon the representations of the City and its plans for the preservation of the Kelly gravesite and construction of the Yellowstone Kelly Interpretive Site.

Donor has been provided with fundraising materials generally describing plans for completing the Yellowstone Kelly Interpretive Site project at a cost of roughly \$500,000. Timely commencement and completion of the project consistent with the plans is an essential consideration for the pledge being made by Donor under this Agreement.

The parties agree that if the project is not commenced after a reasonable time period, is not progressing in a timely manner, or the scope and purpose of the project significantly changes from the original plans, Donor shall not be obligated to make the future scheduled payments under paragraph 2.

Any determination of inability or failure by the City to satisfy Donor's intent under this paragraph 3 shall be made after consultation among Donor, the City, and the Billings Chamber of Commerce, recognizing the mutual reliance of all of the foregoing in performing their responsibilities under this Agreement and in the development of the project. The purpose of the condition placed on Donor's gift under this paragraph 3 is to assure that the purpose and intent of Donor's gift under this Agreement are satisfied.

4. Recognition of Gift. In consideration of Donor's gift, the City will recognize Donor's gift after consultation with the Donor. The nature and extent of this recognition shall be agreed to in writing by Donor and the City when or before the Yellowstone Kelly Interpretive Site project is completed, which agreement shall incorporate the specific terms for recognition of the Donor's gift.

5. Facsimiles and Counterparts. A facsimile copy of this Agreement containing the signature of any of the parties shall be accepted as the original. This Agreement may be executed in one or more counterparts, which taken together shall constitute one and the same document.

6. Time and Binding Effect. Time shall be of the essence of this Agreement. The terms and conditions hereof shall inure to the benefit of, and be binding upon, the heirs, legal representatives, successors and permitted assigns of the parties hereto.

7. Entire Agreement. This Agreement embodies the entire Agreement between the parties, and supersedes all prior negotiations, understandings and agreements. This Agreement may be amended, modified, or supplemented only by an instrument in writing duly executed by both parties hereto.

8. Governing Law. This Agreement will be governed by and construed in accordance with the laws of the State of Montana.

IN WITNESS WHEREOF, the parties have executed this Agreement to be effective the day and year first above written or, if date is indicated above, as of the date the Agreement has been signed by both parties.

**BILLINGS TOURISM BUSINESS
IMPROVEMENT DISTRICT**

By: 
SHELLI MANN
Its: **Chair of the Board**

By: 
JOHN BREWER, CAE
Chief Executive Officer
Billings Chamber of Commerce

“Donor”

CITY OF BILLINGS

By: _____
Thomas W. Hanel, Mayor

“City”

Attest: _____

Yellowstone Kelly Interpretive Site
Pledge Agreement

THIS AGREEMENT is made this _____ day of June, 2016, by and between **KRIS CARPENTER** and **LARRY CARPENTER**, with mailing address of 4642 Arapaho Lane, Billings, Montana 59106 (“Donors” or “CARPENTERS”) and the **BILLINGS PARKS, RECREATION AND PRESERVATION FOUNDATION** (the “Foundation”) with mailing address c/o Wipfli-Galusha, Attn: John Fekety, 303 N. 28th Street, Suite 503, Billings, Montana 59101 and the **CITY OF BILLINGS** (the “City”), with mailing address of 210 N. 27th Street, Billings, Montana 59101.

RECITALS

A. The Foundation, with the assistance of the Billings Chamber of Commerce and the City, has undertaken to raise funds for the preservation and enhancement of the grave of Luther Sage “Yellowstone” Kelly and the construction of an historical interpretive site overlooking the Yellowstone Valley in Billings, Montana (“Yellowstone Kelly Interpretive Site”).

B. The Yellowstone Kelly Interpretive Site is to be located in Swords Rimrock Park, which is owned by the City. Acting primarily through the Department of Parks, Recreation, and Public Lands, the City will ultimately construct the site using funds provided by the Foundation and the City.

C. Donors desire to make a pledge to contribute to the fundraising campaign, and the Foundation and the City desire to accept Donors’ pledge upon the terms and conditions specified in this Agreement.

NOW, THEREFORE, FOR VALUABLE CONSIDERATION, IT IS HEREBY AGREED:

1. **Recitals.** The foregoing Recitals are true and correct and by this reference are incorporated into the terms and conditions of this Agreement.

2. **Foundation Tax Status.** The Foundation is organized exclusively for religious, charitable and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code, as amended (the “Code”). The Foundation is a charitable organization as described in sections 170(c), 2055(a) and 2522(a) of the Code and has provided Donors with a copy of its current IRS exemption letter reflecting its tax exempt status under the Code. Thus, all of Donors’ contributions pursuant to this Agreement shall be deductible as a charitable contribution under the Code.

3. **Carpenters Gift.** In order to help the Foundation pay for the preservation and improvement of the Kelly gravesite and the construction of the Yellowstone Kelly Interpretive Site, Donors will give \$4,000 to the Foundation, which funds shall be used solely for the purpose described herein, on the following schedule:

- a. \$1,000 in calendar year 2017 payment to be made no later than December 31, 2017;

- b. \$1,000 in calendar year 2018 payment to be made no later than December 31, 2018;
- c. 1,000 in calendar year 2019 payment to be made no later than December 31, 2019;
- d. 1,000 in calendar year 2020 payment to be made no later than December 31, 2020.

Donors will cause these gift payments to be made by making the payments individually or by entities through which their family makes charitable gifts, or by some combination of gift payments made by these parties.

4. Donors Pledge Conditions/Mutual Reliance. The parties acknowledge their mutual reliance upon each other in completing this Agreement:

- a. The Foundation, in conjunction with the City, the Billings Chamber of Commerce, and other donors and supporters, are expending significant resources and relying on Donors' gift to help fund and complete the Yellowstone Kelly Interpretive Site project; and
- b. Donors are committing to contribute substantial funds in reliance upon the representations of the Foundation and its plans for the preservation of the Kelly gravesite and construction of the Yellowstone Kelly Interpretive Site.

Donors have been provided with fundraising materials generally describing plans for completing the Yellowstone Kelly Interpretive Site project at a cost of roughly \$500,000. Timely commencement and completion of the project consistent with the plans is an essential consideration for the pledge being made by Donors under this Agreement.

The parties agree that if the project is not commenced after a reasonable time period, is not progressing in a timely manner, or the scope and purpose of the project significantly changes from the original plans, Donors shall not be obligated to make the future scheduled payments under paragraph 3.

Any determination of inability or failure by the City to satisfy Donors' intent under this paragraph 4 shall be made after consultation among Donors, the Foundation, the City, and the Billings Chamber of Commerce, recognizing the mutual reliance of all of the foregoing in performing their responsibilities under this Agreement and in the development of the project. The purpose of the condition placed on Donors' gift under this paragraph 4 is to assure that the purpose and intent of Donors' gift under this Agreement are satisfied.

5. Recognition of Gift. In consideration of Donors' gift, the Foundation and the City will recognize Donors' gift after consultation with the Donors. The nature and extent of this recognition shall be agreed to in writing by Donors and the City when or before the Yellowstone Kelly Interpretive Site project is completed, which agreement shall incorporate the specific terms for recognition of the Donors' gift.

6. Facsimiles and Counterparts. A facsimile copy of this Agreement containing the signature of any of the parties shall be accepted as the original. This

Agreement may be executed in one or more counterparts, which taken together shall constitute one and the same document.

7. **Time and Binding Effect.** Time shall be of the essence of this Agreement. The terms and conditions hereof shall inure to the benefit of, and be binding upon, the heirs, legal representatives, successors and permitted assigns of the parties hereto.

8. **Entire Agreement.** This Agreement embodies the entire Agreement between the parties, and supersedes all prior negotiations, understandings and agreements. This Agreement may be amended, modified, or supplemented only by an instrument in writing duly executed by both parties hereto.

9. **Governing Law.** This Agreement will be governed by and construed in accordance with the laws of the State of Montana.

IN WITNESS WHEREOF, the parties have executed this Agreement to be effective the day and year first above written or, if date is indicated above, as of the date the Agreement has been signed by both parties.



LARRY CARPENTER



KRIS CARPENTER

“Donors”

**BILLINGS PARKS, RECREATION AND
PRESERVATION FOUNDATION**

By: _____
Its _____

“Foundation”

CITY OF BILLINGS

By: _____
Thomas W. Hanel, Mayor

“City”

Attest: _____

Yellowstone Kelly Interpretive Site
Pledge Agreement

THIS AGREEMENT is made this _____ day of June, 2016, by and between **KAMPGROUNDS OF AMERICA, INC.**, a Montana corporation, with mailing address of 550 N. 31st Street, Billings, Montana 59101 (“Donor” or “KOA”) and the **CITY OF BILLINGS** (the “City”), with mailing address of 210 N. 27th Street, Billings, Montana 59101.

RECITALS

A. The City, with the assistance of the Billings Chamber of Commerce and the Billings Parks, Recreation and Preservation Foundation (“Foundation”), has undertaken to raise funds for the preservation and enhancement of the grave of Luther Sage “Yellowstone” Kelly and the construction of an historical interpretive site overlooking the Yellowstone Valley in Billings, Montana (“Yellowstone Kelly Interpretive Site”).

B. The Yellowstone Kelly Interpretive Site is to be located in Swords Rimrock Park, which is owned by the City. Acting primarily through the Department of Parks, Recreation, and Public Lands, the City will ultimately construct the site using funds provided by the City and the Foundation.

C. Donor desires to make a pledge to contribute to the fundraising campaign, and the City desires to accept Donor’s pledge upon the terms and conditions specified in this Agreement.

NOW, THEREFORE, FOR VALUABLE CONSIDERATION, IT IS HEREBY AGREED:

1. **Recitals.** The foregoing Recitals are true and correct and by this reference are incorporated into the terms and conditions of this Agreement.

2. **KOA Gift.** In order to help the City pay for the preservation and improvement of the Kelly gravesite and the construction of the Yellowstone Kelly Interpretive Site, Donor will give \$15,000 to the City, which funds shall be used solely for the purpose described herein, on the following schedule:

- a. \$5,000 in calendar year 2016, payment to be made no later than December 31, 2016.
- b. \$5,000 in calendar year 2017, payment to be made no later than December 31, 2017.
- c. \$5,000 in calendar year 2018, payment to be made no later than December 31, 2018.

3. **Donor Pledge Conditions/Mutual Reliance.** The parties acknowledge their mutual reliance upon each other in completing this Agreement:

- a. The City, in conjunction with the Billings Chamber of Commerce, the Foundation, and other donors and supporters,

are expending significant resources and relying on Donor's gift to help fund and complete the Yellowstone Kelly Interpretive Site project; and

- b. Donor is committing to contribute substantial funds in reliance upon the representations of the City and its plans for the preservation of the Kelly gravesite and construction of the Yellowstone Kelly Interpretive Site.

Donor has been provided with fundraising materials generally describing plans for completing the Yellowstone Kelly Interpretive Site project at a cost of roughly \$500,000. Timely commencement and completion of the project consistent with the plans is an essential consideration for the pledge being made by Donor under this Agreement.

The parties agree that if the project is not commenced after a reasonable time period, is not progressing in a timely manner, or the scope and purpose of the project significantly changes from the original plans, Donor shall not be obligated to make the future scheduled payments under paragraph 2.

Any determination of inability or failure by the City to satisfy Donor's intent under this paragraph 3 shall be made after consultation among Donor, the City, and the Billings Chamber of Commerce, recognizing the mutual reliance of all of the foregoing in performing their responsibilities under this Agreement and in the development of the project. The purpose of the condition placed on Donor's gift under this paragraph 3 is to assure that the purpose and intent of Donor's gift under this Agreement are satisfied.

4. Recognition of Gift. In consideration of Donor's gift, the City will recognize Donor's gift after consultation with the Donor. The nature and extent of this recognition shall be agreed to in writing by Donor and the City when or before the Yellowstone Kelly Interpretive Site project is completed, which agreement shall incorporate the specific terms for recognition of the Donor's gift.

5. Facsimiles and Counterparts. A facsimile copy of this Agreement containing the signature of any of the parties shall be accepted as the original. This Agreement may be executed in one or more counterparts, which taken together shall constitute one and the same document.

6. Time and Binding Effect. Time shall be of the essence of this Agreement. The terms and conditions hereof shall inure to the benefit of, and be binding upon, the heirs, legal representatives, successors and permitted assigns of the parties hereto.

7. Entire Agreement. This Agreement embodies the entire Agreement between the parties, and supersedes all prior negotiations, understandings and agreements. This Agreement may be amended, modified, or supplemented only by an instrument in writing duly executed by both parties hereto.

8. Governing Law. This Agreement will be governed by and construed in accordance with the laws of the State of Montana.

IN WITNESS WHEREOF, the parties have executed this Agreement to be effective the day and year first above written or, if date is indicated above, as of the date the Agreement has been signed by both parties. ¹⁰

KAMPGROUNDS OF AMERICA, INC.

By: 
Patrick Hittmeier
Its: President

“Donor”

CITY OF BILLINGS

By: Thomas W. Hanel, Mayor

“City”

Attest: _____

Yellowstone Kelly Interpretive Site
Pledge Agreement

THIS AGREEMENT is made this 1st day of June, 2016, by and between **LEE ENTERPRISES, INCORPORATED** dba **THE BILLINGS GAZETTE**, a Delaware corporation, with mailing address of P.O. Box 36300, Billings, Montana 59107-6300 (“Donor” or “Billings Gazette”) and the **CITY OF BILLINGS** (the “City”), with mailing address of 210 N. 27th Street, Billings, Montana 59101.

RECITALS:

A. The City, with the assistance of the Billings Chamber of Commerce and the Billings Parks, Recreation and Preservation Foundation (Foundation), has undertaken to raise funds for the preservation and enhancement of the Yellowstone Kelly grave and interpretive site overlooking the Yellowstone Valley in Billings, Montana (“Yellowstone Kelly Interpretive Site”).

B. The Yellowstone Kelly Interpretive Site is located in Swords Rimrock Park, which is owned by the City. Acting primarily through the Department of Parks, Recreation, and Public Lands, the City that will ultimately construct the site using funds provided by the City and the Foundation.

C. Donor desires to make a pledge to contribute to the fundraising campaign, and the City desires to accept Donor’s pledge upon the terms and conditions specified in this Agreement.

NOW, THEREFORE, FOR VALUABLE CONSIDERATION, IT IS HEREBY AGREED:

1. **Recitals.** The foregoing Recitals are true and correct and by this reference are incorporated into the terms and conditions of this Agreement.

2. **Billings Gazette Gift.** In order to help the City pay for the preservation and improvement of the Yellowstone Kelly Interpretive Site, Donor will give \$20,000 to the City, which funds shall be used solely for the purpose described herein, on the following schedule:

- a. \$10,000 in calendar year 2016, payment to be made no later than December 31, 2016.
- b. \$10,000 in calendar year 2017, payment to be made no later than December 31, 2017.

3. **Donor Pledge Conditions/Mutual Reliance.** The parties acknowledge their mutual reliance upon each other in completing this Agreement:

- a. The City, in conjunction with Billings Chamber of Commerce, the Foundation, and other donors and supporters, are expending significant resources and relying on Donor’s gift to help fund and complete the Yellowstone Kelly Interpretive Site project; and

- b. Donor is committing to contribute substantial funds in reliance upon the representations of the City and its plans for the preservation and enhancement of the Yellowstone Kelly Interpretive Site.

The Donor has been provided with fundraising materials generally describing plans for completing the Yellowstone Kelly Interpretive Site project at a cost of roughly \$500,000. Timely commencement and completion of the project consistent with the plans is an essential consideration for the pledge being made by Donor under this Agreement.

The parties agree that if the project is not commenced after a reasonable time period, is not progressing in a timely manner, or the scope and purpose of the project significantly changes from the original plans, Donor shall not be obligated to make the future scheduled payments under paragraph 2.

Any determination of inability or failure by the City to satisfy Donor's intent under this paragraph 3 shall be made after consultation among Donor, the City, and the Billings Chamber of Commerce, recognizing the mutual reliance of all of the foregoing in performing their responsibilities under this Agreement and in the development of the project. The purpose of the condition placed on Donor's gift under this paragraph 3 is to assure that the purpose and intent of Donor's gift under this Agreement are satisfied.

4. Recognition of Gift. In consideration of Donor's gift, the City will recognize Donor's gift after consultation with the Donor. The nature and extent of this recognition shall be agreed to in writing by Donor and the City when or before the Yellowstone Kelly Interpretive Site project is completed, which agreement shall incorporate the specific terms for recognition of the Donor's gift.

5. Facsimiles and Counterparts. A facsimile copy of this Agreement containing the signature of any of the parties shall be accepted as the original. This Agreement may be executed in one or more counterparts, which taken together shall constitute one and the same document.

6. Time and Binding Effect. Time shall be of the essence of this Agreement. The terms and conditions hereof shall inure to the benefit of, and be binding upon, the heirs, legal representatives, successors and permitted assigns of the parties hereto.

7. Entire Agreement. This Agreement embodies the entire Agreement between the parties, and supersedes all prior negotiations, understandings and agreements. This Agreement may be amended, modified, or supplemented only by an instrument in writing duly executed by both parties hereto.

8. Governing Law. This Agreement will be governed by and construed in accordance with the laws of the State of Montana.

IN WITNESS WHEREOF, the parties have executed this Agreement to be effective the day and year first above written or, if date is indicated above, as of the date the Agreement has been signed by both parties.

LEE ENTERPRISES, INCORPORATED

By: Michael Muller

Its: PUBLISHER
BILLINGS GAZETTE

“Donor”

CITY OF BILLINGS

By: _____
Thomas W. Hanel, Mayor

“City”

Attest: _____

Yellowstone Kelly Interpretive Site
Pledge Agreement

THIS AGREEMENT is made this _____ day of June, 2016, by and between SINGH CONTRACTING, INC., a Montana corporation, with mailing address of 926 Main Street, #25, Billings, MT 59105 (“Donor” or “SINGH”) and the CITY OF BILLINGS (the “City”), with mailing address of 210 N. 27th Street, Billings, Montana 59101.

RECITALS

A. The City, with the assistance of the Billings Chamber of Commerce and the Billings Parks, Recreation and Preservation Foundation (“Foundation”), has undertaken to raise funds for the preservation and enhancement of the grave of Luther Sage “Yellowstone” Kelly and the construction of an historical interpretive site overlooking the Yellowstone Valley in Billings, Montana (“Yellowstone Kelly Interpretive Site”).

B. The Yellowstone Kelly Interpretive Site is to be located in Swords Rimrock Park, which is owned by the City. Acting primarily through the Department of Parks, Recreation, and Public Lands, the City will ultimately construct the site using funds provided by the City and the Foundation.

C. Donor desires to make a pledge to contribute to the fundraising campaign, and the City desires to accept Donor’s pledge upon the terms and conditions specified in this Agreement.

NOW, THEREFORE, FOR VALUABLE CONSIDERATION, IT IS HEREBY AGREED:

1. **Recitals.** The foregoing Recitals are true and correct and by this reference are incorporated into the terms and conditions of this Agreement.

2. **SINGH Gift.** In order to help the City pay for the preservation and improvement of the Kelly gravesite and the construction of the Yellowstone Kelly Interpretive Site, Donor will give \$80,000 to the City, which funds shall be used solely for the purpose described herein, on the following schedule:

- a. \$60,000 in calendar year 2016 as follows:
 - (1) \$20,000 payment to be made no later than August 1, 2016;
 - (2) \$40,000 payment to be made no later than December 31, 2016.
- b. \$20,000 in calendar year 2017, payment to be made no later than December 31, 2017.

3. **Donor Pledge Conditions/Mutual Reliance.** The parties acknowledge their mutual reliance upon each other in completing this Agreement:

- a. The City, in conjunction with the Billings Chamber of Commerce, the Foundation, and other donors and supporters,

are expending significant resources and relying on Donor's gift to help fund and complete the Yellowstone Kelly Interpretive Site project; and

- b. Donor is committing to contribute substantial funds in reliance upon the representations of the City and its plans for the preservation of the Kelly gravesite and construction of the Yellowstone Kelly Interpretive Site.

Donor has been provided with fundraising materials generally describing plans for completing the Yellowstone Kelly Interpretive Site project at a cost of roughly \$500,000 if the competitive bidding process allows for the same. Timely commencement and completion of the project generally consistent with the plans is an essential consideration for the pledge being made by Donor under this Agreement.

The parties agree that if the project is not commenced after a reasonable time period, is not progressing in a timely manner, or the scope and purpose of the project significantly changes from the original plans, Donor shall not be obligated to make the future scheduled payments under paragraph 2.

Any determination of inability or failure by the City to satisfy Donor's intent under this paragraph 3 shall be made after consultation among Donor, the City, and the Billings Chamber of Commerce, recognizing the mutual reliance of all of the foregoing in performing their responsibilities under this Agreement and in the development of the project. The purpose of the condition placed on Donor's gift under this paragraph 3 is to assure that the purpose and intent of Donor's gift under this Agreement are satisfied.

4. Recognition of Gift. In consideration of Donor's gift, the City will recognize Donor's gift after consultation with the Donor. The nature and extent of this recognition shall be agreed to in writing by Donor and the City when or before the Yellowstone Kelly Interpretive Site project is completed, which agreement shall incorporate the specific terms for recognition of the Donor's gift.

5. Facsimiles and Counterparts. A facsimile copy of this Agreement containing the signature of any of the parties shall be accepted as the original. This Agreement may be executed in one or more counterparts, which taken together shall constitute one and the same document.

6. Time and Binding Effect. Time shall be of the essence of this Agreement. The terms and conditions hereof shall inure to the benefit of, and be binding upon, the heirs, legal representatives, successors and permitted assigns of the parties hereto.

7. Entire Agreement. This Agreement embodies the entire Agreement between the parties, and supersedes all prior negotiations, understandings and agreements. This Agreement may be amended, modified, or supplemented only by an instrument in writing duly executed by both parties hereto.

8. Governing Law. This Agreement will be governed by and construed in accordance with the laws of the State of Montana.

IN WITNESS WHEREOF, the parties have executed this Agreement to be effective the day and year first above written or, if no date is indicated above, as of the date the Agreement has been signed by both parties.

SINGH CONTRACTING, INC.

By:  _____
Its: Harvey Singh
President

“Donor”

CITY OF BILLINGS

By: _____
Thomas W. Hanel, Mayor

“City”

Attest: _____

Regular City Council Meeting

Meeting Date: 08/22/2016

TITLE: Hart-Albin Parking Garage Downtown Tax Increment Grant

PRESENTED BY: Bruce McCandless, Assistant City Administrator

Department: City Hall Administration

PROBLEM/ISSUE STATEMENT

Zoot Properties, LLC has applied for a downtown tax increment financing (TIF) grant to assist with the costs of maintaining, restoring and updating the Hart-Albin Parking Garage. Zoot made the application to the Downtown Billings Partnership (DBP) for a \$1 million grant. The DBP Board approved and recommends that the City Council award a grant of up to \$500,000 as a 1:1 match to private investment. Downtown TIF expenditures over \$50,000 require Council approval. The primary rationale for the grant is that the downtown needs the parking spaces that the garage supplies and it is less expensive to assist the private company with it's restoration work than to construct a new public parking garage. Without the restoration work and other updating, the garage structure could deteriorate and eventually have to be abandoned. The Hart-Albin garage spaces are leased during work days but the garage is open and available for public parking after hours and on weekends.

ALTERNATIVES ANALYZED

City Council may approve or disapprove the grant request or may request additional information before acting on the grant request.

FINANCIAL IMPACT

Half of the improvement costs would be reimbursed in FY 2017 and the other half in FY 2018. The downtown TIF account has a FY 17 budget of \$2,141,000 for development incentives and there is enough cash in the account to make the FY 17 payment. The applicant has already invested about \$250,000, which would make it immediately eligible for reimbursement of approximately \$125,000.

RECOMMENDATION

The Downtown Billings Partnership Board of Directors recommends that the City Council approve a 1:1 matching grant of up to \$500,000 to Zoot Properties, LLC for rehabilitating the Hart-Albin Parking Garage.

APPROVED BY CITY ADMINISTRATOR

Attachments

DBP staff report
Application

Development Committee Recommendation

From March 9, 2016

TITLE: Hart Albin Parking Garage
COMMITTEE: Development Committee
PRESENTED BY: Development Director

Assistance Request: The Hart Albin Parking Garage is a privately owned parking structure servicing the Hart Albin Building. It is open to the public after 5pm on weekdays and all day Saturday and Sunday. It has become very important to the weekend retail market as well as the night time economy. Because the City of Billings controls the market regarding parking pricing, this structure, like those belonging to the city, suffers from an inability to generate enough revenue to fund a major make-over. The current revenue of the structure at 100% leased spaces would generate a capacity to fund about \$250,000 or less in improvements. The structure is old but quite solid. However, without significant intervention to abate current decay, the structure has a very limited life span. If downtown Billings lost the parking capacity (229 spaces) of this structure the cost to replace those spaces would fall onto the City of Billings at a cost of over \$30,000 per space requiring \$6,870,000. The owners are seeking TIF assistance that would enable them to complete about \$1,000,000.00 in improvements.

Since this is PARKING it qualifies for up to 100% in TIF assistance under Montana Code as well as our Urban Renewal Plans. DBP staff suggests that we approve a 1 to 1 match and set aside \$250,000 a year for 2 fiscal years (FY17 and FY18)

FINANCIAL IMPACT: Fund 203 TIFD Downtown has the ability to allocate \$250K per year for two years.



Probable Cost Scenario

Date: 7/15/2015

Hart-Albin Garage Capital Improvements & New Roof Canopy
Billings, Montana

	QTY/Unit	Cost/Unit	Subtotal	Totals
1. Phase 1 (Levels 10 & 11) Improvements				
A. General Conditions	1 LS		\$30,300.00	
B. Concrete, Repair, & Deck Membranes At Ramps	1 LS		\$41,089.00	
C. New Steel Canopy Frame & Roofing	1 LS		\$153,114.00	
Sand Blast & Re-Paint (8) Steel Buckets				
D. New Fascia, Gutters & Downspouts	1 LS		\$19,130.00	
E. New Built-up Asphalt Roof At Stair Tower	1 LS		\$10,000.00	
F. Power Wash, Prep & Paint Levels 10-11 Interiors & Paint New Steel canopy	1 LS		\$28,989.00	
G. Electrical (Including Demolition Of Existing Poles)	1 LS		\$16,000.00	
H. Parking Stall Striping, Signage & Graphics	1 LS		\$4,880.00	
Subtotal:				\$303,502.00
Profit & Overhead (10%)				\$30,350.20
Misc. Wayfinding Signage & Graphics				\$10,000.00
Total Construction Cost:				\$343,852.20
Architectural & Engineering Fee (7%)				\$24,069.65
Total Other Costs:				\$24,069.65
Total Probable Cost - Phase 1				\$367,921.85

	QTY/Unit	Cost/Unit	Subtotal	Totals
2. Phase 2 (Levels 8 & 9) Improvements				
A. General Conditions	1 LS		\$5,200.00	
B. Sand Blast & Re-Paint (7) Steel Buckets	1 LS		\$6,800.00	
C. Install (7) New Steel Buckets O/ Existing	1 LS		\$9,990.00	
D. Power Wash, Prep & Paint Levels 6-7 Interiors	1 LS		\$16,400.00	
E. Parking Stall Striping, Signage & Graphics	1 LS		\$4,880.00	
F. Electrical (Lighting Retrofit)	1 LS		\$18,000.00	
Subtotal:				\$61,270.00
Profit & Overhead (10%)				\$6,127.00
Misc. Wayfinding Signage & Graphics				\$10,000.00
Subtotal Construction Cost:				\$77,397.00
Inflation Factor (3%)				\$2,321.91
Total Construction Cost:				\$79,718.91
Architectural & Engineering Fee (7%)				\$5,580.32
Total Other Costs:				\$5,580.32
Total Probable Cost - Phase 2				\$85,299.23

2north

	QTY/Unit	Cost/Unit	Subtotal	Totals
3. Phase 3 (Levels 6 & 7) Improvements				
A. General Conditions	1 LS		\$5,800.00	
B. Sand Blast & Re-Paint (16) Steel Buckets	1 LS		\$10,125.00	
C. Install (16) New Steel Buckets O/ Existing	1 LS		\$11,396.00	
D. Power Wash, Prep & Paint Levels 6-7 Interiors	1 LS		\$16,400.00	
E. Parking Stall Striping, Signage & Graphics	1 LS		\$4,880.00	
F. Electrical (Lighting Retrofit)	1 LS		\$18,000.00	
Subtotal:				\$68,601.00
Profit & Overhead (10%)				\$6,660.10
Misc. Wayfinding Signage & Graphics				\$10,000.00
Subtotal Construction Cost:				\$83,261.10
Inflation Factor (6%)				\$4,995.67
Total Construction Cost:				\$88,256.77
Architectural & Engineering Fee (7%)				\$6,177.97
Total Other Costs:				\$6,177.97
Total Probable Cost - Phase 3				\$94,434.74

	QTY/Unit	Cost/Unit	Subtotal	Totals
4. Phase 4 (Levels 2 thru 5) Improvements				
A. General Conditions	1 LS		\$5,300.00	
B. Sand Blast & Re-Paint (60) Steel Buckets	1 LS		\$9,000.00	
C. Power Wash, Prep & Paint Levels 2-5 Interiors	1 LS		\$23,475.00	
D. Parking Stall Striping, Signage & Graphics	1 LS		\$6,960.00	
E. Electrical (Lighting Retrofit)	1 LS		\$36,000.00	
Subtotal:				\$80,735.00
Profit & Overhead (10%)				\$8,073.50
Misc. Wayfinding Signage & Graphics				\$20,000.00
Subtotal Construction Cost:				\$108,808.50
Inflation Factor (9%)				\$9,792.77
Total Construction Cost:				\$118,601.27
Architectural & Engineering Fee (7%)				\$8,302.09
Total Other Costs:				\$8,302.09
Total Probable Cost - Phase 4				\$126,903.35

2north

	QTY/Unit	Cost/Unit	Subtotal	Totals
5. Phase 5 (Level 1) Improvements				
A. General Conditions	1 LS		\$4,200.00	
B. Power Wash, Prep & Paint Level 1 Interior	1 LS		\$9,300.00	
C. Power Wash, Prep & Paint Garage Exterior	1 LS		\$42,741.00	
D. New Deck Membrane Above Basement	1 LS		\$75,000.00	
E. Parking Stall Striping, Signage & Graphics	1 LS		\$2,800.00	
F. Electrical (Lighting Retrofit)	1 LS		\$18,000.00	
Subtotal:				\$152,041.00
Profit & Overhead (10%)				\$15,204.10
Misc. Wayfinding Signage & Graphics				\$10,000.00
Subtotal Construction Cost:				\$177,245.10
Inflation Factor (12%)				\$21,269.41
Total Construction Cost:				\$198,514.51
Architectural & Engineering Fee (7%)				\$13,896.02
Total Other Costs:				\$13,896.02
Total Probable Cost - Phase 5				\$212,410.53

Total Probable Cost - All Phases Combined	\$886,969.71
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2north

DBP Board Minutes of Friday, April 22, 2016 @ 7:30 a.m.
(GW Building)(1st Floor)

Greg Krueger
Jim Reno
Phil Nelson
Joni Harman
Kim Olsen
Jock West

Sam Merrick
Lisa Harmon
Tina Volek
Randy Hafer
Steve Arveschoug
Ryan Sullivan

Ray Porrello
David Fishbaugh
Maisie Sulser
Norman Miller
William Wood

1. Call to order, Introductions, Courtesies, Public Comment: Mr. West called the meeting to order at 7:30 a.m. A quorum was present.

2. Regular Business:

- a) **Approval of minutes, March 2016:** Mr. Krueger presented the minutes from March. Ms. Olsen moved to approve. Mr. Merrick seconded. Vote: approved.
- b) **Financial Report:** Mr. Krueger presented the most recent financial spreadsheet showing the cash flow of Fund 203.
- c) **Director's Report:** Mr. Krueger explained the current state of fund 203 and helped the Board understand the possibilities of funding the current funding requests.

3. Old Business/Executive Committee Recommendations

- a) **Parking Garages/TIFD Assistance Plan:** The DBP would like to allocate \$522,125 for parking annually, encumbering \$250,000 for the Hart Albin garage. Mr. Reno moved to approve. Mr. Arveschoug seconded. Ms. Volek abstained. Vote: approved.
- b) **Montdevco MOU/Property Acquisition:** Mr. Krueger explained the project on 1st and 29th downtown, and the next steps request for the DBP to acquire a property in pursuit of the project. Discussion ensued. The request is for \$850,000 to acquire the property. Mr. Krueger asked for a motion. Mr. Arveschoug made a motion to approve the MOU, asking for an option to acquire the land across from the property as well. Mr. Hafer seconded. Mr. Miller disapproved. Mr. Nelson abstained. Ms. Volek abstained. Mr. Sullivan was not present and is non-voting. Vote: approved.
- c) **TIFD Assistance/St. Vincencnt de Paul build-out:** Tabled until the next meeting.

4. Development Committee Recommendations:

- a) **City Loft Apartments, LLC:** Mr. Krueger presented the request for reimbursement on the City Loft Apartments.
- b) **Rebel River:** Mr. Krueger presented the project request from Rebel River Marketing Firm.
- c) **Wild Ginger Patio:** Mr. Krueger presented the request from Wild Ginger for reimbursement for their patio build-out.
- d) **Doc Harper Patio and Parklet:** Mr. Krueger presented the request for reimbursement and approval for a parklet to create outdoor patio space.
- e) **Stacked vents:** Mr. Krueger explained the issues being experienced at Stacked with their smoke vents in the alley and expenses related to that. Discussion ensued.

5. Board Vote on items 4 above:

a) City Loft Apartments, LLC: Ms. Volek moved to approve up to \$30,000 in assistance. Mr. Miller seconded. Vote: approved.

b) Rebel River: Mr. Hafer moved to approve. Mr. Nelson seconded. Vote: approved.

c) Wild Ginger Patio: Mr. Wood moved to approve. Mr. Reno seconded. Vote: approved.

d) Doc Harper Patio and Parklet: The request is for 50% of up to \$12,913. Mr. Miller moved to approve the requests. Ms. Volek seconded. Vote: approved.

e) Stacked: The request is for 100% of the cost up to \$41,000 for fixing the vent system. Ms. Volek moved to approve. Mr. Nelson seconded. Vote: approved.

6. Partner Reports:

Cultural partners: Mr. Wood shared details from an event for discussing granting procedures from the State of Montana.

DBA: Ms. Harmon thanked the board for their work in approving needed request and announced the 40 proposals from the most recent business plan competition.

School Board: N/A

Property Owners: N/A

County Report: N/A

City Report: Ms. Volek shared that they are working on the Babcock Theater transition to a City-owned theater, budget adjustments for police and fire, and parking discussions.

Big Sky EDA: N/A

Parking Division: Mr. Fishbaugh announced plans to increase rates for parking downtown. They are exploring various implementation plans.

Meeting adjourned at 8:55 a.m.



