****ATTENTION****

Due to the COVID-19 health concerns, the format of the City Council meeting will be held in a virtual videoconferencing environment. In order to honor the Right of Participation and the Right to Know in Article II, sections 8 and 9, of the Montana Constitution, the City of Billings and City Council are making every effort to meet the requirements of the open meeting laws:

- The Agenda Packet is available for viewing on the City's website at: https://ci.billings.mt.us/117/Agendas-Minutes
- Councilmembers will attend the meeting via a remote location, using a virtual meeting method. City Hall and the Council Chambers will be closed during the meeting.
- The Public may view the meeting on the Community 7 TV - Channel 7 or Channel 507 – Spectrum Cable. The Public may also view online at www.comm7tv.com and click on the "Watch Live" icon. Community 7 also has links to their Facebook page and YouTube channel in which to view the meeting. The Public may also watch meetings by accessing the City's website at https://ci.billings.mt.us and click on "Watch Meetings Online".
- Public comment will be taken only during the Public Comment periods as indicated on the agenda. Comments may be sent to Council via email before 3:00 PM, on Monday, October 12, 2020, at: https://ci.billings.mt.us/1538/City-Council-E-mail-Messages.
- Emails received after 3:00 PM will be posted on the Council's webpage the following day for public viewing.
- The Public may call in during specific Public Comment periods at **406.237.6196**. All callers will be in a queued system and are asked to remain on hold and be patient. Calls will be taken in the order in which they are received. Callers will be restricted to 3 minutes of testimony as is customary.

Future delivery methods may be explored as best practice is learned.

Please contact Denise Bohlman, City Clerk, bohlmand@billingsmt.gov, with any questions.

# CITY OF BILLINGS

## CITY OF BILLINGS VISION STATEMENT:

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

---

**AGENDA**

**Council Chambers are Closed. The meeting will be held remotely via virtual meeting room. Please see coversheet for details and instructions for viewing and participation.**

**October 12, 2020** **5:30 P.M.**

**CALL TO ORDER:** Mayor Cole

**PLEDGE OF ALLEGIANCE:** Mayor Cole

**INVOCATION:** Councilmember Ronning

**ROLL CALL:** Councilmembers present on roll call were: ☐ Shaw, ☐ Yakawich, ☐ Neese, ☐ Ewalt, ☐ Joy, ☐ Choriki, ☐ Purinton, ☐ Ronning, ☐ Boyett, ☐ Brown

**MINUTES:** September 28, 2020

**COURTESIES:**

**PROCLAMATIONS:**

**COUNCIL REPORTS:**

**ADMINISTRATOR REPORTS - CHRIS KUKULSKI**

**PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Items: 1 ONLY. Speaker sign-in required.** (Comments are limited to three (3) minutes or as set by the Mayor. During COVID-19, the method to take and hear public comment has changed. Individuals wishing to give public comment will call a dedicated phone line (237.6196) and held in queue until it is their turn to comment. Comments on items listed as public hearing items will be heard ONLY during the designated public hearing time for each respective item. For items not on this agenda, public comment will be taken at the end of the agenda.)

1. **CONSENT AGENDA** -- Separations:

**A.** **Bid Awards:** None

**B.** **Professional Services Agreement** with 360 Office Solutions for paper and office supplies; approximately $300,000 per year.

**C.** **Professional Services Agreement** with Quest Services Corporation for the 2019 Hail Claim Project Management Services; $90-$125 hourly rate.

**D.** **Professional Services Agreement** with Advanced Engineering and Environmental Services, Inc. for water and wastewater rate studies; $226,673.

**E.** **Donation** to Parks, Recreation and Public Lands (PRPL) Department from Landon's Legacy Foundation for design development , phasing plan and cost estimate for Poly Vista Park Miracle League Field; $49,241.

**F.** **2020 State Homeland Security Grant** to establish a drone program and to provide pilot training for the five (5) regional HazMat teams; $300,000.

**G.** **Preliminary Subsequent Minor Plat** of Lake Hills Subdivision, 21st Filing, Amended Lots 8-9, Block 51, generally located at west end of Winged Foot Drive and Greenbriar Road; Ron Hill/Schneiter Enterprises, owner; WWC Engineering, agent. ** Quasi-Judicial*

** Quasi-Judicial* – Caution must be exercised concerning any potential ex parte communications with interested parties. This policy-making body may exercise approval or other adjudication authority which is "judicial" because it directly affects the legal rights of a person.

**H.** **Preliminary Subsequent Minor Plat** of Terra West Subdivision, 3rd Filing, Amended Lots 1 and 2, Block 3, generally located at 3112, 3116 and 3120 Solar Boulevard; Burrowes Family 1995 Living Trust, Marlene Grimm, Daniel and Karen Kohm, owners; Essex Surveying, agent. ** Quasi-Judicial*

** Quasi-Judicial* – Caution must be exercised concerning any potential ex parte communications with interested parties. This policy-making body may exercise approval or other adjudication authority which is "judicial" because it directly affects the legal rights of a person.

**I.** **Final Minor Plat** of Willowbrook Subdivision, Amended Lot 4A, Block 1. ** Quasi-Judicial*

** Quasi-Judicial* – Caution must be exercised concerning any potential ex parte communications with interested parties. This policy-making body may exercise approval or other adjudication authority which is "judicial" because it directly affects the legal rights of a person.

**J.** **Final Major Plat** of High Sierra Subdivision, 14th Filing. * *Quasi-Judicial*

* *Quasi-Judicial* – Caution must be exercised concerning any potential ex parte communications with interested parties. This policy-making body may exercise approval or other adjudication authority which is "judicial" because it directly affects the legal rights of a person.

**K.** **Final Major Plat** of High Sierra Subdivision, 16th Filing. * *Quasi-Judicial*

* *Quasi-Judicial* – Caution must be exercised concerning any potential ex parte communications with interested parties. This policy-making body may exercise approval or other adjudication authority which is "judicial" because it directly affects the legal rights of a person.

**L.** **Second/Final Reading Ordinance for Zone Change 982:** a zone change from Residential Professional (RP) to Residential Multi-Family (RMF) on Block 4, Lot 4-8, Sunset Subdivision, a 39,793 square foot parcel of land, generally located at 1127 Alderson Avenue. 1127 Alderson Avenue, LLC , owner; Michael Burke, agent. Zoning Commission recommends approval and adoption of the 10 criteria. * *Quasi-Judicial*

* *Quasi-Judicial* – Caution must be exercised concerning any potential ex parte communications with interested parties. This policy-making body may exercise approval or other adjudication authority which is "judicial" because it directly affects the legal rights of a person.

**M.** **Bills for the weeks of:**

1. September 7, 2020

2. September 14, 2020

***Recommended Motion:*** I move to approve the items of the Consent Agenda as submitted, with the exception of items moved for separation.

## REGULAR AGENDA:

2. **PUBLIC HEARING AND RESOLUTION** creating SILMD 328, North and South 27th Street street lights. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

    - *Presented by: Debi Meling, City Engineer*

***Recommended Motion:*** Having conducted a public hearing, considered written and spoken public testimony, I move to approve the Resolution creating SILMD 328, as recommended by staff.

3. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE 983:** a zone change from Public to Residential 8,000 (R-80) for the southern 1.98 acres of Lot 2, Block 1, Cherry Creek Estates Subdivision. Cherry Island, LLC, owner; Blueline Engineering, agent. Zoning Commission recommends approval and adoption of the 10 criteria. (Action: approval or disapproval of the Zoning Commission recommendation.) ** Quasi-Judicial*

- *Presented by: Nicole Cromwell, Zoning Coordinator*

***Recommended Motion:*** Having conducted a public hearing, considered written and spoken public testimony, I move to approve Zone Change 983 and adopt the findings of the 10 criteria, as recommended by the Zoning Commission.

** Quasi-Judicial* – Caution must be exercised concerning any potential ex parte communications with interested parties. This policy-making body may exercise approval or other adjudication authority which is "judicial" because it directly affects the legal rights of a person.

4. **PUBLIC HEARING AND RESOLUTION** to amend the Limits of Annexation Map. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

- *Presented by: Wyeth Friday, Planning Director*

***Recommended Motion:*** Having conducted a public hearing, considered written and spoken public testimony, I move to approve the Resolution to amend the Limits of Annexation Map, as recommended by staff.

**PUBLIC COMMENT on "NON-AGENDA ITEMS". Speaker Sign-in required.** (Comments are limited to three (3) minutes or as set by the Mayor. During COVID-19, the method to take and hear public comment has changed. Individuals wishing to give public comment will call a dedicated phone line (237.6196) and held in queue until it is their turn to comment.)

**COUNCIL INITIATIVES:**

**ADJOURN:**

Council meetings may be viewed at any time by accessing Community 7 Television online at www.comm7tv.com and clicking on archived programs.

**Consent** **1. B.**

**Regular City Council Meeting**

**Meeting Date:** 10/12/2020

**TITLE:** Citywide Office Supplies and Paper Contract

**PRESENTED BY:** Liz Kampa

**Department:** Finance

## RECOMMENDATION

Staff recommends that the City Council approve a five-year contract, with five 1-year options to renew, with 360 Office Solutions of Billings.

## BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

Pursuant to the City's Purchasing Procedures, staff prepared a Request for Proposals (RFP) for a five-year contract, with five 1-year options to renew, to provide office supplies and paper to all City departments. The RFP was advertised on the City's website and in the *Yellowstone County News* on September 4 and 11, 2020. Three companies were also directly sent copies of the RFP via email.

The selection committee consisted of Liz Kampa-Weatherwax and five other members of City staff, representing Administration, Fire, Public Works, Parks and Recreation, and Finance departments. List price discounts were requested for contract items (the top 200 items historically purchased by the City) and off-contract items (all other items purchased by the City). One proposal, from Billings' 360 Office Solutions, was received and reviewed by the committee.

