

RESOLUTION 17-\_\_\_\_\_

A RESOLUTION DECLARING IT TO BE THE INTENTION OF THE CITY COUNCIL TO CREATE A TOURISM BUSINESS IMPROVEMENT DISTRICT FOR THE PURPOSE OF PROMOTING TOURISM, CONVENTIONS, TRADE SHOWS AND TRAVEL TO THE CITY OF BILLINGS, MONTANA

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

**Section 1. Proposed Tourism Business Improvement District (T.B.I.D.); Intention To Create Tourism Business Improvement District.** The T.B.I.D. proposes that the purposes for which the assessments collected shall be used are the statutory purposes set forth in Business Improvement District Law, Montana Code Annotated 2007, 7-12-1101 through 7-12-1144 as amended, for the funding of all uses and projects for tourism promotion within Billings as specified in the Billings Tourism Business Improvement District budget.

**Section 2. Number of District.** The District, if the same shall be created and established, shall be known and designated as the Tourism Business Improvement District No. 0002 of the City of Billings, Montana.

**Section 3. Boundaries of District.** The limits and boundaries of the District are the limits and boundaries of the City of Billings and are depicted on a map attached as "Exhibit A" 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 B" hereto.

**Section 4. Benefited Property.** The District and territory included within the limits and boundaries described in Section 3 and as shown on Exhibit "A" are hereby declared to be the Tourism Business Improvement District and the territory which will benefit and be benefited by and will be assessed for the costs of the Tourism Business Improvement District as described in Section 1.

**Section 5. General Character of the Services to be performed.** The services to be performed shall be the funding of all uses and projects for tourism promotion within Billings as specified in the Billings Tourism Business Improvement District budget. It includes the marketing of convention and trade shows that benefit local tourism and lodging businesses in Billings; the marketing of Billings to the travel industry in order to benefit local tourism and the lodging businesses located within the Billings Tourism Business Improvement District; and the marketing of Billings to recruit major sporting events in order to promote local tourism and to benefit the lodging businesses within the Billings Tourism Business Improvement District.

**Section 6. Assessment Methods; Property To Be Assessed.** All hotels, defined as any structure, or any portion of any structure, which is occupied or intended or designed for

shall be subject to an assessment of two dollars (\$2) per occupied room night as prescribed in Section 7-12-1133, subsection (c), M.C.A, except that stays by persons who are otherwise exempt from paying a transient occupancy tax, also known as a lodging facility use tax, as provided in 15-65-101 through 15-65-136 MCA, shall be exempt from the assessment. The assessments may be modified annually by City Council resolution or adoption of the City budget.

**Section 8. Payment of Assessments.** The assessments for the costs of maintaining the services provided by the Tourism Business Improvement District shall be payable, as prescribed in Section 7-12-1133 subsection (c), M.C.A.

**Section 9. Duration of District.** The duration of the T.B. I. D. shall be for a period of 10 years as prescribed in Section 7-12-1141, M.C.A. Upon receipt of a petition signed by the owners of more than 50% of the area of the property included in the district, the governing body shall dis-establish the district at the end of any fiscal year.

**Section 10. 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 proposed District subject to assessment and taxation for the cost and expense of maintaining the Tourism Business Improvement District may make and file with the City Clerk until 5:00 p.m., M.D.S.T., on the expiration date of said 15-day period from April 13, 2017 through April 28, 2017 written protest against the proposed Tourism Business Improvement District, and this Council will at a 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, May 8, 2017 at 6:30 p.m., in the Council Chambers, located on the Second Floor of the City Hall at 220 North 27th Street, in Billings, Montana.

**Section 11. Notice of Passage of Resolution of Intention.** The City Clerk is hereby authorized and directed to publish or cause to be published a copy of a Notice of the passage of this Resolution in the Billings Times, a newspaper of general circulation in the County on Thursday, April 13, 2017 and Thursday, April 20, 2017, 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 as described in Section 6 within the proposed 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 12. Effective Date.** This resolution shall become effective upon adoption.