HART-ALBIN GARAGE TIFD IMPROVEMENT PLAN

BILLINGS, MONTANA

March 9, 2016



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 - TRAFFIC CONTROL
- STATEMENT OF PROBABLE COST
- PROJECT TIMELINE
- PROJECTED INCOME / OPERATIONAL EXPENSES
- CONCLUSION



PROJECT INFORMATION

- **PROPERTY ADDRESS:**

213 North 29th Street
Billings, Montana, 59101

- **OWNER**

Zoot Property, LLC
555 Zoot Enterprise Lane
Bozeman, MT 59718
Chris Nelson

- **PROPERTY MANAGEMENT**

Broadway Property Management, Inc
2721 2nd Avenue North
Billings, MT 59101
Annette Stone

- **ARCHITECT**

2north
128 Clark Avenue
Billings, MT 59101
Dennis Lynn Deppmeier, AIA

- **GENERAL CONTRACTOR**

Langlas & Associates, Inc.
2270 Grant Road
Billings, MT 59102
Ed George

- **CITY OF BILLINGS**

Downtown Billings Alliance
2815 2nd Avenue North
Billings, MT 59101
Lisa Harmon, Greg Krueger



NARRATIVE

The Hart-Albin Garage is a private parking structure, located at 213 North 29th Street in Billings, Montana, owned fully by Chris Nelson through Zoot Property, LLC (Zoot). Originally designed and constructed in 1960 from reinforced precast and poured-in-place concrete, the structure has a full basement with eleven split levels, providing 229 parking spaces which are accessible by sloped interior ramps located at the east and west ends of the parking levels. There are also 5 parking spaces at the ground level accessible from the alley, directly in front of the loading dock. Vertical access is provided by an elevator and a single stair tower located at the southwest corner of the building. There is also an exterior stair to the west, adjacent to North 29th Street, which provides pedestrian access between levels. The garage is connected east to the Hart-Albin Building, through a sky bridge that incorporates levels 5, 7, and 9. It also connects west, to the City of Billings Park One Parking Garage through a sky bridge at level 5. The garage parking spaces are utilized by a variety of downtown business tenants between the hours of 6:00am to 6:00pm on Mondays through Fridays. There is a very strong demand in Downtown Billings to make all of the parking spaces available to the public during weekends and after normal business hours.

The economic viability associated with any private building improvements to the garage are limited in part to standard (income basis) appraisal processes and the limited income generated by the competitive parking rates established in Downtown Billings. As such, Zoot will never see tangible financial benefit from capital improvements at the current public parking rate structure. On the other hand, Zoot would likely experience tangible benefits to the garage with improved functionality and a safer building environment, and the ability to attract better tenants to the core of downtown Billings. There is also tangible benefit to downtown Billings when blight is eliminated, and private buildings can contribute to a greater public good, and the Hart-Albin Garage can/does provide public access for additional parking during non-business hours. The end result is a strong need for a public/private partnership to contribute momentum to downtown Billings.

Deferred maintenance over the years has left the building needing repairs. The building is poorly lighted and access is unattended, so transient activity has led to many public problems, extensive graffiti, and an intimidating garage environment where the occupants do not feel safe. The building is also lacking adequate means of emergency egress signage and lighting, as well as conventional traffic controls and signage and graphics. There is a critical need to separate automobile and pedestrian circulation away from the sloped ramps on each level, instead leading pedestrians toward the west exterior stair and existing southwest stair tower. Over the years, water has infiltrated through cold joints and seams in the concrete structure causing spalling to occur. There are many areas where the steel reinforcing is exposed and rusted. Numerous structural connections are close to failure. The elevator hydraulic hoist way has failed, and the elevator is not operable. Aesthetically speaking, both the building exterior and interior surfaces are in poor condition and need a new paint.

The improvements identified with this plan are intended for both private and public benefit, and will be completed in two phases.

Phase I was completed on March 3, 2016 at a cost of \$250,000.00. The work focused on repairs only to Level 10/11, which added a new steel roof canopy at Levels 10/11 to collect snow and rain above the existing sloped ramps at each side. New lighting was incorporated into the canopy, and new traffic coat membranes were placed over the existing sloped ramps between Level 9/10. Emergency lighting was added to the stair tower at Level 10/11, and direction egress signage was added to Level 10.

Phase II will repair precast concrete structural connection deficiencies, control water infiltration through cracks and seams at various locations throughout the building by adding new traffic coat membranes and elastomeric sealants, and patch and repair all existing spalled concrete surfaces.

The main entrance into the garage from North 29th Street will be improved by demolishing the abandoned attendant station, patching and repairing the concrete deck, and adding new traffic control equipment, curbs, bollards and railings configured into one entry point, with one designated ingress lane and one egress lane. New signage and graphics will reinforce public way finding at the entrance and through the building. The elevator will be replaced with all new equipment and will become operable again, and new finishes and aluminum storefront systems would be added to the stair tower entrance points at each level. Access through the garage to the alley on the east side will also be restricted by adding a coiling gate assembly and removable bollards.

New LED lighting will be retrofitted throughout the building, with additional bays of lighting added to each level to increase the overall lighting illumination level. Individual garage lighting fixtures will have motion and photoptic controls for energy conservation. New architectural lighting will be added throughout the building to reinforce building massing and add visual interest, as well as lead pedestrian movement to egress points within the building. Emergency directional signage and illumination are also added for life/safety benefit. New lighting has also been added on the east facade of the garage, to bring a higher illumination level to the alley in an attempt to combat transient activity and mischievous behavior.

Both the garage interior and exterior wall and ceilings surfaces will be prepared to receive new paint. This will require a tremendous amount of effort. The new paint will have a high elastomeric quality that can cover the porous surfaces of the existing concrete. The west facade will be prepared to receive a public art mural covering the full west facade of the garage, which will be commissioned through a public process to engage the community.



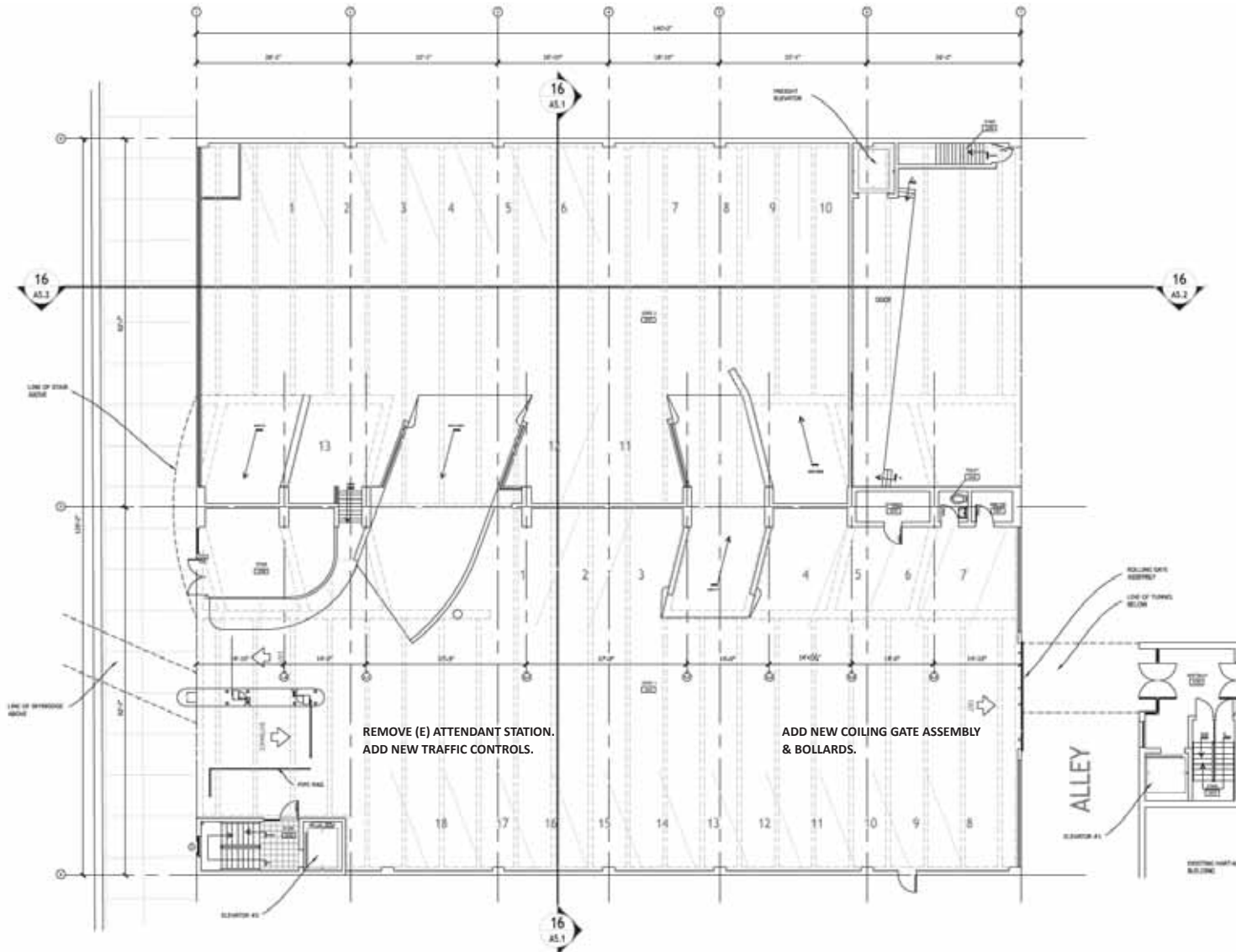
The garage is currently fully occupied. Work to the building will displace parking in the garage for a minimum of three months during construction. There is an operational expense for Broadway Property Management, Inc. to relocate the 229 parking spaces to other downtown parking areas. This effort will require cooperation from the City to minimize problems with the dislocated parkers.

It is anticipated that construction will take five months to complete. Architectural/Engineering drawings and specifications will require 45 days to complete and permit. The Design/Contractor team is prepared for a late spring construction start, with hopes that the building can be made available to the public by November, 2016.

We respectfully submit the Hart-Albin Garage TIFD Improvement Plan for your review.

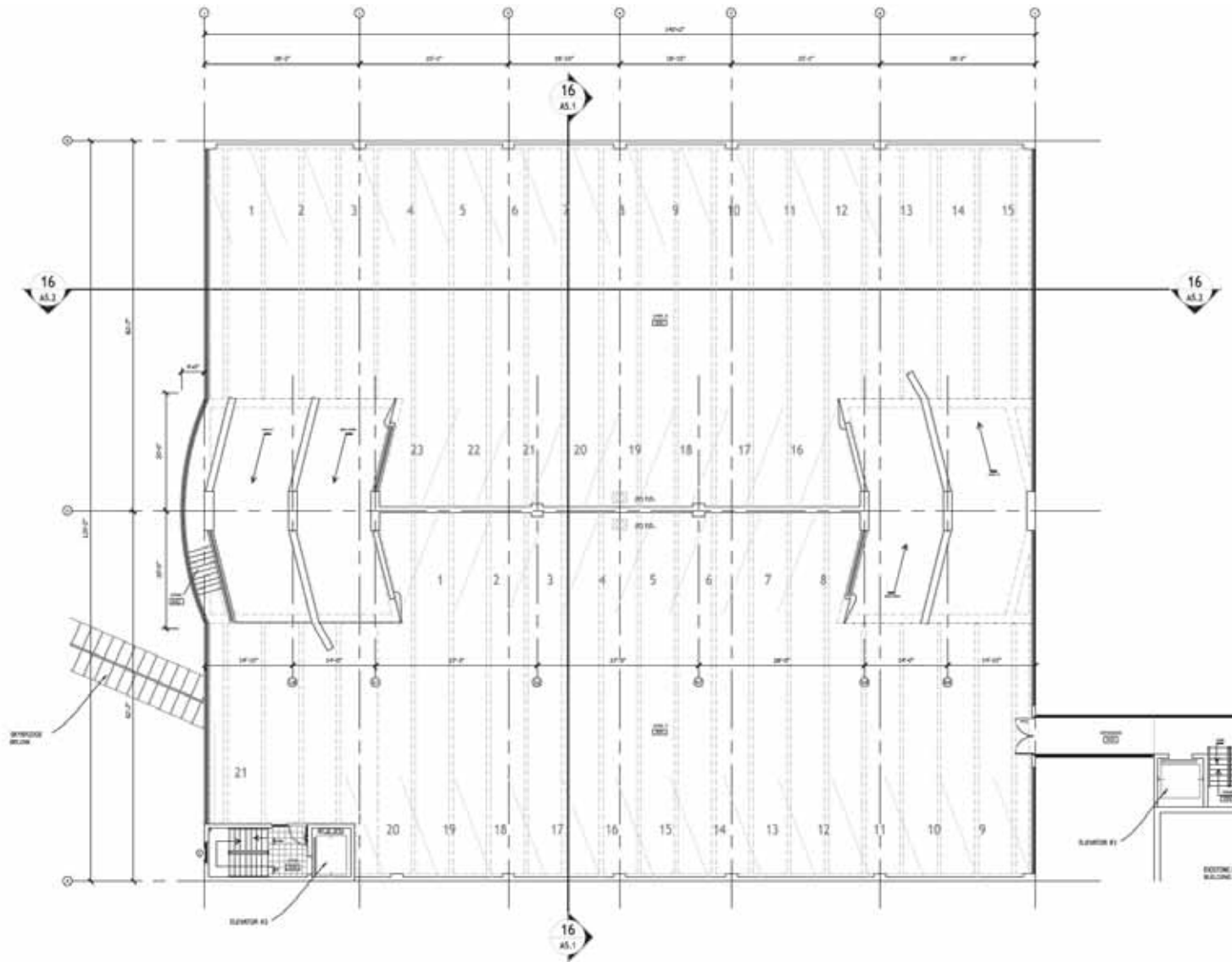


NORTH 29TH STREET



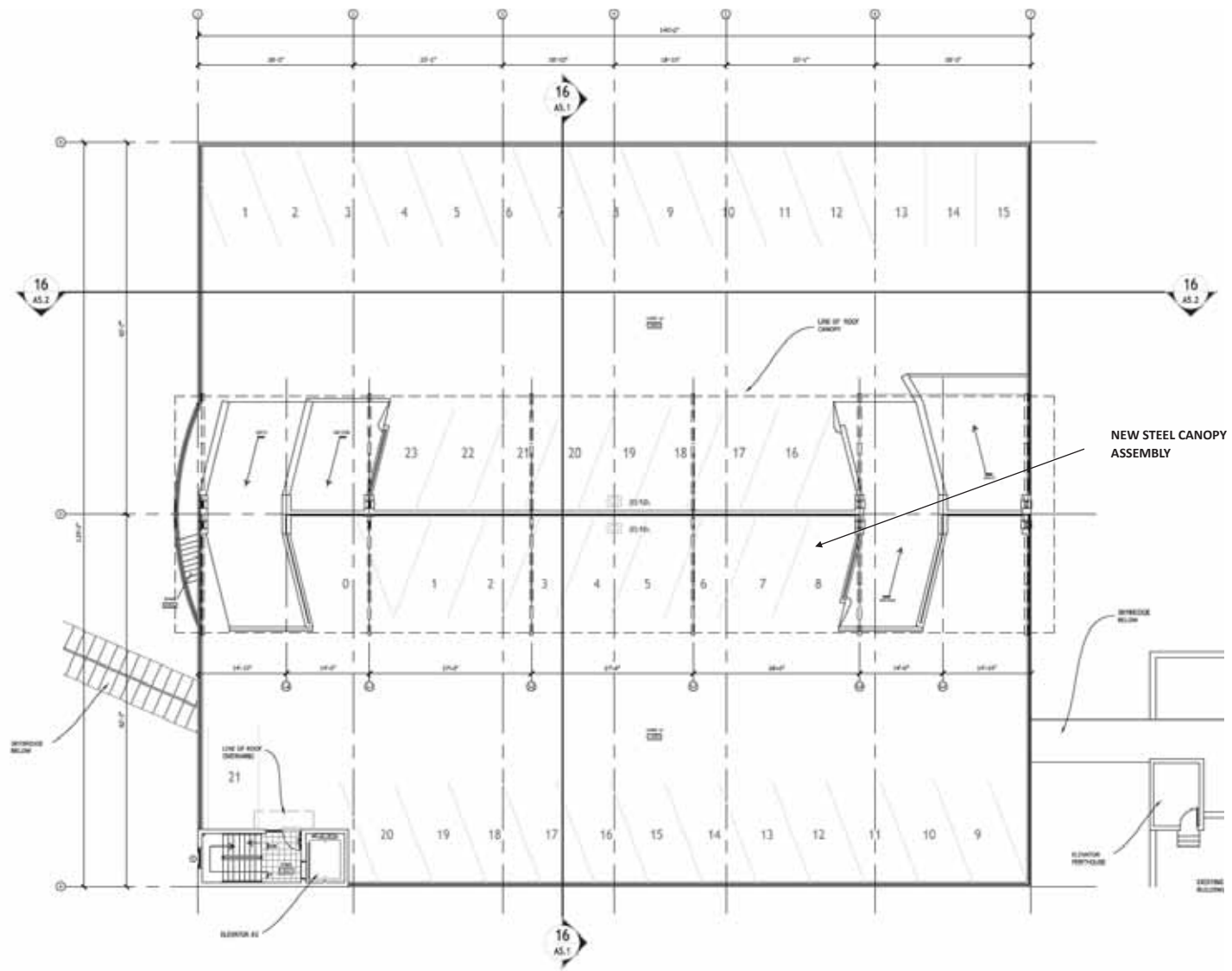
GROUND LEVEL FLOOR PLAN





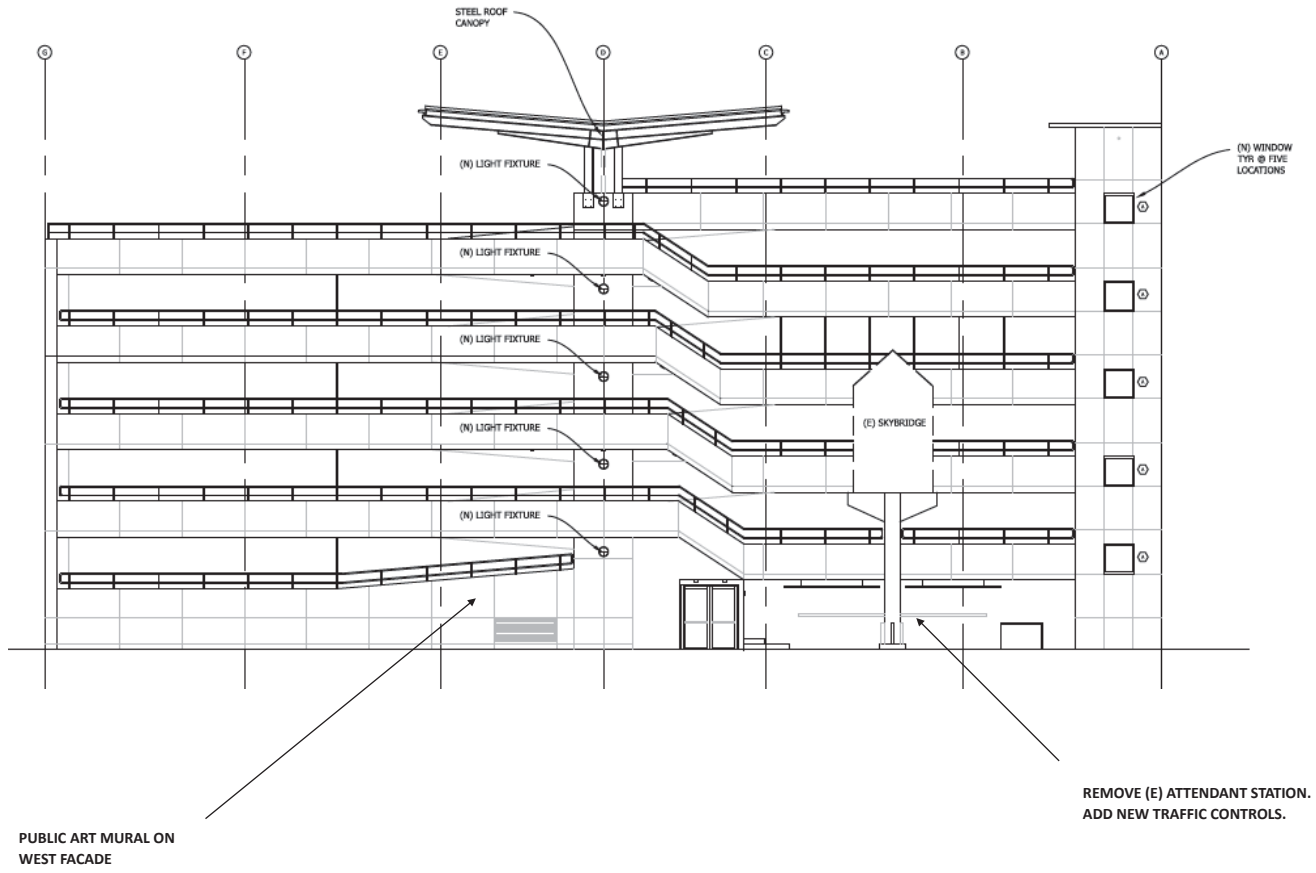
LEVEL 5/6 FLOOR PLAN





LEVEL 10/11 FLOOR PLAN





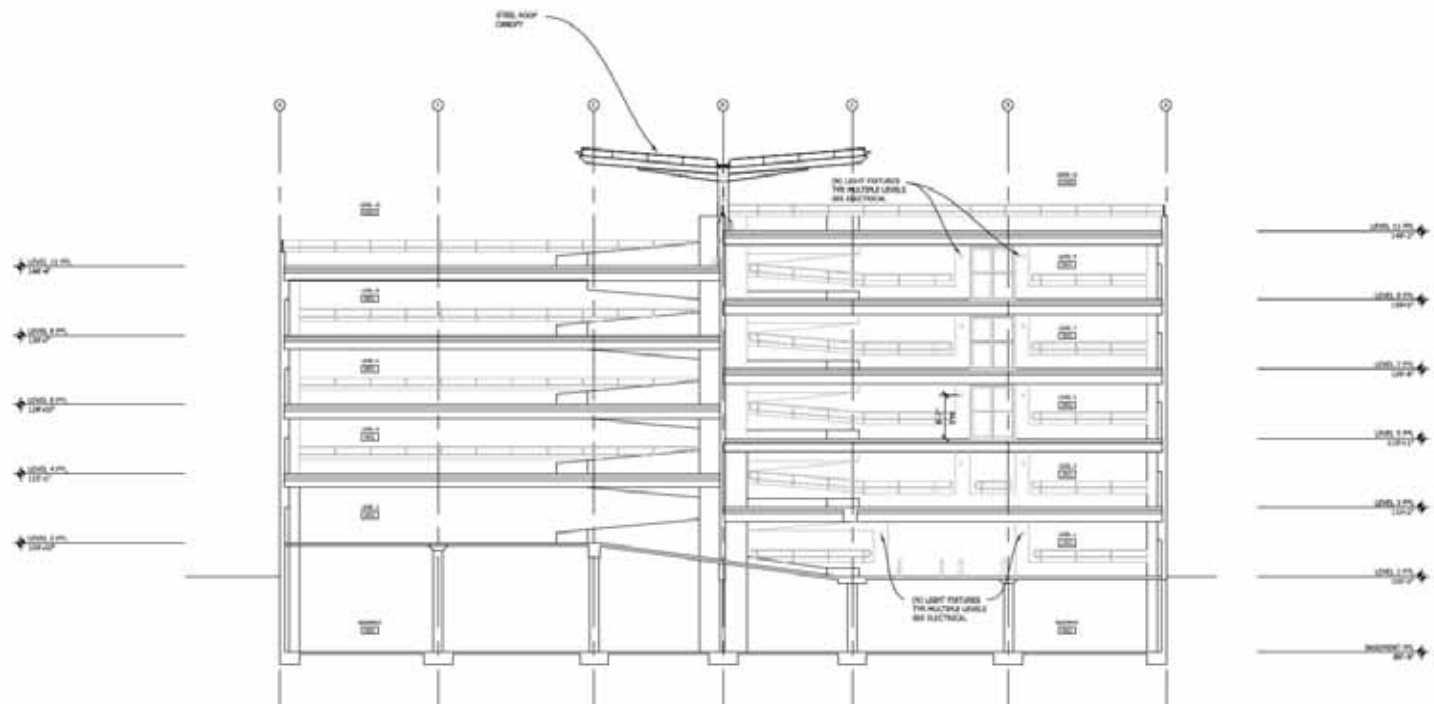
WEST EXTERIOR ELEVATION





PUBLIC ART CONCEPT IMAGES





NORTH/SOUTH BUILDING SECTION



EXTERIOR STAIR
LIGHTING



FRONT CANOPY
LIGHTING



ACCENT LIGHTING



PARKING LIGHTING



INTERIOR STAIRWELL
LIGHTING



LED LIGHT FIXTURES





PARKING GATE



COILING GATE

PIPE BOLLARD



TRAFFIC CONTROL



STATEMENT OF PROBABLE COST

BASELINE TIFD CONSTRUCTION IMPROVEMENTS	QTY/UNITS	COST/UNIT	SUBTOTAL	TOTALS
Demolition of Attendant Station & Misc. Lighting	1 LS		\$2,600.00	
Concrete Repairs & Deck Membranes	1 LS		\$330,147.00	
Power Wash, Prep & Paint	1 LS		\$242,868.00	
Repair/Replace Storefront Systems, New Windows	1 LS		\$111,679.00	
Repair Existing Precast Steel Buckets	1 LS		\$24,610.00	
New Steel Roof Canopy	1 LS		\$186,978.00	
New Interior Floor Finishes at Stair Tower	1 LS		\$3,659.00	
Lighting Retrofit, Egress Lighting, & Controls	1 LS		\$239,194.00	
New Elevator	1 LS		\$200,000.00	
Misc. Steel Railing Repairs	1 LS		\$2,073.00	
Traffic Controls, Coiling Gate & Removable Bollards	1 LS		\$91,170.00	
Signage & Graphics Allowance	1 LS		\$60,000.00	
Misc. Fencing Repairs / Replacement	1 LS		\$33,445.00	
TOTAL BASELINE PROBABLE COST				\$1,528,423.00



PROJECT TIMELINE 2016

PHASE II ACTIVITY	MAR	APR	MAY	JUNE	JULY	AUG	SEP	OCT	NOV
Complete Drawings, Bidding & Permitting	○-----	★							
TIFD Approval & Development Agreement	○-----	○							
Stagging, Limited Demolition, Shop Drawings			○-----	○					
Concrete Repairs & Deck Membranes				○-----		○			
Repair Existing Precast Steel Buckets				○-----		○			
Prep & Paint				○-----				○	
Repair/Replace Storefront Systems, New Windows					○-----		○		
New Interior Floor Finishes at Stair Tower						○-----	○		
Lighting Retrofit, Egress Lighting, & Controls				○-----				○	
New Elevator					○-----			○	
Misc. Steel Railing Repairs						○-----		○	
Traffic Controls, Coiling Gate & Removable Bollards				○-----				○	
Stripping, Signage & Graphics						○-----		○	
Misc. Fencing Repairs / Replacement							○-----	○	
SUBSTANTIAL COMPLETION									★

Note: Phase I Construction completed February, 2016.



PROJECT TIMELINE 2016 BASELINE ASSUMPTIONS

Phase I was completed on March 3, 2016, prior to this TIFD submittal.

Phase II will be completed as a single phase.

The garage will need to be temporarily closed for a (3) three month period during construction, to facilitate unobstructed access for concrete repairs & traffic membranes, structural repairs, and electrical rough-in.

Demolition will begin at Level 11 and will work its way down to Level 1.

New construction will begin at Level 1 and work its way to Level 11, in an effort to open lower levels to parking in advance of reaching Substantial Completion.



PROJECTED HART-ALBIN GARAGE INCOME

INCOME SOURCES @ OCCUPANCY	QTY/UNITS		COST/UNIT		SUBTOTAL	*ADJUSTED	TOTALS
Interior Covered Parking Rental	184	EA	\$50.00	Space	\$9,200.00 / Month	\$9,016.00 / Month	\$108,192.00
Exterior Non-Covered Parking Rental	28	EA	\$25.00	Space	\$700.00 / Month	\$490.00 / Month	\$5,880.00
Exterior Covered Parking Rental	17	EA	\$45.00	Space	\$765.00 / Month	\$688.50 / Month	\$8,262.00
TOTAL INCOME							\$122,334.00

Average vacancy factor for interior covered parking: 2%
 Average vacancy factor for exterior non-covered parking: 30%
 Anticipated vacancy for exterior covered parking: 10%

Baseline Assumption: No income will be generated from public parking.



PROJECTED HART-ALBIN GARAGE OPERATIONAL EXPENSES

SEGREGATED EXPENSES	QTY/UNITS	COST/UNIT	SUBTOTAL	TOTALS
Janitorial & Trash	1 LS		\$4,500.00	
Utilities (Electricity / Internet / Water)	1 LS		\$18,000.00	
Elevator Maintenance & Repairs	1 LS		\$6,000.00	
Window Cleaning	1 LS		\$4,000.00	
Snow Removal	1 LS		\$4,000.00	
Security	1 LS		\$4,200.00	
Parking Control Equipment Maintenance	1 LS		\$5,000.00	
General Repairs & Maintenance	1 LS		\$8,000.00	
Management / Administration	1 LS		\$4,000.00	
Insurance	1 LS		\$8,800.00	
Taxes	1 LS		\$32,000.00	
Debt Burden	1 LS		\$28,800.00	
Building Maintenance Reserve	1 LS		\$8,000.00	
Signage Maintenance & Repairs	1 LS		\$2,000.00	
TOTAL OPERATIONAL EXPENSES				\$137,300.00



CONCLUSION

Parking is critical to the success of downtown Billings. The availability of spaces is constantly being challenged by business enterprises that reserve blocks of spaces for future use and leave them vacant, creating the illusion that the existing parking garages are full when in fact they aren't. Curbside parking provides good options for those more patient to search out an open space, but this can be very challenging during normal business hours or when special events are taking place downtown.

The Hart-Albin Garage does provide public benefit to this problem. The 229 parking spaces are 90% occupied during normal business hours with tenants from downtown Billings businesses. If the Hart-Albin Garage parking was ever lost, that parking would be displaced to other public locations downtown, and would place additional pressure on remaining parking spaces in the surrounding area. The garage is wonderfully centrally located, and provides close proximity to Sky Point and the downtown business vibe.

The existing garage is in moderate condition and needs repairs. It is reasonable to assume that the building could have a service life into 2050, if future improvements target deferred maintenance problems now. It is also important to create a safer public environment in and around the garage. As we witnessed with the transformation of Montana Avenue, social change occurs when properties are energetic and present a thriving outward public appearance. Good lighting also serves as a good deterrent.

Our Statement of Probable Cost has demonstrated that it will be less expensive to maintain the current Hart-Albin Garage for private/public use and contribute towards a higher overall aesthetic downtown, then it would be to replace those spaces in-kind. The return on the investment would be "high." Zoot has contributed \$250,000.00 towards Phase 1 improvements, and was working toward an additional five year, \$50,000.00/ year capital improvement plan, for a total investment of \$500,000.00. Without TIFD support, the improvements were limited to structural and concrete repairs, targeted painting, and minor lighting retrofits, working from a top down, back your way out to the street improvement strategy. With your support, we can completely paint the entire building, add natural daylight to the southwest stair tower, provide a functioning elevator, add egress lighting, improve signage & graphics and way finding, add traffic control at ingress/egress points, protect against transient activity into the building, and improve the overall lighting quality to current illumination standards and energy conservation. All of this work could be completed in a single phase, and in place by fall, 2016.

Our team is prepared to play our part. We sincerely hope that the City of Billings will be willing to partner with us to help bring the Hart-Albin Garage back to life.





Thank You

Regular City Council Meeting

Meeting Date: 08/22/2016

TITLE: Pub Station Downtown Tax Increment Grant

PRESENTED BY: Bruce McCandless, Assistant City Administrator

Department: City Hall Administration

PROBLEM/ISSUE STATEMENT

The Pub Station, located at 2502 1st Avenue North, opened in 2015 after the owners, 1111 Entertainment LLC, spent \$600,000 to renovate and convert the former Greyhound Bus Station. The Downtown Billings Partnership (DBP) approved a \$43,019 grant to reimburse costs of fire alarm and fire suppression systems and exterior signage. The owners want to expand the business into currently unoccupied parts of the building and plan to spend approximately \$300,500 for that expansion. They have applied for a \$35,000 grant to reimburse them for the expenses of extending the fire alarm and fire sprinkler systems. The agreement between the DBP and City requires that the City Council approve expenses greater than \$50,000 and the combined first and second grant amounts exceed that threshold. The DBP Board recommends that the City Council approve this grant request that will reimburse the Pub Station owners for life safety improvements when the business expands.

ALTERNATIVES ANALYZED

City Council may approve or disapprove the grant or may request additional information before taking action.

FINANCIAL IMPACT

The FY 2017 budget for development incentives in the downtown district is \$2,141,000. There is sufficient cash in the account to make this payment when requested by the owner, following completion of the planned improvements.

RECOMMENDATION

The Downtown Billings Partnership Board of Directors recommends that the City Council approve a \$35,000 grant to 1111 Entertainment LLC for fire alarm and fire suppression improvements in the expanded Pub Station.

APPROVED BY CITY ADMINISTRATOR

Attachments

Application and DBP report

Downtown Billings Partnership Board Action

June 24, 2016

TITLE: Pub Station Ballroom
COMMITTEE: Staff
PRESENTED BY: Development Director

PROBLEM/ISSUE STATEMENT: Late in February, 2015, the Pub Station completed roughly \$600,000 in renovations to the old Greyhound Bus station. They received a reimbursement for qualified expenditures in the amount of \$43,019. The establishment has become an entertainment hub in a historical location adjacent to our historic Montana Ave. District. It truly has become a destination. They are planning to expand into more of the depot building (East and Southeast) to create a Pub Station Ballroom. The total private investment will exceed \$300K and they are requesting support for life and safety code required improvements totaling up to \$35,000 in qualified and reimbursable expenses after project completion. If awarded, the total for this property will exceed \$50K and will require Billings City Council approval if approved by the Board of Directors.

FINANCIAL IMPACT: Given the proposed completion date, we will have sufficient funds in the TIFD budget and cash in fund without requesting a budget amendment. When the first phase and this phase are added together, the ratio would be roughly \$11 private for every \$1 Public. Just this project alone would represent an 8 to 1 ratio.

OPTIONS:

The Development Committee approved the request and sends it forward to the full Board for consideration:

- a) Approve the “do approve” recommendation of the Development Committee
- b) Deny the Request

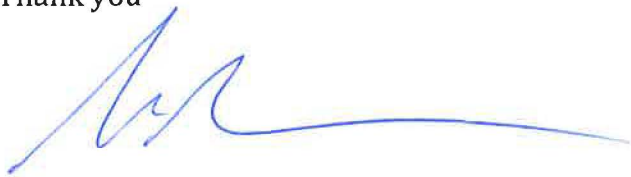
To: Greg Kruger

Downtown Billings Partnership

Pub Station Grant application

The Pub Station has quickly become an established destination for live entertainment in Downtown Billings as well as the state of Montana and surrounding communities. The club attracts both local as well as out of town patrons who participate in Downtown Billings' commerce. In order to continue to grow with our existing club sized room we will be expanding into the East and Southeast section of our building to create the Pub Station Ballroom. The Ballroom will allow us to retain, grow, and maintain larger sized entertainment events as well as adding meeting/conference and general event rental space to an ever growing downtown. Improvements to the building total \$300,500.00 and are listed in addendum A. These include additional bathrooms, fire sprinklers and alarms, HVAC, new walls, expansion of used space and completely finished areas out of previous storage space. Please see addendum B for architectural drawings. Financing for the expansion is thru Rocky Mountain Bank. We are requesting an amount up to \$35,000 for safety improvements of additional fire sprinklers for the entire remaining portion of the building, and fire alarm improvements to the entire remaining portion of the building.