The committee evaluated the proposal and considered Proposal Compliance, Comprehensive Services Provided, Related Experience, Firm Stability, Value-Added Services, Assigned Individuals and Quality Assurance, before considering charges for services. The committee unanimously approved the proposal from 360 Office Solutions, the City's previous local provider. the proposal includes an average or approximate discount of 45-47% off list price for contract and off-contract items. The discount is consistent with what has been provided to the City in the past decade through the previous contract.

## ALTERNATIVES

City Council may:

- Award a centralized paper and office supplies contract; or,
- Allow staff to purchase from various vendors, which may not result in the greatest savings for the City.

## FISCAL EFFECTS

The City spends approximately $300,000/year on paper and office supplies and have mainly purchased through a centralized contract for the past twelve years. This centralized contract has allowed the City to realize cost savings, saved staff time, and given staff the ability to create reports and more accurately track spending. The City has budgeted for this expense.

# Attachments

Office Supplies and Paper Contract

CITY OF Billings

# PAPER AND OFFICE SUPPLIES AGREEMENT

**THIS AGREEMENT** is made and entered into this 12th day of October, 2020, by and between the **CITY OF BILLINGS, MONTANA**, a municipal corporation organized and existing under the laws of the State of Montana, P.O. Box 1178, Billings, Montana 59103, hereinafter referred to as "City," and, **360 OFFICE SOLUTIONS, INC.** of 3676 Pierce Parkway, Billings, Montana 59106, hereinafter referred to as "Seller."

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

1. **PRODUCT PURCHASED:** Seller agrees to sell and City agrees to purchase paper and office supplies ("Product") at the discounts listed below and, if applicable, per written City's specifications and Seller's proposal attached hereto as Exhibit "A," which are incorporated into this agreement by this reference. The City shall strongly encourage departments to utilize this agreement, however City staff may choose to purchase product from another source if cost savings are realized.

2. **Price:** The Seller agrees to provide all contract items at a 47% discount, and off-contract items at a 45% discount. The Seller will also provide the City with any market-wide pricing that is provided to the general public. All prices are inclusive of any applicable local, state or federal taxes that may be applied to the product to be purchased. The purchase price is free on board at the place of delivery and Seller may not impose any additional, shipping, delivery or storage charges.

3. **Effective Date:** This Agreement is effective upon the date of its execution and will terminate on October 13, 2025. The parties may extend this Agreement, by mutual concurrence, for five (5) additional one-year terms, in writing prior to termination of each annual term.

4. **Delivery and Payment:**

- Delivery of office products will occur during normal business hours of 8:00 AM to 5:00 PM, Monday through Friday.
- Delivery of all orders shall occur the next business day by 3:00 PM.
- Deliveries shall be made to the ordering department at the address requested.
- Seller shall provide emergency same-day delivery directly to the individual City departments at no additional charge to the City.

- Seller company catalogs, as well as customized catalogs, shall be distributed to all City departments.
- Seller shall possess user-friendly ordering procedures, whether by phone or on-line via the internet.
- Company shall accept Purchasing Credit Cards (Pcards), as well as the usual Purchase Order (check), as form of payment. Standard payment terms are Net 30.
- Company shall allow the return of items, whether a miss fill or incorrect order placement, without assessing restocking or handling charges.
- Transportation and unloading of all items covered under the agreement shall be from the point of manufacture or storage facility to the requested City location.
- Seller shall provide office supplies to all City locations.
- Seller shall distribute copy paper to specific locations/copy rooms.
- Seller shall provide a designated Customer Service Representative in order to track shipments, orders, handle invoice issues, etc.
- If substitution for an item is necessary, the Customer Service Representative shall notify the ordering person.
- Seller shall ship used cartridges to the manufacturer for recycling at no additional cost to the City.
- Seller shall provide a prompt response to all requests, inquiries and complaints.
- Seller shall offer management of on-site inventory at selected departments at no additional cost to the City.
- The Seller shall submit quarterly purchasing reports to the City and analyze with the City opportunities for cost savings.

Upon delivery, City may inspect the goods or product to ensure that it meets City specifications, and Seller may obtain specifications from City upon request. If the Product meets City specifications, City shall tender the purchase price stated above to Seller through the City's normal claim process.

**5. Specifications:** Seller agrees that this Product complies with the City's specifications provided to Seller and with the Seller's proposal thereto as accepted by the City. Unless otherwise agreed to by the City, the City's specifications govern and control in the event of inconsistencies with the Seller's response to the same.

CITY OF Billings

6. **Nondiscrimination**: Seller agrees that all hiring by Seller of persons performing this Agreement will be on the basis of merit and qualification and will not discriminate on the basis of race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, or national origin.

All Contractors and subcontractors shall abide by the requirements of 41 CFR 60-300.5(a) and 41 CFR 60-741.5(a), which prohibit discrimination against qualified protected veterans and/or qualified individuals on the basis of disability, and requires affirmative action by covered prime contractors and subcontractors to employ and advance in employment qualified protected veterans and individuals with disabilities.

All Contractors and subcontractors shall abide by the requirements of 41 CRF 60-1.4, which states employees or applicates may not be discharged or in any other manner discriminated against because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other employees or applicants as a part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or (c) consistent with the contractor's legal duty to furnish information.

7. **Default and Termination**: If Seller fails to deliver the goods or product as set forth in Paragraphs 2 and 3 above, or violates any provision of this Agreement, or if the goods or product fails to meet City's specifications, City may, at its option, declare the Seller in default and immediately cancel and rescind this Agreement. Thereafter, City may procure substitute goods or product to replace the goods or product described herein. In such event, Seller is liable to City for the difference between the price set forth herein and the price paid by City for replacement goods or product. Additionally, the City may pursue any other remedy it has at law or in equity.

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

CITY OF Billings

9. **INDEMNITY**:

The **CONTRACTOR** SHALL:

A. Indemnify, defend and save **CITY**, its officers, agents and employees harmless from any and all losses, damage and liability occasioned by, growing out of, or in any way arising or resulting from any intentional or negligent act on the part of **CONTRACTOR** or its agents or employees.

B. Not indemnify, defend, save and hold the **CITY** harmless from claims, causes of action, lawsuits, damages, judgments, liabilities, and litigation costs and expenses or attorneys' fees and costs arising from wrongful or negligent acts, error or omission solely of the **CITY** occurring during the course of or as a result of the performance of the **AGREEMENT**.

C. Where claims, lawsuits or liability, including attorneys' fees and costs arise from wrongful or negligent act of both the **CITY** and the **CONTRACTOR**, the **CONTRACTOR** shall indemnify, defend, save, and hold the **CITY** harmless from only that portion of claims, causes of action, lawsuits, damages, judgments, liabilities, and litigation costs and expenses including attorneys' fees and costs, which result from the **CONTRACTOR'S** or any subcontractor's wrongful or negligent acts occurring as a result from the **CONTRACTOR'S** performance pursuant to this **AGREEMENT**.

The **CITY** SHALL:

D. Indemnify, defend and save **CONTRACTOR**, its officers, agents and employees harmless from any and all losses, damage and liability occasioned by, growing out of, or in any way arising or resulting from any intentional or negligent act on the part of **CITY** or its agents or employees.

E. Not indemnify, defend, save and hold the **CONTRACTOR** harmless from claims, causes of action, lawsuits, damages, judgments, liabilities, and litigation costs and expenses or attorneys' fees and costs arising from wrongful or negligent acts, error or omission solely of the **CONTRACTOR** occurring during the course of or as a result of the performance of the **AGREEMENT**.

F. Where claims, lawsuits or liability, including attorneys' fees and costs arise from wrongful or negligent act of both the **CONTRACTOR** and the **CITY**, the **CITY** shall indemnify, defend, save, and hold the **CONTRACTOR** harmless from only that portion of claims, causes of action, lawsuits, damages, judgments, liabilities, and litigation costs and expenses including attorneys' fees and costs, which result from the **CITY'S** or any

subcontractor's wrongful or negligent acts occurring as a result from the **CITY'S** performance pursuant to this **AGREEMENT.**

10. **INSURANCE:**

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

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

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

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

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

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

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

11. **Warranty:** Unless superseded or supplemented by an express warranty, Seller represents and warrants that the Product are covered by implied warranties for merchantability and fitness for the particular purpose for which they have been purchased.

CITY OF Billings

12. **Assignment:** Seller may not assign this Agreement or any of its rights hereunder without the express written consent of City.

13. **Entire Agreement:** This Agreement, including its appendices, if any, is the entire understanding between the parties relating to the subject matter contained herein. No agent or representative of either party has authority to make any representations, statements, warranties or agreements not herein expressed and all modifications or amendments of this agreement, including the appendices, must be in writing and signed by an authorized representative of each of the parties hereto.

14. **Liaison:** City's designated liaison with Seller is Craig Bartholomew, President, and Seller's designated liaison with City is Liz Kampa, Purchasing Agent.

15. **Governing Law and Venue:** This Agreement shall be construed and enforced in accordance with the laws of the State of Montana. Venue for any suit between the parties arising out of this Agreement shall be the State of Montana Thirteenth Judicial District Court, Yellowstone County.

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

**CITY OF BILLINGS, MONTANA**

_____
**WILLIAM A. COLE, MAYOR**

**APPROVED AS TO FORM**

_____
**BRENT BROOKS, CITY ATTORNEY**

**360 OFFICE SOLUTIONS, INC.**

_____
**SIGNATURE**

Craig D. Bartholomew
**PRINT NAME**

President
**PRINT TITLE**

406.869.0425
**(Write Phone Number Above)**

**City of Billings Request for Proposal**
**Response to Section 5: Scope of Work**

**Service and Support (please address in your proposal whether or not you meet these requirements and/or what alternatives you propose):**

Service - Please describe the level of service the City can expect from your company. What sets your company apart from competitors?