**APPROVED** by the City Council of the City of Billings, Montana, this 10<sup>th</sup> day of April, 2017.

THE CITY OF BILLINGS:



# “EXHIBIT B”

Property	Contact/Voting Member*	# of Rooms	Tax Code	FEIN	± Ft of Footprint	Property Address	City/State/Zip	Phone	Ownership Group	Mailing Address	City/State/Zip
Baymont Inn & Suites	Nesrina Khan	60	A27802	46-302166	67,632	2030 Overland Avenue	Billings, MT 59102	652-5500	Khan Organization LLC	2030 Overland Avenue	Billings, MT 59102
Best Western Clock Tower Inn	Steve Walfish	127	A00618	89-4236917	63,000	2511 1st Avenue North	Billings, MT 59101	259-5511	Clocktower Inn LLC	2511 First Avenue North	Billings, MT 59101
Best Western Kelly Inn	Joyce Braland	89	A28977	26-2210919	139,392	4915 Southgate Drive	Billings, MT 59101	256-9400	Kelly Midwest Ventures LLP	3211 West Senore Dr	Sioux Falls, SD 57107
Big 5 Motel	John Newman	30	A00048	81-0502824	28,000	2601 4th Avenue North	Billings, MT 59101	245-6648	Contract EBMG Services Inc c/o Wayne Shawver	5484 Forest Hills Dr	Billings, MT 59102
Big Horn Resort	Richard Todd	108	A30687	75-3176960	486,957	1801 Mayestic Lane	Billings, MT 59102	839-9300	Billings Ventures LLP	1801 Mayestic Lane	Billings, MT 59108
Boodhill Inn & Suites	Shelli Mann	69	A29251	81-0534957	60,984	242 East Airport Road	Billings, MT 59105	245-2000	Boedhill Family Investments LLP	P. O. Box 80284	Billings, MT 59108
Bourbon Street Hotel Tower II	Luanne Pekoovich	24	A00721	81-0518121	10,454	3420 First Avenue North	Billings, MT 59101	259-4551	Greg and Becky Pekoovich	3550 Masterson Cir	Billings, MT 59106
Bourbon Street Hotel Towers I & II	Luanne Pekoovich	51	A00729	81-0518121	30,750	3314 1st Avenue North	Billings, MT 59101	138-521	Bilco Investments LCT Inc	3550 Masterson Cir	Billings, MT 59106
C/Mon Inn	Justin Manning	80	A27780	81-0490668	138,521	2020 Overland Avenue	Billings, MT 59101	252-9970	Computers Unlimited	P. O. Box 12697	Grand Forks ND 58208
Carlin Hotel	Susan Smith	8	A00806	81-0519836	6,500	2501 Montana Avenue	Billings, MT 59101	252-9603	Kirby Development Co Inc c/o Douglas Kirby	2407 Montana Avenue	Billings, MT 59101
Cherry Tree Inn	Douglas G. Kirby	65	A07125	81-0330181	27,878	823 North Broadway	Billings, MT 59101	969-2300	Kirby Organization LLC	823 North 28th St	Billings, MT 59101
Comfort Suites	Michelle Reinwieser	67	A28494	36-445634	89,646	4908 Southgate Drive	Billings, MT 59105	245-9956	Billings Hospitality LLC	4908 Southgate Drive	Saratov, MT 56377
Country Inn & Suites	Michelle Reinwieser	67	A27780	36-445634	84,835	2311 Main Street	Billings, MT 59105	252-4007	Billings Hotel Investors LLC	4885 Jarden Ln	Missoula, MT 59803
Days Inn	Robbie Schneider	63	A23755	81-046696	41,819	843 Parkway Lane	Billings, MT 59101	252-7400	Madena Hotel Investments LLC c/o Randy Meyer	201 5th Ave South, Ste 200	Sioux Falls, SD 57107
Double Tree Inn by Hilton	LaRee Baldwin	282	A00804	20-513466	28,000	271 North 27th Street	Billings, MT 59101	259-5561	Virginia Kahrer c/o Gordon Graves	P. O. Box 60453	Big Sky, MT 59716
Dude Rancher Lodge	Todd Graves	97	A07370	75-317696	85,813	419 North 29th Street	Billings, MT 59101	252-2700	Big Sky Hotels LLC c/o Stephen Cranston	1345 Muldowney Lane	Billings, MT 59101