Thank you



Sean Lynch

Rate Your Project: Does the project/program...		Score 1 to 20 points each
1	Develop underutilized lots/buildings/properties and increase taxable value?	20
2	Address "Targeted Areas" (See Urban Renewal Ordinances)	20
3	Pedestrian, street level enhancements	2

Does the project/program...		Score 1 to 10 points each
4	enhance business retention	20
5	enhance business clustering	20
6	enhance parking	0
7	enhance connectivity, linkages and alternate transportation	0
8	contribute to public art	0
9	provide public gathering space(s)	20
10	enhance public safety/security	0
11	develop/create conference facility component	20
12	calm/manage vehicle traffic	0
13	relocate/install public utilities	0
14	increase residential	0
15	enhance lodging	0
16	enhance entertainment	20
17	increase workforce	15

Total Score: 157 /out of 200

What to submit:

- ✓ A **narrative summary** of your project and how it will meet the goals (see above) of the TIF District. This narrative also needs to address the need for TIF assistance to make this project happen. In other words, ask yourself, **“what are you adding to your project to enhance your plans?”** or **“This project would pencil out if it didn’t require (example: asbestos abatement).”**
- ✓ Please provide a **“sources and uses budget”** that clearly shows the need for TIFD participation and documents what “uses” qualify for TIFD assistance.
- ✓ Submit **any plans and drawings** that visualize your project for the committee.
- ✓ Submit a **timeline** showing your start, key milestones and planned completion of this project.
- ✓ **Submit all of the above in PDF format to gregk@downtownbillings.com**

ADDENDUM A

1111 ENTERTAINMENT EXPANSION PROJECTED EXPENSES

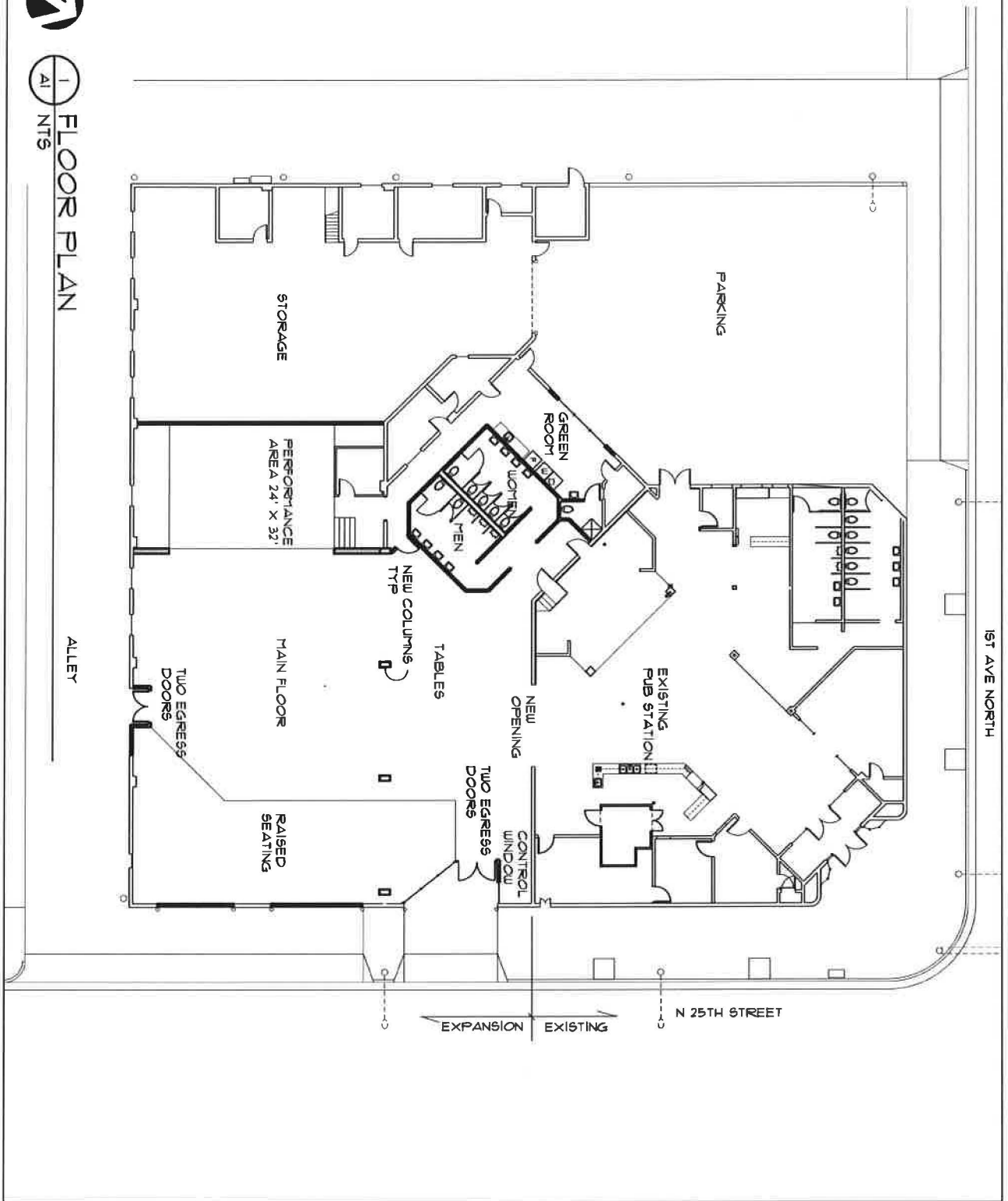
Type	Amount	Quote
General Contracting	\$ 80,000.00	JP Builders
Plumbing	\$ 45,000.00	Alpine Puumbing
Electrical	\$ 38,000.00	AEI
Sound and Lighting	\$ 50,000.00	Shaped Audio
Fire Sprinklers	\$ 22,500.00	Burtell Fire
Fire Alarm	\$ 10,000.00	High Tech Solutions
Architect	\$ 25,000.00	O2
HVAC	\$ 30,000.00	Alpine Plumbing
Project Budget	\$ 300,500.00	

ADDENDUM B



1
AI
NTS

FLOOR PLAN



PROJ. NO.	0000
DATE	06/01/16
DESIGNED BY	
CHECKED BY	
DATE	

PUB STATION EXPANSION
1st Ave N & N 25TH
Billings, Mt

208 N. BROADWAY, 1500
BILLINGS, MONTANA 59101
PHONE: 406-299-7123
FAX: 406-299-7123
WWW.O2ARCHITECTS.COM



Regular City Council Meeting

Meeting Date: 08/22/2016

TITLE: Payment of Claims July 25,2016

PRESENTED BY: Patrick M. Weber, Finance Director

Department: City Hall Administration

PROBLEM/ISSUE STATEMENT

Claims in the amount of \$2,813,918.39 have been audited and are presented for City Council payment approval. A complete listing of the claims dated July 26, 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_7.26.2016

Check Date	Check	Name	Amount	Account	Item Desc
07/25/2016	796278	A-1 Landscaping & Nursery	\$ 5,064.00	2600-55120-403660	Landscaping maintenance charges
07/25/2016	796282	Allstates Coating Company	\$ 13,846.25	2110-31320-402340	white totes
07/25/2016	796282	Allstates Coating Company	\$ 13,846.25	2110-31320-402340	yellow totes
07/25/2016	796282	Allstates Coating Company	\$ 2,508.00	2110-31320-402340	white 5 gallon buckets
07/25/2016	796284	Alta Planning & Design Inc	\$ 21,957.93	2400-43010-407214	Billings MT Bikeway and Trail Master Plan Update
07/25/2016	796286	Armacost Trane Service Co	\$ 2,661.65	5610-71120-402450	Invoice #29158. Replace Condenser Fan and Install
07/25/2016	796287	Arrow Striping & Manufacturing Inc	\$ 1,800.00	2110-31320-402340	beads for paint striping
07/25/2016	796287	Arrow Striping & Manufacturing Inc	\$ 1,800.00	2110-31320-402340	beads for paint striping
07/25/2016	796291	Billings Depot Inc	\$ 5,648.67	6600-31100-405310	rent
07/25/2016	796291	Billings Depot Inc	\$ 8,473.00	6700-31410-405310	rent
07/25/2016	796295	Business Tax Section	\$ 5,340.06	5130-85910-409340	WO 16-01 Schedule 2A - Sanitary Sewer Replacement
07/25/2016	796295	Business Tax Section	\$ 1,708.48	5130-85910-409340	WO 16-01 Schedule 2B - Sanitary Sewer Main
07/25/2016	796295	Business Tax Section	\$ 249.48	7580-51740-402290	Tax on Commercial Roofing contract for Amend restroom
07/25/2016	796295	Business Tax Section	\$ 51.13	2050-31310-409310	WO 16-02 Miscellaneous/Developer
07/25/2016	796295	Business Tax Section	\$ 92.11	4490-31650-409311	WO 16-02 Miscellaneous/Developer
07/25/2016	796295	Business Tax Section	\$ 483.06	5620-71200-409290	Baggage Claim Carpet Project
07/25/2016	796298	Commercial Roofing	\$ 24,698.52	7580-51740-402290	Reroof Amend park restrooms. 1% tax has been taken
07/25/2016	796299	Cop Construction Co	\$ 528,665.79	5130-85910-409340	WO 16-01 Schedule 2A - Sanitary Sewer Replacement
07/25/2016	796305	Dixie Petro-Chem	\$ 3,092.00	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 301017
07/25/2016	796307	Dustbusters	\$ 448.25	2110-31320-404530	dustgard for gravel streets
07/25/2016	796307	Dustbusters	\$ 2,802.25	2110-31320-404530	dustgard for gravel streets
07/25/2016	796310	Ebms	\$ 1,560.00	6270-17520-403511	July 2016 Fee Breakdown
07/25/2016	796310	Ebms	\$ 25,348.10	6270-17520-403512	July 2016 Fee Breakdown
07/25/2016	796310	Ebms	\$ 49,023.00	6270-17520-403515	July 2016 Fee Breakdown
07/25/2016	796310	Ebms	\$ 728.00	6270-17520-403517	July 2016 Fee Breakdown
07/25/2016	796310	Ebms	\$ 4,054.55	6270-17520-405161	July 2016 Fee Breakdown
07/25/2016	796310	Ebms	\$ 1,545.00	6270-17520-403511	August 2016 Fee Breakdown
07/25/2016	796310	Ebms	\$ 25,064.30	6270-17520-403512	August 2016 Fee Breakdown
07/25/2016	796310	Ebms	\$ 48,469.92	6270-17520-403515	August 2016 Fee Breakdown
07/25/2016	796310	Ebms	\$ 707.00	6270-17520-403517	August 2016 Fee Breakdown
07/25/2016	796310	Ebms	\$ 6,774.00	6270-17520-403519	August 2016 Fee Breakdown
07/25/2016	796310	Ebms	\$ 4,008.90	6270-17520-405161	August 2016 Fee Breakdown
07/25/2016	796316	Epic Aviation, LLC.	\$ 17,670.88	5610-71100-343312	January 2016 - June 2016 Fuel Flowage Refund.
07/25/2016	796326	HDR, Inc.	\$ 73,059.71	8450-31860-409310	WO 09-15 Grand Avenue Zimmerman Trail to Shiloh Rd;
07/25/2016	796329	Iaff	\$ 4,345.57	9000-00000-209920	Payroll Summary
07/25/2016	796332	InfoSend Inc	\$ 6,677.82	5020-73110-403110	Billing and Postage
07/25/2016	796332	InfoSend Inc	\$ 1,745.51	5020-73110-403111	Billing and Postage
07/25/2016	796332	InfoSend Inc	\$ 4,451.88	5120-83110-403110	Billing and Postage
07/25/2016	796332	InfoSend Inc	\$ 1,163.68	5120-83110-403111	Billing and Postage
07/25/2016	796333	J & J Concrete Inc.	\$ 5,061.59	2050-31310-409310	WO 16-02 Miscellaneous/Developer

Check Date	Check	Name	Amount	Account	Item Desc
07/25/2016	796333	J & J Concrete Inc.	\$ 9,118.49	4490-31650-409311	WO 16-02 Miscellaneous/Developer
07/25/2016	796335	Journal Technologies Inc	\$ 4,460.00	0100-16110-403553	Annual JustWare Support
07/25/2016	796336	Kadrmass Lee & Jackson	\$ 14,638.61	5030-74910-409390	WO 15-18 WTP Clearwell No. 2 Re-coat
07/25/2016	796336	Kadrmass Lee & Jackson	\$ 2,209.85	5030-74910-409390	WO 15-18 WTP Clearwell No. 2 Re-coat
07/25/2016	796348	Mark Rite Lines Equipment Co, Inc.	\$ 2,990.00	2110-31320-402320	paint guns for unit 1324
07/25/2016	796349	Midland Manufacturing Company	\$ 8,923.00	2200-22390-409460	B-243-VA-EPDM: MIDLAND EMERGENCY RESPONSE
07/25/2016	796350	Miller Trois LLC	\$ 1,874.00	0100-43210-405311	I17-000627 Miller Trois LLC - Planning & CS August
07/25/2016	796350	Miller Trois LLC	\$ 6,149.00	2090-44510-405311	I17-000627 Miller Trois LLC - Planning & CS August
07/25/2016	796350	Miller Trois LLC	\$ 4,077.00	2400-43010-405311	I17-000627 Miller Trois LLC - Planning & CS August
07/25/2016	796350	Miller Trois LLC	\$ 4,829.00	2740-67800-405310	I17-000627 Miller Trois LLC - Planning & CS August
07/25/2016	796352	Montana CSED	\$ 3,652.99	9000-00000-209926	Payroll Summary
07/25/2016	796353	Montana Dakota Utilities Co	\$ 54.77	5610-71130-403440	285 580 1000 6
07/25/2016	796353	Montana Dakota Utilities Co	\$ 8.14	5020-74000-403440	373 580 1000 9
07/25/2016	796353	Montana Dakota Utilities Co	\$ 8.14	5020-74000-403440	373 580 1000 9
07/25/2016	796353	Montana Dakota Utilities Co	\$ 13.34	0100-51120-403410	501 473 1000 2
07/25/2016	796353	Montana Dakota Utilities Co	\$ 13.36	5020-74000-403440	541 380 1000 1
07/25/2016	796353	Montana Dakota Utilities Co	\$ 1,119.73	5610-71120-403440	595 580 1000 1
07/25/2016	796353	Montana Dakota Utilities Co	\$ 23.92	5120-85000-403440	596 733 1000 5
07/25/2016	796353	Montana Dakota Utilities Co	\$ 43.62	1500-22210-403440	668 670 1000 2
07/25/2016	796353	Montana Dakota Utilities Co	\$ 53.33	5610-71170-403440	706 580 1000 7
07/25/2016	796353	Montana Dakota Utilities Co	\$ 12.42	5610-71170-403440	806 580 1000 6
07/25/2016	796353	Montana Dakota Utilities Co	\$ 29.62	5020-74000-403440	921 580 1000 6
07/25/2016	796353	Montana Dakota Utilities Co	\$ 28.22	5120-85000-403440	955 043 1000 4
07/25/2016	796353	Montana Dakota Utilities Co	\$ 13.80	5020-74000-403440	162 660 1000 4
07/25/2016	796353	Montana Dakota Utilities Co	\$ 41.81	1500-22210-403440	672 860 1000 3
07/25/2016	796353	Montana Dakota Utilities Co	\$ 16.21	0100-51220-403440	703 760 1000 8
07/25/2016	796353	Montana Dakota Utilities Co	\$ 101.03	1500-22210-403440	819 360 1000 8
07/25/2016	796353	Montana Dakota Utilities Co	\$ 1,677.15	0100-51260-403440	879 660 1000 8
07/25/2016	796353	Montana Dakota Utilities Co	\$ 20.10	0100-51220-403440	902 360 1000 6
07/25/2016	796353	Montana Dakota Utilities Co	\$ 12.42	5610-71170-403440	283 116 0655 3. IP-12 Alpine Maintenance. July 2016
07/25/2016	796353	Montana Dakota Utilities Co	\$ 12.42	5610-71170-403440	295 580 1000 4. Aero Interiors. July 2016
07/25/2016	796353	Montana Dakota Utilities Co	\$ 13.38	5610-71170-403440	185 580 1000 7. TSA Building. July 2016
07/25/2016	796353	Montana Dakota Utilities Co	\$ 75.05	5610-71190-403440	129 573 1000 1. Mud Wash. July 2016
07/25/2016	796353	Montana Dakota Utilities Co	\$ 14.36	5610-71190-403440	229 573 1000 0. Detail Bay 1 Hertz. July 2016
07/25/2016	796353	Montana Dakota Utilities Co	\$ 15.80	5610-71190-403440	629 573 1000 6. Detail Bay 2 National/Alamo. July 2016
07/25/2016	796353	Montana Dakota Utilities Co	\$ 15.32	5610-71190-403440	329 573 1000 9. Detail Bay 3 Enterprise. July 2016
07/25/2016	796353	Montana Dakota Utilities Co	\$ 18.71	5610-71190-403440	429 573 1000 8. Detail Bay 4 Avis/Budget. July 2016
07/25/2016	796353	Montana Dakota Utilities Co	\$ 14.83	5610-71190-403440	529 573 1000 7. Detail Bay 5 Thrifty/Dollar. July 2016
07/25/2016	796353	Montana Dakota Utilities Co	\$ 8.17	2920-66980-407275	FORECLOSURE Program - 619 Custer
07/25/2016	796357	Montana Municipal Interlocal Authority	\$ 487,194.89	9000-00000-209941	Worker's Compensation Program 4/1/2016-6/30/2016

Check Date	Check	Name	Amount	Account	Item Desc
07/25/2016	796358	Montana Municipal Interlocal Authority	\$ 45,658.05	6300-17530-407311	Deductible Recovery Invoice #616002
07/25/2016	796359	Montana Municipal Interlocal Authority	\$ 540,788.00	6300-17530-407311	Liability Risk Retention Program Billings 7-1-2016
07/25/2016	796361	Montana State Fireman's Assoc	\$ 3,625.33	9000-00000-209924	Payroll Summary
07/25/2016	796363	Moody's Investors Service	\$ 6,250.00	5610-71100-403590	P0204326 Annual monitoring fee for Airport Enterprise
07/25/2016	796364	Morrison Maierle Inc	\$ 30,779.50	5130-85910-409340	WO1601 2016 Water/Sewer Replc; Sch 2 Sanitary Sewer
07/25/2016	796366	Moulton Bellingham PC	\$ 4,487.50	0100-16110-403560	Moulton Bellingham Invoice #116563 Watters
07/25/2016	796367	Mountain West Holding Company	\$ 4,999.99	2110-31320-403590	repair of guardrail at shiloh and grand
07/25/2016	796367	Mountain West Holding Company	\$ 1,585.00	2110-31320-403590	repaired guardrail at shiloh & monad
07/25/2016	796370	MT Waterworks	\$ 775.56	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 301014
07/25/2016	796370	MT Waterworks	\$ 1,596.18	5020-00000-141000	SYSTEMS PO NUM 301014
07/25/2016	796370	MT Waterworks	\$ 4,274.70	5020-00000-141000	SYSTEMS PO NUM 301018
07/25/2016	796370	MT Waterworks	\$ 363.75	5020-75000-402410	Hole Saw for cutting pipe
07/25/2016	796372	North West Floors	\$ 47,822.94	5620-71200-409290	Baggage Claim Carpet Project
07/25/2016	796373	NorthWestern Energy	\$ 19.56	2920-66980-407275	FORECLOSURE - 619 Custer
07/25/2016	796373	NorthWestern Energy	\$ 22.88	2920-66980-407275	FORECLOSURE PROGRAM - 3921 Chamberlain
07/25/2016	796373	NorthWestern Energy	\$ 10,889.12	2110-31320-403410	Signal Bills - July 2016
07/25/2016	796373	NorthWestern Energy	\$ 504.21	8100-31830-403410	SILMD 008 ACCT# 0712544-6
07/25/2016	796373	NorthWestern Energy	\$ 515.17	8100-31830-403410	SILMD 009 ACCT# 0712545-3
07/25/2016	796373	NorthWestern Energy	\$ 1,420.92	8100-31830-403410	SILMD 010 ACCT# 0712546-1
07/25/2016	796373	NorthWestern Energy	\$ 4,352.65	8100-31830-403410	SILMD 013 ACCT# 0721276-4
07/25/2016	796373	NorthWestern Energy	\$ 2,133.00	8100-31830-403410	SILMD 014 ACCT# 0721277-2
07/25/2016	796373	NorthWestern Energy	\$ 1,230.75	8100-31830-403410	SILMD 017 ACCT# 0712553-7
07/25/2016	796373	NorthWestern Energy	\$ 92.37	8100-31830-403410	SILMD 018 ACCT# 0712554-5
07/25/2016	796373	NorthWestern Energy	\$ 469.83	8100-31830-403410	SILMD 095 ACCT# 0712556-0
07/25/2016	796373	NorthWestern Energy	\$ 13,454.03	8100-31830-403410	SILMD 097 ACCT# 0712557-8
07/25/2016	796373	NorthWestern Energy	\$ 1,653.99	8100-31830-403410	SILMD 099 ACCT# 0712558-6
07/25/2016	796373	NorthWestern Energy	\$ 2,696.04	8100-31830-403410	SILMD 100 ACCT# 0712559-4
07/25/2016	796373	NorthWestern Energy	\$ 1,733.39	8100-31830-403410	SILMD 107 ACCT# 0712560-2
07/25/2016	796373	NorthWestern Energy	\$ 4,347.24	8100-31830-403410	SILMD 109 ACCT# 0712561-0
07/25/2016	796373	NorthWestern Energy	\$ 189.77	8100-31830-403410	SILMD 113 ACCT# 0712562-8
07/25/2016	796373	NorthWestern Energy	\$ 935.48	8100-31830-403410	SILMD 114 ACCT# 0712563-6
07/25/2016	796373	NorthWestern Energy	\$ 220.13	8100-31830-403410	SILMD 115 ACCT# 0712564-4
07/25/2016	796373	NorthWestern Energy	\$ 577.80	8100-31830-403410	SILMD 116 ACCT# 0712565-1
07/25/2016	796373	NorthWestern Energy	\$ 3,196.24	8100-31830-403410	SILMD 117 ACCT# 0712566-9
07/25/2016	796373	NorthWestern Energy	\$ 234.34	8100-31830-403410	SILMD 118 ACCT# 0712567-7
07/25/2016	796373	NorthWestern Energy	\$ 155.58	8100-31830-403410	SILMD 119 ACCT# 0712568-5
07/25/2016	796373	NorthWestern Energy	\$ 2,476.27	8100-31830-403410	SILMD 121 ACCT# 0712570-1
07/25/2016	796373	NorthWestern Energy	\$ 188.61	8100-31830-403410	SILMD 122 ACCT# 0712571-9
07/25/2016	796373	NorthWestern Energy	\$ 330.16	8100-31830-403410	SILMD 123 ACCT# 0712572-7
07/25/2016	796373	NorthWestern Energy	\$ 962.99	8100-31830-403410	SILMD 124 ACCT# 0712573-5

Check Date	Check	Name	Amount	Account	Item Desc
07/25/2016	796373	NorthWestern Energy	\$ 385.19	8100-31830-403410	SILMD 125 ACCT# 0712574-3
07/25/2016	796373	NorthWestern Energy	\$ 192.60	8100-31830-403410	SILMD 126 ACCT# 0712575-0
07/25/2016	796373	NorthWestern Energy	\$ 707.24	8100-31830-403410	SILMD 127 ACCT# 0712576-8
07/25/2016	796373	NorthWestern Energy	\$ 495.06	8100-31830-403410	SILMD 128 ACCT# 0712577-6
07/25/2016	796373	NorthWestern Energy	\$ 330.16	8100-31830-403410	SILMD 129 ACCT# 0712578-4
07/25/2016	796373	NorthWestern Energy	\$ 125.82	8100-31830-403410	SILMD 130 ACCT# 0712579-2
07/25/2016	796373	NorthWestern Energy	\$ 852.95	8100-31830-403410	SILMD 131 ACCT# 0712580-0
07/25/2016	796373	NorthWestern Energy	\$ 233.66	8100-31830-403410	SILMD 133 ACCT# 0712581-8
07/25/2016	796373	NorthWestern Energy	\$ 539.21	8100-31830-403410	SILMD 134 ACCT# 0712582-6
07/25/2016	796373	NorthWestern Energy	\$ 518.64	8100-31830-403410	SILMD 135 ACCT# 0712583-4
07/25/2016	796373	NorthWestern Energy	\$ 467.73	8100-31830-403410	SILMD 136 ACCT# 0712584-2
07/25/2016	796373	NorthWestern Energy	\$ 378.41	8100-31830-403410	SILMD 137 ACCT# 0712585-9
07/25/2016	796373	NorthWestern Energy	\$ 742.88	8100-31830-403410	SILMD 138 ACCT# 0712586-7
07/25/2016	796373	NorthWestern Energy	\$ 247.63	8100-31830-403410	SILMD 139 ACCT# 0712587-5
07/25/2016	796373	NorthWestern Energy	\$ 575.49	8100-31830-403410	SILMD 143 ACCT# 0712588-3
07/25/2016	796373	NorthWestern Energy	\$ 27.40	8100-31830-403410	SILMD 144 ACCT# 0712589-1
07/25/2016	796373	NorthWestern Energy	\$ 471.48	8100-31830-403410	SILMD 145 ACCT# 0712590-9
07/25/2016	796373	NorthWestern Energy	\$ 357.68	8100-31830-403410	SILMD 146 ACCT# 0712591-7
07/25/2016	796373	NorthWestern Energy	\$ 467.88	8100-31830-403410	SILMD 147 ACCT# 0712592-5
07/25/2016	796373	NorthWestern Energy	\$ 1,506.56	8100-31830-403410	SILMD 149 ACCT# 0712593-3
07/25/2016	796373	NorthWestern Energy	\$ 754.37	8100-31830-403410	SILMD 150 ACCT# 0712594-1
07/25/2016	796373	NorthWestern Energy	\$ 632.82	8100-31830-403410	SILMD 151 ACCT# 0712595-8
07/25/2016	796373	NorthWestern Energy	\$ 4,308.96	8100-31830-403410	SILMD 152 ACCT# 0712596-6
07/25/2016	796373	NorthWestern Energy	\$ 542.20	8100-31830-403410	SILMD 153 ACCT# 0712597-4
07/25/2016	796373	NorthWestern Energy	\$ 1,225.85	8100-31830-403410	SILMD 154 ACCT# 0712598-2
07/25/2016	796373	NorthWestern Energy	\$ 495.25	8100-31830-403410	SILMD 155 ACCT# 0712599-0
07/25/2016	796373	NorthWestern Energy	\$ 919.40	8100-31830-403410	SILMD 157 ACCT# 0712600-6
07/25/2016	796373	NorthWestern Energy	\$ 797.90	8100-31830-403410	SILMD 158 ACCT# 0712601-4
07/25/2016	796373	NorthWestern Energy	\$ 1,105.69	8100-31830-403410	SILMD 159 ACCT# 0712602-2
07/25/2016	796373	NorthWestern Energy	\$ 715.36	8100-31830-403410	SILMD 160 ACCT# 0712603-0
07/25/2016	796373	NorthWestern Energy	\$ 1,060.83	8100-31830-403410	SILMD 161 ACCT# 0712604-8
07/25/2016	796373	NorthWestern Energy	\$ 61.98	8100-31830-403410	SILMD 162 ACCT# 0712605-5
07/25/2016	796373	NorthWestern Energy	\$ 694.30	8100-31830-403410	SILMD 163 ACCT# 0712606-3
07/25/2016	796373	NorthWestern Energy	\$ 377.18	8100-31830-403410	SILMD 164 ACCT# 0712607-1
07/25/2016	796373	NorthWestern Energy	\$ 880.45	8100-31830-403410	SILMD 165 ACCT# 0712608-9
07/25/2016	796373	NorthWestern Energy	\$ 235.74	8100-31830-403410	SILMD 167 ACCT# 0712609-7
07/25/2016	796373	NorthWestern Energy	\$ 565.78	8100-31830-403410	SILMD 171 ACCT# 0712610-5
07/25/2016	796373	NorthWestern Energy	\$ 539.24	8100-31830-403410	SILMD 172 ACCT# 0712611-3
07/25/2016	796373	NorthWestern Energy	\$ 1,178.71	8100-31830-403410	SILMD 173 ACCT# 0712612-1
07/25/2016	796373	NorthWestern Energy	\$ 990.11	8100-31830-403410	SILMD 174 ACCT# 0712613-9

Check Date	Check	Name	Amount	Account	Item Desc
07/25/2016	796373	NorthWestern Energy	\$ 330.03	8100-31830-403410	SILMD 175 ACCT# 0712614-7
07/25/2016	796373	NorthWestern Energy	\$ 44.28	8100-31830-403410	SILMD 176 ACCT# 0712615-4
07/25/2016	796373	NorthWestern Energy	\$ 259.32	8100-31830-403410	SILMD 178 ACCT# 0712616-2
07/25/2016	796373	NorthWestern Energy	\$ 518.64	8100-31830-403410	SILMD 179 ACCT# 0712617-0
07/25/2016	796373	NorthWestern Energy	\$ 353.62	8100-31830-403410	SILMD 180 ACCT# 0712618-8
07/25/2016	796373	NorthWestern Energy	\$ 1,678.36	8100-31830-403410	SILMD 181 ACCT# 0712619-6
07/25/2016	796373	NorthWestern Energy	\$ 589.36	8100-31830-403410	SILMD 182 ACCT# 0712620-4
07/25/2016	796373	NorthWestern Energy	\$ 1,178.73	8100-31830-403410	SILMD 183 ACCT# 0712621-2
07/25/2016	796373	NorthWestern Energy	\$ 377.18	8100-31830-403410	SILMD 184 ACCT# 0712622-0
07/25/2016	796373	NorthWestern Energy	\$ 141.45	8100-31830-403410	SILMD 185 ACCT# 0712623-8
07/25/2016	796373	NorthWestern Energy	\$ 649.49	8100-31830-403410	SILMD 186 ACCT# 0712624-6
07/25/2016	796373	NorthWestern Energy	\$ 235.74	8100-31830-403410	SILMD 187 ACCT# 0712625-3
07/25/2016	796373	NorthWestern Energy	\$ 282.88	8100-31830-403410	SILMD 188 ACCT# 0712626-1
07/25/2016	796373	NorthWestern Energy	\$ 235.74	8100-31830-403410	SILMD 189 ACCT# 0712627-9
07/25/2016	796373	NorthWestern Energy	\$ 1,225.85	8100-31830-403410	SILMD 190 ACCT# 0712628-7
07/25/2016	796373	NorthWestern Energy	\$ 421.22	8100-31830-403410	SILMD 191 ACCT# 0712629-5
07/25/2016	796373	NorthWestern Energy	\$ 306.46	8100-31830-403410	SILMD 192 ACCT# 0712630-3
07/25/2016	796373	NorthWestern Energy	\$ 754.37	8100-31830-403410	SILMD 193 ACCT# 0712631-1
07/25/2016	796373	NorthWestern Energy	\$ 268.76	8100-31830-403410	SILMD 194 ACCT# 0712632-9
07/25/2016	796373	NorthWestern Energy	\$ 223.96	8100-31830-403410	SILMD 195 ACCT# 0712633-7
07/25/2016	796373	NorthWestern Energy	\$ 71.77	8100-31830-403410	SILMD 196 ACCT# 0712634-5
07/25/2016	796373	NorthWestern Energy	\$ 71.77	8100-31830-403410	SILMD 197 ACCT# 0712635-2
07/25/2016	796373	NorthWestern Energy	\$ 117.88	8100-31830-403410	SILMD 198 ACCT# 0712636-0
07/25/2016	796373	NorthWestern Energy	\$ 78.09	8100-31830-403410	SILMD 200 ACCT# 0712637-8
07/25/2016	796373	NorthWestern Energy	\$ 495.06	8100-31830-403410	SILMD 201 ACCT# 0712638-6
07/25/2016	796373	NorthWestern Energy	\$ 594.23	8100-31830-403410	SILMD 202 INV# 0712639-4
07/25/2016	796373	NorthWestern Energy	\$ 19.14	8100-31830-403410	SILMD 203 ACCT# 0712640-2
07/25/2016	796373	NorthWestern Energy	\$ 372.02	8100-31830-403410	SILMD 204 ACCT# 0712641-0
07/25/2016	796373	NorthWestern Energy	\$ 35.42	8100-31830-403410	SILMD 205 ACCT# 0712642-8
07/25/2016	796373	NorthWestern Energy	\$ 306.45	8100-31830-403410	SILMD 206 ACCT# 0712643-6
07/25/2016	796373	NorthWestern Energy	\$ 377.18	8100-31830-403410	SILMD 207 ACCT# 0712644-4
07/25/2016	796373	NorthWestern Energy	\$ 246.55	8100-31830-403410	SILMD 208 ACCT# 0712645-1
07/25/2016	796373	NorthWestern Energy	\$ 542.20	8100-31830-403410	SILMD 209 ACCT# 0712646-9
07/25/2016	796373	NorthWestern Energy	\$ 86.11	8100-31830-403410	SILMD 210 ACCT# 0712647-7
07/25/2016	796373	NorthWestern Energy	\$ 47.84	8100-31830-403410	SILMD 211 ACCT# 0712648-5
07/25/2016	796373	NorthWestern Energy	\$ 47.84	8100-31830-403410	SILMD 212 ACCT# 0712649-3
07/25/2016	796373	NorthWestern Energy	\$ 28.71	8100-31830-403410	SILMD 213 ACCT# 0712650-1
07/25/2016	796373	NorthWestern Energy	\$ 476.42	8100-31830-403410	SILMD 214 ACCT# 0712651-9
07/25/2016	796373	NorthWestern Energy	\$ 141.45	8100-31830-403410	SILMD 216 ACCT# 0712652-7
07/25/2016	796373	NorthWestern Energy	\$ 399.65	8100-31830-403410	SILMD 217 ACCT# 0712653-5