*The service offering, we can provide to the City will continue to allow the City to streamline their procurement process and bring the most value to the City of Billings. The program we propose would have the following attributes:*

- *We will provide each department with a custom catalog that clearly outlines the SKU's the City has pre-approved for its users to purchase.*
- *We will provide our 5,000 items catalog and 25,000 item catalogs to all end users that the City has approved to have these catalogs.*
- *All orders will be processed on our on-line e-commerce system.*
- *However, some users may not be comfortable using our e-commerce ordering system. We will work with these end users as they have the ability to fax their orders in or call their orders into our Customer Service Team.*
- *The e-commerce system will be set up so that employees will have access to the standard products that the City has approved. Additionally, the system has the capability to electronically send orders to supervisors for approval based on the criteria established by the City.*
- *We have staff in Billings, along with your assigned sales representative that can work with any new users to provide training on the use of the e-commerce system to help them place orders, establish favorite lists and the search capability, for example.*
- *The City has the option to pay via credit card, at the invoice level or at the statement level. We would recommend the most efficient manner would be to use your P-Card and pay for the purchase at the time the order is placed.*
- *The end users would receive their orders the next business day between 8:00 AM and 3:00 PM.*
- *We stock locally over 5,000 items which allows us to offer emergency same day delivery service on all stocked items.*
- *We will deliver to all City locations and/or designated storage locations.*
- *The orders would be delivered directly to the end user.*
- *Recycling Programs – Our drivers will pick up from our customers all used cartridges and ship them to the manufacturer at no charge.*
- *The Delivery Driver will deliver cut paper directly to the department which ordered the paper. We will work with each department to understand where the paper needs to be placed once it is delivered to reduce the amount of handling associated with the paper.*

*Manufacturing problems will sometimes result in backorders with no ETA. Our Customer Service Team has been trained to be able to provide customers with alternatives when these issues arise. With the City's approval, product substitutions can be made to avoid further delays.*

*One of the ways the Company separates itself is through the breadth and depth of products it has access to in order to meet our customer's needs. We can provide customers with Break Room Supplies, Janitorial Supplies, Information Technology Hardware and Services, Copiers and Printers and Furniture.*

*The Company has extensive relationships in the furniture industry which allow us to handle almost any need an end user may have related to panel systems, office seating, casegoods, reception area and collaborative spaces. Additionally, the Company has made investments in electronic space planning and in-house installation services which support the furniture projects we do for our customers.*

*The major manufacturers we have a partnership with are:*

- *Haworth*
- *Kimball*
- *All Steel*
- *Hon*
- *National Office*
- *Symmetry*
- *Ideon*
- *Safco*

*Lastly, the one key way the Company stands above our competition is the fact we have over 132 employees, of which 75 employees are located in Billings. The Billings based employees allow us to handle the product research, delivery, installation of furniture, copier service support, IT support and many other needs of our customers. No other competition has the years and breath of experience of these individuals.*

**Delivery** – Please describe the delivery services your company provides.

- *The end users would receive their orders the next business day between 8:00 AM and 3:00 PM.*
- *We stock locally over 5,000 items which allows us to offer emergency same day delivery service on all stocked items.*
- *We will deliver to all City locations and/or designated storage locations.*
- *The orders would be delivered directly to the end user.*
- *Recycling Programs – Our drivers will pick up from our customers all used cartridges and ship them to the manufacturer at no charge.*
- *The Delivery Driver will deliver cut paper directly to the department which ordered the paper. We will work with each department to understand where the paper needs to be placed once it is delivered to reduce the amount of handling associated with the paper*

Is shipping free of charge to the City?

*Shipping is free to the City on all office products.*

Is next-day delivery available at no cost to the City?

*Yes, next-day and emergency same day delivery is available to the City and no cost.*

Can your company deliver office supplies to the ordering departments at various facilities located throughout the City?

*Yes. We deliver to every City department and facility located throughout the City.*

Can your company distribute copy paper to specific locations and copy rooms?

*Yes, the Delivery Driver will deliver cut paper directly to the department which ordered the paper.*

Please also describe your standard delivery service and any exceptions you may have to it.

*As noted above, we have described the delivery service expectations we will provide to the City. Some additional points about our delivery service is:*

- *Our drivers have been with the company for several years so end user would see the same driver on substantially all deliveries.*
- *The delivery driver can help the end user process and returns on any issue with the delivery.*
- *Drivers are all drug and alcohol tested upon hiring and are subjected to post accident and random testing.*

**Savings** – Please describe the overall savings and competitive pricing the City can expect if your company is selected. Please do not include specific pricing (except in the pricing matrix – Exhibit C – which is to be mailed or emailed separately). Why or how is your company able to offer substantial savings over competitors?

- *360 Office Solutions can save the City money is by providing live consultation via phone, email and live chat.*
- *We provide reports detailing departmental usage, order frequency and order size allowing us to suggest alternative cost saving products and services.*
- *We buy direct from paper and office product manufacturers passing the savings to the City.*
- *We offer a customized toner program that would leverage our ability to use compatible toners and depending on the manufacturer specialized toner pricing program. These programs would save the City money.*

**Ordering** – Please describe your ordering process and the different options available. Include information regarding different options or features of your ordering process, search capabilities, display of product information, ordering administration and purchasing controls.

- *All orders will be processed on our on-line e-commerce system.*
- *However, some users may not be comfortable using our e-commerce ordering system. We will work with these end users as they have the ability to fax their orders in or call their orders into our Customer Service Team.*
- *The e-ecommerce system will be set up so that employees will have access to the standard products that the City has approved. Additionally, the system has the capability to electronically send orders to supervisors for approval based on the criteria established by the City.*
- *The City has the option to pay via credit card, at the invoice level or at the statement level. We would recommend the most efficient manner would be to use your P-Card and pay for the purchase at the time the order is placed.*

Do you offer telephone and on-line ordering?

- *Yes, we offer ordering via the telephone, on-line and by fax.*

Do you offer custom catalogs, based upon the City's historical purchasing data and/or buying patterns?

- *Yes, we can offer a custom catalog for the City.*

Does your company's system allow the end user to scan product and shelf tag bar codes to create an order, which will electronically interface with the vendor e-commerce system at no additional cost? If so, please include information about the system and indicate whether or not your proposal includes on site user training also at no additional cost.

- *No, we do not offer this service at this time.*

**Returns** – Please describe your company's return policy? Does your company assess restocking or handling charges?

- *Returns are picked up the next day and credited. We do not charge restocking or handling charges on non-perishable items.*

**Payment** – Does your company accept Visa Purchasing Cards (Pcards) as form of payment? Does your company accept Purchase Orders as form of payment?

- *Yes. We accept all major credit Cards. Yes. We accept purchase orders as a form of payment.*

**Local Support** – Does your company have a local office, warehouse, store, etc.? Will there be a dedicated salesperson assigned to the City?

- **We have 50,000 sqft. facility located at 3676 Pierce Parkway Billings. This is our Corporate office and main distribution center for our entire Montana and Wyoming operation.**

- ***Andy Kurokawa is your assigned Sales Representative.*** **Andy will be the lead contact for the City. Andy manages the requisition forms, catalog distribution, and reports. Andy is responsible for identifying purchasing trends, new product availability, special orders, product show, specials, and the total success of the partnership coming together. Andy has been with the Company for over 12 years.**

**Ease of transition** – Please describe how your company would ensure the City would have a seamless transition from their current supplier to your company.

***The Company is the current supplier for the City. Accordingly, there would not be a transition for the end users of the City to go through. As we enter a new contract with the City, we would like to follow up with the appropriate individuals in the City to understand what additional needs or changes would improve the overall experience for the end users.***

**Rebate** - Is there a rebate program offered by your company? If yes, please

***We do not offer a rebate program.***

CITY OF Billings

## ATTACHMENT G

## PROPOSER CONTACT INFORMATION

### *A. Company Contacts*

| | |
|---|---|
| Primary Contact Person (Name): | Andy Kurokawa |
| Title/Function: | Sales Representative |
| Address | 3676 Pierce Parkway, Billings MT 59106 |
| Business Hours Phone: | 406. 698. 4619 |
| Fax: | 406. 245 0621 |
| Internet E-mail Address: | Andyk @ 360-OS.com |
| Name of Person Responding to Request: | Craig Bartholomew |
| Title/Function: | President |
| Address: | 3676 Pierce Parkway, Billings, MT 59106 |
| Phone: | 406. 869. 0425 |
| Fax: | 406. 248. 2108 |
| Internet E-mail Address: | Craigb @ 360-OS.com |

### *B. General Company and Financial Information*

| | |
|---|---|
| Company Name: | 360 Office Solutions, Inc. |
| Headquarters Address: | 3676 Pierce Parkway |
| City, State, ZIP | Billings, MT, 59106 |
| Headquarters Phone: | 406. 248. 7881 |
| Headquarters FAX: | 406. 248. 2108 |
| Company Owned By: | STaples |
| Percent % Ownership: | 100% |
| Years In Business | 75 |
| Name of CIO | Ken Lutton |
| Name of CEO/President: | Craig Bartholomew |

Billings

## ATTACHMENT C

## PRICE MATRIX

**(to be sent with proposal in a separate, sealed envelope)**

Please provide proposed pricing for items listed below in Attachment H. All pricing is to include any charges including packing, installation, delivery and shipping. Any additional costs shall be listed separately.