Econo Lodge	Shawna Smith	86	C07320	26-2210919	117,176	4950 Southgate Drive	Billings, MT 59101	245-3980	BRE/ESA Portfolio LLC	PO Box 49550	Charlotte, NC 28277-95
Extended Stay America - Billings Westend	Troy Martins	104	A29256	42-107282	189,488	2026 Overland Avenue	Billings, MT 59102	652-5330	F. Midwest Invest of Billings Inc c/o TMI Hospitality	PO Box 9118	Billings, MT 59101
Fairfield Inn	Beth Cartmel	63	A27801	20-527453	63,427	2026 Overland Avenue	Billings, MT 59102	248-4949	Billings Lodging Investors, c/o Rudy Erick	14 Carnegie Way	Missoula, MT 59802
Hampton Inn	Joe Studiner	122	A2927A	81-0528484	134,600	5110 Southgate Drive	Billings, MT 59101	656-7511	Brook Valley Lodging Investors c/o Dustin Williams	8214 O'Reilly Drive	Billings, MT 59802
Hampton Inn & Suites	Sam Quilley	101	A30691	20-5390823	127,631	1206 Main Street	Billings, MT 59105	252-8451	CMV, Inc	5060 Maple Ridge Drive	Billings, MT 59106
Hampton Inn Motel	Stacy Lind	33	A04929	81-0512436	38,500	1116 North 28th Street	Billings, MT 59102	245-5000	Hilltop Inn Limited Partnership	PO Box 15	Billings, MT 59102
Heights Inn Motel	Ivan Collins	57	I06802	81-0498965	142,441	2465 Grant Road	Billings, MT 59102	670-5338	Billings Hospitality Group c/o Kevin Walsh	PO Box 15	Billings, MT 59102
Hilton Garden Inn-Billings	Tina Wisser	128	A31178	20-2396255	57,289	2611 7th Ave N	Billings, MT 59101	252-2255	7th Avenue Hospitality, Inc	2611 7th Avenue N	Billings, MT 59101
Holiday Inn Express & Suites	Boone Jones	66	A30690	A07225	76,622	3420 Ember Lane	Billings, MT 59102	656-0525	Ember Lane Lodging Investors LLC	8214 O'Reilly Drive	Billings, MT 59101
Home 2 Suites by Hilton	Stacy Lind	110	A30690A	27-1372176	106,722	1345 Muldowney Lane	Billings, MT 59101	252-2844	Khan Organization LLC	P. O. Box 7246	Gillette, WY 82717
Homewood Suites	Nesrina Khan	116	D01901	26-2210919	160,199	6610 South Frontage Road	Billings, MT 59101	248-9800	Kelly Midwest Ventures LLP	3211 West Senore Dr	Sioux Falls, SD 57107
Howard Johnson Billings	Shined Field	85	A28386A	26-2210919	141,875	6620 S Frontage Rd	Billings, MT 59101	252-1188	Kelly Midwest Ventures Limited Partnership	3025 West Senore	Sioux Falls, SD 57107
La Quinta Inn & Suites	Gail Inneil	26	A00527	46-3568204	24,394	1403 1st Avenue North	Billings, MT 59101	252-6606	North Lights Investments LLC c/o Kristine Tanaka	P. O. Box 1333	Columbus, MT 59109
Lazy KT Motel	Kerry Struckman	57	A33141	81-0502827	87,556	4883 King Ave East	Billings, MT 59101	259-9454	Northern Lights Investments LLC c/o Kristine Tanaka	1105 Porter Way	Sioux Falls, SD 57107
Ledgestone Hotel	Kenner Benson	56	A00538	81-0498965	42,000	1709 1st Avenue North	Billings, MT 59105	252-4691	Greg and Becky Pekoovich	4141 State Avenue	Billings, MT 59101
Lewis & Clark Inn	Key Kehr	86	C14785	20-3431165	72,728	5020 King Avenue West	Billings, MT 59102	264-9090	Ferris and Sons Hospitality LLC	3040 King Avenue West	Billings, MT 59102
Linden Inn & Suites	Cystal Swanson	116	A22962	77-0116487	131,819	8583 Midland Road	Billings, MT 59102	248-7851	G6 Hospitality Property LLC	PO Box 17598	Carrollton, TX 75011
Motel 6 North #178	Crystal Swanson	96	C07322	77-0116487	73,442	8420 Midland Road	Billings, MT 59101	262-0093	G6 Hospitality Property LLC	PO Box 117598	Carrollton, TX 75011