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07/25/2016	796373	NorthWestern Energy	\$ 248.96	8100-31830-403410	SILMD 220 ACCT# 0712654-3
07/25/2016	796373	NorthWestern Energy	\$ 8.85	8100-31830-403410	SILMD 221 ACCT# 0712655-0
07/25/2016	796373	NorthWestern Energy	\$ 75.73	8100-31830-403410	SILMD 222 ACCT# 0712656-8
07/25/2016	796373	NorthWestern Energy	\$ 114.82	8100-31830-403410	SILMD 223 ACCT# 0712657-6
07/25/2016	796373	NorthWestern Energy	\$ 1,861.51	8100-31830-403410	SILMD 224 ACCT# 0712658-4
07/25/2016	796373	NorthWestern Energy	\$ 358.63	8100-31830-403410	SILMD 225 ACCT# 0712659-2
07/25/2016	796373	NorthWestern Energy	\$ 308.81	8100-31830-403410	SILMD 226 ACCT# 0712660-0
07/25/2016	796373	NorthWestern Energy	\$ 624.67	8100-31830-403410	SILMD 227 ACCT# 0712661-8
07/25/2016	796373	NorthWestern Energy	\$ 797.90	8100-31830-403410	SILMD 228 ACCT# 0712662-6
07/25/2016	796373	NorthWestern Energy	\$ 412.72	8100-31830-403410	SILMD 229 ACCT# 0712663-4
07/25/2016	796373	NorthWestern Energy	\$ 962.99	8100-31830-403410	SILMD 230 ACCT# 0712664-2
07/25/2016	796373	NorthWestern Energy	\$ 577.80	8100-31830-403410	SILMD 231 ACCT# 0712665-9
07/25/2016	796373	NorthWestern Energy	\$ 2,503.78	8100-31830-403410	SILMD 232 ACCT# 0712666-7
07/25/2016	796373	NorthWestern Energy	\$ 837.65	8100-31830-403410	SILMD 233 ACCT# 0712667-5
07/25/2016	796373	NorthWestern Energy	\$ 472.30	8100-31830-403410	SILMD 234 ACCT# 0712668-3
07/25/2016	796373	NorthWestern Energy	\$ 528.29	8100-31830-403410	SILMD 235 ACCT# 0712669-1
07/25/2016	796373	NorthWestern Energy	\$ 167.97	8100-31830-403410	SILMD 236 ACCT# 0712670-9
07/25/2016	796373	NorthWestern Energy	\$ 400.76	8100-31830-403410	SILMD 237 ACCT# 0712671-7
07/25/2016	796373	NorthWestern Energy	\$ 15.05	8100-31830-403410	SILMD 238 ACCT# 0712672-5
07/25/2016	796373	NorthWestern Energy	\$ 94.30	8100-31830-403410	SILMD 239 ACCT# 0712673-3
07/25/2016	796373	NorthWestern Energy	\$ 403.14	8100-31830-403410	SILMD 240 ACCT# 0712674-1
07/25/2016	796373	NorthWestern Energy	\$ 623.02	8100-31830-403410	SILMD 241 ACCT# 0712675-8
07/25/2016	796373	NorthWestern Energy	\$ 82.54	8100-31830-403410	SILMD 242 ACCT# 0712676-6
07/25/2016	796373	NorthWestern Energy	\$ 110.06	8100-31830-403410	SILMD 244 ACCT# 0712677-4
07/25/2016	796373	NorthWestern Energy	\$ 87.23	8100-31830-403410	SILMD 245 ACCT# 0712678-2
07/25/2016	796373	NorthWestern Energy	\$ 330.16	8100-31830-403410	SILMD 246 ACCT# 0712679-0
07/25/2016	796373	NorthWestern Energy	\$ 1,174.56	8100-31830-403410	SILMD 247 ACCT# 0712680-8
07/25/2016	796373	NorthWestern Energy	\$ 2,486.07	8100-31830-403410	SILMD 248 ACCT# 0712681-6
07/25/2016	796373	NorthWestern Energy	\$ 2,723.91	8100-31830-403410	SILMD 249 ACCT# 0718734-7
07/25/2016	796373	NorthWestern Energy	\$ 230.68	8100-31830-403410	SILMD 250 ACCT# 0719001-0
07/25/2016	796373	NorthWestern Energy	\$ 3,917.70	8100-31830-403410	SILMD 251 ACCT# 0718801-4
07/25/2016	796373	NorthWestern Energy	\$ 550.28	8100-31830-403410	SILMD 252 ACCT# 0719162-0
07/25/2016	796373	NorthWestern Energy	\$ 1,941.45	8100-31830-403410	SILMD 253 ACCT# 0719644-7
07/25/2016	796373	NorthWestern Energy	\$ 151.48	8100-31830-403410	SILMD 254 ACCT# 0719763-5
07/25/2016	796373	NorthWestern Energy	\$ 148.05	8100-31830-403410	SILMD 255 ACCT# 0720813-5
07/25/2016	796373	NorthWestern Energy	\$ 898.81	8100-31830-403410	SILMD 257 ACCT# 0720360-7
07/25/2016	796373	NorthWestern Energy	\$ 2,607.38	8100-31830-403410	SILMD 258 ACCT# 0720606-3
07/25/2016	796373	NorthWestern Energy	\$ 19.77	8100-31830-403410	SILMD 259 ACCT# 1301786-8
07/25/2016	796373	NorthWestern Energy	\$ 1,330.90	8100-31830-403410	SILMD 259 ACCT# 0720810-1
07/25/2016	796373	NorthWestern Energy	\$ 495.25	8100-31830-403410	SILMD 261 ACCT# 0720705-3

Check Date	Check	Name	Amount	Account	Item Desc
07/25/2016	796373	NorthWestern Energy	\$ 3,130.07	8100-31830-403410	SILMD 262 ACCT# 0720937-2
07/25/2016	796373	NorthWestern Energy	\$ 949.61	8100-31830-403410	SILMD 263 ACCT# 0720716-0
07/25/2016	796373	NorthWestern Energy	\$ 165.24	8100-31830-403410	SILMD 264 ACCT# 0721427-3
07/25/2016	796373	NorthWestern Energy	\$ 346.88	8100-31830-403410	SILMD 265 ACCT# 0721556-9
07/25/2016	796373	NorthWestern Energy	\$ 33.42	8100-31830-403410	SILMD 266 ACCT# 0721684-9
07/25/2016	796373	NorthWestern Energy	\$ 78.40	8100-31830-403410	SILMD 269 ACCT# 0833098-7
07/25/2016	796373	NorthWestern Energy	\$ 440.75	8100-31830-403410	SILMD 270 ACCT# 0906944-4
07/25/2016	796373	NorthWestern Energy	\$ 1,000.76	8100-31830-403410	SILMD 271 ACCT# 0995095-7
07/25/2016	796373	NorthWestern Energy	\$ 2,787.46	8100-31830-403410	SILMD 272 ACCT# 0905005-5
07/25/2016	796373	NorthWestern Energy	\$ 200.22	8100-31830-403410	SILMD 273 ACCT# 0926386-4
07/25/2016	796373	NorthWestern Energy	\$ 67.19	8100-31830-403410	SILMD 274 ACCT# 0907926-0
07/25/2016	796373	NorthWestern Energy	\$ 484.83	8100-31830-403410	SILMD 276 ACCT# 0961926-3
07/25/2016	796373	NorthWestern Energy	\$ 817.68	8100-31830-403410	SILMD 277 ACCT# 1058710-3
07/25/2016	796373	NorthWestern Energy	\$ 212.76	8100-31830-403410	SILMD 278 ACCT# 1087619-1
07/25/2016	796373	NorthWestern Energy	\$ 61.39	8100-31830-403410	SILMD 279 ACCT# 1124127-0
07/25/2016	796373	NorthWestern Energy	\$ 679.00	8100-31830-403410	SILMD 280 ACCT# 1045653-1
07/25/2016	796373	NorthWestern Energy	\$ 67.19	8100-31830-403410	SILMD 281 ACCT# 1079722-3
07/25/2016	796373	NorthWestern Energy	\$ 380.30	8100-31830-403410	SILMD 283 ACCT# 1172743-5
07/25/2016	796373	NorthWestern Energy	\$ 338.64	8100-31830-403410	SILMD 285 ACCT# 1206985-2
07/25/2016	796373	NorthWestern Energy	\$ 235.68	8100-31830-403410	SILMD 286 ACCT# 1296582-8
07/25/2016	796373	NorthWestern Energy	\$ 85.64	8100-31830-403410	SILMD 287 ACCT# 1246537-3
07/25/2016	796373	NorthWestern Energy	\$ 1,769.09	8100-31830-403410	SILMD 288 ACCT# 1303978-9
07/25/2016	796373	NorthWestern Energy	\$ 224.61	8100-31830-403410	SILMD 289 ACCT# 1685375-6
07/25/2016	796373	NorthWestern Energy	\$ 100.20	8100-31830-403410	SILMD 290 ACCT# 1433921-2
07/25/2016	796373	NorthWestern Energy	\$ 605.32	8100-31830-403410	SILMD 292 ACCT# 1481532-8
07/25/2016	796373	NorthWestern Energy	\$ 235.74	8100-31830-403410	SILMD 293 ACCT# 1481534-4
07/25/2016	796373	NorthWestern Energy	\$ 471.48	8100-31830-403410	SILMD 294 ACCT# 1481535-1
07/25/2016	796373	NorthWestern Energy	\$ 110.06	8100-31830-403410	SILMD 295 ACCT# 1481536-9
07/25/2016	796373	NorthWestern Energy	\$ 1,249.44	8100-31830-403410	SILMD 296 ACCT# 1481537-7
07/25/2016	796373	NorthWestern Energy	\$ 212.17	8100-31830-403410	SILMD 297 ACCT# 1481539-3
07/25/2016	796373	NorthWestern Energy	\$ 188.61	8100-31830-403410	SILMD 298 ACCT# 1481540-1
07/25/2016	796373	NorthWestern Energy	\$ 399.76	8100-31830-403410	SILMD 300 ACCT# 1662840-6
07/25/2016	796373	NorthWestern Energy	\$ 4,904.21	8100-31830-403410	SILMD 301 ACCT# 1687005-7
07/25/2016	796373	NorthWestern Energy	\$ 199.66	8100-31830-403410	SILMD 302 ACCT# 1607534-3
07/25/2016	796373	NorthWestern Energy	\$ 721.20	8100-31830-403410	SILMD 305 ACCT# 1695873-8
07/25/2016	796373	NorthWestern Energy	\$ 205.14	8100-31830-403410	SILMD 306 ACCT# 1740353-6
07/25/2016	796373	NorthWestern Energy	\$ 1,940.97	8100-31830-403410	SILMD 307 ACCT# 2049005-8
07/25/2016	796373	NorthWestern Energy	\$ 261.90	8100-31830-403410	SILMD 308 ACCT# 2072459-7
07/25/2016	796373	NorthWestern Energy	\$ 288.55	8100-31830-403410	SILMD 309 ACCT# 2001311-6
07/25/2016	796373	NorthWestern Energy	\$ 278.08	8100-31830-403410	SILMD 310 ACCT# 2060519-2

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07/25/2016	796373	NorthWestern Energy	\$ 188.37	8100-31830-403410	SILMD 311 ACCT# 3014475-2
07/25/2016	796373	NorthWestern Energy	\$ 111.53	8100-31830-403410	SILMD 312 ACCT# 3146127-0
07/25/2016	796373	NorthWestern Energy	\$ 1,085.58	8100-31830-403410	SILMD 316 Acct# 3291842-7
07/25/2016	796373	NorthWestern Energy	\$ 59.33	8100-31830-403410	SILMD 317 Acct# 3253826-6
07/25/2016	796373	NorthWestern Energy	\$ 55.32	8100-31830-403410	SILMD 320 Acct# 0712569-3
07/25/2016	796374	NorthWestern Energy	\$ 50.13	5610-71130-403410	3085107-5. New Employee Parking. July 2016
07/25/2016	796374	NorthWestern Energy	\$ 1,940.56	5610-71130-403410	0100483-7. Runway Lights. July 2016
07/25/2016	796374	NorthWestern Energy	\$ 1,832.02	5610-71130-403410	0100484-5. ARFF Facility. July 2016
07/25/2016	796374	NorthWestern Energy	\$ 40.21	5610-71130-403410	1647695-4. De Icer. July 2016
07/25/2016	796374	NorthWestern Energy	\$ 2,061.73	5610-71190-403410	1993430-6. Car Wash. July 2016
07/25/2016	796374	NorthWestern Energy	\$ 391.91	5610-71190-403410	2001846-1. Mud Wash. July 2016
07/25/2016	796374	NorthWestern Energy	\$ 251.23	5610-71190-403410	2001848-7. Detail Bay 1 Hertz. July 2016
07/25/2016	796374	NorthWestern Energy	\$ 253.25	5610-71190-403410	2001855-2. Detail Bay 2 National/Alamo. July 2016
07/25/2016	796374	NorthWestern Energy	\$ 184.24	5610-71190-403410	2001862-8. Detail Bay 3 Enterprise. July 2016
07/25/2016	796374	NorthWestern Energy	\$ 193.32	5610-71190-403410	2001865-1. Detail Bay 4 Avis/Budget. July 2016
07/25/2016	796374	NorthWestern Energy	\$ 112.82	5610-71190-403410	2001867-7. Detail Bay 5 Thrifty/Dollar. July 2016
07/25/2016	796374	NorthWestern Energy	\$ 27.29	5610-71170-403410	1138926-9. Aero Interiors. July 2016
07/25/2016	796374	NorthWestern Energy	\$ 806.01	5610-71130-403410	1669567-8. TSA Building. July 2016
07/25/2016	796374	NorthWestern Energy	\$ 1,326.93	5020-74000-403410	Waldo
07/25/2016	796374	NorthWestern Energy	\$ 44.54	0100-51270-403410	0712387-0
07/25/2016	796374	NorthWestern Energy	\$ 141.91	0100-51220-403410	0712536-2
07/25/2016	796374	NorthWestern Energy	\$ 40.00	0100-51220-403410	0720818-4
07/25/2016	796374	NorthWestern Energy	\$ 2,385.69	0100-51260-403410	0720821-8
07/25/2016	796374	NorthWestern Energy	\$ 10,874.68	5020-74000-403410	0722264-9
07/25/2016	796374	NorthWestern Energy	\$ 724.10	0100-51120-403410	0722287-0
07/25/2016	796374	NorthWestern Energy	\$ 35.57	0100-51120-403410	1836666-6
07/25/2016	796374	NorthWestern Energy	\$ 921.98	5410-31230-403410	3252194-0
07/25/2016	796374	NorthWestern Energy	\$ 1,202.17	5020-74000-403410	1116452-2
07/25/2016	796374	NorthWestern Energy	\$ 1,257.10	6500-15660-403410	1160802-3
07/25/2016	796374	NorthWestern Energy	\$ 1,777.06	6500-15660-403410	1160804-9
07/25/2016	796374	NorthWestern Energy	\$ 3,668.36	6500-15660-403410	1269391-7
07/25/2016	796374	NorthWestern Energy	\$ 0.32	2110-31320-403410	1740357-7
07/25/2016	796374	NorthWestern Energy	\$ 0.55	2110-31320-403410	1748896-6
07/25/2016	796374	NorthWestern Energy	\$ 8,059.35	5020-74000-403410	0723040-2
07/25/2016	796374	NorthWestern Energy	\$ 720.71	0100-51120-403410	0723045-1
07/25/2016	796374	NorthWestern Energy	\$ 7.55	5020-74000-403410	0723059-2
07/25/2016	796374	NorthWestern Energy	\$ 709.41	1500-22210-403410	0871546-8
07/25/2016	796374	NorthWestern Energy	\$ 372.40	0100-51120-403410	0925496-2
07/25/2016	796374	NorthWestern Energy	\$ 571.63	6500-15660-403410	0975808-7
07/25/2016	796374	NorthWestern Energy	\$ 64,853.52	5120-84000-403410	725 US HWY 87 E

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07/25/2016	796376	OverDrive, Inc.	\$ 17,022.00	2600-55190-403381	Invoice CD-1526-0005-0627169
07/25/2016	796377	PayneWest Insurance Inc	\$ 11,472.00	5610-71100-405110	Invoice #104929. Directors & Officers 7/1/16-6/30/17
07/25/2016	796383	ProDIGIQ Inc	\$ 7,680.00	5610-71120-403660	FY2017 MUFIDS Maintenance Agreement
07/25/2016	796384	Public Utilities	\$ 61.71	2920-66980-407275	FORECLOSURE PROGRAM: 3921 Chamberlain
07/25/2016	796384	Public Utilities	\$ 147.20	0100-51120-403420	136087
07/25/2016	796384	Public Utilities	\$ 98.14	8720-51980-403420	136087
07/25/2016	796384	Public Utilities	\$ 43.52	5210-15920-403420	102086
07/25/2016	796384	Public Utilities	\$ 272.91	5210-15910-403420	102980
07/25/2016	796384	Public Utilities	\$ 17.33	5210-15910-403420	102981
07/25/2016	796384	Public Utilities	\$ 139.70	8720-51980-403420	136111
07/25/2016	796384	Public Utilities	\$ 10.72	8720-51980-403420	136112
07/25/2016	796384	Public Utilities	\$ 61.97	8720-51980-403420	136113
07/25/2016	796384	Public Utilities	\$ 113.24	8720-51980-403420	136115
07/25/2016	796384	Public Utilities	\$ 9.67	8720-51980-403420	148702
07/25/2016	796384	Public Utilities	\$ 9.67	8720-51980-403420	158992
07/25/2016	796384	Public Utilities	\$ 9.67	8720-51980-403420	158993
07/25/2016	796384	Public Utilities	\$ 3,750.74	8720-51980-403420	164211
07/25/2016	796384	Public Utilities	\$ 5,865.96	8720-51980-403420	166674
07/25/2016	796384	Public Utilities	\$ 4,245.43	8720-51980-403420	175850
07/25/2016	796384	Public Utilities	\$ 467.11	8720-51980-403420	176577
07/25/2016	796384	Public Utilities	\$ 12.98	8720-51980-403420	179987
07/25/2016	796384	Public Utilities	\$ 1,581.64	8720-51980-403420	180090
07/25/2016	796384	Public Utilities	\$ 145.27	8720-51980-403420	180091
07/25/2016	796384	Public Utilities	\$ 12.22	8720-51980-403420	180092
07/25/2016	796384	Public Utilities	\$ 492.52	8720-51980-403420	201942
07/25/2016	796384	Public Utilities	\$ 241.17	8720-51980-403420	102418
07/25/2016	796384	Public Utilities	\$ 54.66	2920-66980-407275	FORECLOSURE PROGRAM: 619 Custer Ave.
07/25/2016	796385	Qwest	\$ 50.33	2250-22320-403450	Qwest 406-245-2296 911 Qwest
07/25/2016	796385	Qwest	\$ 45.65	2250-22320-403450	Qwest 406-245-3107 911 Qwest
07/25/2016	796385	Qwest	\$ 45.65	2250-22320-403450	Qwest 406-245-3108 911 Qwest
07/25/2016	796385	Qwest	\$ 39.44	5020-74000-403450	Qwest 406-245-3659 PUD Alarm Water Tower
07/25/2016	796385	Qwest	\$ 45.66	5610-71150-403450	Qwest 406-245-5834 Airport Alarm
07/25/2016	796385	Qwest	\$ 119.32	1500-22250-403450	Qwest 406-245-7469 Fire
07/25/2016	796385	Qwest	\$ 45.66	1500-21110-403450	Qwest 406-245-7481 Police
07/25/2016	796385	Qwest	\$ 228.20	6060-19310-403450	Qwest 406-248-3049 Main System T1 City/County Tie
07/25/2016	796385	Qwest	\$ 311.26	6070-22350-403450	Qwest 406-248-3635 Fire Airport Radio Tower WCK
07/25/2016	796385	Qwest	\$ 311.26	6070-22350-403450	Qwest 406-248-3636 Fire Airport Radio Tower Jellison
07/25/2016	796385	Qwest	\$ 51.58	6010-15500-403450	Qwest 406-256-5047 Motor Pool
07/25/2016	796385	Qwest	\$ 49.99	5610-71140-403450	Qwest 406-256-7070 Airport
07/25/2016	796385	Qwest	\$ 33.33	5120-85000-403450	Qwest 406-259-2328 PUD Sahara Sand Lift Station

Check Date	Check	Name	Amount	Account	Item Desc
07/25/2016	796385	Qwest	\$ 49.31	2110-31320-403450	Qwest 406-259-3298 PW Traffic 3728 McDougall
07/25/2016	796385	Qwest	\$ 57.85	6600-31100-403450	Qwest 406-259-7758 Measured Lines Depot
07/25/2016	796385	Qwest	\$ 86.77	6700-31410-403450	Qwest 406-259-7758 Measured Lines Depot
07/25/2016	796385	Qwest	\$ 118.32	1500-22250-403450	Qwest 406-373-3742 Fire RR Crossing Alarm
07/25/2016	796385	Qwest	\$ 47.95	2250-22320-403450	Qwest 406-651-0282 Fire 5 911 Line
07/25/2016	796385	Qwest	\$ 33.33	2400-43010-407214	Qwest 406-656-9578 Planning Traffic Central Broadwater
07/25/2016	796385	Qwest	\$ 33.33	2400-43010-407214	Qwest 406-656-9604 Planning Traffic Central 9th
07/25/2016	796385	Qwest	\$ 54.65	5610-71170-403450	Qwest 406-256-6014 Airport P9 Building
07/25/2016	796385	Qwest	\$ 311.26	2250-22320-403450	Qwest 406-245-7101 9-1-1 Center Landfill #2
07/25/2016	796385	Qwest	\$ 311.26	2250-22320-403450	Qwest 406-245-7102 9-1-1 Center Fox Reservoir #2
07/25/2016	796385	Qwest	\$ 49.31	5410-31230-403450	Qwest 406-256-7001 Solid Waste Scale House
07/25/2016	796387	Recorded Books LLC	\$ 5,000.00	2600-55190-403381	Inv 75364907
07/25/2016	796392	Saint Vincent Occupational Health	\$ 4,045.00	0100-17500-403572	Drug Testing, DOT Physicals
07/25/2016	796392	Saint Vincent Occupational Health	\$ 95.00	0100-51210-403510	Drug Testing, DOT Physicals
07/25/2016	796392	Saint Vincent Occupational Health	\$ 50.00	1500-21110-403510	Drug Testing, DOT Physicals
07/25/2016	796392	Saint Vincent Occupational Health	\$ 915.00	1500-21710-403510	Drug Testing, DOT Physicals
07/25/2016	796392	Saint Vincent Occupational Health	\$ 50.00	1500-22240-403510	Drug Testing, DOT Physicals
07/25/2016	796392	Saint Vincent Occupational Health	\$ 285.00	2110-31320-403510	Drug Testing, DOT Physicals
07/25/2016	796392	Saint Vincent Occupational Health	\$ 57.00	5020-75000-403510	Drug Testing, DOT Physicals
07/25/2016	796392	Saint Vincent Occupational Health	\$ 240.00	5120-84000-403510	Drug Testing, DOT Physicals
07/25/2016	796392	Saint Vincent Occupational Health	\$ 38.00	5120-85000-403510	Drug Testing, DOT Physicals
07/25/2016	796392	Saint Vincent Occupational Health	\$ 240.00	5710-71470-403510	Drug Testing, DOT Physicals
07/25/2016	796392	Saint Vincent Occupational Health	\$ 630.00	6270-17520-405160	Drug Testing, DOT Physicals
07/25/2016	796392	Saint Vincent Occupational Health	\$ 50.00	6500-15660-403990	Drug Testing, DOT Physicals
07/25/2016	796402	Town & Country Supply Association	\$ 16,507.33	5610-71180-402313	Invoice #220542. QTA Car Rental Fuel
07/25/2016	796402	Town & Country Supply Association	\$ 6,510.40	6010-00000-141000	218354 PO NUM 301039
07/25/2016	796402	Town & Country Supply Association	\$ 6,510.40	6010-00000-141000	218463 PO NUM 301039
07/25/2016	796402	Town & Country Supply Association	\$ 10,425.60	6010-00000-141000	218045 PO NUM 301040
07/25/2016	796402	Town & Country Supply Association	\$ 7,869.51	6010-00000-141000	218481 PO NUM 301040
07/25/2016	796404	TrueNorth Steel	\$ 3,195.28	2110-31320-402380	culvert for 2226 golden blvd
07/25/2016	796405	Unemployment Ins Contributions Bureau	\$ 22,098.26	9000-00000-209996	Quarterly unemployment insurance 6-30-2016
07/25/2016	796412	Verizon Wireless	\$ 539.05	5610-71100-403450	Airport
07/25/2016	796412	Verizon Wireless	\$ 99.99	1500-21110-403450	Animal Shelter
07/25/2016	796412	Verizon Wireless	\$ 555.49	1500-21700-403450	Animal Shelter
07/25/2016	796412	Verizon Wireless	\$ 186.91	7170-21660-403450	CCSIU
07/25/2016	796412	Verizon Wireless	\$ 77.39	0100-16110-403450	Legal
07/25/2016	796412	Verizon Wireless	\$ 52.92	1500-22250-403450	Comm Center 911
07/25/2016	796412	Verizon Wireless	\$ 165.91	5020-77000-403450	PWBLNP-ENVIRONMENTAL
07/25/2016	796412	Verizon Wireless	\$ 165.91	5120-87000-403450	PWBLNP-ENVIRONMENTAL
07/25/2016	796412	Verizon Wireless	\$ 1,191.56	0100-51120-403450	Parks Seasonal

Check Date	Check	Name	Amount	Account	Item Desc
07/25/2016	796412	Verizon Wireless	\$ 229.90	5020-74000-403450	PWVLKNP ELECTRICIANS
07/25/2016	796412	Verizon Wireless	\$ 229.91	5120-84300-403450	PWVLKNP ELECTRICIANS
07/25/2016	796412	Verizon Wireless	\$ 197.33	0100-51210-403450	PRPL Rec Seasonal
07/25/2016	796412	Verizon Wireless	\$ 19.46	5120-83140-403450	PWBLKNP STORES
07/25/2016	796412	Verizon Wireless	\$ 936.53	5120-84000-403450	Wastewater Treatment Plant
07/25/2016	796412	Verizon Wireless	\$ 23.27	6060-19310-403450	TeleComm Manager
07/25/2016	796412	Verizon Wireless	\$ 93.20	5710-71420-403160	On Call MET
07/25/2016	796412	Verizon Wireless	\$ 93.14	5710-71410-403450	MET Transit
07/25/2016	796412	Verizon Wireless	\$ 97.11	0100-43210-403450	Code Enforcement
07/25/2016	796412	Verizon Wireless	\$ 300.18	5120-85000-403450	Distribution & Collection
07/25/2016	796412	Verizon Wireless	\$ 1,305.45	5020-74000-403450	Water Treatment PWBelknap-WT
07/25/2016	796412	Verizon Wireless	\$ 443.69	5020-73120-403450	PWBLKNP MTRSHOP
07/25/2016	796412	Verizon Wireless	\$ 70.05	5020-73110-403450	Belknap Office
07/25/2016	796412	Verizon Wireless	\$ 46.71	5120-83110-403450	Belknap Office
07/25/2016	796412	Verizon Wireless	\$ 58.38	5020-73140-403450	PWBLKNP STORES
07/25/2016	796412	Verizon Wireless	\$ 233.06	2090-44510-403450	Building
07/25/2016	796412	Verizon Wireless	\$ 224.95	6700-31410-403450	Engineering
07/25/2016	796412	Verizon Wireless	\$ 115.89	5410-31210-403450	Solid Waste
07/25/2016	796412	Verizon Wireless	\$ 342.28	2110-31320-403450	Streets
07/25/2016	796412	Verizon Wireless	\$ 247.27	5410-31230-403450	Solid Waste On Call
07/25/2016	796412	Verizon Wireless	\$ 450.26	5020-75000-403450	Distribution & Collection
07/25/2016	796412	Verizon Wireless	\$ 168.82	0100-51100-403450	PRPL Admin
07/25/2016	796412	Verizon Wireless	\$ 482.84	0100-51210-403450	PRPL Recreation
07/25/2016	796412	Verizon Wireless	\$ 92.68	0100-51400-403450	Cemetery
07/25/2016	796412	Verizon Wireless	\$ 44.11	0100-51120-403450	Parks PMD
07/25/2016	796412	Verizon Wireless	\$ 978.42	0100-51120-403450	Parks
07/25/2016	796412	Verizon Wireless	\$ 62.15	6600-31100-403450	Public Works Admin
07/25/2016	796412	Verizon Wireless	\$ 13.23	2400-43010-403450	Planning
07/25/2016	796412	Verizon Wireless	\$ 4,789.61	1500-21110-403450	Police
07/25/2016	796412	Verizon Wireless	\$ 126.92	2510-21870-403450	Police Forensic
07/25/2016	796412	Verizon Wireless	\$ 499.12	1500-21110-403450	Police Resource Officers
07/25/2016	796412	Verizon Wireless	\$ 32.11	2490-21960-403450	Police DV 406-698-1391
07/25/2016	796412	Verizon Wireless	\$ 120.80	5210-15210-403450	Parking
07/25/2016	796412	Verizon Wireless	\$ 14.75	2600-55170-403450	Library Outreach
07/25/2016	796412	Verizon Wireless	\$ 454.11	2600-55120-403450	Library
07/25/2016	796412	Verizon Wireless	\$ 42.97	0100-11000-403450	Mayor
07/25/2016	796412	Verizon Wireless	\$ 52.11	6010-15500-403450	Motor Pool
07/25/2016	796412	Verizon Wireless	\$ 192.47	0100-12200-403450	Drug Court
07/25/2016	796412	Verizon Wireless	\$ 89.63	0100-12120-403450	Municipal Court Judge
07/25/2016	796412	Verizon Wireless	\$ 70.86	6500-15650-403450	Facilities BOC Plus 70% of 406-672-3027

Check Date	Check	Name	Amount	Account	Item Desc
07/25/2016	796412	Verizon Wireless	\$ 91.72	6500-15670-403450	Facilities City Hall Plus 30% of 406-672-3027
07/25/2016	796412	Verizon Wireless	\$ 79.32	0100-15120-403450	Finance Pat Weber
07/25/2016	796412	Verizon Wireless	\$ 1,204.50	1500-22210-403450	Fire Department
07/25/2016	796412	Verizon Wireless	\$ 24.97	0100-17500-403450	Human Resources
07/25/2016	796412	Verizon Wireless	\$ 13.23	6200-19110-403450	ITD
07/25/2016	796414	Verizon Wireless	\$ 200.05	1500-21700-403450	Animal Shelter MDT
07/25/2016	796414	Verizon Wireless	\$ 1,056.89	7170-21660-403450	CCSIU Cell/PTT
07/25/2016	796414	Verizon Wireless	\$ 40.01	7170-21660-403450	CCSIU Air Card
07/25/2016	796414	Verizon Wireless	\$ 80.02	7170-21660-403450	CCSIU RAVEN
07/25/2016	796414	Verizon Wireless	\$ 80.02	0100-43210-403450	Code Enforcement Air Cards
07/25/2016	796414	Verizon Wireless	\$ 40.01	6200-19110-403450	ITD
07/25/2016	796414	Verizon Wireless	\$ 80.02	2600-55170-403450	Library Outreach Air Cards
07/25/2016	796414	Verizon Wireless	\$ 4,105.43	1500-21110-403450	Police MDT Toughbooks
07/25/2016	796414	Verizon Wireless	\$ 470.28	5710-71470-403160	MET Transit Tablets
07/25/2016	796414	Verizon Wireless	\$ 40.01	1500-21110-403450	Police ICAC 406-690-7347
07/25/2016	796414	Verizon Wireless	\$ 40.01	1500-21110-403450	Police MiFi 406-633-0820
07/25/2016	796414	Verizon Wireless	\$ 40.01	1500-21110-403450	Police US Marshall Toughbooks
07/25/2016	796414	Verizon Wireless	\$ 40.01	0100-51120-403450	PRPL-PARKS PMD Air Card 406-794-6977
07/25/2016	796414	Verizon Wireless	\$ 80.02	0100-51290-403450	PRPL Recreation
07/25/2016	796414	Verizon Wireless	\$ 288.07	5020-75000-403450	PW-Distribution Collection Tablets
07/25/2016	796414	Verizon Wireless	\$ 192.05	5120-85000-403450	PW-Distribution Collection Tablets
07/25/2016	796414	Verizon Wireless	\$ 140.06	6700-31410-403450	PW Engineering
07/25/2016	796414	Verizon Wireless	\$ 70.03	2110-31320-403450	PW-Streets 406-697-0361 iPad 406-633-1991 iPad
07/25/2016	796414	Verizon Wireless	\$ 18.02	5020-75000-403450	PWBELKNAP-AIR
07/25/2016	796414	Verizon Wireless	\$ 12.00	5120-85000-403450	PWBELKNAP-AIR
07/25/2016	796414	Verizon Wireless	\$ 240.06	7170-21660-403450	CCSIU MDT
07/25/2016	796414	Verizon Wireless	\$ 192.04	5020-75000-403450	PW-DIS-COLL CITYWORKS
07/25/2016	796414	Verizon Wireless	\$ 128.04	5120-85000-403450	PW-DIS-COLL CITYWORKS
07/25/2016	796414	Verizon Wireless	\$ 80.02	1500-21110-403450	POLICE IPAD ST JOHN
07/25/2016	796414	Verizon Wireless	\$ 240.06	2110-31320-403450	PW-STREETS CITY WORKS 2110-31320-403450
07/25/2016	796414	Verizon Wireless	\$ 40.01	5210-15210-403450	PARKING 406-690-5822 5210-15210-403450
07/25/2016	796414	Verizon Wireless	\$ 280.07	5020-73120-403450	PWBLNP COMM-METER CityWorks
07/25/2016	796414	Verizon Wireless	\$ 40.01	2510-21870-403450	POLICE-Forensics Tim West
07/25/2016	796414	Verizon Wireless	\$ 616.11	5020-73120-403450	PWBLKNP METER SHOP
07/25/2016	796420	Western Municipal Construction Inc	\$ 169,139.77	5130-85910-409340	WO 16-01 Schedule 2B - Sanitary Sewer Main
07/25/2016	796424	Yellowstone Valley Animal Shelter	\$ 22,855.58	1500-21700-403990	contract 6-22-16\7-21-16
07/25/2016	796425	Yellowstone Valley Elec	\$ 2,832.42	5020-74000-403410	Thomas Pump Station
07/25/2016	796425	Yellowstone Valley Elec	\$ 42.58	2110-31320-403410	Alkali Cr Rd & Interbelt Loop lights - June 2016
07/25/2016	796425	Yellowstone Valley Elec	\$ 364.67	8100-31830-403410	SILMD 299 Vintage Estates - June 2016
07/25/2016	796425	Yellowstone Valley Elec	\$ 303.90	8100-31830-403410	SILMD 313 Vintage Estates Sub Phase II - June 2016

Regular City Council Meeting

Meeting Date: 08/22/2016

TITLE: Payment of Claims August 1, 2016

PRESENTED BY: Patrick M. Weber, Finance Director

Department: City Hall Administration

PROBLEM/ISSUE STATEMENT

Claims in the amount of \$2,079,036.43 have been audited and are presented for City Council payment approval. A complete listing of the claims dated August 1, 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_8.1.2016