1. Contract Pricing – percentage discount off list prices for top 200 items.

_____**% discount for all contract items** (See item 4. below)

2. Off-Contract Pricing – percentage discount off list prices for **all other items.**

45 **% discount for all off-contract items**

3. Any additional costs outlined by proposer:

| Description | Cost |
|---|---|
| | |
| | |

4. Other pricing-related information, if necessary:

The overall average discount from list on the top 200 items is 47%. We have provided on the attached spreadsheet a fixed price for the top 200 items.

**I/We acknowledge** _____ **addendum.**

#

360 office Solutions, Inc. — Company Name

09/25/2020 — Date

Craig Bartholomew — Contact Name (please print)

President — Title

Signature of Contact Position

**By signing the above, I certify that I am authorized by the Company named above to respond to this request.**

| Item Number | Description | Proposed Price |
|---|---|---|
| PENBLN77C | PEN,GEL,RTR,ENERGL DLX,MED,BLU | $1.84 |
| AVE05711 | BINDER,VIEW,3RG,ECON,1",WHT | $2.65 |
| PENBL77C | PEN,GEL,RTR,ENERGL DLX,MED,BLU | $1.84 |
| UNV35260 | ENVELOPE,CLASP,6X9,28#,BRN | $9.89 |
| UNV10200 | CLIP,BINDER,SMALL | $0.56 |
| UNV10210 | CLIP,BINDER,MED | $1.36 |
| MEA45354 | BOOK,MEMO,SPIRAL,3X5,60CT | $0.79 |
| MMM654YW | NOTE,POST-IT,3"X3",YEL | $12.60 |
| UNV10199 | CLIP,BINDER,15MM | $0.50 |
| MMM6549YW | NOTE,HIGHLAND,3X3,YEL | $5.25 |
| UNV86920 | BOOK,STENO,GREGG,GRN,80SH | $1.24 |
| PENBLN75C | PEN,GEL,RTR,ENERGEL DLX,XF,BLU | $2.15 |
| UNV35264 | ENVELOPE,CLASP,9X12,28#,BRN | $9.68 |
| UNV79000 | STAPLES,SHARP PT | $0.99 |
| PENBL77V | PEN,GEL,RTR,ENERGL DLX,MED,VIO | $2.82 |
| GOJ965212EA | SANITIZER,HAND,PURELL,BTL,8OZ | $5.06 |
| DPSR3027 | RIBBON,CALC,UNV C-WIND,R/B | $2.71 |
| AVE23084 | INDEX,8TAB,LBL,PLAS,COL | $6.12 |
| BRTLC103BK | CARTRIDGE,HIGH-YLD,BLK | $20.59 |
| FEL00703 | BOX,FILE,STOR,LID,ECON,LTR/LGL | $34.20 |
| AVE5371 | CARD,BUS,LSR,2X3.5,WHT | $15.21 |
| PENBL77A | PEN,GEL,RTR,ENERGL DLX,MED,BLK | $1.84 |
| UNV72220BX | CLIP,JUMBO,SMOOTH,100BX | $1.00 |
| UNV35662 | NOTE,STICK-IT,1.5X2,YEL | $2.65 |
| PENBLN77A | PEN,GEL,RTR,ENERGL DLX,MED,BLK | $1.84 |
| BRTTZE231 | TAPE,LBL,.5",TZ,BLK/WHT | $10.90 |
| UNV83436 | TAPE,WRITE-ON,3/4X36YD | $1.26 |
| HEWCN684WN | INK CRG,IJ,HP564XL,BLK | $28.18 |
| HEWCH563WN | INK CRG,HP 61XL,480YLD,BLK | $43.99 |
| UNV12123 | FOLDER,MAN,1/3CT,LTR,POS3 | $12.76 |
| UNV35668 | NOTE,STICK-IT,3X3,YEL | $5.60 |
| UNV12113 | FOLDER,MAN,1/3CT,LTR | $8.91 |
| PIL31021 | PEN,GEL,RTR,G2,G27,FN,BLU | $14.77 |
| UNV00133 | RUBBER BAND,SIZE 33,1# | $5.47 |
| UNV75606 | TAPE,COR,2WY DSP,1LN | $9.31 |
| BRTLC103C | CARTRIDGE,HIGH-YLD,CYA | $14.27 |
| PENLR7C | PEN REFL,GEL,ENERGEL,MED,BLU | $0.76 |
| BRTLC103Y | CARTRIDGE,HI-YLD,YEL | $14.27 |
| HEWCN045AN | INK CRG,IJ,HP950XL,BLK | $44.99 |
| PENC505HB | LEAD,PCL,SUP,.5MM,HB | $0.61 |
| SAN32001 | MARKER,PERM,SHARPIE,2TIP,BLK | $16.08 |
| UNV10630 | PAPER,PAD,LR,PERF,LTR,CAN | $9.97 |
| TOP74688 | BOOK,STENO,6X9,GRG,RECY,80SH | $3.59 |
| FALDPSXL12 | DUSTER,COMPRESSD GAS,BK | $7.81 |
| PDC1060325 | DUSTER,COMPRESSED GAS | $10.31 |
| BRTLC103M | CARTRIDGE,HI-YLD,MAG | $14.27 |

| | | |
|---|---|---|
| BICCSM11BE | PEN,BP,RTR,CLIC STIC,MED,BLU | $8.29 |
| PENZE22C | ERASER,RTR,REF,CLIC ERS GRP,BL | $2.25 |
| PENQE517A | PENCIL,MECH,TWST-ERS3,.7MM,BLK | $4.76 |
| UNV46300 | PAPER,LGL RLD,PERF,5X8,WHT | $7.92 |
| UNV28230 | PAPER,XEROX,LTR,3HD,84,WHT | $67.00 |
| UNV46200 | PAPER,LGL,RLD,PERF,5X8,CAN | $7.92 |
| MMM6559YW | PAPER,NOTE,HIGHLAND,3X5,YEL | $12.60 |
| AVE05726 | BINDER,VIEW,3RG,ECON,1.5",WHT | $6.69 |
| HEWCF226A | TONER,HP 26A LJ CART,BK | $125.52 |
| UNV40304 | CLIPBOARD,STD CLIP,LTR | $2.31 |
| UNV24264 | PENCIL,WD,GOLF/PEW,YEL | $12.27 |
| MMMC38BK | DISPENSER,TAPE,F/3/4" RL,BLK | $4.56 |
| UNV24800 | INDEX,LTR,5TAB,WHT | $6.17 |
| HEWCN046AN | INK CRG,IJ,HP951XL,CYA | $34.99 |
| HEWCH564WN | INK CRG,HP 61XL,330YLD,TRI-COL | $43.99 |
| BRTTZE241 | TAPE,LBL,.75",TZ,BLK/WHT | $12.91 |
| BUNBCF100B | FILTER,COFFEE,100/PK | $1.83 |
| HEWF6U15AN | INKCART,HP 952,BK | $33.99 |
| AVE11025 | TAG,KEY,1.25"D,TAG-PAK,WHT | $8.42 |
| BICSCSM11BE | PEN,BP,RTR,SFT FEEL,MED,BLU | $9.58 |
| UNV10220 | CLIP,BINDER,LRG | $3.27 |
| HEWL0S55AN | INKCART,HP 952,ORIG,YL | $23.99 |
| HEWL0S52AN | INKCART,HP 952,ORIG,MG | $23.99 |
| TOP4416 | BOOK,LOG,VM,8/PG,100PG | $5.05 |
| AVE05705 | BINDER,VIEW,3RG,ECON,.5",BLK | $2.64 |
| MMM8453 | TAPE,BOOK,TRANS,3"X15YD | $8.38 |
| MMM6200341296 | TAPE,INVISIBLE,.75"X36YD,BXD | $2.14 |
| HEWL0S49AN | INKCART,HP 952,ORIG,CN | $23.99 |
| KCC21606BX | TISSUE,FACIAL,DISP,2PLY | $2.38 |
| HEWCN048AN | INK CRG,IJ,HP 951XL,YEL | $34.99 |
| HEWF6U19AN | INKCART,HP 952XL,HY,BK | $46.99 |
| SAN37001 | MARKER,PERM,SHARPIE,UF,BLK | $8.88 |
| UNV55400 | PENCIL,WD,ECON,#2,YEL | $1.53 |
| BICGSMG11BK | PEN,BP,STK,URS GRP,MED,BLK | $2.28 |
| HEWCN047AN | INK CRG,IJ,HP951XL,MAG | $34.99 |
| HEWCR314FN | INK CRG,IJ,HP951,CYA/MAG/YEL | $69.99 |
| DPSR1427 | INK ROLL,CALC,CAN P150,R/B | $3.48 |
| BRTTN420 | TONER,F/HL2270DW,BLK | $39.99 |
| AVE05731 | BINDER,VIEW,3RG,ECON,2",WHT | $4.91 |
| DYM30256 | LABEL,SHIP,2-5/16X4",WHT | $16.89 |
| UNV83410 | TAPE,.75X1000,CLR | $9.56 |
| UNV24802 | INDEX,LTR,8TAB,WHT | $8.30 |
| UNV24808 | INDEX,LTR,15TAB,WHT | $14.13 |
| UNV15343 | POCKET,FILE,LTR,STR,3.5" | $32.39 |
| MMM653YW | PAPER,POST-IT,1.5X2,YEL | $8.62 |
| KCC21270BX | TISSUE,FACIAL,BOUTIQUE,2PLY | $2.40 |
| NES35170BX | COFFEE,COFFEEMATE,VANILLA | $5.49 |