Motel 6 South #178	Dillon Emig-Vanhan	64	A32326	46-3567808	68,386	4720 King Ave East	Billings, MT 59101	259-9970	RW Billings LLC	1910 8th Ave NW	Aberdeen, SD 57401
My Place Hotel	Mike Nelson	180	A00795	46-3567808	20,909	191 N Broadway	Billings, MT 59101	245-3944	MTSU LLC c/o Lenny & Marlene Thiel Trustees	5552 2nd Enterprise Lane	Bozeman, MT 59718
Northern Hotel	John Stanley	22	D01983	20-5154291	46,609	4808 Overpass Avenue	Billings, MT 59101	252-9478	Jovanovich Enterprises LLC c/o Greg McFarland	P. O. Box 195	Billings, MT 59103
Parway Motel	Greg McFarland	20	A11367	81-0541007	25,283	5146 Laurel Road	Billings, MT 59102	652-1320	Jovanovich Enterprises LLC c/o Greg McFarland	4605 Slicka Circle	Billings, MT 59106
Future Court Motel	Brian Anerson	119	A2891A	41-1263469	126,324	2036 Overland Avenue	Billings, MT 59101	248-7701	BHCC II Inc c/o Ron or Jeff Muir	100 4th Avenue S	Sioux Falls, SD 57107
Radisson	Tony Coetzee	317	D01889	20-394778	594,986	9500 Midland Road	Billings, MT 59101	248-7151	MHCand II c/o Ron or Jeff Muir	1275 W Granada Blvd Ste 9B	Ormond Beach, FL 321
Red Lion Hotel and Convention Center	Ron Spence	234	D01889	27-4362897	160,485	8565 South 26th Street West	Billings, MT 59102	656-3900	Lead Hospitality Associates LLC c/o David Veeder	2223 Muldowney Lane	Billings, MT 59101
Residence Inn by Marriott	Yvonne Bishop	92	A32902	30-0346341	31,500	880 North 29th Street	Billings, MT 59101	652-6800	Riversage Billings Inn c/o Raymond Clark	2975 Enterprise Avenue Ste 6	Billings, MT 59102
Riverside Billings Inn	Yvonne Bishop	59	A07142	20-5473526	13,983	1315 North 27th Street	Billings, MT 59101	245-4128	Rivack Hospitality LLC c/o Usman Khan	880 North 29th Street	Billings, MT 59101
Roadway Inn	Usman Khan	47	A16557	46-5474016	103,237	4904 Southgate Drive	Billings, MT 59101	254-0013	Khan Investments	1315 N. 27th St	Billings, MT 59101
Sleep Inn Motel Billings	Wes Carter	75	A28408	68-0527240	66,912	1818 King Avenue West	Billings, MT 59102	652-9313	Billings Hospitality Inc	208 Decker Court	Gillette, WY 82716
Springhill Suites by Marriott Billings	Seven Hill	106	A24756	46-3659345	97,844	5400 Southgate Drive	Billings, MT 59101	248-8842	Supertel LP	PO Box 15	Aberdeen, SD 57402
Super 8 Lodge	Tom Miner	102	D01750	20-5473526	109,336	2612 Beknap Avenue	Billings, MT 59101	652-7106	Greg and Becky Pekoovich	4141 State Avenue	Billings, MT 59101
The Vegas Hotel	Bey Meidig	91	A31180	46-2271771	37,897	1818 Main Street	Billings, MT 59105	252-9851	Warne and Chia Chillon	2480 Grant Road	Billings, MT 59102
Towne Place Motel	Bill Chillon	15	C01517	46-2271771	39,335	3121 Main Street	Billings, MT 59102	294-8888	Cindy Duncan	1818 Main St	Billings, MT 59105
Tommy Club Motel	Way Adams	40	C09755A	81-0519152	20,909	3311 2nd Avenue West	Billings, MT 59101	245-6345	Kahn Real Estate LLC	3121 Main St	Billings, MT 59102
Western Inn	David Kahn	38	A00320	87-4282161	20,909	3311 2nd Avenue North	Billings, MT 59101	245-6345	Kahn Real Estate LLC	3311 2nd Avenue North	Billings, MT 59101
Westwood Rimview Inn	Art Westwood	54	A16341	81-0335686	40,946	1025 North 27th Street	Billings, MT 59101	248-2822	Hilcrest Inc c/o Art Westwood	1025 North 27th Street	Billings, MT 59101