Check Date	Check	Name	Amount	Account	Item Desc
08/01/2016	796470	Diversified Inspections/ITL Inc	\$ 800.00	0100-51120-402320	261053
08/01/2016	796470	Diversified Inspections/ITL Inc	\$ 1,600.00	2110-31320-402320	261053
08/01/2016	796470	Diversified Inspections/ITL Inc	\$ 400.00	5020-75000-402320	261053
08/01/2016	796503	High Point Networks LLC	\$ 2,008.00	6200-19110-405370	(2) EX 2200 Switches
08/01/2016	796503	High Point Networks LLC	\$ 156.00	6200-19110-405370	(2) SVC-NDS-EX2200-C-12P Juniper Care Next Day
08/01/2016	796466	Dell Computer L P	\$ 4,184.80	0100-16110-402925	(5) Dell OptiPlex 3040 no monitors
08/01/2016	796524	Liquid Engineering Corporation	\$ 605.90	5020-74000-403660	Dive Assessment for Cedar Par 3 20 kg concrete
08/01/2016	796524	Liquid Engineering Corporation	\$ 1,642.50	5020-74000-403660	Dive Assessment Leavens-3 mg concrete
08/01/2016	796524	Liquid Engineering Corporation	\$ 1,277.50	5020-74000-403660	Dive Assessment Staples
08/01/2016	796540	MT Waterworks	\$ 935.23	5020-00000-141000	SYSTEMS PO NUM 301063
08/01/2016	796446	Arrow Striping & Manufacturing Inc	\$ 900.00	5610-71130-403650	Invoice #23577. Glass Beads for Striping
08/01/2016	796445	Armstrong Cartridge Incorporated	\$ 4,950.00	2500-21350-402120	AC223-IN, .223,55 gr, FMJ, New
08/01/2016	796445	Armstrong Cartridge Incorporated	\$ 2,750.00	1500-21150-402120	AC223-IN, .223, 55 gr, FMJ, New
08/01/2016	796445	Armstrong Cartridge Incorporated	\$ 275.00	1500-21400-402270	AC223-IN, .223,55 gr, FMJ, New
08/01/2016	796445	Armstrong Cartridge Incorporated	\$ 555.00	1500-21400-402270	AC9-2N, 9mm, 115 gr, FMJ New
08/01/2016	796445	Armstrong Cartridge Incorporated	\$ 13,800.00	1500-21400-402270	AC40-2N, 40 S&W, 180 gr, FMJ, New
08/01/2016	796445	Armstrong Cartridge Incorporated	\$ 1,150.00	1500-21400-402270	N40180VP250, 40 S&W, 180 gr, FMJ, New
08/01/2016	796540	MT Waterworks	\$ 863.00	5020-75000-402920	Nozzle Wrench
08/01/2016	796510	Insight Public Sector	\$ 4,225.00	2200-22330-402410	(1)CF-3110792CM Panasonic Toughbook 31 Fire Hazmat
08/01/2016	796510	Insight Public Sector	\$ 285.00	2200-22330-402410	(1) CF-VDM312U Panasonic DVD Multi Drive
08/01/2016	796510	Insight Public Sector	\$ 410.00	2200-22330-402410	(1) CF-SVCLTNF4Y Panasonic Protection Plus
08/01/2016	796510	Insight Public Sector	\$ 2,700.00	1500-22270-402481	(1) FZ-G1J0541CM Panasonic Toughpad FZ-G1
08/01/2016	796510	Insight Public Sector	\$ 35.00	1500-22270-402481	(1) RAM-HOL-TABL 19U RAM TABLOCK Locking Cradle
08/01/2016	796510	Insight Public Sector	\$ 405.00	1500-22270-402481	(1)FZ-SVCTPNF4Y Panasonic Protection Plus
08/01/2016	796540	MT Waterworks	\$ 2,487.54	5030-75910-409340	Fittings and pipe
08/01/2016	796545	NorthWestern Energy	\$ 62.64	5610-71130-403410	0719616-5. ARFF Facility Lights. July 2016
08/01/2016	796545	NorthWestern Energy	\$ 246.95	5610-71170-403410	0712792-1. IP-7. July 2016
08/01/2016	796545	NorthWestern Energy	\$ 15.47	5610-71170-403410	0712799-6. IP-8. July 2016
08/01/2016	796545	NorthWestern Energy	\$ 1,623.54	5610-71170-403410	0712800-2. IP-9. July 2016
08/01/2016	796545	NorthWestern Energy	\$ 88.18	5610-71170-403410	0712809-3. IP-11 Alpine Maintenance. July 2016
08/01/2016	796545	NorthWestern Energy	\$ 53.01	5610-71170-403410	0712817-6. IP-House. July 2016
08/01/2016	796503	High Point Networks LLC	\$ 4,995.00	2600-55180-403590	High Point Network Professional Services Block Time - 36i
08/01/2016	796555	Recorded Books LLC	\$ 10,076.31	2600-55190-403381	Invoice 1557
08/01/2016	796452	Blaine County Sheriff's Department	\$ 9,641.90	2510-21270-403560	ICAC Qtr ending 6/30/16 expenses reimbursement.
08/01/2016	796468	Dept Of Justice Dci	\$ 6,476.20	2510-21270-403560	ICAC Qtr ending 6/30/16 expenses reimbursement.
08/01/2016	796501	Helena Police Department	\$ 3,286.49	2510-21270-403560	ICAC Qtr ending 6/30/16 expenses reimbursement.
08/01/2016	796495	Great Falls Police Department	\$ 7,353.69	2510-21270-403560	ICAC Qtr ending 6/30/16 expenses reimbursement.
08/01/2016	796509	Ingram Library Services Inc.	\$ 25.29	2600-55190-403222	93655247
08/01/2016	796509	Ingram Library Services Inc.	\$ 20.70	2600-55190-403227	93655248

Check Date	Check	Name	Amount	Account	Item Desc
08/01/2016	796509	Ingram Library Services Inc.	\$ 36.75	2600-55190-403227	93655249
08/01/2016	796509	Ingram Library Services Inc.	\$ 36.78	2600-55190-403242	93655249
08/01/2016	796509	Ingram Library Services Inc.	\$ 7.79	2600-55190-403255	93655249
08/01/2016	796509	Ingram Library Services Inc.	\$ 30.45	2600-55190-403335	93655249
08/01/2016	796509	Ingram Library Services Inc.	\$ 26.92	2600-55190-403226	93655250
08/01/2016	796509	Ingram Library Services Inc.	\$ 4.79	2600-55190-403227	93655250
08/01/2016	796509	Ingram Library Services Inc.	\$ 19.18	2600-55190-403241	93655250
08/01/2016	796509	Ingram Library Services Inc.	\$ 14.99	2600-55190-403255	93655250
08/01/2016	796509	Ingram Library Services Inc.	\$ 136.22	2600-55190-403333	93655250
08/01/2016	796509	Ingram Library Services Inc.	\$ 13.79	2600-55190-403382	93655250
08/01/2016	796509	Ingram Library Services Inc.	\$ 27.49	2600-55190-403222	93655251
08/01/2016	796509	Ingram Library Services Inc.	\$ 57.55	2600-55190-403226	93655251
08/01/2016	796509	Ingram Library Services Inc.	\$ 58.68	2600-55190-403255	93655251
08/01/2016	796509	Ingram Library Services Inc.	\$ 8.97	2600-55190-403227	93686608
08/01/2016	796509	Ingram Library Services Inc.	\$ 14.39	2600-55190-403226	93686609
08/01/2016	796509	Ingram Library Services Inc.	\$ 8.97	2600-55190-403226	93686610
08/01/2016	796509	Ingram Library Services Inc.	\$ 864.00	2600-55110-407930	93686611
08/01/2016	796509	Ingram Library Services Inc.	\$ 29.95	2600-55140-402280	93686612
08/01/2016	796509	Ingram Library Services Inc.	\$ 52.44	2600-55110-407930	93686613
08/01/2016	796509	Ingram Library Services Inc.	\$ 915.30	2600-55110-407930	93709471
08/01/2016	796509	Ingram Library Services Inc.	\$ 9.43	2600-55190-403333	93741700
08/01/2016	796509	Ingram Library Services Inc.	\$ 16.49	2600-55190-403222	93741701
08/01/2016	796509	Ingram Library Services Inc.	\$ 21.99	2600-55190-403222	93741702
08/01/2016	796509	Ingram Library Services Inc.	\$ 1,647.22	2600-55190-403227	93741702
08/01/2016	796509	Ingram Library Services Inc.	\$ 915.30	2600-55110-407930	93741703
08/01/2016	796509	Ingram Library Services Inc.	\$ 10.61	2600-55190-403333	93741704
08/01/2016	796509	Ingram Library Services Inc.	\$ 22.00	2600-55190-403222	93741705
08/01/2016	796509	Ingram Library Services Inc.	\$ 1,667.29	2600-55190-403226	93741705
08/01/2016	796509	Ingram Library Services Inc.	\$ 317.39	2600-55190-403255	93741705
08/01/2016	796509	Ingram Library Services Inc.	\$ 796.69	2600-55190-403333	93741705
08/01/2016	796509	Ingram Library Services Inc.	\$ 49.79	2600-55190-403382	93741705
08/01/2016	796509	Ingram Library Services Inc.	\$ 178.16	2600-55190-403227	93745206
08/01/2016	796509	Ingram Library Services Inc.	\$ 13.79	2600-55190-403226	93745207
08/01/2016	796432	Advertising Design Inc	\$ 4,978.00	5610-71160-403370	Invoice #38628-1. Upper Concourse Design/Development
08/01/2016	796520	Knife River Billings	\$ 16,940.00	5410-00000-115010	HTE Refund on account 354
08/01/2016	796520	Knife River Billings	\$ 22,403.25	5410-00000-115010	HTE Refund on account 354
08/01/2016	796520	Knife River Billings	\$ 4,868.45	5410-00000-115010	HTE Refund on account 354
08/01/2016	796577	Town & Country Supply Association	\$ 10,532.61	6010-00000-141000	221081 PO NUM 301079
08/01/2016	796439	Ambiente H2O Inc	\$ 2,605.64	5020-74000-402450	Blower Filter
08/01/2016	796475	Dustbusters	\$ 4,745.13	2110-31320-404530	dustgard for gravel streets

Check Date	Check	Name	Amount	Account	Item Desc
08/01/2016	796527	M R Concrete	\$ 1,000.00	5050-75150-403671	3811 Chamberlain replace sidewalk
08/01/2016	796567	Star Service Inc	\$ 6,946.94	5130-84910-409390	WO 15-17 WWTP Aeration Blower Improvements
08/01/2016	796567	Star Service Inc	\$ 4,771.43	5130-84910-409390	WO 15-17 WWTP Aeration Blower Improvements; CO#2
08/01/2016	796433	Aerzen USA Corporation	\$ 23,657.10	5130-84910-409390	WO 15-17 WWTP Aeration Blower Improvements
08/01/2016	796580	Trojan Technologies	\$ 150,315.17	5030-74910-409390	WO 15-10 Water Treatment Facility UV System
08/01/2016	796514	Kadrmass Lee & Jackson	\$ 3,106.49	5030-74910-409390	WO 14-09 Briarwood Reservoir Expansion; CO#1
08/01/2016	796514	Kadrmass Lee & Jackson	\$ 3,105.70	5030-74910-409390	WO 14-09 Briarwood Reservoir Expansion; CO#1
08/01/2016	796463	Cop Construction Co	\$ 326,178.95	5030-74910-409390	WO 15-10 WTP Chemical Bldg/Disinfection
08/01/2016	796514	Kadrmass Lee & Jackson	\$ 670.34	5030-74910-409390	WO 15-18 WTP Clearwell No. 2 Re-coat
08/01/2016	796545	NorthWestern Energy	\$ 1,272.35	5210-15920-403410	0720834-1
08/01/2016	796545	NorthWestern Energy	\$ 216.47	6070-22350-403410	0721580-9
08/01/2016	796545	NorthWestern Energy	\$ 17.25	0100-51120-403410	0722237-5
08/01/2016	796545	NorthWestern Energy	\$ 7.67	0100-51120-403410	0722247-4
08/01/2016	796545	NorthWestern Energy	\$ 341.45	0100-51120-403410	0722251-6
08/01/2016	796545	NorthWestern Energy	\$ 0.56	0100-51120-403410	0722254-0
08/01/2016	796545	NorthWestern Energy	\$ 95.43	0100-51120-403410	0722255-7
08/01/2016	796545	NorthWestern Energy	\$ 522.46	0100-51120-403410	0722257-3
08/01/2016	796545	NorthWestern Energy	\$ 368.86	0100-51120-403410	0722260-7
08/01/2016	796545	NorthWestern Energy	\$ 66.68	0100-51120-403410	0722261-5
08/01/2016	796545	NorthWestern Energy	\$ 56.14	0100-51120-403410	0722262-3
08/01/2016	796545	NorthWestern Energy	\$ 21.43	0100-51120-403410	0722263-1
08/01/2016	796545	NorthWestern Energy	\$ 169.54	0100-51120-403410	0722265-6
08/01/2016	796545	NorthWestern Energy	\$ 43.73	0100-51120-403410	0722266-4
08/01/2016	796545	NorthWestern Energy	\$ 24.37	0100-51120-403410	0722268-0
08/01/2016	796545	NorthWestern Energy	\$ 15.94	0100-51120-403410	0722269-8
08/01/2016	796545	NorthWestern Energy	\$ 12.31	0100-51120-403410	0722292-0
08/01/2016	796545	NorthWestern Energy	\$ 63.31	0100-51120-403410	0722293-8
08/01/2016	796545	NorthWestern Energy	\$ 17.98	0100-51120-403410	0722905-7
08/01/2016	796545	NorthWestern Energy	\$ 217.74	0100-51120-403410	0722933-9
08/01/2016	796545	NorthWestern Energy	\$ 263.09	0100-51120-403410	0723035-2
08/01/2016	796545	NorthWestern Energy	\$ 9.11	0100-51120-403410	0723036-0
08/01/2016	796545	NorthWestern Energy	\$ 196.37	0100-51120-403410	0723037-8
08/01/2016	796545	NorthWestern Energy	\$ 40.10	0100-51120-403410	0723038-6
08/01/2016	796545	NorthWestern Energy	\$ 52.46	0100-51120-403410	0723042-8
08/01/2016	796545	NorthWestern Energy	\$ 912.06	0100-51120-403410	0723044-4
08/01/2016	796545	NorthWestern Energy	\$ 111.16	0100-51120-403410	0723048-5
08/01/2016	796545	NorthWestern Energy	\$ 137.49	0100-51120-403410	0723050-1
08/01/2016	796545	NorthWestern Energy	\$ 52.18	0100-51120-403410	0723051-9
08/01/2016	796545	NorthWestern Energy	\$ 77.41	0100-51120-403410	0723052-7
08/01/2016	796545	NorthWestern Energy	\$ 667.92	0100-51120-403410	0723054-3

Check Date	Check	Name	Amount	Account	Item Desc
08/01/2016	796545	NorthWestern Energy	\$ 17.98	0100-51120-403410	0723055-0
08/01/2016	796545	NorthWestern Energy	\$ 69.47	0100-51120-403410	0723056-8
08/01/2016	796545	NorthWestern Energy	\$ 14.02	0100-51120-403410	0723057-6
08/01/2016	796545	NorthWestern Energy	\$ 30.77	0100-51120-403410	0723058-4
08/01/2016	796545	NorthWestern Energy	\$ 9.40	0100-51120-403410	0723090-7
08/01/2016	796545	NorthWestern Energy	\$ 7.55	0100-51120-403410	0723162-4
08/01/2016	796545	NorthWestern Energy	\$ 1,085.84	0100-51120-403410	0723170-7
08/01/2016	796545	NorthWestern Energy	\$ 7.55	0100-51120-403410	0723644-1
08/01/2016	796545	NorthWestern Energy	\$ 7.55	0100-51120-403410	0723645-8
08/01/2016	796545	NorthWestern Energy	\$ 33.16	0100-51120-403410	0789437-1
08/01/2016	796545	NorthWestern Energy	\$ 63.73	8720-51980-403410	1059093-3
08/01/2016	796545	NorthWestern Energy	\$ 969.23	5210-15920-403410	1594282-4
08/01/2016	796545	NorthWestern Energy	\$ 425.14	6600-31100-403410	1741314-7
08/01/2016	796545	NorthWestern Energy	\$ 637.71	6700-31410-403410	1741314-7
08/01/2016	796545	NorthWestern Energy	\$ 107.95	5710-71480-403410	1784756-7
08/01/2016	796545	NorthWestern Energy	\$ -	0100-51120-403410	0723027-9
08/01/2016	796463	Cop Construction Co	\$ 157,731.48	1990-15050-409340	WO 16-06 SBURD Sanitary Sewer Phase 2
08/01/2016	796458	Business Tax Section	\$ 1,593.24	1990-15050-409340	WO 16-6 SBURD Sanitary Sewer Phase 2
08/01/2016	796574	Terracon Consultants Inc.	\$ 2,770.00	8730-51990-403590	Consultant work for Phipps park after rock slide.
08/01/2016	796577	Town & Country Supply Association	\$ 194.04	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 301068
08/01/2016	796516	Kemira Water Solutions, Inc	\$ 78,364.22	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 301071
08/01/2016	796577	Town & Country Supply Association	\$ 3,690.44	5710-00000-141000	BUS MET PO NUM 301084
08/01/2016	796577	Town & Country Supply Association	\$ 9,329.04	5710-00000-141000	BUS MET PO NUM 301086
08/01/2016	796511	Interstate Power Systems, Inc.	\$ 2,402.26	5710-71440-402320	AUTO &TRUCK MAINT.ITEMS
08/01/2016	796511	Interstate Power Systems, Inc.	\$ 101.17	5710-71440-402320	AUTO &TRUCK MAINT.ITEMS
08/01/2016	796577	Town & Country Supply Association	\$ 11,690.94	6010-00000-141000	221089 PO num 301087
08/01/2016	796577	Town & Country Supply Association	\$ 6,777.69	6010-00000-141000	221166 PO numb 301087
08/01/2016	796458	Business Tax Section	\$ 69.30	8400-31840-403660	17th Street West Sink Hole Repair
08/01/2016	796488	Flathead County Sheriff's Office	\$ 19,101.64	2520-21490-407860	Wages and benefits for Van Gundy for April - June, 2016.
08/01/2016	796443	Archie Cochrane	\$ 182.60	1500-21120-402320	5186902
08/01/2016	796443	Archie Cochrane	\$ 38.18	1500-22260-402320	5187079
08/01/2016	796443	Archie Cochrane	\$ 110.00	1500-22260-402320	700332/1
08/01/2016	796523	Lenovo (United States) Inc	\$ 6,880.00	6200-19110-409480	(2) U017LV1 Server System x3650 M5 E5-2609v4
08/01/2016	796523	Lenovo (United States) Inc	\$ 1,688.00	6200-19110-409480	(2) 01GX558 5 year Tech Install Parts NBD
08/01/2016	796565	Skycon Inc	\$ 3,944.83	5610-71120-403660	Invoice #1053. Jet Bridge Maintenance
08/01/2016	796550	Peterson Office Furniture	\$ 3,592.94	1500-21200-402610	Conference table and chairs.
08/01/2016	796550	Peterson Office Furniture	\$ 6,663.29	1500-21200-402610	Office furniture for IA office.
08/01/2016	796474	Dummies Unlimited Inc	\$ 3,166.04	1500-21120-402120	"Cuff Man" arrest and control training dummy with free
08/01/2016	796461	Cellebrite USA Corp	\$ 3,098.99	1500-21200-402610	UFED Touch Ultimate SW renewal for June 30, 2016 to
08/01/2016	796524	Liquid Engineering Corporation	\$ 365.00	5020-74000-403660	Dive Assessment Cedar Park

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08/01/2016	796545	NorthWestern Energy	\$ 3,308.84	1500-22210-403410	0100476-1: FIRE STATION #1 / MONTHLY ELECTRIC
08/01/2016	796503	High Point Networks LLC	\$ 5,040.00	6200-19110-405370	Annual Veeam Maintenance Renewal
08/01/2016	796535	Montana Dakota Utilities Co	\$ 8.89	2920-66980-407275	FORECLOSURE Program - 3921 Chamberlain
08/01/2016	796455	Bozeman Police Department	\$ 6,237.42	2510-21270-403560	ICAC Qtr ending 6/30/16 expenses reimbursement.
08/01/2016	796498	Hardrives Construction Inc	\$ 129,458.44	2050-31310-409310	WO1603 2016 Overlay/Chip Seal - Contract#3 Chip Seal
08/01/2016	796540	MT Waterworks	\$ 1,383.30	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 301070
08/01/2016	796473	Dorsey & Whitney Llp	\$ 35,000.00	1990-15060-405510	3291042 - Tax Increment Urban Renewal Revenue Bonds
08/01/2016	796500	HDR, Inc.	\$ 34,396.60	5030-74910-409390	WO 15-10 WTP Chemical Building/Disinfection
08/01/2016	796458	Business Tax Section	\$ 4,204.39	5030-75910-409340	WO 16-07 Interstate 90 Water Main Crossing Project
08/01/2016	796495	Great Falls Police Department	\$ 1,990.60	2520-21490-403822	Travel & Training.
08/01/2016	796491	General Electric International Inc	\$ 11,392.46	5120-84300-403660	Preventive Maintenance - GE Power/Vac Breakers,
08/01/2016	796527	M R Concrete	\$ 800.00	5030-75910-409340	Replace Sidewalk and curb corner of Bruce
08/01/2016	796545	NorthWestern Energy	\$ 7,373.81	5020-73140-403410	2251 Belknap
08/01/2016	796545	NorthWestern Energy	\$ 147,476.23	5020-74000-403410	2251 Belknap
08/01/2016	796545	NorthWestern Energy	\$ 39,326.99	5020-74000-403410	2251 Belknap
08/01/2016	796545	NorthWestern Energy	\$ 2,457.94	5120-83140-403410	2251 Belknap
08/01/2016	796466	Dell Computer L P	\$ 1,439.85	6200-19110-402925	Dell OptiPlex 7040 MT
08/01/2016	796577	Town & Country Supply Association	\$ 358.12	5020-74000-402310	FOR GENERATOR
08/01/2016	796568	State Of Montana,Bldng Codes Bureau	\$ 4,185.00	2090-44510-407637	I17-001245 State Of Montana,Bldng Codes Bureau First
08/01/2016	796446	Arrow Striping & Manufacturing Inc	\$ 1,800.00	2110-31320-402340	beads for traffic paint
08/01/2016	796463	Cop Construction Co	\$ 6,861.17	8400-31840-403660	17th Street West Sink Hole Repair
08/01/2016	796443	Archie Cochrane	\$ 6,725.58	5710-71470-403690	AUTO &TRUCK MAINT.ITEMS
08/01/2016	796458	Business Tax Section	\$ 1,307.66	2050-31310-409310	WO1603 2016 Overlay/Chip Seal - Contract#3 Chip Seal;
08/01/2016	796579	Tristate Equipment	\$ 75,116.88	5030-75910-409420	2016 8-yard Dump Truck
08/01/2016	796579	Tristate Equipment	\$ 50,077.92	5130-85910-409420	2016 8-yard Dump Truck
08/01/2016	796579	Tristate Equipment	\$ (13,200.00)	5030-75910-409420	Trade In Unit #7982
08/01/2016	796579	Tristate Equipment	\$ (8,800.00)	5130-85910-409420	Trade In Unit #7982
08/01/2016	796514	Kadmas Lee & Jackson	\$ 9,218.81	1990-15050-409310	WO 15-07 Orchard Lane; CO#1 01/25/2016
08/01/2016	796577	Town & Country Supply Association	\$ 6,186.00	6010-00000-141000	221225 PO NUM 301089
08/01/2016	796554	Quatred, LLC	\$ 2,247.50	5020-73140-403660	Mobile Computing Software Public Works, MET, Fleet
08/01/2016	796554	Quatred, LLC	\$ 749.17	5120-83140-403660	Mobile Computing Software Public Works, MET, Fleet
08/01/2016	796554	Quatred, LLC	\$ 2,097.66	5710-71440-402925	Mobile Computing Software Public Works, MET, Fleet
08/01/2016	796554	Quatred, LLC	\$ 899.01	5710-71470-402925	Mobile Computing Software Public Works, MET, Fleet
08/01/2016	796554	Quatred, LLC	\$ 2,996.66	6010-15500-403553	Mobile Computing Software Public Works, MET, Fleet
08/01/2016	796471	Dixie Petro-Chem	\$ 3,866.00	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 301064
08/01/2016	796445	Armscor Cartridge Incorporated	\$ 2,300.00	1500-21120-402261	Part #AC40-2N, 40 S&W, 180 gr, FMJ, New
08/01/2016	796445	Armscor Cartridge Incorporated	\$ 2,750.00	1500-21120-402261	Part #N22355VP250, .223, 55 gr, FMJ, New
08/01/2016	796445	Armscor Cartridge Incorporated	\$ 370.00	1500-21120-402261	Part #AC9-2N, 9mm, 115gr, FMJ, New
08/01/2016	796445	Armscor Cartridge Incorporated	\$ 270.00	1500-21120-402261	Part #AC357-6N, .357 mag, 158 gr, FMJ, New
08/01/2016	796445	Armscor Cartridge Incorporated	\$ 1,125.00	1500-21120-402261	Part #AC22LR-1N, .22 LR, 36 gr HP

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08/01/2016	796577	Town & Country Supply Association	\$ 288.09	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 301066
08/01/2016	796577	Town & Country Supply Association	\$ 161.94	1500-22310-402310	221147: FIRE 6 - DIESEL DELIVERED 7/20/2016
08/01/2016	796577	Town & Country Supply Association	\$ 391.55	1500-22260-402310	221148: FIRE 1 - UNLEADED
08/01/2016	796577	Town & Country Supply Association	\$ 222.26	1500-22260-402310	221148: FIRE1 - DIESEL DELIVERED 7/20/2016
08/01/2016	796577	Town & Country Supply Association	\$ 269.89	1500-22260-402310	221149: FIRE 2 - DIESEL DELIVERED 7/20/2016
08/01/2016	796577	Town & Country Supply Association	\$ 190.51	1500-22310-402310	221150: FIRE 5 - DIESEL DELIVERED 7/20/2016
08/01/2016	796577	Town & Country Supply Association	\$ 221.25	1500-22260-402310	220852: FIRE 5 - UNLEADED DELIVERED 7/14/2016
08/01/2016	796577	Town & Country Supply Association	\$ 530.01	1500-22260-402310	220852: FIRE 1 - DIESEL DELIVERED 7/14/2016
08/01/2016	796577	Town & Country Supply Association	\$ 399.55	1500-22260-402310	220854: FIRE 3 - DIESEL DELIVERED 7/14/2016
08/01/2016	796577	Town & Country Supply Association	\$ 119.05	1500-22310-402310	220855: FIRE 6 DIESEL DELIVERED 7/14/2016
08/01/2016	796435	Agissar Corporation	\$ 6,266.16	5030-73910-409480	Single station triple Cut Mail Extractor-mail extractor with
08/01/2016	796435	Agissar Corporation	\$ 4,177.44	5130-83910-409480	Single station triple Cut Mail Extractor-mail extractor with
08/01/2016	796458	Business Tax Section	\$ 3,294.74	5030-74910-409390	WO 15-10 WTP Chemical Bldg/Disinfection
08/01/2016	796545	NorthWestern Energy	\$ 6,654.84	5020-74000-403410	3116 17th St W
08/01/2016	796545	NorthWestern Energy	\$ 6,654.85	5020-74000-403410	3116 17th St W
08/01/2016	796545	NorthWestern Energy	\$ 1,647.92	0100-51270-403410	Monthly electrical charges.
08/01/2016	796535	Montana Dakota Utilities Co	\$ 16.72	5020-74000-403440	010 490 1000 0
08/01/2016	796535	Montana Dakota Utilities Co	\$ 17.23	0100-51410-403440	037 890 1000 0
08/01/2016	796535	Montana Dakota Utilities Co	\$ 14.26	1500-21150-403410	062 907 9494 7
08/01/2016	796535	Montana Dakota Utilities Co	\$ 13.34	5020-74000-403440	110 490 1000 9
08/01/2016	796535	Montana Dakota Utilities Co	\$ 13.34	6500-15660-403440	130 733 1000 8
08/01/2016	796535	Montana Dakota Utilities Co	\$ 289.21	1500-21710-403440	169 233 1000 3
08/01/2016	796535	Montana Dakota Utilities Co	\$ 113.96	6500-15670-403440	929 780 1000 4
08/01/2016	796535	Montana Dakota Utilities Co	\$ 136.18	5710-71430-403440	962 880 1000 0
08/01/2016	796535	Montana Dakota Utilities Co	\$ 41.17	6500-15660-403440	989 733 1000 0
08/01/2016	796535	Montana Dakota Utilities Co	\$ 54.69	6500-15660-403440	993 733 1000 4
08/01/2016	796535	Montana Dakota Utilities Co	\$ 31.98	5020-74000-403440	800 490 1000 4
08/01/2016	796535	Montana Dakota Utilities Co	\$ 12.42	5020-74000-403440	832 001 1000 1
08/01/2016	796535	Montana Dakota Utilities Co	\$ 31.55	5120-85000-403440	868 563 1000 7
08/01/2016	796535	Montana Dakota Utilities Co	\$ 40.11	1500-22210-403440	885 880 1000 4
08/01/2016	796535	Montana Dakota Utilities Co	\$ 26.68	5020-74000-403440	900 490 1000 3
08/01/2016	796535	Montana Dakota Utilities Co	\$ 19.17	0100-51410-403440	927 890 1000 3
08/01/2016	796535	Montana Dakota Utilities Co	\$ 18.17	5020-74000-403440	700 490 1000 5
08/01/2016	796535	Montana Dakota Utilities Co	\$ 14.74	5210-15920-403440	717 353 1000 6
08/01/2016	796535	Montana Dakota Utilities Co	\$ 26.72	5120-85000-403440	735 453 1000 2
08/01/2016	796535	Montana Dakota Utilities Co	\$ 137.72	6500-15660-403440	757 633 1000 2
08/01/2016	796535	Montana Dakota Utilities Co	\$ 12.88	5410-31230-403440	770 390 1000 2
08/01/2016	796535	Montana Dakota Utilities Co	\$ 14.26	5210-15950-403440	799 152 1209 0
08/01/2016	796535	Montana Dakota Utilities Co	\$ 23.77	6600-31100-403440	595 373 1000 1
08/01/2016	796535	Montana Dakota Utilities Co	\$ 35.65	6700-31410-403440	595 373 1000 1

Check Date	Check	Name	Amount	Account	Item Desc
08/01/2016	796535	Montana Dakota Utilities Co	\$ 6.67	5020-74000-403440	600 490 1000 6
08/01/2016	796535	Montana Dakota Utilities Co	\$ 6.67	5020-74000-403440	600 490 1000 6
08/01/2016	796535	Montana Dakota Utilities Co	\$ 13.34	5020-74000-403440	610 490 1000 4
08/01/2016	796535	Montana Dakota Utilities Co	\$ 13.34	5020-74000-403440	666 923 1000 7
08/01/2016	796535	Montana Dakota Utilities Co	\$ 105.85	5020-74000-403440	500 490 1000 7
08/01/2016	796535	Montana Dakota Utilities Co	\$ 13.34	5020-74000-403440	510 490 1000 5
08/01/2016	796535	Montana Dakota Utilities Co	\$ 14.26	1500-21150-403410	514 117 0478 9
08/01/2016	796535	Montana Dakota Utilities Co	\$ 12.88	5020-74000-403440	527 033 1000 4
08/01/2016	796535	Montana Dakota Utilities Co	\$ 54.25	1500-22210-403440	533 653 1000 1
08/01/2016	796535	Montana Dakota Utilities Co	\$ 13.34	5020-74000-403440	566 923 1000 8
08/01/2016	796535	Montana Dakota Utilities Co	\$ 8.60	5120-83140-403440	310 490 1000 7
08/01/2016	796535	Montana Dakota Utilities Co	\$ 15.80	0100-51120-403440	371 101 1000 6
08/01/2016	796535	Montana Dakota Utilities Co	\$ 51.50	5020-73140-403440	410 490 1000 6
08/01/2016	796535	Montana Dakota Utilities Co	\$ 17.17	5120-83140-403440	410 490 1000 6
08/01/2016	796535	Montana Dakota Utilities Co	\$ 27.30	0100-51270-403440	437 780 1000 9
08/01/2016	796535	Montana Dakota Utilities Co	\$ 48.40	1500-22210-403440	442 190 1000 4
08/01/2016	796535	Montana Dakota Utilities Co	\$ 13.34	5020-74000-403440	210 490 1000 8
08/01/2016	796535	Montana Dakota Utilities Co	\$ 180.11	2600-55120-403440	219 924 4851 0
08/01/2016	796535	Montana Dakota Utilities Co	\$ 725.94	5120-84000-403440	293 780 1000 2
08/01/2016	796535	Montana Dakota Utilities Co	\$ 1,451.89	5120-84000-403440	293 780 1000 2
08/01/2016	796535	Montana Dakota Utilities Co	\$ 725.94	5120-84000-403440	293 780 1000 2
08/01/2016	796535	Montana Dakota Utilities Co	\$ 25.80	5020-73140-403440	310 490 1000 7
08/01/2016	796517	Kinkaid Civil Construction LLC	\$ 416,234.84	5030-75910-409340	WO 16-07 Interstate 90 Water Main Crossing Project
08/01/2016	796586	Veolia North America Inc	\$ 3,847.50	5410-31230-403590	Hazardous Waste Removal
08/01/2016	796524	Liquid Engineering Corporation	\$ 1,095.00	5020-74000-403660	Dive Assessment Staples 3 500 kg
08/01/2016	796458	Business Tax Section	\$ 70.17	5130-84910-409390	WO 15-17 WWTP Aeration Blower Improvements; CO#1
08/01/2016	796458	Business Tax Section	\$ 48.20	5130-84910-409390	WO 15-17 WWTP Aeration Blower Improvements; CO#2
08/01/2016	796545	NorthWestern Energy	\$ 236.08	5120-85000-403410	822 Shiloh Crossing Lift
08/01/2016	796527	M R Concrete	\$ 800.00	5030-75910-409340	Curb & gutter Arden & Hallowell
08/01/2016	796535	Montana Dakota Utilities Co	\$ 25.32	5610-71190-403410	889 373 1000 6. Car Wash. July 2016
08/01/2016	796471	Dixie Petro-Chem	\$ 1,550.00	0100-51260-402290	Chemicals for pools.
08/01/2016	796540	MT Waterworks	\$ 546.00	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 301022
08/01/2016	796466	Dell Computer L P	\$ 1,043.21	2400-43010-402925	Dell OptiPlex 3020 and Speaker Bar
08/01/2016	796466	Dell Computer L P	\$ 224.99	2400-43010-402925	Dell 24 inch Monitor

Regular City Council Meeting

Meeting Date: 08/22/2016

TITLE: Resolution Repealing Resolution of Intent to Create SID 1401, 62nd Street West turn lane, and set Public Hearing for September 12, 2016

PRESENTED BY: David Mumford, Public Works Director

Department: Public Works

PROBLEM/ISSUE STATEMENT

The City Council adopted a resolution of intent to create SID 1401 at its August 8, 2016, meeting. The notice of public hearing wasn't published on the correct date. The Council is asked to adopt a new resolution that repeals the prior resolution and sets new advertising dates. The public hearing date will not change.

ALTERNATIVES ANALYZED

City Council may:

- Approve the Resolution of Intent to Create SID 1401, which repeals Resolution No. 16-10576 and set a public hearing for the September 12, 2016, City Council meeting, or;
- Not approve the Resolution of Intent to Create SID 1401. If the Resolution is not approved, the cost for the turn lane will be the responsibility of the developer of the future filing of Falcon Ridge.

FINANCIAL IMPACT

The total estimated cost of constructing the turn lane, including SID costs, is \$353,665.87. The cost of the improvements is to be paid from the following sources: (1) \$275,000 in special improvement district bonds; and (2) \$78,665.97 cash contribution from Falcon Ridge, LLC. The SID costs will be assessed equally to each property owner, including condo owners, within the proposed SID. This results in an SID principal cost of approximately \$2,645 per property, not including interest costs.

RECOMMENDATION

Staff recommends that the City Council approve the Resolution of Intent to Create SID 1401, which repeals Resolution No. 16-10576, and sets a public hearing date for September 12, 2016.