| | | |
|---|---|---|
| BRTTZE2312PK | TAPE,LBL,.5",TZ,BLK/WHT | $33.65 |
| MMM810P10K | TAPE,MAGIC,.75X1M,CLR | $24.35 |
| PENPD345A | PENCIL,MECH,QUKR CLKR,.5MM,BLK | $4.66 |
| UNV35663 | PAPER,NOTE,ADH,1.5X2,AST | $5.13 |
| UNV14113 | FOLDER,HANG,1/3CT,LTR | $10.73 |
| UNV35611 | NOTE,ADH,3X3,POPUP,AST | $8.87 |
| UNV35614 | PAPER,SCRATCH,4X6 | $11.43 |
| MMMR330NALT | PAPER,NOTE,POPUP,3X3,NE | $20.29 |
| SWI35450 | STAPLES,STD,SPDPT,SF4 | $2.90 |
| PIL77241 | PEN REFL,GEL,BG27R,FN,BLU | $2.73 |
| AVE05706 | BINDER,VIEW,3RG,ECON,.5",WHT | $4.15 |
| 3608511CT | PAPER,COPY,8.5X11,20#10RM/CS | $36.80 |
| UNV20435 | NOTEBOOK,WB,3X5 | $7.00 |
| PMC08677 | PAPER,ADD MACH,2.25"X150' | $0.63 |
| UNV95400 | PAPER,XERO/DUP,LGL,95BRT,WHT | $69.30 |
| CBC87901800636 | AM MEDIUM ROAST COFFEE | $10.49 |
| UNV95210 | PAPER,XERO/DUP,LDGR,95,WHT | $48.95 |
| SAN30001 | MARKER,PERM,SHARPIE,FN,BLK | $9.15 |
| CTGCTG12AP | TONER,LSR,HP 1010/1012,BLK | $31.84 |
| KCC03076 | TISSUE,FACIAL,KLEENEX,WHT | $20.89 |
| KCC21271 | TISSUE,FACIAL,BOUTIQUE | $13.19 |
| CBC879018001008 | 360 AM DECAF,2LBS | $11.49 |
| HAM162008 | PAPER,LTR,TIDAL,WE | $5.41 |
| UMIKT360BMW | CLEANING KIT, BIO SPILL | $13.81 |
| UNV80102 | LABEL,LASER,2-5/8X1,WHT | $17.53 |
| DXEFH207 | FORK,PLASTIC,HW,DIXIE,WHT | $5.05 |
| PMC08835 | ROLL,ADD 2.25"X150',12/PK | $8.18 |
| LEX70C1HK0 | TONER CRG,701HK,CS310N,HY,BK | $113.81 |
| UBC69021 | PEN,UB,VISIONELITE,0.5MM,BE | $4.65 |
| UNV20630 | PAPER,LGL RLD,PERF,LTR,WHT | $9.97 |
| FOL0529C | COFFEE,CLASSIC,RD | $18.79 |
| HEWT6M14AN | INKCART,HP 902XL,BK | $42.99 |
| HEWT6M02AN | INKCART,HP 902XL,CN | $23.99 |
| HEWT6M10AN | INKCART,HP 902XL,YL | $23.99 |
| FEL12770 | FILE,LTR/LGL,RCY,CTN12 | $59.73 |
| HEWT6M06AN | INKCART,HP 902XL,MG | $23.99 |
| PENLR7A | PEN REFL,GEL,ENERGEL,MED,BLK | $1.27 |
| QUA37815 | ENVELOPE,CLASP,4X6-3/8,28#,KFT | $55.11 |
| BRTLC201BK | INKCART,STD YLD,260 PG,BK | $14.92 |
| BRTLC203BK | INKCART,F/J4420DW,HY,BK | $25.19 |
| CLI61958 | HOLDER,CD,LL,2PKT,POLY,4CAP | $7.52 |
| ZEB29220 | PEN,BP,RTR,F402,FN,BLU,SLV/BLU | $5.02 |
| BRTLC201M | INKCART,STD YLD,260 PG,MG | $7.49 |
| BRTLC201C | INKCART,STD YLD,260 PG,CN | $7.49 |
| AVE79989 | BINDER,D-RG,HD,1",BLK | $9.32 |
| BRTLC201Y | INKCART,STD YLD,260 PG,YL | $9.77 |
| FEL00724 | FILE,STORAGE,RECY,R-KIVE,WHT | $77.52 |

| | | |
|---|---|---|
| WLJ24166N | BINDER,POST,17X11,7"CC,BLK | $93.00 |
| FEL00725 | FILE,STORAGE,RECY,R-KIVE,WDG | $77.52 |
| PENQE519C | PENCIL,MECH,TWST-ERS3,.9MM,BLU | $4.76 |
| AVE11201 | INDEX,8TAB,INSRT,STYLE EDG,AST | $6.14 |
| CRD16302 | BINDER,LRR,1",SPINEVUE,BLU | $8.62 |
| MMM8102P3472 | TAPE,TRANS,3/4X2592,CLR | $12.71 |
| BRTLC203Y | INKCART,F/J4420DW,HY,YL | $14.17 |
| ACC54043 | BINDER,DATA,14-7/8X8.5,PSBD,DB | $14.30 |
| TOM68666 | TAPE REFL,COR,MONO,1LN,F/68665 | $2.79 |
| BRTLC203C | INKCART,F/J4420DW,HY,CN | $14.17 |
| BRTLC203M | INKCART,F/J4420DW,HY,MG | $14.17 |
| WAU91904 | PAPER,LASER,250SH,65#,BRW | $14.11 |
| EVEA76BPZ | BATTERY,1.5V,ALK,WACH,ELE | $1.79 |
| BICSCSM361BE | PEN,SOFT FEEL RET,36PK,BE | $24.47 |
| AVE79985 | BINDER,D-RG,HD,1.5",BLK | $10.38 |
| AVE79983 | BINDER,D-RG,HD,3",BLK | $17.50 |
| MMF201300006 | TAG,KEY,PLN,SLOT,WHT | $7.91 |
| DUCCS556PK | TAPE,SEALING,1.88"X54.7YD,CLR | $20.29 |
| ROPNAVIGATOR | NAVIGATOR PAPER NMP1120 | $4.73 |
| ROPHARBOR | PAPER,8.5X11,96 BRIGHT | $3.68 |
| UNV21200 | PAPER,XEROX/DUP,LTR,20#,WHT | $44.47 |
| UNV72210BX | CLIP,#1,GEM,SMOOTH,100/BX | $0.36 |
| UNV91200 | PAPER,20#,8 1/2X11,WH | $36.80 |
| CLO15949EA | CLEANER,WIPES,DISINFECT,FRSH | $6.21 |
| UNV72210 | CLIP,#1,GEM,SMOOTH | $2.54 |
| UNV20962 | BINDER,VIEW,11X8.5,1",WHT | $8.87 |
| SNANMP1120 | PAPER,MP,NAVIGATOR,8.5X11 | $47.30 |
| BWK800EA | SANITIZER,HAND | $2.43 |
| SMD76164 | POCKET,ET,LGL,STRT,3.5",MAN | $41.00 |
| SMD76174 | POCKET,ET,LGL,STRT,5.25",MAN | $43.00 |
| AAGGG250000 | DESK PD,MO,22X17,2COL,BLK | $9.59 |
| AAGPM2628 | PLANNER,WLL,YR,24X36,H/V,LAM | $17.58 |
| AAGSK24B00 | MONTHLY DESK PAD | $4.29 |
| AAGPM21228 | PLANNER,WLL,YR,24X36,2SD,V/H | $13.49 |
| AAGSK2400 | DESKPAD,MTH,BLK | $6.48 |
| AAG7026005 | PLANNER,APT,MTH,BLK | $14.81 |
| AAGPM26X28 | CALENDAR,WALL,ERASEABLE,LRG | $17.09 |
| AAGPM1128 | CALENDAR,WLL,3MO,12.25X27 | $14.12 |
| AAG89802 | DESK PD,22X17,LNDSCP | $21.44 |
| AAGDMD16632 | DESK PD,MO,PUPPIES | $17.15 |
| AAGDMW50328 | CALENDAR,WLL,3MPP,12.25X27 | $19.19 |
| DVO4599516EA | DISINFECTANT,OXIVIR WIPE | $14.79 |
| ROPBP8511 | PAPER,8.5X11,95 BRIGHT | $3.68 |
| SAN65802 | PEN,GEL,RTR,207 IMPACT,BLD,RED | $28.41 |
| SAN40173 | PEN,GEL,BP,JTSTRM,MED,BLK | $3.08 |
| CASMP2241GN | PAPER,FRWX,8.5X11,24#,LGR | $11.50 |
| UBC40173 | PEN,JETSTREAM,0.7MM,BK | $3.08 |

| | | |
|---|---|---|
| UNV10200VP3 | CLIP,BINDER,SML | $2.53 |
| BWK28QTWBBLA | WASTEBASKET,28 QT,BK | $6.99 |
| TOP2222ES | ENVELOPE,1099R,DBL WIN,EZ SEAL | $28.83 |
| UNV30018 | TAPE,FILAMENT,ECON | $3.06 |
| UNV30402 | BINDER,R-RG,.5",VNL,RBE | $3.08 |
| LEXC231HK0 | LEXMARK C2325, C2425, C2535, M | $95.00 |
| UNV40306 | CLIPBOARD,BUTERFLYCLP,SMK | $16.73 |
| IVR39402 | HOLDER,CD,SGL,ADH | $4.52 |
| CASMP2201CY | PAPER,MULT,8.5X11,20#,CAN | $5.98 |
| CASMP2201GN | PAPER,MULT,8.5X11,20#,GRN | $5.98 |
| CASMP2201LV | PAPER,FRWX,8.5X11,20LB,LAV | $7.47 |
| UNV40319 | CLIPBOARD,BOX,STORAGE,BK | $8.26 |

**Consent** **1. C.**

**Regular City Council Meeting**

**Meeting Date:** 10/12/2020

**TITLE:** 2019 Hail Claim Project Management Services

**PRESENTED BY:** Iverson Jessica, Facilities Manager

**Department:** Facility Services

## RECOMMENDATION

Staff recommends the City Council awards a professional services contract for Hail Project Management Services related to the August 2019 Hail Insurance Claim to Quest Services Corporation.

## BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

The City of Billings has submitted an insurance claim for over $4 Million of identified damage to multiple City-Owned buildings due to weather-related damage sustained in 2019. The City of Billings Facilities Services Division issued an RFP for Project Management Services to assist in managing construction repair projects. The services provided will vary with each specific project, but will include investigation, design, permitting, bidding, and construction administration services.

The RFP was advertised on August 21st and 28th, 2020 and 4 proposals were submitted by September 11th, 2020. A selection committee reviewed the proposals. Quest Services Corporation was selected based on the following categories:

- Experience of Supplier with Project Management Services for weather-related exterior building damage
- Experience working with insurance companies on building repair claims
- Experience with City of Billings bidding policies and procedures
- Knowledge of state and city building codes, permitting, and inspection requirements
- Ability to produce accurate and complete design and specification documents for permitting, bidding, and construction
- Capacity to assume new business
- Perceived ability to meet the City of Billings requirements
- Qualifications of staff who would provide these services
- Company’s financial stability
- Ongoing support
- Reporting capability
- Ability to conduct on-site inspections prior to, and during construction
- Process Improvements
- Compliance with the City of Billings Terms and Conditions
- Price

Quest Services Corporation was found to have the most relevant experience in the area of insurance claims and acting as the owner's agent for multiple public and municipal organizations.

## ALTERNATIVES

City Council may:

- Award a professional services contract for the 2019 Hail Claim Project Management Services; or
- Do not award a professional services contract and provide direction to staff

## FISCAL EFFECTS

The cost for project management services is included in the City's hail settlement award and additional expenses for this service will be reimbursed by the City's insurance carrier for insurance claim projects. The City has been awarded a settlement amount of $3,274,147.06 based on 'Actual Cash Value', which is the depreciated value of the damaged asset. The total estimated 'Replacement Cost Value' for the entire scope of damage is nearly $4.8 Million, which will be reimbursed to the City as the projects are completed and actual costs are submitted. It is in the City's best interest to retain the services of an experienced project manager to ensure the City receives its full reimbursement for these repairs.

The consultant's costs will be incurred on an hourly basis based on the pricing matrix they provided below:

| **Service** | **Hourly Rate** |
|---|---|
| Initial Survey and/or Investigative Report | **$125.00** |
| Design Documents | **$90.00** |
| Permitting and Bidding | **$90.00** |
| Construction Administration | **$125.00** |
| Project Close-Out | **$90.00** |

Attached is a letter from the City's Insurance Broker regarding the benefits of hiring a consultant to act as our agent in this process and also confirming that the insurance company, Affiliated FM, will reimburse these costs.

## Attachments

Insurance Broker Letter

PayneWest
INSURANCE

Ms. Jessica Iverson
City of Billings/Facilities Manager
4848 Midland Road
Billings, MT 59101

RE: August 2019 Hail Claim – Project Manager

Dear Jessica:

Thank you for advising that the City of Billings is in the process of considering hiring a Project Manager to assist in repairing City of Billings properties damaged by hail in August, 2019. As we discussed, I strongly recommend that a Project Manager be used by our clients, especially when the total claim exceeds $4,000,000 in replacement value.

The advantages of the selection of a professional Project Manager are:

1. A strong resource to help assist City personnel navigate insurance repair estimates compared to replacement cost bids by local contractors.
2. The Project Manager would aid in peer reviewing repair scopes for at least 105 separate structures as prepared by the Insurance Company, providing any feedback if necessary, and managing the bidding/procurement process for repairs at each one of these affected locations.
3. Affiliated FM Insurance Company will pay, as part of your hail claim, a reasonable hourly charge to help manage the claim. Typical hourly charges of $125-$150 an hour, depending on the service required by the City of Billings, is acceptable to the Insurance Carrier.
4. Our PayneWest team will continue to assist The City throughout this claims process.

Please feel free to call any of your PayneWest team with any questions or concerns.

Regards,

**Chris Hoiness, CPCU, CIC**
**A Montana Consultant**
PayneWest Insurance

**Consent** **1. D.**

**Regular City Council Meeting**

**Meeting Date:** 10/12/2020

**TITLE:** Professional Services Agreement for Water and Wastewater Rate Studies

**PRESENTED BY:** Jennifer Duray

**Department:** Public Works **Division:** Administration

## RECOMMENDATION

Staff recommends the City Council approve the Agreement with Advanced Engineering and Environmental Services, Inc. in the amount of $226,673 for the water and wastewater rate studies.

## BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

The Public Works Department regularly undertakes water and wastewater rate studies. This rate study will cover two two-year periods, the first to set rates for fiscal years 2022 and 2023 and the second to set rates for fiscal years 2024 and 2025. A cost of service rate study is needed to review and recommend appropriate rates for System Development Fees, water and wastewater user rates, resale water rates for the County Water District of Billings Heights, and wholesale rates for the Lockwood Water and Sewer District, Phillips 66 Billings Refinery, Exxon Mobil Refinery. In order to comply with state law and meet projected operation and maintenance costs, as well as fund major capital project needs, adjustments are needed for both the system development fees and user rates.

A Request for Proposals (RFP) was mailed to three firms from a list of prequalified firms. Two firms chose not to submit a proposal and one proposal was received from Advanced Engineering and Environmental Services, Inc.(AE2S). AE2S has conducted the previous four water and wastewater rate studies and staff has been pleased with their services. As specified in state law, once the firm was selected, the price was negotiated at a rate that staff determined to be fair and reasonable. In making its determination, staff took into account the estimated value of the services to be rendered, as well as the scope, complexity, and professional nature of the services.

## ALTERNATIVES

The City Council may:

- Approve the award of the professional service agreement; or
- Not approve the agreement. If the City does not approve this agreement, it will be unable to adjust these fees without violating State and case law.

## FISCAL EFFECTS

The scope of the agreement is divided into two phases of work tasks which will commit funds to be spent in fiscal years 2021 and 2023. The amount of the Phase 1 tasks is $121,558 and this has been budgeted for in the FY 2021 budget in the water and wastewater funds. The amount of Phase 2 work which will commence in FY 2023 is $105,115 for a total agreement amount of $226,673.

# Attachments

Agreement

# CONSULTANT AGREEMENT

**THIS AGREEMENT** is made and entered into this _____ day of October, 2020, by and between the **CITY OF BILLINGS, MONTANA,** a municipal corporation organized and existing under the laws of the State of Montana, P.O. Box 1178, Billings, Montana 59103, hereinafter referred to as "**CITY**," and **ADVANCED ENGINEERING AND ENVIRONMENTAL SERVICES, INC. (AE2S)**, of 4050 Garden View Drive, Suite 200, Grand Forks, North Dakota 58201, hereinafter referred to as "**CONSULTANT**."

**WITNESSETH:**

**WHEREAS,** the **CITY** proposes to conduct water and wastewater rate studies and desires to hire **CONSULTANT** as an independent contractor to perform the services as described in the Scope of Work attached hereto as Exhibit "A" and by this reference made a part hereof.

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

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

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

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

**2. TERM:** This **AGREEMENT** shall be for a period of four years, from the execution of this **AGREEMENT**.

**3.** **<u>PAYMENT</u>**: In consideration of the services provided by the **CONSULTANT** under this **AGREEMENT**, the **CITY** agrees to pay **CONSULTANT** a price not to exceed $226,673.

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

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

**5.** **<u>INDEMNITY AND INSURANCE</u>:**

A. The Consultant agrees to indemnify and save City, its officers, agents and employees harmless from any and all losses, damage and liability occasioned by, growing out of, or in any way arising or resulting from any intentional or negligent act on the part of Consultant or its agents or employees.
B. The Consultant shall not indemnify, save and hold Billings harmless from claims, causes of action, lawsuits, damages, judgments, liabilities, and litigation costs and expenses or attorneys' fees and costs arising from wrongful or negligent acts, error or omission solely of Billings occurring during the course of or as a result of the performance of the **AGREEMENT**.
C. Where claims, lawsuits or liability, including attorneys' fees and costs arise from wrongful or negligent act of both Billings and the Consultant, the Consultant shall indemnify, save, and hold Billings harmless from only that portion of claims, causes of action, lawsuits, damages, judgments, liabilities, and litigation costs and expenses including attorneys' fees and costs, which result from the Consultant's or any subcontractor's wrongful or negligent acts occurring as a result from the Consultant's performance pursuant to this **AGREEMENT**.
D. The **CONSULTANT** shall maintain in good standing the insurance described in this Section. Before rendering any services under this **AGREEMENT**, the **CONSULTANT** shall furnish the **CITY** with proof of insurance in accordance with this Section.

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

1. Workers' compensation and employer's liability coverage as required by Montana law.
2. Commercial general liability, including contractual and personal injury coverage's -- $750,000 per claim and $1,500,000 per occurrence.
3. Automobile liability -- $1,500,000 per accident.
4. Professional liability in the amount of $1,500,000 per claim.

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

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

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

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

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

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

A. Qualifications

The standard of care for all services performed or furnished by **CONSULTANT** under this **AGREEMENT** will be the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality.

B. Solicitation of Agreement

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

C. Facilities and Personnel

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

D. Subcontracting

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

E. Affidavits of Compliance

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

**7. AGREEMENTS OF CITY:**

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

B. Name a Project Manager who shall be the liaison between the Consultant and the City of Billings. For this project, the Project Manager for **CONSULTANT** designated is Ryan Graf and the Project Manager for **CITY** designated is Jennifer Duray.