APPROVED BY CITY ADMINISTRATOR

Attachments

- Repealing Resolution
- SID 1401 Ex A-Map
- SID 1401 Ex B-Legal Desc
- SID 1401 Ex C-Cost Est
- SID 1401 EX D--Ownership
- SID 1401 Ex E--Improvement Desc
- SID 1401 Ex F-Mkt Value & Delinq



CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of the City of Billings, Montana (the City), hereby certify that the attached resolution is a true copy of Resolution No. 16-_____, entitled: **RESOLUTION RELATING TO SPECIAL IMPROVEMENT DISTRICT NO. 1401; DECLARING IT TO BE THE INTENTION OF THE CITY COUNCIL TO CREATE THE DISTRICT FOR THE PURPOSE OF UNDERTAKING CERTAIN LOCAL IMPROVEMENTS AND FINANCING THE COSTS THEREOF AND INCIDENTAL THERETO THROUGH THE ISSUANCE OF SPECIAL IMPROVEMENT DISTRICT BONDS SECURED BY THE CITY'S SPECIAL IMPROVEMENT DISTRICT REVOLVING FUND AND REPEALING RESOLUTION 16-10576.**

I further certify the Resolution was duly adopted by the City Council of the City at a meeting on August 22, 2016, that the meeting was duly held by the City Council and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

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

WITNESS my hand officially this _____ day of _____, 2016.

Denise R. Bohlman City Clerk

RESOLUTION NO. 16-_____

A RESOLUTION RELATING TO SPECIAL IMPROVEMENT DISTRICT NO. 1401; DECLARING IT TO BE THE INTENTION OF THE CITY COUNCIL TO CREATE THE DISTRICT FOR THE PURPOSE OF UNDERTAKING CERTAIN LOCAL IMPROVEMENTS AND FINANCING THE COSTS THEREOF AND INCIDENTAL THERETO THROUGH THE ISSUANCE OF SPECIAL IMPROVEMENT DISTRICT BONDS SECURED BY THE CITY'S SPECIAL IMPROVEMENT DISTRICT REVOLVING FUND AND REPEALING RESOLUTION 16-10576.

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

Section 1. Proposed Improvements; Intention To Create District. The City proposes to undertake certain local Improvements (the "Improvements") to benefit certain property located in the City. The Improvements consist of the construction of a left turn lane on 62nd Street West at Masters Boulevard. The total estimated cost of the Improvements are \$353,665.87. The cost of the Improvements are to be paid from the following sources: (1) \$275,000.00 of Special Improvement District bonds hereinafter described; and (2) \$78,665.87 of cash contribution by Falcon Ridge, LLC., the owner of 34 lots in proposed Falcon Ridge Subdivision, 3rd Filing within the District. It is the intention of this Council to create and establish in the City under Montana Code Annotated, Title 7, Chapter 12, Parts 41 and 42, as amended, a Special Improvement District (the "District") for the purpose of financing costs of the Improvements and paying costs incidental thereto, including costs associated with the sale and the security of Special Improvement District bonds drawn on the District (the "Bonds"), the creation and administration of the District, the funding of a deposit to the City's Special Improvement District Revolving Fund (the "Revolving Fund"). The total estimated costs of the Improvements, including such incidental costs, to be financed by the Bonds are \$275,000.00. The Bonds are to be payable primarily from special assessments to be levied against property in the District, which property will be specially benefited by the Improvements.

Section 2. Number of District. The District, if the same shall be created and established, shall be known and designated as Special Improvement District No. 1401 of the City of Billings, Montana.

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

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

Section 5. General Character of the Improvements. The general character of the Improvements, as shown in Exhibit E, is the construction of a northbound left turn lane on 62nd Street West at Masters Boulevard.

Section 6. Engineer and Estimated Cost. The Engineer for this project will be Sanderson Stewart. The City of Billings has estimated that the costs of the Improvements, including all incidental costs, at \$\$353,665.87.

Section 7. Assessment Methods.

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

7.1.1 Equal Amount Method.

Assessment #1 will include the construction of a northbound left turn lane on 62nd Street West at Masters Boulevard. The properties to be assessed for these improvements include all lots, except public parks, within Falcon Ridge Subdivision, 1st Filing; Falcon Ridge Estates, 1st Filing; and proposed Falcon Ridge Subdivision, 3rd Filing, including subsequent amendments to said plats. For the purposes of equitably apportioning special benefit to each lot, tract, parcel of land, or condo unit in the District, as above-mentioned, the Engineer has determined that each lot, tract, parcel of land or condo unit with an individual tax number, shall equally bear the costs of the turn lane improvements as set forth in Exhibit C attached hereto to arrive at an equal cost for the turn lane improvements. The total estimated cost of Assessment #1 is \$275,000.00 and shall be assessed against each lot, tract, parcel of land, or condo unit not paying a cash contribution, on an equal amount basis based on the bid price to be received. The equal amount assessment is estimated to be \$2,644.23. The remaining parcels within the District are owned by Falcon Ridge, LLC, which will be making a cash contribution of \$78,665.87 for their share of the estimated construction & engineering costs, representing 34 lots in proposed Falcon Ridge Subdivision, 3rd Filing.

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

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

Owners have the right to prepay assessments as provided by law. Further, all owners shall have the opportunity to prepay their assessments prior to sale of the SID bonds.

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

The City will issue the Bonds in an aggregate principal amount not to exceed \$275,000.00 in order to finance the costs of the Improvements. Principal of and interest on the Bonds will be paid from special assessments levied against the properties in the District. This Council further finds it is in the public interest, and in the best interest of the City and the District, to secure payment of principal of and interest on the Bonds by the Revolving Fund and hereby authorizes the city to enter into the undertakings and agreements authorized in Section 7-12-4225 in respect of the Bonds.

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

(a) **Estimated Market Value of Parcels.** The estimated market value of the lots, parcels, or tracts in the District as of the date of adoption of this resolution, as estimated, by the County Assessor for property tax purposes ranges from \$60,902.00 to \$592,600.00, and is set forth in Exhibit F. The average market value is \$347,503.58 with the median being \$372,750.00. The special assessments to be levied under Section 7 against each lot, parcel, tract, or condo unit in the District is less than the market value of the lot, parcel, tract, or condo unit following construction of the Improvements.

(b) **Diversity of Property Ownership.** There are a total of 138 existing and proposed parcels within the district boundaries. The area currently platted as Lots 10A and 11A of Block 4 Falcon Ridge Subdivision, 1st Filing, is being replatted as Falcon Ridge Subdivision, 3rd Filing, and is currently owned by Falcon Ridge, LLC. Falcon Ridge, LLC will be making a cash contribution proportional to the 34 lots within the proposed 3rd Filing subdivision as outlined elsewhere in this resolution.

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

(d) **Delinquencies.** An analysis of the amount of delinquencies in the payment of outstanding special assessments or property taxes levied against the properties in the District shows that of 104

properties to receive assessments under the SID, zero (0) properties were delinquent, as set forth in Exhibit F. There are no delinquencies on the tracts to be platted as Falcon Ridge Subdivision, 3rd Filing.

(e) **The Public Benefit of the Improvements**. The total estimated costs of the Improvements are \$353,665.87. The costs of the Improvements are to be paid from the following sources: (1) \$275,000.00 of Special Improvement District bonds hereinafter described; and (2) \$78,665.87 of cash contribution by Falcon Ridge, LLC the owner of proposed Falcon Ridge Subdivision, 3rd Filing. The properties within the District are all residentially zoned. The public improvements contemplated under the terms of this proposed District are required by the City Subdivision, Site Development and Zoning Ordinances in order for the parcels to develop.

(f) **Other Factors**. As previously noted, Falcon Ridge, LLC, will pay a cash contribution of \$78,665.87 to the project. The cash contribution represents 24.6 percent of the construction and administrative costs of the Improvements. The City's Special Improvement District Policy regarding raw land subdivisions does not apply because 99 of the 104 lots to be assessed are developed and served by public improvements. A total of 5 of the 104 lots to be assessed in the District are currently vacant. The vacant properties vary in estimated market value from \$60,902.00 to \$100,980.00.

As shown on Exhibit F, none of these properties have current outstanding SID's assessed to them.

Section 10. Reimbursement Expenditures.

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

10.02. Prior Expenditures. Other than (i) expenditures to be paid or reimbursed from sources other than the Bonds, (ii) expenditures permitted to be reimbursed under the transitional provision contained in Section 1.150-2(j)(2) of the Regulations, (iii) expenditures constituting

preliminary expenditures within the meaning of Section 1.150-2(f)(2) of the Regulations, or (iv) expenditures in a “de minimus” amount (as defined in Section 1.150-2(f)(1) of the Regulations), no expenditures for the Improvements have been paid by the City before the date 60 days before the date of adoption of this resolution.

10.03. Declaration of Intent. The City reasonably expects to reimburse the expenditures made for costs of the Improvements out of the proceeds of Bonds in an estimated maximum aggregate principal amount of \$275,000.00 after the date of payment of all or a portion of the costs of the Improvements. All reimbursed expenditures shall be capital expenditures, a cost of issuance of the Bonds or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Regulations.

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

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

Section 11. Public Hearing Protests. At any time within fifteen (15) days from and after the date of the first publication of the notice of the passage and approval of this resolution, any owner of real property within the District subject to assessment and taxation for the cost and expense of making the Improvements may make and file with the City Clerk until 5:00 p.m., Mountain Daylight Time, on the expiration date of said 15-day period (September 9, 2016), written protest against the proposed Improvements, or against the extension or creation of the District or both, and this Council will at its next regular meeting after the expiration of the fifteen (15) days in which such protests in writing can be made and filed, proceed to hear all such protests so made and filed; which said regular meeting will be held on Monday, the 12th day of September 2016, at 6:30 p.m., in the Council Chambers, at 220 North 27th Street, in Billings, Montana.

Section 12. Notice of Passage of Resolution of Intention. The City Clerk is hereby authorized and directed to publish or cause to be published a copy of a notice of the passage of this resolution in The Billings Times, a newspaper of general circulation in the county, in the form and manner prescribed by law, and to mail or cause to be mailed a copy of said notice to every person, firm, corporation, or the agent of such

person, firm, or corporation having real property within the District listed in his or her name upon the last completed assessment roll for state, county, and school district taxes, at his last-known address, on or before the same day such notice is first published.

Section 13. Resolution 16-10576 Repealed. This Council hereby respealed Resolution 16-10576.

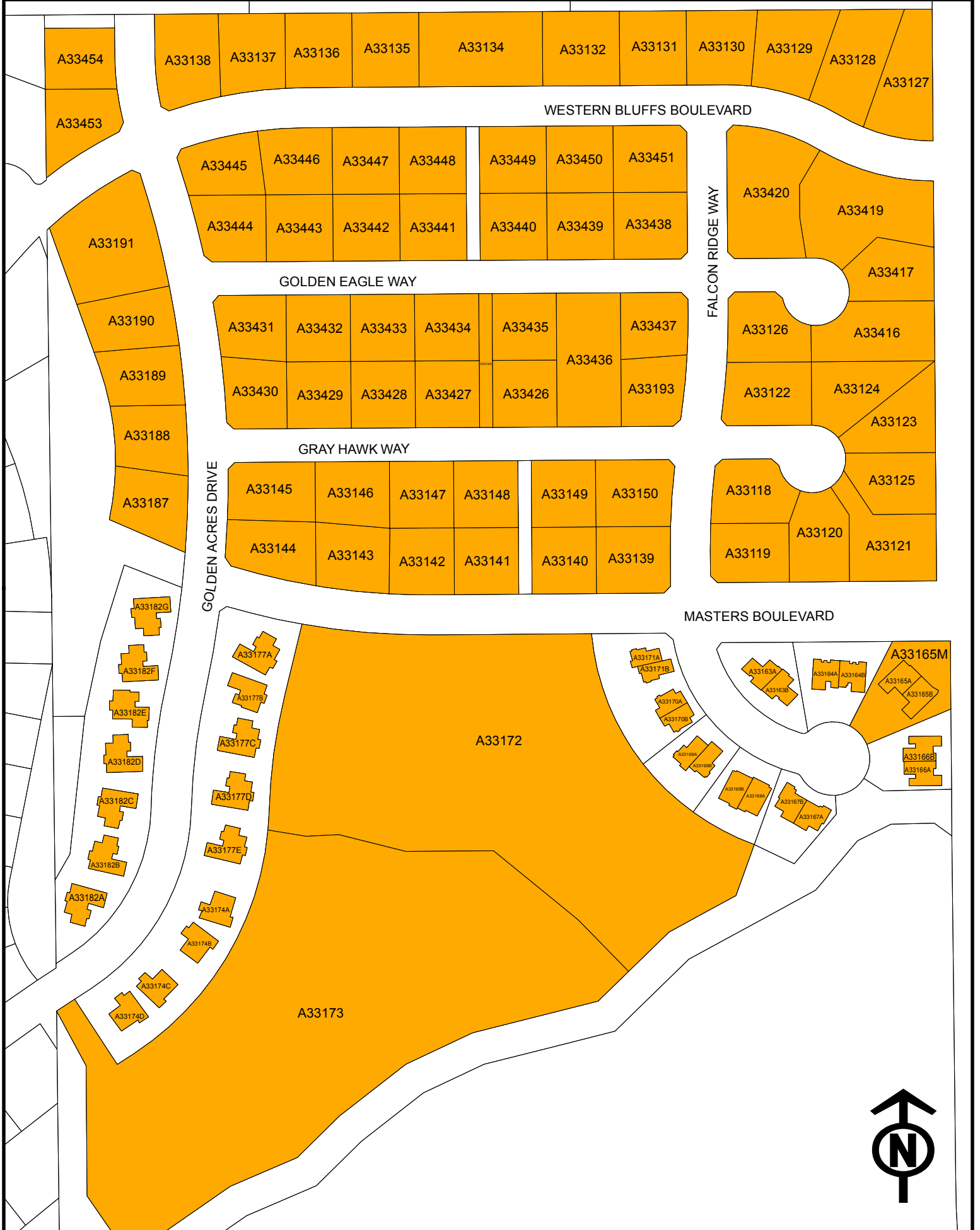
PASSED AND ADOPTED by the City Council of the City of Billings, Montana, this 22nd day of August 2016.

Mayor

Attest:

City Clerk

SID 1401 - EXHIBIT A



SID 1401 62nd Street West Turn Lane Improvements

Exhibit B Legal Description

Prepared by: City of Billings

A Special Improvement District encompassing the following parcels of land Yellowstone County, Montana. All subdivisions and certificates of survey referenced are as on file in the Office of the County Clerk and Recorder, Yellowstone County, Montana:

Falcon Ridge Subdivision, First Filing, as recorded September 20, 2005, under Document Number 3348992;

Falcon Ridge Estates Subdivision, First Filing, as recorded April 14, 2006, under Document Number 3373729;

and all subsequent amendments to the above named subdivisions recorded with the Office of the County Clerk and Recorder, Yellowstone County, Montana.

Excluding there from all lands which are public street, road, or alley rights-of-way and all dedicated public parks.

SID 1401 62nd St W Turn Lane Improvements
Exhibit C Engineers Estimate of Probable Cost
Prepared By: City of Billings

Construction Estimate			\$251,377.41
Contingency (10%)			\$25,137.74
		Subtotal	\$276,515.15
Construction Administration (12%)			\$33,181.82
Project Management (Engineering)			\$9,593.90
		Total	\$319,290.87
Total number existing & proposed lots and cost per lot	138	\$2,313.70	
Cash Contribution Proposed Falcon Ridge 3rd Filing (34 lots)			-\$78,665.87
		Total	\$240,625.00
		Finance Fee (2.5%)	\$6,875.00
		Revolving Fund (5%)	\$13,750.00
		Bond Discount (2%)	\$5,500.00
		Issuance Costs (3%)	\$8,250.00
			\$275,000.00
		Assessment per lot (104 lots)	\$2,644.23

SID 1401 62nd St W Turn Lane Improvements
Exhibit D Property Owner Description and Assessment
Prepared By: City of Billings

TAX ID	OWNER	MAILING ADDRESS	CITY	STATE	ZIP CODE	ASSESSMENT #1 TURN LANE
A33118	PING, BROCK M & STEPHANIA J	3209 FALCON RIDGE WAY	BILLINGS	MT	59106-2233	\$2,644.23
A33119	JORDAN, JAMES M & LYNE	3205 FALCON RIDGE WAY	BILLINGS	MT	59106-2233	\$2,644.23
A33120	AVIARA INC	3671 SPALDING AVE	BILLINGS	MT	59106-1023	\$2,644.23
A33121	VACHAL, JONAS	6210 GRAY HAWK CT	BILLINGS	MT	59106-2219	\$2,644.23
A33122	BRUCE CHRISTENSON TRUST	15744 W CAMELOT CT	SURPRISE	AZ	85374-2020	\$2,644.23
A33123	KASTELITZ, SCOTT A & KELLY J	6211 GRAY HAWK CT	BILLINGS	MT	59106-2219	\$2,644.23
A33124	CAPP, RAYMOND M	6213 GRAY HAWK CT	BILLINGS	MT	59106-2219	\$2,644.23
A33125	NASH, ABBIGAIL VEST	6208 GRAY HAWK CT	BILLINGS	MT	59106-2219	\$2,644.23
A33126	BEAGLE, KEVIN S & LYNNETTE R	6220 GOLDEN EAGLE CT	BILLINGS	MT	59106-2237	\$2,644.23
A33127	AVIARA INC	3671 SPALDING AVE	BILLINGS	MT	59106-1023	\$2,644.23
A33128	HUTCHINSON, NICOLE D & MARK D	6211 WESTERN BLUFFS BLVD BLDG	BILLINGS	MT	59106-2228	\$2,644.23
A33129	BARTH, JEFFREY T	6227 WESTERN BLUFFS	BILLINGS	MT	59106-1023	\$2,644.23
A33130	FRENCH, JASON & ANN MARIE	6231 WESTERN BLUFFS BLVD	BILLINGS	MT	59106-2228	\$2,644.23
A33131	HELD, MCDONALD W III & BRENDA J	6235 WESTERN BLUFFS BLVD	BILLINGS	MT	59106-2228	\$2,644.23
A33132	HALTON HOMES INC	PO BOX 20356	BILLINGS	MT	59104-0356	\$2,644.23
A33134	MICHELETTI, JOSEPH E & GENEVA S	6303 WESTERN BLUFFS BLVD	BILLINGS	MT	59106-2234	\$2,644.23
A33135	RADUE, STEVE & DASSINGER, JACKIE	6307 WESTERN BLUFFS BLVD	BILLINGS	MT	59106-2234	\$2,644.23
A33136	SCHMIDT & LANTIS LLC	3641 S 56TH ST W UNIT 1	BILLINGS	MT	59101-6130	\$2,644.23
A33137	TITUS, KEVIN M & DANNA K	6327 WESTERN BLUFFS BLVD	BILLINGS	MT	59106-2234	\$2,644.23
A33138	SPRENGER, TERRY L & OVA, CARLA J	6337 WESTERN BLUFFS BLVD	BILLINGS	MT	59106	\$2,644.23
A33139	WALTER, PAUL R & MARLO	6237 MASTERS BLVD	BILLINGS	MT	59106-1000	\$2,644.23
A33140	SANTORE, ANTHONY J JR & DENISE L	6243 MASTERS BLVD	BILLINGS	MT	59106-1000	\$2,644.23
A33141	HALTON, THOMAS W & COLLEEN	6305 MASTERS BLVD	BILLINGS	MT	59106	\$2,644.23
A33142	PARRISH, AGNES J	6311 MASTERS BLVD	BILLINGS	MT	59106-1066	\$2,644.23
A33143	HAGADONE, JASON A & CIARA L	6321 MASTERS BLVD	BILLINGS	MT	59106-1066	\$2,644.23
A33144	FLEURY, RYAN EDWARD	5194 BRIDLE CREEK TRL	BILLINGS	MT	59106-3305	\$2,644.23
A33145	PHILLIPS, CAROL ANN	6330 GRAY HAWK WAY	BILLINGS	MT	59106-2235	\$2,644.23
A33146	CIRCLE B LLC	PO BOX 17	BIGHORN	MT	59010-0017	\$2,644.23
A33147	PATELIS, JAMES G & CARIN L	6312 GRAY HAWK WAY	BILLINGS	MT	59106-2235	\$2,644.23
A33148	PRELOGER, ERIN M & FREUND, JEFFREY E	6306 GRAY HAWK WAY	BILLINGS	MT	59106-2235	\$2,644.23
A33149	EKLUND, RYAN S	3240 GRAY HAWK CT	BILLINGS	MT	59106-1023	\$2,644.23
A33150	KELLER, JAMES R	6236 GRAY HAWK CT	BILLINGS	MT	59106-2219	\$2,644.23
A33163A	OPPEGAARD, CLIFFTON R & LISA M	3221 PEREGRINE LN	BILLINGS	MT	59106	\$2,644.23
A33163B	OPPEGAARD, CLIFFTON R & LISA M	3221 PEREGRINE LN	BILLINGS	MT	59106	\$2,644.23
A33164A	SATTERFIELD, KATHRYN M	3117 FALCON RIDGE WAY	BILLINGS	MT	59106-2230	\$2,644.23
A33164B	BEERS, ROBERT C & CYNTHIA M	2165 PHEASANT PL	BILLINGS	MT	59106-4737	\$2,644.23
A33165A	FOOS, KELLY L	3113 FALCON RIDGE DR	BILLINGS	MT	59106	\$2,644.23
A33165B	FOOS, KENNETH A & MARILEE	3111 FALCON RIDGE WAY	BILLINGS	MT	59106-2230	\$2,644.23
A33166A	FELSTET, GWENDOLYN J	3107 FALCON RIDGE WAY	BILLINGS	MT	59106-2230	\$2,644.23
A33166B	TODD, DARCY	3109 FALCON RIDGE WAY	BILLINGS	MT	59106-2230	\$2,644.23
A33167A	MOORE, CHAD & REBECCA	3112 FALCON RIDGE WAY	BILLINGS	MT	59106	\$2,644.23
A33167B	MOORE, CHAD & REBECCA	3112 FALCON RIDGE WAY	BILLINGS	MT	59106-2230	\$2,644.23
A33168A	ORTT, BRYANT R & MARGARET E	3118 FALCON RIDGE WAY	BILLINGS	MT	59106-2230	\$2,644.23
A33168B	LEHMAN, JASON A	3120 FALCON RIDGE WAY	BILLINGS	MT	59106-2230	\$2,644.23
A33169A	WORTHINGTON, KIRK R & MARLAYNE R	3929 PARKWOOD DR	BILLINGS	MT	59106-9546	\$2,644.23
A33169B	WORTHINGTON, KIRK R & MARLAYNE R	3929 PARKWOOD DR	BILLINGS	MT	59106-9546	\$2,644.23
A33170A	BUSCHER, DENNIS J & BUSCHER, LINDA M	3671 SPALDING AVE	BILLINGS	MT	59106-1023	\$2,644.23
A33170B	BUSCHER, DENNIS J	3671 SPALDING AVE	BILLINGS	MT	59106-1023	\$2,644.23
A33171A	BUSCHER, DENNIS J	3671 SPALDING AVE	BILLINGS	MT	59106-1023	\$2,644.23
A33171B	BUSCHER, DENNIS J & LINDA M	3671 SPALDING AVE	BILLINGS	MT	59106-1023	\$2,644.23
A33172	FALCON RIDGE LLC	3671 SPALDING AVE	BILLINGS	MT	59106-1023	cash contribution
A33173	FALCON RIDGE LLC	3671 SPALDING AVE	BILLINGS	MT	59106-1023	cash contribution
A33174A	DEGNAN, CAROL W	3121 GOLDEN ACRES DR	BILLINGS	MT	59106-2255	\$2,644.23
A33174B	GALLUP, LARRY J & MELODY R	3115 GOLDEN ACRES DR	BILLINGS	MT	59106-2255	\$2,644.23

SID 1401 62nd St W Turn Lane Improvements
Exhibit D Property Owner Description and Assessment
Prepared By: City of Billings

TAX ID	OWNER	MAILING ADDRESS	CITY	STATE	ZIP CODE	ASSESSMENT #1 TURN LANE
A33174C	MCRAE, RICHARD L & DEBRA K	3109 GOLDEN ACRES DR	BILLINGS	MT	59106-2255	\$2,644.23
A33174D	LENHART, REBECCA	3103 GOLDEN ACRES DR	BILLINGS	MT	59106-2255	\$2,644.23
A33177A	MOORE, TERRILL R & ATHENA R	3149 GOLDEN ACRES DR	BILLINGS	MT	59106-2255	\$2,644.23
A33177B	DECKER, DAVID JAMES & NANCY JO	3145 GOLDEN ACRES DR	BILLINGS	MT	59106-2255	\$2,644.23
A33177C	HELEN L HATLELID-HESTER REVOCABLE TRUST	3139 GOLDEN ACRES DR	BILLINGS	MT	59106-2255	\$2,644.23
A33177D	STEVENS, ABRAM & KATHLEEN	3133 GOLDEN ACRES DR	BILLINGS	MT	59106-2255	\$2,644.23
A33177E	COOK, RALPH K & BARBARA J	3127 GOLDEN ACRES DR	BILLINGS	MT	59106-2255	\$2,644.23
A33182A	EISENMAN, WAYNE & CAROL	3114 GOLDEN ACRES DR	BILLINGS	MT	59106-2255	\$2,644.23
A33182B	SMITH, DALE M & MARIE	3120 GOLDEN ACRES DR	BILLINGS	MT	59106-2255	\$2,644.23
A33182C	LOENDORF, JOSEPH G & SHARLENE L	3126 GOLDEN ACRES DR	BILLINGS	MT	59106-2255	\$2,644.23
A33182D	MCBRIDE, DOUGLAS J & LILLIAN M	3137 PEREGRINE LN	BILLINGS	MT	59106-2004	\$2,644.23
A33182E	FREDERICKS, SUSAN J	3138 GOLDEN ACRES DR	BILLINGS	MT	59106-2255	\$2,644.23
A33182F	MCNALLY, MICHAEL D	3142 GOLDEN ACRES DR	BILLINGS	MT	59106-2255	\$2,644.23
A33182G	SCHERER, LEE ROBERT & DENISE B	3148 GOLDEN ACRES DR	BILLINGS	MT	59106-2255	\$2,644.23
A33187	NERO, CHRISTOPHER J & CHEONG, JENNIFER M	3202 GOLDEN ACRES DR	BILLINGS	MT	59106-2250	\$2,644.23
A33188	BLISS, DIANNA	3210 GOLDEN ACRES DR	BILLINGS	MT	59106-2250	\$2,644.23
A33189	SCHIFFNER, WILL	3218 GOLDEN ACRES DR	BILLINGS	MT	59106-2250	\$2,644.23
A33190	ROBERTS, MICHELLE K	3226 GOLDEN ACRES DR	BILLINGS	MT	59106-2250	\$2,644.23
A33191	DONOVAN, KELLY J & DEBRA	3234 GOLDEN ACRES DR	BILLINGS	MT	59106-2250	\$2,644.23
A33193	FERBER, JEFF & TANYA	6235 GRAY HAWK WAY	BILLINGS	MT	59106-2243	\$2,644.23
A33416	FROST, DUSTIN & STACEY	6216 GOLDEN EAGLE CT	BILLINGS	MT	59106-2237	\$2,644.23
A33417	LONGIN, NICK & BRENDA L	6212 GOLDEN EAGLE CT	BILLINGS	MT	59106-2237	\$2,644.23
A33419	EKLUND, KRIS L & JEANETTE J	6219 GOLDEN EAGLE CT	BILLINGS	MT	59106-2237	\$2,644.23
A33420	BEHM, PATRICK D & SHELLEY K	6222 WESTERN BLUFFS BLVD	BILLINGS	MT	59106-2228	\$2,644.23
A33426	GREEN, ADAM & NADEZDA	6247 GRAY HAWK WAY	BILLINGS	MT	59106-2243	\$2,644.23
A33427	FULLER, MELISSA L	6309 GRAY HAWK WAY	BILLINGS	MT	59106-2235	\$2,644.23
A33428	COOPER, WILLIAM D & CERI A	6315 GRAY HAWK WAY	BILLINGS	MT	59106-2235	\$2,644.23
A33429	BRAKEBUSH, ELIZABETH A & JOSHUA J	6327 GRAY HAWK WAY	BILLINGS	MT	59106-2235	\$2,644.23
A33430	STABIO, RICK J & BECKY	3213 GOLDEN ACRES DR	BILLINGS	MT	59106-2250	\$2,644.23
A33431	ZAVALA, JEFFREY S & LYNN K	6334 GOLDEN EAGLE WAY	BILLINGS	MT	59106-2256	\$2,644.23
A33432	FORSBERG, DAREN A & MONICA C	6322 GOLDEN EAGLE WAY	BILLINGS	MT	59106	\$2,644.23
A33433	DAMM, LARRY N & PAMELA M	PO BOX 23122	BILLINGS	MT	59104-3122	\$2,644.23
A33434	BATEMAN, ERIN ELIZABETH & THOMAS WESLEY	6304 GOLDEN EAGLE WAY	BILLINGS	MT	59106-2256	\$2,644.23
A33435	DONOVAN, QUINN G & ALICIA D	6242 GOLDEN EAGLE WAY	BILLINGS	MT	59106-2229	\$2,644.23
A33436	KUNKEL, CAL	6238 GOLDEN EAGLE WAY	BILLINGS	MT	59106-2229	\$2,644.23
A33437	DAVIS, ANTHONY LEE	4935 LEWIES WAY	SHEPHERD	MT	59079-4303	\$2,644.23
A33438	REITER, DIANE K	6232 WESTERN BLUFFS BLVD	BILLINGS	MT	59106-2228	\$2,644.23
A33439	WILLIAMS, JOHN R & KENNEDY, LEESA J	6241 GOLDEN EAGLE WAY	BILLINGS	MT	59106-2229	\$2,644.23
A33440	HATTIG, BRUCE J & JANICE K	6245 GOLDEN EAGLE WAY	BILLINGS	MT	59106-2229	\$2,644.23
A33441	BARRY, MICHAEL J & TARA M	6307 GOLDEN EAGLE WAY	BILLINGS	MT	59106-2256	\$2,644.23
A33442	DOWDY, ROBERT M & TERRIE L	6313 GOLDEN EAGLE WAY	BILLINGS	MT	59106-2256	\$2,644.23
A33443	LOZOSKI, PAUL G	6325 GOLDEN EAGLE WAY	BILLINGS	MT	59106-2256	\$2,644.23
A33444	GANNETT, TYLER A & KARI L	3237 GOLDEN ACRES DR	BILLINGS	MT	59106-2250	\$2,644.23
A33445	ERETH, SHANE	6332 WESTERN BLUFFS BLVD	BILLINGS	MT	59106-2234	\$2,644.23
A33446	SCHERR, JEFFREY T & BRANDAE A	6320 WESTERN BLUFFS BLVD	BILLINGS	MT	59106-2234	\$2,644.23
A33447	BAXTER, CHRISTINE S & JAYSON B	6308 WESTERN BLUFFS BLVD	BILLINGS	MT	59106-2234	\$2,644.23
A33448	KRAFT, KEVIN L	6302 WESTERN BLUFFS BLVD	BILLINGS	MT	59106-2234	\$2,644.23
A33449	MILLHOUSE, ROY & JERI LYNN	6240 WESTERN BLUFFS BLVD	BILLINGS	MT	59106-2228	\$2,644.23
A33450	SIRE, DOUGLAS E & HILL, DIANA S	6236 WESTERN BLUFFS BLVD	BILLINGS	MT	59106-2228	\$2,644.23
A33451	REITER, DIANE K	6232 WESTERN BLUFFS BLVD	BILLINGS	MT	59106-2228	\$2,644.23
A33453	DANA WAGENHALS BROKERAGE INC	4816 DOVETAIL AVE	BILLINGS	MT	59106-4415	\$2,644.23
A33454	PRICE, VINCENT W S & WRIGHT, DENISE E	3312 GOLDEN ACRES DR	BILLINGS	MT	59106-2249	\$2,644.23
						\$275,000.00

SID 1401 62nd Street West Turn Lane Improvements

Exhibit E Description of Improvements

Prepared by: City of Billings

Special Improvement District No. 1401 shall construct a northbound left turn lane on 62nd Street West at Masters Boulevard.

SID 1401 62nd St W Turn Lane Improvements
Exhibit F Property Market Value and Delinquency
Prepared By: City of Billings

TAX I.D. NUMBER	PREVIOUS SID #	PREVIOUS		SID1401 ASSESSMENT	SID 1401 CASH CONTRIBUTION	SID PAY-OFF + DELINQUENT +		ESTIMATED MARKET VALUE
		SID PAY-OFF	DELINQUENT			SID 1401 ASSESSMENT	SID 1401	
A33118				\$2,644.23		\$2,644.23		\$385,000.00
A33119				\$2,644.23		\$2,644.23		\$330,500.00
A33120				\$2,644.23		\$2,644.23		\$233,639.00
A33121				\$2,644.23		\$2,644.23		\$354,800.00
A33122				\$2,644.23		\$2,644.23		\$364,600.00
A33123				\$2,644.23		\$2,644.23		\$374,400.00
A33124				\$2,644.23		\$2,644.23		\$386,400.00
A33125				\$2,644.23		\$2,644.23		\$352,900.00
A33126				\$2,644.23		\$2,644.23		\$402,500.00
A33127				\$2,644.23		\$2,644.23		\$69,690.00
A33128				\$2,644.23		\$2,644.23		\$441,700.00
A33129				\$2,644.23		\$2,644.23		\$584,300.00
A33130				\$2,644.23		\$2,644.23		\$457,400.00
A33131				\$2,644.23		\$2,644.23		\$357,400.00
A33132				\$2,644.23		\$2,644.23		\$495,700.00
A33134				\$2,644.23		\$2,644.23		\$521,800.00
A33135				\$2,644.23		\$2,644.23		\$380,800.00
A33136				\$2,644.23		\$2,644.23		\$61,933.00
A33137				\$2,644.23		\$2,644.23		\$383,400.00
A33138				\$2,644.23		\$2,644.23		\$464,900.00
A33139				\$2,644.23		\$2,644.23		\$341,700.00
A33140				\$2,644.23		\$2,644.23		\$335,600.00
A33141				\$2,644.23		\$2,644.23		\$384,000.00
A33142				\$2,644.23		\$2,644.23		\$373,200.00
A33143				\$2,644.23		\$2,644.23		\$352,200.00
A33144				\$2,644.23		\$2,644.23		\$61,764.00
A33145				\$2,644.23		\$2,644.23		\$333,500.00
A33146				\$2,644.23		\$2,644.23		\$364,300.00
A33147				\$2,644.23		\$2,644.23		\$391,000.00
A33148				\$2,644.23		\$2,644.23		\$371,000.00
A33149				\$2,644.23		\$2,644.23		\$308,900.00
A33150				\$2,644.23		\$2,644.23		\$353,300.00
A33163A				\$2,644.23		\$2,644.23		\$255,100.00
A33163B				\$2,644.23		\$2,644.23		\$255,500.00
A33164A				\$2,644.23		\$2,644.23		\$251,000.00
A33164B				\$2,644.23		\$2,644.23		\$244,000.00
A33165A				\$2,644.23		\$2,644.23		\$246,600.00
A33165B				\$2,644.23		\$2,644.23		\$245,400.00
A33166A				\$2,644.23		\$2,644.23		\$232,200.00
A33166B				\$2,644.23		\$2,644.23		\$232,000.00
A33167A				\$2,644.23		\$2,644.23		\$239,600.00
A33167B				\$2,644.23		\$2,644.23		\$237,500.00
A33168A				\$2,644.23		\$2,644.23		\$271,600.00
A33168B				\$2,644.23		\$2,644.23		\$254,700.00
A33169A				\$2,644.23		\$2,644.23		\$250,300.00
A33169B				\$2,644.23		\$2,644.23		\$249,500.00
A33170A				\$2,644.23		\$2,644.23		\$215,900.00
A33170B				\$2,644.23		\$2,644.23		\$215,900.00
A33171A				\$2,644.23		\$2,644.23		\$204,500.00
A33171B				\$2,644.23		\$2,644.23		\$204,500.00
A33172					\$39,332.93			\$88,915.00
A33173					\$39,332.94			\$90,660.00
A33174A				\$2,644.23		\$2,644.23		\$432,900.00
A33174B				\$2,644.23		\$2,644.23		\$432,957.00
A33174C				\$2,644.23		\$2,644.23		\$447,900.00
A33174D				\$2,644.23		\$2,644.23		\$409,867.00
A33177A				\$2,644.23		\$2,644.23		\$426,600.00
A33177B				\$2,644.23		\$2,644.23		\$350,700.00
A33177C				\$2,644.23		\$2,644.23		\$442,400.00
A33177D				\$2,644.23		\$2,644.23		\$410,300.00
A33177E				\$2,644.23		\$2,644.23		\$441,600.00
A33182A				\$2,644.23		\$2,644.23		\$422,500.00
A33182B				\$2,644.23		\$2,644.23		\$412,900.00
A33182C				\$2,644.23		\$2,644.23		\$440,100.00

SID 1401 62nd St W Turn Lane Improvements
Exhibit F Property Market Value and Delinquency
Prepared By: City of Billings

TAX I.D. NUMBER	PREVIOUS SID #	PREVIOUS		SID1401 ASSESSMENT	SID 1401 CASH CONTRIBUTION	SID PAY-OFF + DELINQUENT + ESTIMATED	
		SID PAY-OFF	DELINQUENT			SID 1401 ASSESSMENT	MARKET VALUE
A33182D				\$2,644.23		\$2,644.23	\$436,500.00
A33182E				\$2,644.23		\$2,644.23	\$356,300.00
A33182F				\$2,644.23		\$2,644.23	\$399,000.00
A33182G				\$2,644.23		\$2,644.23	\$431,500.00
A33187				\$2,644.23		\$2,644.23	\$509,400.00
A33188				\$2,644.23		\$2,644.23	\$354,400.00
A33189				\$2,644.23		\$2,644.23	\$372,300.00
A33190				\$2,644.23		\$2,644.23	\$380,900.00
A33191				\$2,644.23		\$2,644.23	\$533,700.00
A33193				\$2,644.23		\$2,644.23	\$378,600.00
A33416				\$2,644.23		\$2,644.23	\$419,400.00
A33417				\$2,644.23		\$2,644.23	\$426,900.00
A33419				\$2,644.23		\$2,644.23	\$507,300.00
A33420				\$2,644.23		\$2,644.23	\$592,600.00
A33426				\$2,644.23		\$2,644.23	\$404,000.00
A33427				\$2,644.23		\$2,644.23	\$384,900.00
A33428				\$2,644.23		\$2,644.23	\$100,980.00
A33429				\$2,644.23		\$2,644.23	\$390,300.00
A33430				\$2,644.23		\$2,644.23	\$325,700.00
A33431				\$2,644.23		\$2,644.23	\$350,900.00
A33432				\$2,644.23		\$2,644.23	\$337,900.00
A33433				\$2,644.23		\$2,644.23	\$369,700.00
A33434				\$2,644.23		\$2,644.23	\$300,400.00
A33435				\$2,644.23		\$2,644.23	\$386,600.00
A33436				\$2,644.23		\$2,644.23	\$367,600.00
A33437				\$2,644.23		\$2,644.23	\$359,000.00
A33438				\$2,644.23		\$2,644.23	\$61,473.00
A33439				\$2,644.23		\$2,644.23	\$375,700.00
A33440				\$2,644.23		\$2,644.23	\$414,300.00
A33441				\$2,644.23		\$2,644.23	\$394,000.00
A33442				\$2,644.23		\$2,644.23	\$389,500.00
A33443				\$2,644.23		\$2,644.23	\$416,100.00
A33444				\$2,644.23		\$2,644.23	\$397,000.00
A33445				\$2,644.23		\$2,644.23	\$374,300.00
A33446				\$2,644.23		\$2,644.23	\$471,900.00
A33447				\$2,644.23		\$2,644.23	\$413,300.00
A33448				\$2,644.23		\$2,644.23	\$418,200.00
A33449				\$2,644.23		\$2,644.23	\$363,500.00
A33450				\$2,644.23		\$2,644.23	\$417,700.00
A33451				\$2,644.23		\$2,644.23	\$371,200.00
A33453				\$2,644.23		\$2,644.23	\$60,902.00
A33454				\$2,644.23		\$2,644.23	\$389,200.00
AVERAGE			\$0.00	\$2,644.23	\$39,332.94	\$2,644.23	\$347,503.58
MEDIAN			\$0.00	\$2,644.23	\$39,332.94	\$2,644.23	\$372,750.00
LOW		\$0.00	\$0.00	\$2,644.23	\$39,332.93	\$2,644.23	\$60,902.00
HIGH		\$0.00	\$0.00	\$2,644.23	\$39,332.94	\$2,644.23	\$592,600.00

Regular City Council Meeting

Meeting Date: 08/22/2016

TITLE: Public Hearing and Resolution for Setting GO Debt and PS II Mill Levy Rates

PRESENTED BY: Patrick M. Weber, Financial Services Director

Department: City Hall Administration

PROBLEM/ISSUE STATEMENT

This resolution sets the FY 17 City property tax mills for the Public Safety Levy (PSII) at 45.22 mills, General Obligation Debt Service Parks at .71 mills, General Obligation Debt Service Streets at 1.66 mills, General Obligation Debt Service Library at 4.93 mills and General Obligation Debt Service Series A Baseball Stadium at 3.88 mills. These levies are based on the certified taxable valuation from the Montana Department of Revenue. The table below shows a comparison to last year's mills. The mills set for the General Obligation Bond Debt Service and Public Safety II are less than the previous year because of new taxable property as well as the growth of existing properties. The total mills levied by the City of Billings for FY 17 is 160.40 mills compared to 158.84 mills for FY 16.

The GO debt mills generate enough revenue to pay the principal and interest expense on the debt. Lowering the number of mills would result in not paying the debt service payment or borrowing money to make the debt service payment.

	FY 16	FY 17
PS II	46.13	45.22
GO Parks	0.73	0.71
GO Streets	2.01	1.66
GO Library	5.48	4.93
GO Ballpark	<u>4.83</u>	<u>3.88</u>
Total	59.18	56.40

ALTERNATIVES ANALYZED

The Council must hold a public hearing and then may:

- Approve the resolution; or
- Not approve the resolution, which would result in not making the debt service payments or using General Fund reserves to make debt service payments for FY 17.

FINANCIAL IMPACT

These mills are set in order to generate the necessary revenues to make the debt service payments and fund Public Safety II. The total FY 17 mills are 56.40 compared to the FY 16 mills of 59.18.

RECOMMENDATION

Staff recommends that the City Council hold the public hearing and approve the resolution setting the mill levy rates for GO Bonds and Public Safety Levy 2 for FY 17.

APPROVED BY CITY ADMINISTRATOR

Attachments

GO Mills Resolution

RESOLUTION 16-_____

A RESOLUTION ESTABLISHING THE MILL LEVIES FOR PUBLIC SAFETY,
GENERAL OBLIGATION DEBT FOR PARKS, STREET, LIBRARY, AND
BASEBALL STADIUM DEBT SERVICE FOR TAX YEAR 2016.

WHEREAS, pursuant to law, the City of Billings is required to make annual mill levies.

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

1. That a Public Safety Mill Levy, which voters approved in November of 2004 in the amount of \$8.2 million, (45.22 mills), is hereby imposed on all taxable property within the City of Billings, Montana, for the Fiscal Year **July 1, 2016 through June 30, 2017**.
2. That additional Mill Levies in the amounts stated are hereby imposed on all taxable property within the City of Billings, Montana, to provide payment for the following:
 - A. .71 mills-General Obligation Debt Service Parks
 - B. 1.66 mills-General Obligation Debt Service Streets
 - C. 4.93 mills-General Obligation Debt Service Library
 - D. 3.88 mills-General Obligation Debt Service Baseball Stadium Series A
3. That when said taxes are collected, the same shall be placed in respective funds for the City and expended pursuant to the annual budget.
4. This Resolution shall be effective upon adoption.

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

CITY OF BILLINGS:

BY: _____
Thomas W. Hanel, MAYOR

ATTEST:

BY: _____
Denise Bohlman, CITY CLERK

Regular City Council Meeting

Meeting Date: 08/22/2016

TITLE: Public Hearing and Resolution for FY16 Budget Amendments

PRESENTED BY: Patrick M. Weber, Finance Director

Department: City Hall Administration

PROBLEM/ISSUE STATEMENT

Montana Code allows local governments to amend their fiscal year budgets by using the same method as used for the original budget adoption: public notice, public hearing and Council adopting a resolution. The following amendments are proposed for FY 2016:

Fund 0100 - General Fund Parks

Transfer from the interest earned in the Cemetery Perpetual Care Fund to the General Fund. The transferred interest revenue will be approximately \$3,000.

Fund 7010, 7030 - Cemetery Perpetual Care Fund

Transfer to the General Fund the interest revenue earned in the Cemetery Perpetual Care Fund. This amount was underbudgeted by \$3,000.

Fund 8720 - Park Maintenance District Fund

This amendment is an increase to the Park Maintenance District Fund budget by \$45,000 to cover the water bills for the month of June. This year, the lack of rain caused greater water usage at the parks than what was originally budgeted. Park Maintenance District Fund has cash available to cover the request.

ALTERNATIVES ANALYZED

The Council may: Approve the requested budget amendments; or not approve the requested budget amendments, which would put the City in violation of Montana law.

FINANCIAL IMPACT

The requested budget amendments will be funded by reserves, as described in the budget resolution exhibit and above.

RECOMMENDATION

Staff recommends that the City Council conduct a public hearing and approve the resolution approving and adopting the budget amendments for Fiscal Year 2016.

APPROVED BY CITY ADMINISTRATOR

Attachments

RESOLUTION 16-

A RESOLUTION TO MAKE FISCAL YEAR 2015/2016 ADJUSTMENTS TO APPROPRIATIONS PURSUANT TO M.C.A. 7-6-4006 AS AMENDED, AND PROVIDING TRANSFERS AND REVISIONS WITHIN THE GENERAL CLASS OF SALARIES AND WAGES, MAINTENANCE AND SUPPORT AND CAPITAL OUTLAY.

WHEREAS, M.C.A. 7-6-4006 provides that the City Council, upon proper resolution, adopted by said Council at a regular meeting and entered into its Minutes, may transfer or revise appropriations within the general class of salaries and wages, maintenance and support, and capital outlay, and

WHEREAS, based upon a Budget Review (**FY 2015/2016**), it is necessary to alter and change said appropriations.

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

That the attached transfers or revisions are hereby adopted.

(SEE EXHIBIT A)

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

THE CITY OF BILLINGS:

BY: _____
Thomas W. Hanel, MAYOR

ATTEST:

BY: _____
Denise Bohlman, CITY CLERK

EXHIBIT A

Revenue Expenditure

0100-51 - General Fund - Parks

7010, 7030 - Cemetery Perpetual Trust Fund

The amendment is for the interest revenue earned in the Cemetery Trust Fund that will be transferred to the General Fund.

0100-51400-307565	3,000	Transfer In
7030-51720-408216		500 Transfer Out
7010-51700-408216		2,500 Transfer Out

8720 - Park Maintenance District

This amendment is to cover the additional water bills paid by the PMDs in June.

8720-51980-403420	45,000	Water Services
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Regular City Council Meeting

Meeting Date: 08/22/2016

TITLE: Public Hearing for Ward Ordinance First Reading - Annexation #16-04

PRESENTED BY: Wyeth Friday

Department: Planning & Community Services

PROBLEM/ISSUE STATEMENT

City election ward boundaries must be adjusted to conform to city limit amendments resulting from annexation of property into the City. The City Council approved the annexation of property owned by Tule Ridge Development (Annexation #16-04) on August 8, 2016. The subject property is 11 acres in size and described as Lot 8, Sunny Cove Fruit Farms. The property is located at the southeast corner of Rimrock Road and 62nd Street West. This requires a change in the boundaries of Ward IV. Two readings are required for this action. The first reading of the ordinance is scheduled for August 22, 2016 along with a public hearing, and the second reading is scheduled for September 12.

ALTERNATIVES ANALYZED

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

- Approving the ordinance will modify the boundaries of Ward IV to include the property owned by Tule Ridge Development.
- Not approving the ordinance will not modify the boundaries of Ward IV and create a problem where property inside the City Limits is not within one of the City Ward Boundaries.

FINANCIAL IMPACT

There is no budget/financial impact from this action.

RECOMMENDATION

Staff recommends that the City Council hold a public hearing and approve this ordinance on first reading, adding recently annexed property to Ward IV.

APPROVED BY CITY ADMINISTRATOR

Attachments

Ward Ordinance

ORDINANCE NO. 16-_____

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

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

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

A tract of land situated in the NE1/4 of Section 36, T.1N., R.24E., P.M.M, the SW1/4 of Section 30, and the NW1/4 of Section 31, T.1N., R.25E., P.M.M., Yellowstone County, Montana, more particularly described as: Being Lot 8 of Sunny Cove Fruit Farms, Recorded April 27, 1910, under Document No. 21540, on file and of record in the Records of Yellowstone County. Including all adjacent right-of-way of Rimrock Road and 62nd Street West. Containing 11.104 gross acres and 9.275 net acres more or less.

(# 16-04) See Exhibit "A" Attached

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

PASSED by the City Council on the first reading this 22nd day of August, 2016.

PASSED by the City Council on the second reading this 12th day of September, 2016.

THE CITY OF BILLINGS:

Thomas W. Hanel, MAYOR

ATTEST:

BY: _____
Denise Bohlman, CITY CLERK

(AN 16-04)

ANNEXATION 16-04 EXHIBIT "A"



Regular City Council Meeting

Meeting Date: 08/22/2016

TITLE: Special Review #945 - 545 South 18th Street West - Beer and Wine License With Gaming

PRESENTED BY: Wyeth Friday

Department: Planning & Community Services

PROBLEM/ISSUE STATEMENT

This is a special review request to locate a beer and wine license with gaming in a new 3,500 square foot building in a Controlled Industrial (CI) zone, on Lot 3B, Block 2 of Trillium Sub Amended, a 1.431-acre parcel of land generally located at 545 S 18th St West. The Zoning Commission conducted a public hearing on August 2, 2016, and is forwarding a recommendation of conditional approval and adoption of the findings of the 3 review criteria on a 4-0 vote.

Special Review applications are reviewed using City Code criteria referenced in the Alternatives Analyzed section of this memo. Special Reviews do not require an ordinance for approval, are not zone changes on property; rather, are tied to specific uses that are allowed in a given zoning district but are subject to a review by the City prior to the use being allowed. Special Reviews, unlike zone changes, may be conditioned to mitigate possible impacts from the use on the subject property or surrounding properties.

ALTERNATIVES ANALYZED

City Council may:

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

The Planning Division reviewed the request and recommended conditional approval based on the findings of the 3 review criteria. 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 it is in a district that allows a casino with a beer and wine license and gaming. The proposed building, landscaping and solid waste storage will meet the code requirements for this zone. New landscaping will be installed around the building and along the street frontage. The property will have access from South 18th Street West.

The proposal is consistent with some goals of the 2008 Growth Policy; encouraging compatible

uses and avoiding leapfrog development beyond City services. The proposal also is in line with City's Infill Development Policy as it would utilize a vacant lot already accessible to most City services. The Zoning Commission is recommending conditions for this special review based on the approval criteria for special review uses.

The Zoning Commission recommends the following conditions of approval:

1. The special review is limited to Lot 3B, Block 2, of Amended Plat of Lot 2A, Block 2, Trillium Subdivision, generally located at 545 South 18th Street West.
2. The special review approval is for the construction of a 3,500 square foot building for a casino with a beer and wine license with gaming. No other use or development configuration is intended or implied by this approval.
3. Any expansion of the proposed building greater than 10 percent of what is shown on the submitted site plan will require an additional special review approval.
4. All exterior lighting, including security lighting, shall have full cut-off shields so no part of the fixture or lens projects below the cut-off shield. The maximum height of any light pole in the outdoor areas shall be 20 feet above grade.
5. No construction or demolition activity will occur before 7 am or after 8 pm daily.
6. New trees shall not be any tree with the scientific genus name of Populus or any of its subspecies including any variety of aspens. Also no Salix (willows), Acer negundo (Box Elder) or Ulmus (Elms).
7. Any centralized solid waste storage shall be enclosed by a wall on 3 sides and a closing gate or gates. The wall and gates for the solid waste storage shall be similar or complimentary in color to the adjacent buildings and shall be sight-obscuring. The wall and gates shall be tall enough that no part of the interior dumpster(s) are visible from the outside.
8. The site will be developed in substantial conformance with the submitted site plan, including landscaping, parking and building locations.
9. Any outdoor announcement system shall be operated so it is not audible beyond the property lines.
10. The owner is allowed to have background music and un-amplified, live entertainment on the outdoor patio. Amplified, live entertainment is not allowed at any time.
11. 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.
12. The proposed development shall comply with all other limitations of Section 27-613 of the Unified Zoning Regulations concerning special review uses, and all other City of Billings regulations and ordinances that apply.

FINANCIAL IMPACT

If the special review is approved, the property will develop, which will increase the property's taxable value and help to support the City services that the casino will need.

BACKGROUND

This is a request to allow the construction of a new casing building, with a beer and wine license. The property is approximately 1.4 acres and is located several hundred feet north of the intersection of King Avenue West and South 18th Street West. The subject property is surrounded by industrial and other commercial uses. All surrounding properties are zoned Controlled Industrial, as is the subject property. Directly surrounding the property is CEI Electrical Contractors to the south, Jones Enterprises to the north, the UPS parking yard to the west, and the Albertsons Distribution Center to the east. Farther south of the subject property is a Charter warehouse. South and west across King Avenue West are Texas Road House, Hu Hot Mongolian Grill and Spring Hill Suites Marriot. Featherlite trailer sales is located east of the Spring Hills Suites Marriot. South and west of the subject property is an O'Reilly Auto parts warehouse and retail store.

The Copper Creek Casino at 1731 King Avenue West, Suite 1, has been in its current location since 2006, after receiving a special review approval. The Word of Life Fellowship Church purchased the property, which includes the casino building, in 2011 and remodeled part of one buildings for church purposes. The casino lease expires in June 2017 and will not be renewed. The new location, which is north of the current operation, will enable the casino to continue providing services to the same neighborhood it has been in since 2006.

According to City of Billings zoning code Section 27-612 (a) (1), there must be a 600-foot separation from an eating and drinking establishment with on premise consumption of alcohol and a church, school, or from a public park that contains a children's play area. When the Word of Life Fellowship Church moved into the building, there were two eating and drinking establishments within 600 feet of the property line with on premise consumption of alcohol. Hu Hot Mongolian Grill is about 91.5 feet from the church, property line to property line, and Texas Road house is about 389 feet, property line to property line. The building that Copper Creek Casino occupies at 1731 King Avenue West, Suite 1, was also purchased by the church and is on the same parcel of land. There is no property line separation between them, but there is approximately 54-feet of parking and drive lane between them. The three businesses that are required to have a 600-foot separation from the church were all in place before the church purchased its property. Measuring from the southwest corner of the subject property to the northwest corner of the Word of Life Fellowship Church property, the distance is approximately 284 feet.

The City Council may waive the 600' separation requirement by finding that there are physical barriers between the uses. Those barriers may include an arterial street that separates the properties; a building or buildings obstruct the view between the separate uses; or there is no direct physical access between the two uses. The proposed casino will sit on the west side of the subject property, near the frontage of South 18th Street West. The property to the south is occupied by CEI Electrical Contractors. This business property is enclosed by a chain-link fence with 3 strands of barbed wire along the top of the fence. There are trucks and heavy equipment parked around the perimeter of the fenced property, which obscures visibility to the south when the equipment is located there. South of CEI Electrical Contractors, is the main building of the Word of Life Fellowship Church. The church occupies approximately one third of the building at the southern end, which fronts King Avenue West. The back two thirds of the building is leased by Charter Communications and is used as warehouse space. From the church parking area entry from King Avenue West, it is not possible to see the property where the casino will be located. The church building itself blocks the views north and the wall enclosed outdoor patio on the west side of the church building also blocks views to the north.

There are no sidewalks on South 18th Street West from the subject property to the church property. There are also chain link fences with barbed wire separating the two properties. These barriers prevent direct physical access between the properties. Therefore, the special review use meets two out of the three criteria for waiving the 600-foot separation requirement.

The BMCC is more restrictive than the applicable State Law (MCA 16-3-306) requiring a similar separation distance. The City requirement measures the distance from property line to property line and the state requirement measures from entrance door to entrance door, provided both locations are on the same street.

STAKEHOLDERS

The Zoning Commission conducted a public hearing on August 2, 2016, and received the staff recommendation, testimony from the applicant and agent, Jerry Jones, and the casino Owner, Greg Post. Both spoke of the new location as being a good location to move to from the existing space at 1737 King Avenue West, Suite 1. Mr. Jones stated that if the special review is granted the casino would be built and eventually the land would be sold to the casino owner.

Mr. Post spoke in favor of the application, stating the casino and the church are on good terms but that the church would also like the space the casino is in so they will not be renewing the lease.

There were some questions from the Zoning Commission for the applicant and agent. The Commission asked if the casino will own the entire lot, if the new casino was going to be the same size as the existing one, and if the current casino license is for all beverage or just beer and wine? Mr. Post responded that the casino will own the entire lot. He said the new casino is slightly larger than the existing one but they are not increasing the number of machines. He stated that they plan to continue with the beer and wine license for now but plan in the future to secure al all-beverage license.

Commission Member Boyett made a motion to recommend conditional approval and adoption of the findings of the 3 criteria for the special review. The motion was seconded by Commission Member Mariska. The motion was approved on a unanimous voice vote (4-0).

CONSISTENCY WITH ADOPTED POLICIES OR PLANS

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

RECOMMENDATION

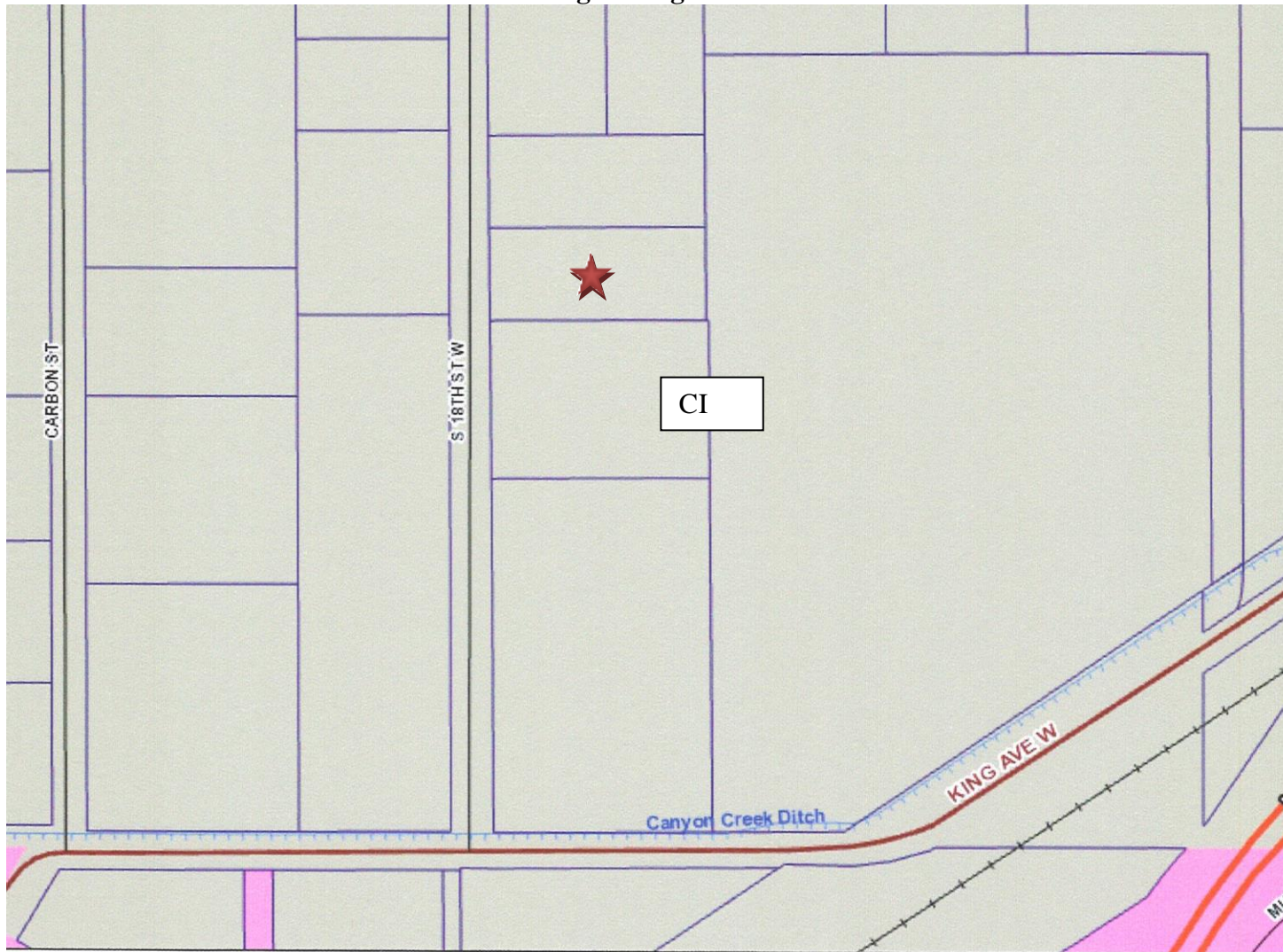
The Zoning Commission is recommending conditional approval and adoption of the findings of the 3 review criteria for Special Review 945 on a 4-0 vote.

APPROVED BY CITY ADMINISTRATOR

Attachments

Zoning Maps and Site Photos
Site Plan and Applicant Letter

Surrounding Zoning



Subject Property



Site photos



Subject Property – Viewed from South 18th Street West



View south from subject property toward King Avenue West



View west across South 18th Street West



View across South 18th Street West looking north west from subject property



View north from parking lot of Church



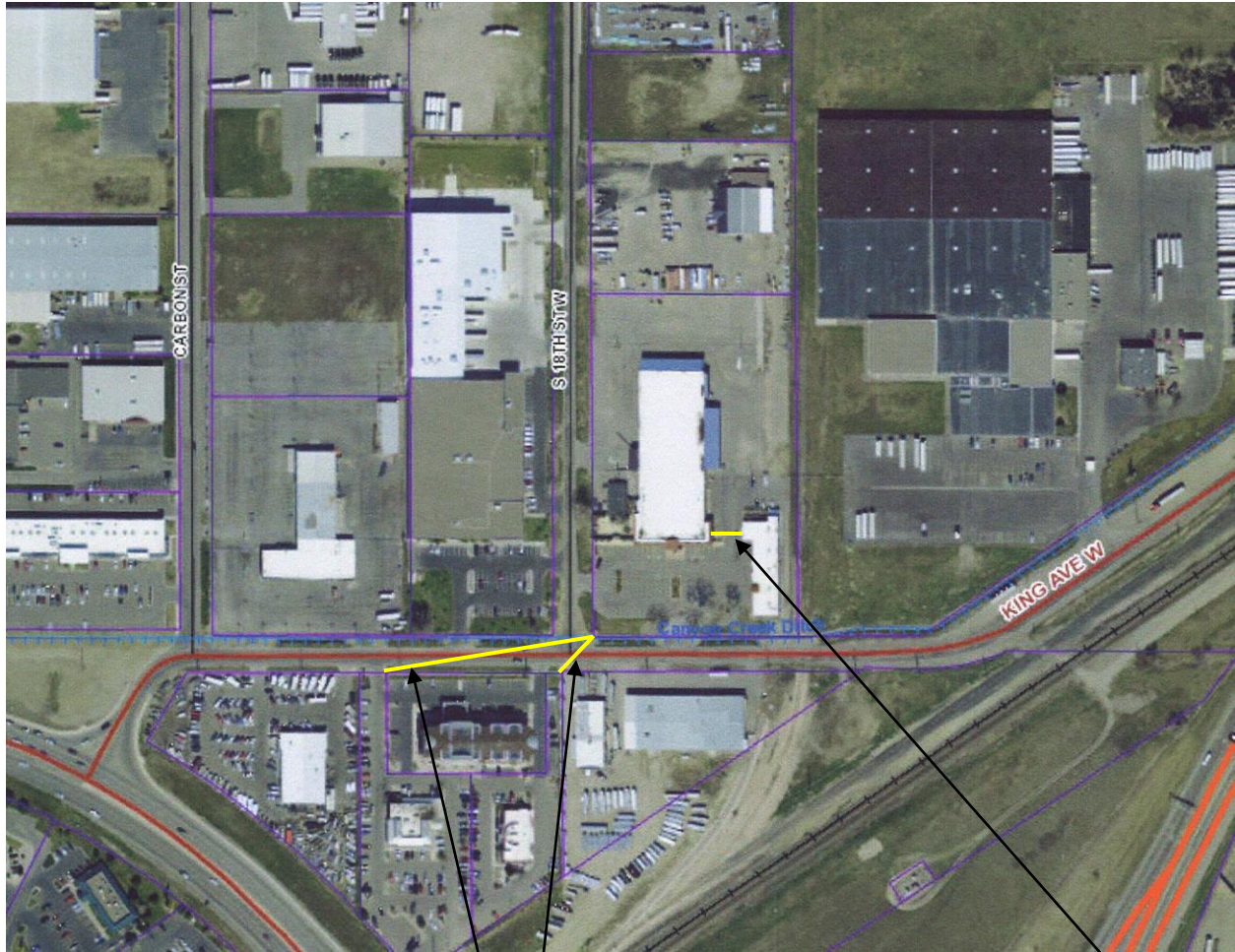
View North from Church parking lot



Picture of church and existing Copper Creek Casino



View North between existing casino and church looking at CEI Electrical building.



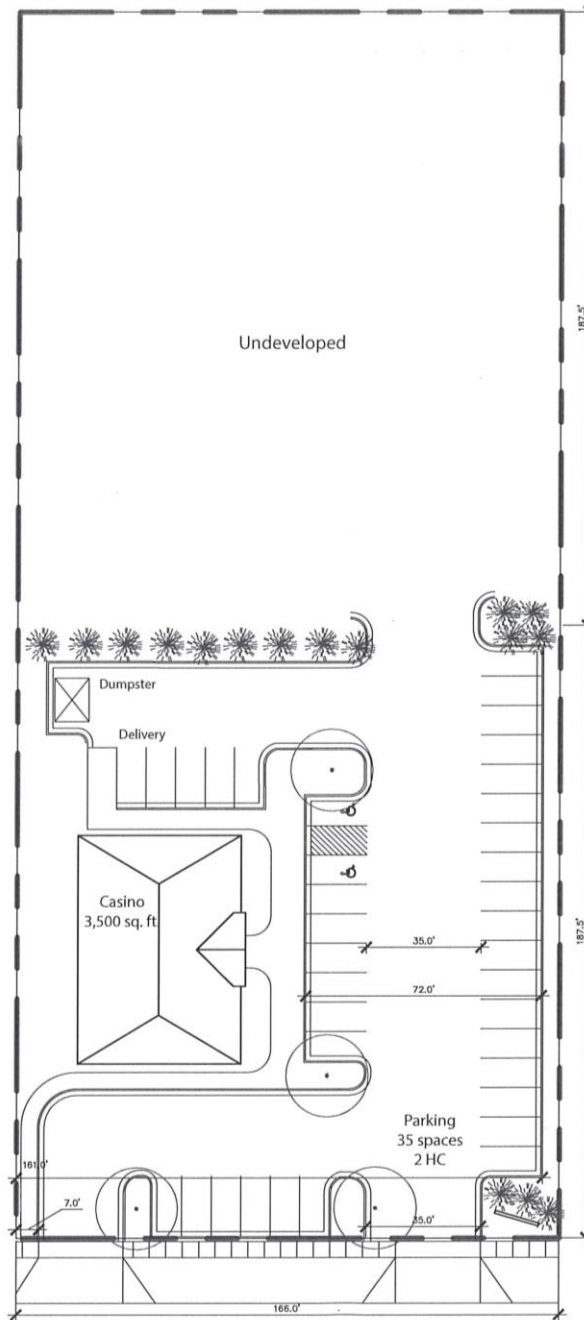
Texas Road house is about 389 feet, property line to property line from the church property.

Hu Hot Mongolian Grill is about 91.5 feet, property line to property line

54-feet of parking and drive lane between church and Copper Creek Casino.

Site Plan

Exhibit for
Item 2 (A)



15 0 30 60

SCALE: 1" = 30'

June 2016

Trillium Sub - Lot 3B, Block 2
Conceptual Sketch Plan

SANDERSON STEWART 

Interior Plan

Applicant Letter
SPECIAL REVIEW APPLICATION
CITY OF BILLINGS

Planning & Community Services Department
2825 3rd Ave North, 4th Floor
Billings, MT 59101
Phone: 247-8676 Fax (406) 657-8327
Website: <http://ci.billings.mt.us>

NOTICE TO PETITIONER

The Zoning Coordinator will check the application for completeness after the deadline date. If the application is unacceptable, you will be notified as to what changes need to be made. Incomplete and/or unacceptable applications may delay the review process by four weeks or longer. Make sure your application is totally complete or your request will be delayed.

INSTRUCTIONS

All applications shall be submitted to the Planning & Community Services Department, 2825 3rd Ave North, 4th Floor. The filing fee must accompany the application in order for it to be accepted.

All questions must be answered fully. Please type or print. You may attach further pages if additional space is needed. All plans and other exhibits submitted with this application will be retained as a part of the permanent record.