**8. <u>NONDISCRIMINATION</u>:**

A. The **CONSULTANT** will not discriminate against any employee or applicant for employment because of race, color, religion, national origin, ancestry, age, sex, or marital status or who is a "qualified individual with a disability" (as that phrase is defined in the Americans With Disabilities Act of 1990). The **CONSULTANT** will take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to their race, color, religion, or mental or physical impairment/disability. Such action shall include, without limitation, employment, upgrading, demotion or transfer, recruitment or recruiting advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training including apprenticeship. The **CONSULTANT** agrees to post, in conspicuous places available to employees and applicants for employment, notices setting forth the provisions of this non-discrimination clause.

B. The **CONSULTANT** shall state, in all solicitations or advertisements for employees to work on jobs, that all qualified applicants will receive equal consideration for employment without regard to race, color, religion, national origin, ancestry, age, sex or marital status, or mental or physical impairment/disability.

C. The **CONSULTANT** shall comply with any and all reporting requirements that may apply to it that the **CITY** may establish by regulation.

D. The **CONSULTANT** shall include the provisions of Subsections A through C of this Section in every subcontract or purchase order under this **AGREEMENT**, so as to be binding upon every such sub-consultant or vendor of the **CONSULTANT** under this **AGREEMENT**.

E. The **CONSULTANT** shall comply with all applicable federal, state, and city laws concerning the prohibition of discrimination.

**9. <u>PERMITS, LAWS, AND TAXES</u>:** The **CONSULTANT** shall acquire and maintain in good standing all permits, licenses and other entitlements necessary to its performance under this **AGREEMENT**. All actions taken by the **CONSULTANT** under this **AGREEMENT** shall comply with all applicable statutes, ordinances, rules and regulations. The **CONSULTANT** shall pay all taxes pertaining to its performance under this **AGREEMENT**.

10. **NONWAIVER:** The failure of either party at any time to enforce a provision of this **AGREEMENT** shall in no way constitute a waiver of the provision, nor in any way affect the validity of this **AGREEMENT** or any part hereof, or the right of such party thereafter to enforce each and every provision hereof.

11. **DECLARATION OF NO FINANCIAL INTEREST:** The **CONSULTANT** hereby declares that he does not have any interest (including that of real estate agent or broker), direct or indirect, present or prospective, in any property described in Section 1 or in its sale, or any other interest, whether or not in connection with the property, which would conflict in any manner or degree with the performance of the services and the submission of impartial reports, and has not employed and will not employ, in connection with the services to be furnished under this **AGREEMENT**, any person having any such interest. Until the property is acquired by the **CITY** or excluded from its project by resolution of its governing body, the **CONSULTANT** and any employees of the **CONSULTANT**, so long as they are employed by the **CONSULTANT**, will not acquire any such interests and will not, for their own account or for other than the **CITY**, negotiate for any of the property, perform services in connection with the property, or testify voluntarily as a witness in a condemnation or other proceeding with respect to the property.

12. **SUCCESSORS AND ASSIGNS:** This **AGREEMENT** and all of the covenants hereof shall inure to the benefit of and be binding upon the **CITY** and the **CONSULTANT** respectively and his partners, successors, assigns, and legal representatives. Neither the **CITY** nor the **CONSULTANT** shall have the right to assign, transfer, or sublet his interest or obligations hereunder without written consent of the other party.

13. **CHANGES IN WORK:** Any change in the scope of **CONSULTANT'S** services as stated in this **AGREEMENT** for whatever reason, will be negotiated between the **CITY** and the **CONSULTANT** and an amendment to this **AGREEMENT** will be issued with the appropriate change of services and **AGREEMENT** fee noted.

14. **LEGAL RELATIONS:** The **CONSULTANT** shall comply with all Federal, State, and local laws and ordinances applicable to the work to be done.

15. **TERMINATION OF AGREEMENT:** The right is reserved by the **CITY** to terminate this **AGREEMENT** at any time upon not less than thirty (30) days written notice to the **CONSULTANT**.

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

16. **ENDORSEMENTS:** The **CONSULTANT** shall furnish signatures, statements, or other suitable means to signify responsible endorsement of work on all reports furnished by him.

17. **OWNERSHIP OF DOCUMENTS:** All information relating to the project and prepared under the terms of this **AGREEMENT**, including reports, data, recommendations, exhibits, analyses, and plans shall be deemed the property of the **CITY**. Reproducibles of all notes, reports, and plans shall be made available at the **CITY'S** request. The **CONSULTANT** shall retain a nonexclusive royalty-free license to use all documents and information created by the **CONSULTANT**

18. **PUBLIC INFORMATION:** The **CONSULTANT** shall not issue any statements, releases, or information for public dissemination without prior written approval of the **CITY**.

19. **PROPRIETARY RIGHTS:** If patentable discoveries or inventions should result from work required herein, all rights accruing from such discoveries or inventions shall be the property of the **CITY**.

20. **RECORDS:** The **CONSULTANT** shall maintain accounting records and other evidence pertaining to the cost incurred and to make the records available at all times during the **AGREEMENT** term and for three (3) years from the date of final payment. Such accounting records and other evidence pertaining to the cost incurred will be made available for inspections authorized by the **CITY** and copies thereof shall be furnished if requested.

21. **ATTORNEY'S FEES AND COSTS:** That in the event it becomes necessary for either Party to this **AGREEMENT** to retain an attorney to enforce any of the terms or conditions of the **AGREEMENT** or to give any notice required herein, then the prevailing Party or the Party giving notice shall be entitled to reasonable attorney's fees and costs.

22. **<u>LITIGATION LOCATION</u>:** The parties agree that this **AGREEMENT** shall be governed in all respects by the laws of the state of Montana, and the parties expressly agree that venue shall be in the Montana Thirteenth Judicial District County for Yellowstone County and there shall be no other venue for resolution of disputes arising from the **AGREEMENT** or the performance of its terms.

23. **<u>MODIFICATION AND AMENDMENTS</u>:** That any amendment or modification of this **AGREEMENT** or any provisions herein shall be made in writing and executed in the same manner as this original document and shall after execution become a part of this **AGREEMENT**.

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

**CITY OF BILLINGS, MONTANA**

**By**_____
**WILLIAM A. COLE, MAYOR**

**Advanced Engineering and Environmental Services, Inc. (AE2S)**
**CONSULTANT**

**By**_____

**Print Name** _____

**Print Title**_____

**APPROVED AS TO FORM:**

**By**_____
**BRENT BROOKS, CITY Attorney**

"Exhibit A"

City of Billings, Montana
FY22/23 and FY24/25 Water and Wastewater Rate Study
Proposed Scope and Fee Estimate

September 28, 2020

| Task Description | Phase 1 - FY22/23 Rate and SDF Analysis | | | | Phase 2 - FY24/25 Rate and SDF Analysis | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Budget Hours (All Labor Categories) 2020/2021 | Labor Fees 2020/2021 | Expenses 2020/2021 | Total AE2S Fee 2020/2021 | Budget Hours (All Labor Categories) 2022/2023 | Labor Fees 2022/2023 | Expenses 2022/2023 | Total AE2S Fee 2022/2023 | Total AE2S Fee |
| **Task 1 Project Administration, Data Collection, and Kickoff** | | | | | | | | | |
| 1.1 Project Administration | 13 | $2,076 | | $2,076 | 13 | $2,201 | | $2,201 | $4,277 |
| 1.2 Weekly Communications with Client (@1.5 hr/week) | 20 | $3,838 | | $3,838 | 20 | $4,068 | | $4,068 | $7,906 |
| 1.3 Information Request and Data Review | 12 | $1,354 | | $1,354 | 16 | $2,228 | | $2,228 | $3,582 |
| **Task 1 Subtotal** | **45** | **$7,268** | **$0** | **$7,268** | **49** | **$8,497** | **$0** | **$8,497** | **$15,765** |
| **Task 2 Water Cost of Service Analysis and Water Rate Update** | | | | | | | | | |
| 2.1 Kickoff Meeting (Virtual) | 10 | $1,778 | | $1,778 | 10 | $1,885 | | $1,885 | $3,663 |
| **Task 2 Subtotal** | **10** | **$1,778** | **$0** | **$1,778** | **10** | **$1,885** | **$0** | **$1,885** | **$3,663** |
| **Task 3 Water Cost of Service Analysis and Water Rate Update** | | | | | | | | | |
| 3.1 Review and Update COSA Assumptions | 50 | $8,884 | | $8,884 | 24 | $3,986 | | $3,986 | $12,870 |
| 3.2 Review Water Depot / Resale User Rates | 10 | $1,692 | | $1,692 | 0 | $0 | | $0 | $1,692 |
| 3.3 Update Retail/Resale Model | 44 | $5,736 | | $5,736 | 44 | $6,080 | | $6,080 | $11,816 |
| 3.4 Residential Rate Design | 20 | $2,672 | | $2,672 | 0 | $0 | | $0 | $2,672 |
| 3.5 Incorporate Probabilistic Revenue Forecasting | 18 | $2,290 | | $2,290 | 20 | $2,815 | | $2,815 | $5,105 |
| 3.6 Review/Verify Results | 9 | $1,644 | | $1,644 | 9 | $1,743 | | $1,743 | $3,387 |
| 3.7 Residential Bill Comparison | 2 | $374 | | $374 | 2 | $396 | | $396 | $770 |
| 3.8 Sensitivity Analysis, Regional Comparison | 8 | $1,140 | | $1,140 | 8 | $1,208 | | $1,208 | $2,348 |
| 3.9 Preparation for Progress Meeting #1 | 4 | $655 | | $655 | 4 | $694 | | $694 | $1,349 |
| **3.10 Progress Meeting #1 - Review Draft Retail and Resale Water Rates (Virtual Meeting)** | 7 | $1,034 | | $1,034 | 7 | $1,096 | | $1,096 | $2,130 |
| **Task 3 Subtotal** | **172** | **$26,121** | **$0** | **$26,121** | **118** | **$18,019** | **$0** | **$18,019** | **$44,140** |
| **Task 4 Wastewater Cost of Service Analysis and Wastewater Rate Update** | | | | | | | | | |
| 4.1 Review and Update COSA Assumptions | 28 | $4,152 | | $4,152 | 28 | $4,401 | | $4,401 | $8,553 |
| 4.2 Update Model - Wastewater Retail | 44 | $5,332 | | $5,332 | 44 | $5,652 | | $5,652 | $10,984 |
| 4.3 Update Model - Wastewater Wholesale | 40 | $5,960 | | $5,960 | 40 | $6,318 | | $6,318 | $12,278 |
| 4.4 Review Wastewater Rate Structure & Policies: FOG, High Strength, Septage | 22 | $3,460 | | $3,460 | 0 | $0 | | $0 | $3,460 |
| 4.5 Review/Verify Results | 9 | $1,644 | | $1,644 | 10 | $1,596 | | $1,596 | $3,240 |
| 4.6 Sensitivity Analysis, Regional Comparison | 8 | $1,140 | | $1,140 | 6 | $1,001 | | $1,001 | $2,141 |
| 4.7 Preparation for Progress Meeting #2 | 4 | $655 | | $655 | 4 | $694 | | $694 | $1,349 |
| **4.8 Progress Meeting #2 - Review Draft Wastewater Retail and Wholesale Rates (Virtual Meeting)** | 3 | $468 | | $468 | 3 | $496 | | $496 | $964 |
| **Task 4 Subtotal** | **158** | **$22,811** | **$0** | **$22,811** | **135** | **$20,158** | **$0** | **$20,158** | **$42,969** |
| **Task 5 Water SDF Review** | | | | | | | | | |
| 5.1 Data Review | 10 | $1,320 | | $1,320 | 14 | $2,175 | | $2,175 | $3,495 |
| 5.2 Update SDF Water Model/Calculation | 30 | $3,450 | | $3,450 | 30 | $3,657 | | $3,657 | $7,107 |
| **Task 5 Subtotal** | **40** | **$4,770** | **$0** | **$4,770** | **44** | **$5,832** | **$0** | **$5,832** | **$10,602** |