1. Answer the following questions:
 - 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. This proposal places a casino and bar in an area that is already home to other commercial enterprises, instead of mixing it into or close to residential neighborhoods. This proposal also takes the casino and bar out of an area that is directly across the parking lot from a church.*
2. **ISSUE:** *The current zoning ordinances and subdivision regulations do not always prevent incompatible uses in and adjacent to existing City neighborhoods and County townsites. This proposal will place a high quality atmosphere and construction that is in keeping with the character of nearby commercial businesses.*
3. **ISSUE:** *Rural townsites are not prepared to handle increased growth.* **NA**

City Special Review Application.2016-2017 updated 6/24/16

4. **ISSUE:** *Urban sprawl threatens the rural character of land surrounding Billings, increases the cost of providing public services, and threatens the vitality of the city core and downtown area. This proposal places a new business in an established commercial space. This proposal also places the casino and bar in a commercial area that separates the enterprise from the current location by the church, with several buildings and neither the church nor casino and bar can be seen by the other in compliance with City of Billings Sec. 27-612 (a)(1).*
5. **ISSUE:** *There is a serious lack of affordable housing for low to moderate income households.*
NA
6. **ISSUE:** *There is a desire for more mixed use neighborhoods. This proposal will place an alternative entertainment destination for the other commercial businesses in the area.*

Economic Development Element

1. **ISSUE:** *We need to continue a cohesive focus in economic development.*
2. **ISSUE:** *Lack of living-wage jobs*
This proposal will create living wage jobs for multiple employees and suppliers of the services.
3. **ISSUE:** *Entryways to our communities should be attractive and not present physical barriers discouraging economic development.*
This proposal will locate a viable business in an area that is close to other businesses frequented by newcomers to Billings and those from surrounding communities, including hotels and restaurants. This will anchor customers into an area close to the Interstate and thoroughfares of Billings so they do not have to drive through town.
4. **ISSUE:** *Government supported programs and improvements are not sufficiently funded.* NA
5. **ISSUE:** *Like many other Montana cities, the economic viability of Downtown Billings is uncertain.* NA
6. **ISSUE:** *Safety in the Downtown Billings is an important element.* NA
7. **ISSUE:** *Surrounding communities in the County need economic development to sustain them.* NA
8. **ISSUE:** *Billings needs to attract businesses that pay higher wages.*
This proposal will meet the objectives of improving the quality of life for residents, strengthening the local economy and creating living wage jobs.
9. **ISSUE:** *The economic development of Billings Heights is overlooked.* NA
10. **ISSUE:** *The quality of our schools is a determining factor for whether businesses locate in Billings.* NA
11. **ISSUE:** *Neighborhoods provide the character and strength of the community and the quality of neighborhoods should be preserved.* NA

12. **ISSUE:** *The Billings economy faces a severe shortage of skilled workers in a number of sectors (a problem that will worsen as the population ages).* **NA**

Aesthetics Element

1. **ISSUE:** *There are areas in the City and County that are unattractive and present a poor image of the community.
This proposal will include construction of a new building, parking space and signage on a current vacant lot between commercial business. This should make the area more attractive.*
2. **ISSUE:** *New development and signs, cell towers, power lines and other structures could reduce the visual quality of the rims.* **NA**
3. **ISSUE:** *Urban interstate corridors through the County are unattractive.* **NA**

Natural Resources Element

1. **ISSUE:** *The quality of the Yellowstone River and the associated riparian habitat is threatened.* **NA**
2. **ISSUE:** *Water is an important resource and it is becoming scarcer.* **NA**
3. **ISSUE:** *Due in part to the arid nature of our environment and the remoteness of some developments, there is an increased risk to human life and property from wildfires.* **NA**
This proposal will be in an already established commercial district.
4. **ISSUE:** *Weeds detract from the beauty of an area, pose a fire danger, and reduce the productivity of agricultural land.
This proposal will place a building, paved parking spaces and landscaping on an otherwise vacant lot with weeds.*
5. **ISSUE:** *Human encounters with wildlife often result in a painful consequence for wildlife, pets, and humans.* **NA**
6. **ISSUE:** *Certain development is damaging our natural resources.
This proposal will have no adverse effect on sensitive natural resources, including established trees or waterways.*

Open Space and Recreation Element

This proposal will have no negative impact on the open space and recreation elements addressed in the Growth Policy Statement.

1. **ISSUE:** *Some neighborhood parks appear to receive more funding for improvements than other neighborhood parks.* **NA**
2. **ISSUE:** *Billings and Yellowstone County need more major recreation facilities and need to improve those we already have.* **NA**
3. **ISSUE:** *Private land development sometimes restricts access to public land.
The vacant land being built on is a small lot in a commercial area that is not zoned for, or a*

corridor to, public land.

4. **ISSUE:** *Billings and surrounding County townsites need more multiple use trails. The vacant land being built on is a small lot in a commercial area that is not zoned for, or a corridor to, public access to trails or trailheads.*

Transportation Element

1. **ISSUE:** *Speeding in City neighborhoods and outlying communities. NA*
2. **ISSUE:** *Safe and efficient traffic circulation around and through the City. This proposal will place the casino and bar on established thoroughfares and immediate interstate highway access.*
3. **ISSUE:** *Lack of adequate traffic control. This proposal will situate the new business where traffic flow has been already established and safely monitored.*
4. **ISSUE:** *The design of roads, streets, and pedestrian facilities can be more attractive and functional. The proposal is for a commercial area on a strict two-lane street with no turn outs or passing zones.*
5. **ISSUE:** *Obstacles to efficient and safe traffic flow. This proposal will situate the new business where traffic flow has been already established and safely monitored.*
6. **ISSUE:** *Deteriorated conditions of City streets and County roads. This proposal is on a street that is in good condition.*
7. **ISSUE:** *Resources for transportation improvements should be rationally allocated throughout City neighborhoods and County townsites. NA*
8. **ISSUE:** *More convenient bus schedules are needed to attract MET ridership. NA*
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. The proposal is in a commercial area that has no sidewalks.*
10. **ISSUE:** *Lack of adequate bicycle facilities. The proposal is in an area that is conducive to bicycle transportation.*
11. **ISSUE:** *MET Transit is underfunded. The proposal is in an area that can be accessed by MET Ridership.*
12. **ISSUE:** *Deterioration of air quality due to vehicle emissions.*

This proposal will locate the casino and bar in a centrally located commercial, restaurant and motel district. By doing this, the proposal will create less need for potential customers to drive to reach the destination.

Public Facilities and Services Element

1. **ISSUE:** *Residents are not adequately informed of County and City projects. NA*
2. **ISSUE:** *Dilapidated and unsafe properties in City neighborhoods and County townsites. This proposal will decrease the amount of area that is vacant, unused and subject to vandalism.*
3. **ISSUE:** *Safety is a concern in neighborhoods and outlying County townsites. NA*
4. **ISSUE:** *There are safety and functionality issues with City streets. The street at the proposed location is in good condition with normal traffic flow safety items present.*
5. **ISSUE:** *Funding for community facilities and infrastructure is very limited. NA*
6. **ISSUE:** *Public funds are not distributed rationally throughout City neighborhoods and County townsites. NA*
7. **ISSUE:** *There are vacant structures around Billings and in the County that could be reused. NA*
8. **ISSUE:** *Community services are not always available to everyone. NA*
9. **ISSUE:** *Subdivision review, zoning applications, and other development permit review are not always conducted in a streamlined and timely manner. NA*
10. **ISSUE:** *Maintenance of existing K-12 school facilities and planning for new schools is critically important to maintaining existing communities built around the neighborhood school concept and fostering new communities surrounding school sites. NA*
11. **ISSUE:** *Multiple community interests (including local government, arts organizations, and social organizations) are competing for tax dollars for facility development and maintenance, resulting in taxpayer fatigue and overall declining support for capital and maintenance projects. NA*

Cultural and Historic Resources Element

Because this proposal is situated in an established retail and motel area, it will have no negative impact on the cultural and historic resources elements addressed in the Growth Policy Statement.

Community Health Element

This proposal will have no negative impact on the community health elements addressed in the Growth Policy Statement.

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

Locating the proposed casino and bar at this location will reduce the amount of vacant commercial lots in the City of Billings. It will also anchor traffic flow and commerce in an area that is already commercial, instead of adding to new areas on the fringes of the City of Billings.

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

This casino and bar will compliment the restaurants in the area and service the guests of Spring Hill Suites of Billings from this proposed location.

D. Prepare a written statement addressing what is intended to be done with the property, including new construction or change in the use of the property, and why the special review is being sought.

We originally entered into a lease on the property at the current location, 1731 King Avenue West, Billings, in April 2009. It was a commercial retail development and we were one of five businesses operating there. The lease had an initial five year term, with an option to the lessee to extend the term for two additional five year terms. The original owners fell on hard times and the property was purchased, subject to our lease, in May 2013 by the International Church of the Foursquare. The church leaders met with us sometime soon after purchasing the property to inform us they would eventually like to use the space for other church activities and asked if we would consider an amendment to our lease to shorten the potential term. In May 2014, we entered into an amendment together agreeing to extend the term of the lease until June 2017, with no further term extensions. The customer base of our business is established, and so we started looking for other commercial spaces in the same general area that would allow us to maintain our current customer base, but be separate and much further away from the church than we are today. The vacant lot at 545 South 18th Street West is within the target customer area we are hoping for.

There will be new construction for a single level building, paved parking lot and area lighting.

The proposed new location is approximately directly at 600 feet from the closest property boundary of the proposed location to the property owned and used by the International Church of the Foursquare. (The location of the building itself will be beyond the 600 feet, as it will be located within the lot away from the property line.) We feel we have adequate grounds for a waiver to City of Billings Sec. 27-612 (1) on the following points:

1. *The new location is located on a different street (South 18th Street West) than the current and church location of King Avenue West.*

2. *There are several physical barriers between the church and proposed new location:*

a. *The "Charter Communications" (leased) building and parking lot with company vehicles is directly north and behind the church building, although the property is apparently owned by the church;*

b. *Continuing north, a chain link fence with barbed wire on the top separates the*

Charter property from the “CEI-Billings” business property; and

c. The “CEI–Billings” property contains an equipment parking lot in front with service equipment, service vehicles and service trucks and trailers.

d. Continuing north of CEI-Billings, is the vacant lot we propose to locate on.

There is no direct access between the church building and the proposed location. The parking lots of Charter and CEI are enclosed with chain link fences around the property. In addition, with the various intervening businesses and equipment, there is no direct line of sight from the church building to the proposed location.

Regular City Council Meeting

Meeting Date: 08/22/2016

TITLE: Special Review #946 - 1100 Block of 16th Street West - Parking Lot

PRESENTED BY: Wyeth Friday

Department: Planning & Community Services

PROBLEM/ISSUE STATEMENT

This is a special review request to construct a new 43-space parking lot with alley access and landscaping in a Residential 7,000 (R-70) zone, on the North 130 feet of Lot 8 and the North 140 feet of Lot 7, Block 3 of West View Subdivision, a 20,250 square foot parcel of land generally located on the east side of 16th St. West just north of the intersection of Lewis Avenue. The Zoning Commission conducted a public hearing on August 2, 2016, and is forwarding a recommendation of conditional approval and adoption of the findings of the 3 review criteria on a 3-1 vote.

Special Review applications are reviewed using City Code criteria referenced in the Alternatives Analyzed section of this memo. Special Reviews do not require an ordinance for approval, are not zone changes on property; rather, are tied to specific uses that are allowed in a given zoning district but are subject to a review by the City prior to the use being allowed. Special Reviews, unlike zone changes, may be conditioned to mitigate possible impacts from the use on the subject property or surrounding properties.

ALTERNATIVES ANALYZED

City Council may:

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

The Planning Division reviewed the request and recommended conditional approval based on the findings of the 3 review criteria. 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) the application is compatible with surrounding land uses and is otherwise screened and separated from adjacent land to minimize adverse impacts. This application conforms to the first criteria because it is within a district where a parking lot may be allowed by special review.

The application also conforms to the second and third criteria. The zoning regulations adopted by the City Council have designated that all residential zoning districts can have a parking lot on them as long as they go through the special review process. The proposal is consistent with goals of the 2008 Growth Policy – specifically the goal of encouraging uses that are compatible with the character of the adjacent land use patterns. This site is in a transitional area of Billings, with residential and professional office uses next to each other. The development of this parcel into a parking lot would continue that trend and take a parcel that is vacant and contains weeds and redevelop it to improve the neighborhood. There are minimal impacts from the proposed location of the parking lot that need to be mitigated. The conditions recommended with the special review should mitigate impacts on the site and the surrounding properties.

The Zoning Commission recommends the following conditions of approval:

1. The special review approval is for the construction of a parking lot facility generally located at the 1100 Block of 16th St. West.
2. The approval is limited to North 130 feet of Lot 8 and the North 140 feet of Lot 7, Block 3 of West View Subdivision, a 20,250 square foot parcel of land.
3. The proposed use as a parking lot is supported by City Engineering and with this special review process, also grants the applicant a variance from the requirement of a separate Site Development Variance normally required by City Engineering for access through the alley.
4. Increases in the number of parking spaces greater than 10% of the numbers shown on the site plan will require additional special review approval.
5. The site will be developed in conformance with City Planning and City Engineering input to ensure it meets the requirements of zoning, site development and safety identified by staff, including those identified by City Engineering in the 'Engineering Comments' attached to this staff report.
6. The applicant will install screening, fencing, and landscaping along the 16th St. West frontage with an opening at the southwest corner and directional signage to encourage pedestrian crossing at the signalized intersection of 16th St. West and Lewis Avenue.
7. No construction can take place before 7 am or after 8 pm.
8. These conditions of special review approval shall run with the land described in this authorization and shall apply to all current and subsequent owners, operators, managers, lease holders, heirs and assigns.
9. The proposed development shall comply with all other limitations of Section 27-613 of the Unified Zoning Regulations concerning special review uses, and all other City of Billings, regulations and ordinances that apply.

FINANCIAL IMPACT

If the special review is approved, the property will develop and be assessed at a higher property value. This will raise the City's tax revenue collection for this property.

BACKGROUND

This is a special review request to construct a parking lot on vacant land that is zoned Residential 7000, located north of the intersection of 16th Street West and Lewis Avenue. This parcel has been vacant for many years and has not been developed into housing as have properties to the southeast and north. To the west, commercial uses have developed. There are some circumstances that make this parcel difficult to develop as housing. Spring Creek ditch is enclosed in a culvert under this property and there is also a City storm drain system under the property and in the adjacent alley. Another issue that has prevented the residential development of this parcel is the availability of a sewer connection. The closest sewer

connection is in Lewis Avenue, uphill from the subject property. Although the sewer line in Lewis Avenue is approximately 17 feet deep, there is no easement through the properties to the south to access that sewer line. City Engineering is willing to let a developer put the sewer line in the City right of way, but there is the challenge of digging up hill in 16th Street West and into the intersection of 16th Street West and Lewis Avenue, and missing the footings of the existing signal light poles. A sewer line from this property would also most likely need to have a pump system to get effluent to the sewer line in Lewis Avenue. All of these factors make development of this lot for residential purposes complex and costly.

The applicant is proposing to develop the land into a parking lot for the use of employees that work in the office building at 1601 Lewis Avenue, across the street from the subject property. With this proposal, there would be no need to obtain a sewer connection to the parcel and water is readily available for landscape irrigation. In the letter submitted by the applicants, they are stating that this will open more parking for them around the office building for clients and provide enough parking to attract more new businesses into the office building.

City Engineering has submitted some comments to the Planning Division about this parcel outlining some work that will need to take place on this parcel, but the staff is supportive of the parking lot proposal. City Engineering staff stated concerns about safety of pedestrians crossing 16th Street West to get to work at 1601 Lewis Avenue. It is recommended the applicant install landscaping, fencing, or screening to discourage direct crossing from the proposed parking lot across 16th Street West (See Attachment 'Engineering Comments').

There have been other parking lots that have gone through special review to allow them on land that is zoned residential. A few examples of other properties with parking on residentially zoned land include 819 Grand Avenue, Off The Leaf, Residential 6000; 1045 Grand Avenue, Dairy Queen, Residential Multi-Family Restricted; 1403 Grand Avenue, Stockman Bank, Residential 6000; 2032 Grand Avenue, Dana Motors, Residential 6000. There are also many Church buildings with parking lots on residentially zoned property. Section 27-305 BMCC allows parking lots to be placed on residentially zoned land with a Special Review.

STAKEHOLDERS

The Zoning Commission conducted a public hearing on August 2, 2016, and received the staff recommendation. The applicant, Dave Pfohl, spoke in favor of the proposed parking lot. He stated that they have a shortage of parking around their building at 1601 Lewis Avenue. With the advent of computerization of offices, they now need less room for people and they don't currently have enough parking. This new parking lot would provide additional employee parking and save the spaces around the building for client parking. They plan to level out the lot as much as possible, lowering the south end. Drew Smith stood to speak in favor of the application, reiterating some of Mr. Pfohl's comments.

The public hearing was then open to those wishing to speak in opposition. Six different surrounding neighbors spoke in opposition. The main concerns were drainage from the parking lot during a rain storm and from piled snow during the winter. The neighbors also stated that there is already unusually heavy traffic in the alley and the addition of the parking lot will make it worse. Other concerns and questions stated by the neighbors included what type of fencing is required for the parking lot, and the type of lighting proposed to be installed in the parking lot.

Mr. Pfohl addressed concerns expressed by the neighbors. He stated he is not able to do anything about the traffic already in the alley, but most of the cars using the parking lot will arrive in the morning and leave around 5 pm, with limited traffic during the middle of the day. He

stated that he has been talking with engineers about handling water in the parking lot and believes that the problems they now have with water run off will be addressed with the requirements he has to meet to retain water on the parking lot site to meet City storm water regulations. He said that they plan to have snow removal done on the same basis as his current office building, which includes hauling snow off site if too much snow accumulates. Mr. Pfohl stated that the fence will be a privacy fence along the south and east property lines next to the existing houses. He stated he appreciates all the input and would like to talk more with the neighbors to resolve issues raised at the meeting.

The public hearing was closed and a motion was made by Commission Member Ulvestad recommending a 30-day delay of the application to further discuss issues with the neighbors. The motion died for lack of a second.

Commission Member Boyett made a motion to recommend conditional approval of the application. The motion was seconded by Commission Member Mariska. Commission Member Boyett stated that he believed that the three weeks between the Zoning Commission meeting and the City Council meeting would be enough time to speak with the neighbors and work out any issues that have been raised. Commission Member Mariska concurred with that statement. The commission members voted to forward a recommendation of conditional approval to the City Council with a vote of 3-1.

CONSISTENCY WITH ADOPTED POLICIES OR PLANS

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

RECOMMENDATION

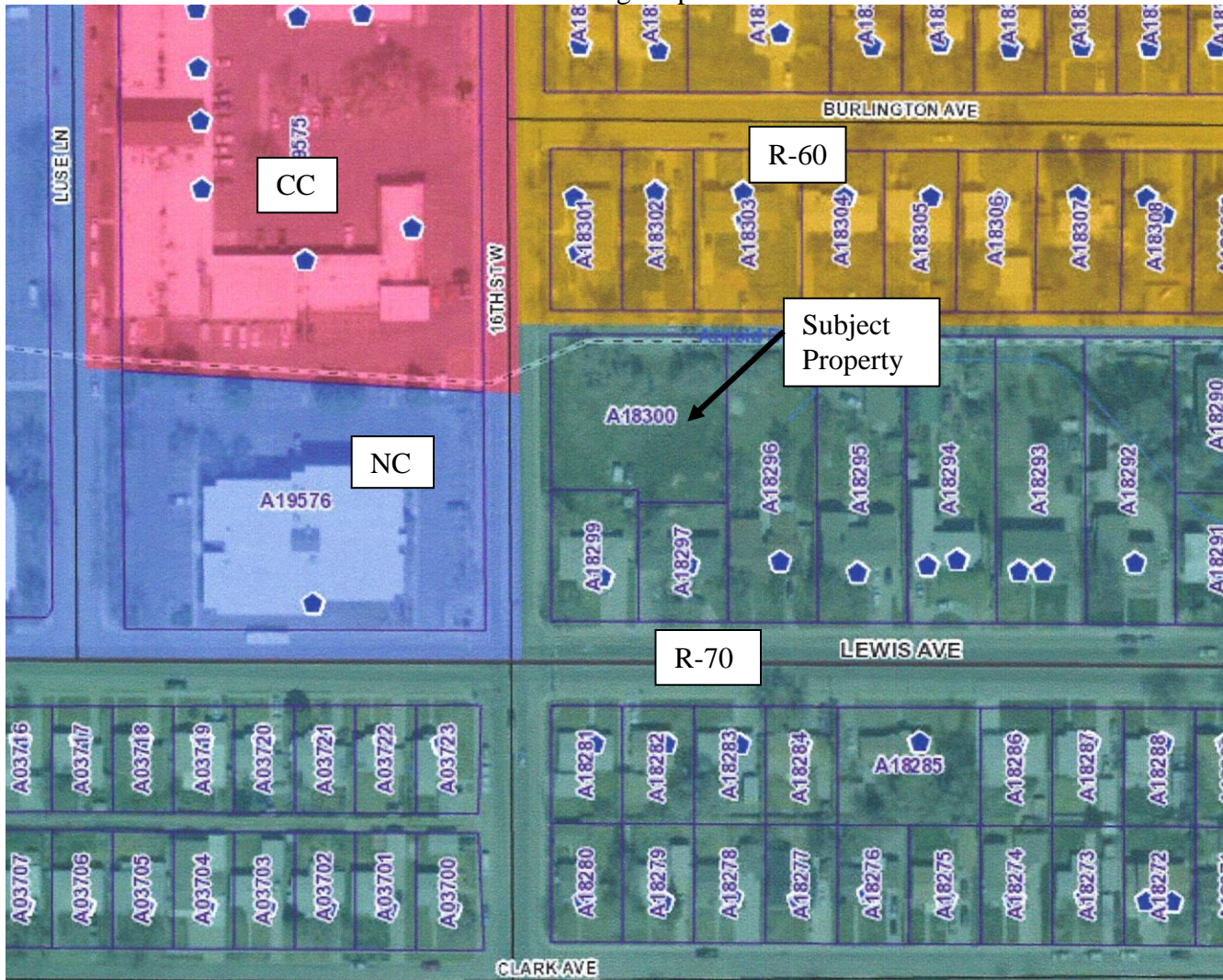
The Zoning Commission recommends conditional approval and adoption of the findings of the 3 review criteria for Special Review 946 on a 3-1 vote.

APPROVED BY CITY ADMINISTRATOR

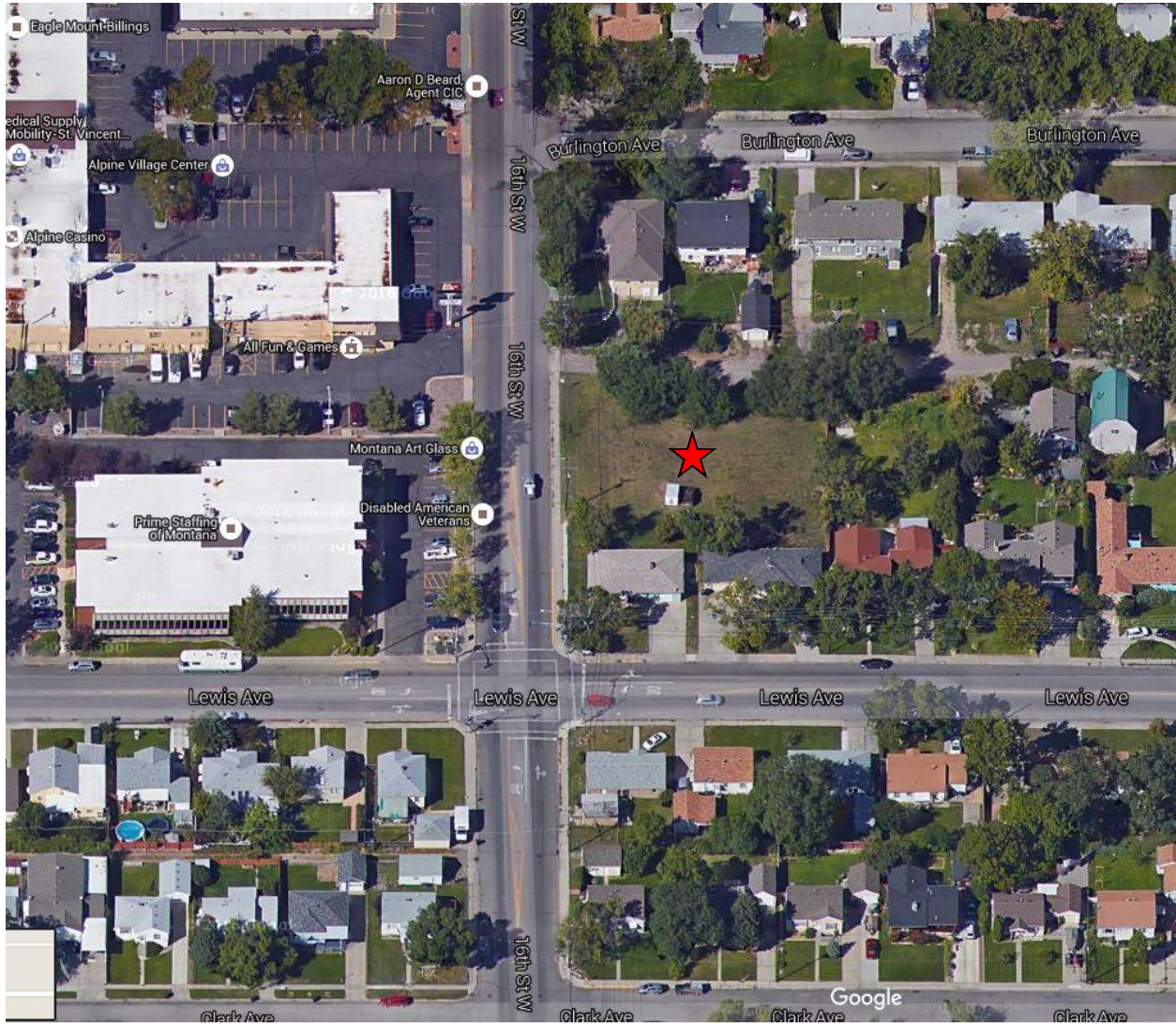
Attachments

Zoning Maps and Site Photos
Applicant Letter and Site Plan
Engineering Comments

Zoning Map



Site Photos



Subject Property 

Site Photos



Subject property from 16th Street West looking east



Looking south toward Lewis Avenue



Looking from subject property across 16th Street West to 1601 Lewis Avenue Building



Alley at north end of subject property



Looking north from subject property

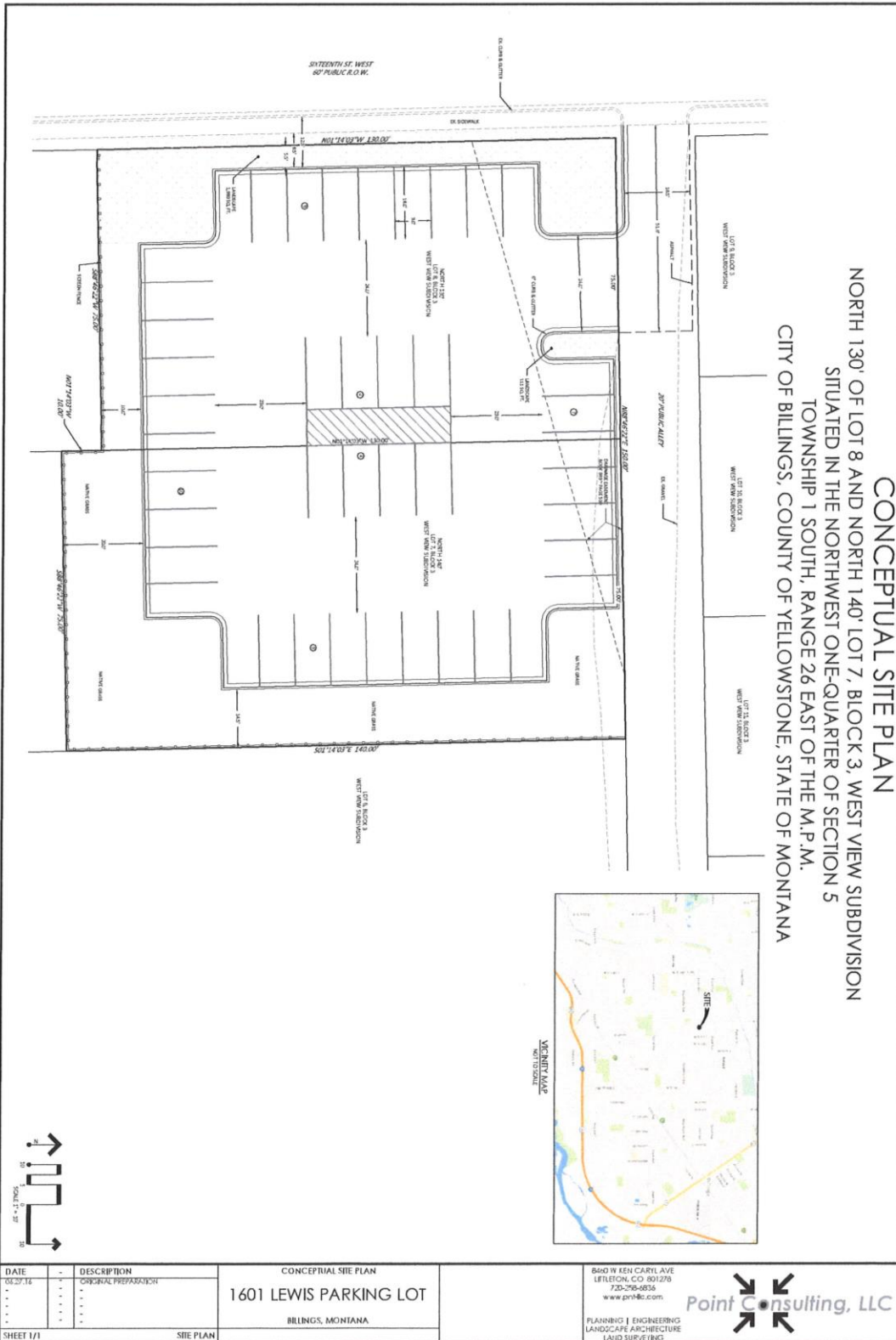


Photos provided by applicant

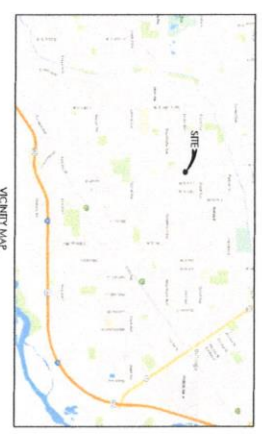



Photos provided by applicant

Site plan



CONCEPTUAL SITE PLAN
 NORTH 130' OF LOT 8 AND NORTH 140' LOT 7, BLOCK 3, WEST VIEW SUBDIVISION
 SITUATED IN THE NORTHWEST ONE-QUARTER OF SECTION 5
 TOWNSHIP 1 SOUTH, RANGE 26 EAST OF THE M.P.M.
 CITY OF BILLINGS, COUNTY OF YELLOWSTONE, STATE OF MONTANA



DATE	DESCRIPTION	CONCEPTUAL SITE PLAN	8460 19 th KEN CARL AVE LITTLETON, CO 80120 720-298-6836 www.pntc.com
08.27.14	CONCEPTUAL PREPARATION	1601 LEWIS PARKING LOT	 PLANNING ENGINEERING LANDSCAPE ARCHITECTURE LAND SURVEYING
.....	BILLINGS, MONTANA	
SHEET 1/1		SITE PLAN	

Applicant Letter

SPECIAL REVIEW APPLICATION CITY OF BILLINGS

1. A. The development of this vacant lot would be a benefit to the city for many reasons.

1. The lot is currently vacant and unmaintained. This proposal will clean up and make an apparently unused property more esthetically appealing and usable.

2. The lot will be asphalted and landscaped, allowing parking for more vehicles thus contributing to the expansion of businesses in this area.

3. It will give businesses the option of producing more jobs and having the availability to expand in an area that has a shortage of parking for their employees and customers.

4. The lot has never been developed because of the underground water structure beneath it. Digging for a foundation, power or sewer is not an option. Installing a parking lot at this location is a logical improvement.

B. There is a shortage of parking at 1601 Lewis Avenue. 1601 Lewis Avenue is a 36,000 square foot commercial office building that is located directly across the street from the vacant lot. The building has also recently lost the use of several street parking options due to the new bicycle path implemented on Lewis Avenue.

C. 1. It will allow the expansion of business and cause new jobs.

2. It will be more esthetically pleasing.

3. The property will be lighted and can possibly help cut down on crime and vandalism in a dark neighborhood.

4. Having the property paved and landscaped will help control the weed problem that is overtaking the city.

D. The purpose of this application is to acquire permission to construct a parking facility on a vacant lot located at Lot 8 of the West View Subdivision, 16th Street West Billings Mt. Currently the lot is zoned residential. The lot is being purchased by David Pfohl and Dennis Dodge the owners of 1601 Lewis Ave. Our intent is to make more parking available for the tenants and businesses located in 1601 Lewis Avenue. 1601 Lewis Avenue is a commercial office building that houses approximately 34,000 square feet of rentable office space. We currently have 88 parking spaces on our property. With the new age of computers we find that less space is necessary to facilitate the average employee. This is causing more bodies per square foot of rented space and a need for more parking for these employees.

The vacant lot has sat without improvement for many years. The previous owner and his family had purchased the property in 1956 and were never able to build on it even though he was a developer and had bought it with that intension. He had acquired several lots in this subdivision and later found that there is an underground drainage system under this particular lot that would prohibit him from

building the rental complex that he had imagined. Sixty years later the descendants of this developer still held ownership of this property, have made no improvements on it and had tried to sell it to someone who could find a use for it.

With the need for extended parking at the 1601 Lewis Ave. building, the owners acquired the professional advice of Eggart Engineering Co.. The lot consists of approximately 20,250 square feet. It is Eggart's opinion that a parking facility housing 40-50 spaces can be engineered into the site. A preliminary site plan and budget have been designed. Further investigation has also been acquired from Fisher Construction of Billings. Fisher Construction have also verified that the property is capable of housing a parking facility. Bids and layouts are also in process by Fisher Construction. Both companies agree that the Special Review must be the next step in pursuing the development of the property.

D & P Land Investment the owners of 1601 Lewis Avenue and Donald Lee the owner of Lot 8 have formed a Buy, Sell Agreement with a contingency that the property will pass a Special Review that will allow the development of a parking lot.

Thank you for considering this development.

D & P Land Investments LLC

Dave Pfohl

Owner/Manager

Engineering Comments

There are some concerns that the owner and/or the Zoning Commission should be aware of concerning this property and the proposed parking lot.

- There are portions of the City Storm Drain system under this property and in the adjacent alley.
 - I have talked with staff in our office, and we are OK with a parking lot being placed over the storm drain piping. Access to any existing manholes will need to be maintained.
 - If there is not a specific easement document already in place, one should be recorded prior to a building permit being issued for the parking lot. City staff can prepare the easement document, but the property owner or his agent should provide information from a licensed surveyor as to where the storm drain piping is physically located
- A site development variance would normally be required for alley access to the parking lot because of residentially zone properties along the alley. Because the Special Review also goes to Council, we are comfortable with not requiring a separate Site Development Variance as long as the alley access is specifically called out in the Council approval. The alternative is to not use the alley for access and to provide direct access onto 16th St. West.
- The location of this lot versus the building it will serve will lead to pedestrians jaywalking across 16th Street West as they go to and from the office building.
 - Based on nearby count station data for 16th St. West the average daily traffic volume on this portion of 16th St. West is between 4,000 and 5,000 vehicles per day.
 - The city will NOT approve any sort of signed or striped crosswalk across 16th this near the signalized intersection at 16th & Lewis.
 - The parking lot should be designed with screening, fencing, or landscaping along the 16th St. West frontage to discourage street crossings directly to & from the parking lot.
 - Signing should be provided at any point where pedestrians can exit the parking lot (driveway or entry walkway) directing pedestrians to cross at the traffic signal at Lewis.

Terry