"Exhibit A"

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| **Task 6 Wastewater SDF Review** | | | | | | | | | |
| 6.1 Data Review | 20 | $2,640 | | $2,640 | 20 | $2,798 | | $2,798 | $5,438 |
| 6.2 Update SDF Wastewater Retail Model/Calculation | 26 | $2,718 | | $2,718 | 26 | $2,881 | | $2,881 | $5,599 |
| 6.3 Update SDF Lockwood Model/Calculation | 14 | $1,882 | | $1,882 | 14 | $1,995 | | $1,995 | $3,877 |
| 6.4 Review/Verify Results | 8 | $1,294 | | $1,294 | 8 | $1,372 | | $1,372 | $2,666 |
| 6.5 Stakeholder Communications (if necessary) | 6 | $928 | | $928 | 6 | $984 | | $984 | $1,912 |
| 6.6 Preparation for Progress Meeting #3 | 3 | $379 | | $379 | 3 | $402 | | $402 | $781 |
| **6.7 Progress Meeting #3 - Review Draft SDF Recommendations (Virtual Meeting)** | 2 | $281 | | $281 | 2 | $298 | | $298 | $579 |
| **Task 6 Subtotal** | **79** | **$10,122** | **$0** | **$10,122** | **79** | **$10,729** | **$0** | **$10,729** | **$20,851** |
| **Task 7 Documentation and Presentation of Results** | | | | | | | | | |
| 7.1 Preparation of Reports | 0 | $0 | | $0 | 0 | $0 | | $0 | $0 |
| 7.1.1 Technical Memo - Water Rate Study | 26 | $4,944 | | $4,944 | 24 | $4,740 | | $4,740 | $9,684 |
| 7.1.2 Technical Memo - Wastewater Retail Rate Study | 26 | $3,164 | | $3,164 | 24 | $2,854 | | $2,854 | $6,018 |
| 7.1.3 Technical Memo - Wastewater Lockwood Summary | 14 | $1,988 | | $1,988 | 12 | $1,607 | | $1,607 | $3,595 |
| 7.1.4 Technical Memo - Wastewater Phillips 66 Summary | 14 | $1,988 | | $1,988 | 12 | $1,607 | | $1,607 | $3,595 |
| 7.1.5 Technical Memo - Wastewater ExxonMobil Summary | 14 | $1,988 | | $1,988 | 12 | $1,607 | | $1,607 | $3,595 |
| 7.1.6 Technical Memo - Water/Wastewater SDF Report | 26 | $3,504 | | $3,504 | 24 | $3,214 | | $3,214 | $6,718 |
| 7.2 Preparation of Final Results Presentation | 14 | $2,254 | | $2,254 | 14 | $2,389 | | $2,389 | $4,643 |
| **7.3 Progress Meeting #4 - Review Draft Reports (Virtual Meeting)** | 3 | $468 | | $468 | 3 | $496 | | $496 | $964 |
| 7.4 Preparation of Final Reports | 10 | $1,142 | $100 | $1,242 | 10 | $1,211 | $100 | $1,311 | $2,553 |
| **Task 7 Subtotal** | **147** | **$21,440** | **$100** | **$21,540** | **135** | **$19,724** | **$100** | **$19,824** | **$41,364** |
| **Task 8 Stakeholder Meetings** | | | | | | | | | |
| 8.1 Meet with Impact Fee Advisory Committee | 6 | $758 | | $758 | 6 | $803 | | $803 | $1,561 |
| 8.2 Meet with Phillips 66 | 6 | $758 | | $758 | 6 | $803 | | $803 | $1,561 |
| 8.3 Meet with Lockwood | 6 | $758 | | $758 | 6 | $803 | | $803 | $1,561 |
| 8.4 Meet with ExxonMobil | 6 | $758 | | $758 | 6 | $803 | | $803 | $1,561 |
| 8.5 Travel Associated with 8.1 - 8.4 | 12 | $2,196 | $1,500 | $3,696 | 12 | $2,328 | $1,500 | $3,828 | $7,524 |
| 8.6 Conference Call with Billings Heights | 4 | $740 | | $740 | 2 | $388 | | $388 | $1,128 |
| **Task 8 Subtotal** | **40** | **$5,968** | **$1,500** | **$7,468** | **38** | **$5,930** | **$1,500** | **$7,430** | **$14,898** |
| **Task 9 Recommended Services** | | | | | | | | | |
| 9.1 Model Modernization and Updates | 144 | $19,680 | | $19,680 | 0 | $0 | | $0 | $19,680 |
| 9.2 Regulatory Affordability Analysis | 0 | $0 | | $0 | 84 | $12,741 | | $12,741 | $12,741 |
| **Task 9 Subtotal** | **144** | **$19,680** | **$0** | **$19,680** | **84** | **$12,741** | **$0** | **$12,741** | **$32,421** |
| **TOTAL PROJECT HOURS/EXPENSES** | **835** | **$119,958** | **$1,600** | **$121,558** | **692** | **$103,515** | **$1,600** | **$105,115** | **$226,673** |

**Consent** **1. E.**

**Regular City Council Meeting**

**Meeting Date:** 10/12/2020

**TITLE:** Donation from Landon's Legacy Foundation for Poly Vista Park Miricle League Field

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

**Department:** Parks/Rec/Public Lands **Division:** Parks

## RECOMMENDATION

Staff recommends that Council accept the $49,241.00 generous donation from Landon's Legacy Foundation to begin 30% design development , phasing plan and cost estimate for Poly Vista Park Miracle League Field.

## BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

The Billings Parks, Recreation and Public Lands (PRPL) Department is partnering with the Landon's Legacy Foundation to develop a Miracle League baseball field and an inclusive and accessible playground for children of all abilities at Poly Vista Park. The Miracle League is a national organization dedicated to providing an accessible baseball facility for children with physical limitations to participate and enjoy the game of baseball.

On August 28, 2017 Council approved a master plan for Poly Vista Park. Landon's Legacy Foundation and Billings Kiwanis provided a major donation ($66,570.00) to fund that effort and Parks and Recreation Department funded the remaining balance of $14,632 for the master plan. Landon's Legacy Foundation is again donating funding in the amount of $49,241.00 to provide a 30% design development, phasing plan and cost estimate for the development of Poly Vista Park. The 30% design will identify the portion of work necessary to build the Miracle League Field and accessible playground. By providing this funding, work can move forward on this project.

## ALTERNATIVES

City Council may:

- Approve and accept the donation of $49,241.00 from the Landon's Legacy Foundation, or;
- Not accept the donation and provide staff with additional guidance.

## FISCAL EFFECTS

There will be no initial fiscal effects to the City by accepting this donation. The 30% design will identify key components of project and phasing.The total estimated (rough) cost for all components of the Poly Vista master plan is $4.5 to $5.5 million. The estimated costs for the Miracle Field and amenities was $1.5 million. The master plan also did a pro forma summary of revenues and expenses. It estimated Poly Vista Park, developed to the master plan specifications, would operate at a 56% cost recovery. It estimated operations and maintenance expenses at around $80,000 per year for the first 6 years. The City, in partnering with Landon's Legacy, will need to identify key infrastructure components in which the City may need to provide funding to make the Miracle Field and inclusive playground accessible. Items such as the parking lot, sidewalks and restrooms will be needed. After the improvements are made to the park there will be additional financial resources needed for maintenance of the new facilities. Determining maintenance impacts will be identified when this project is fully designed and funding is available for construction.

**Consent** **1. F.**

**Regular City Council Meeting**

**Meeting Date:** 10/12/2020

**TITLE:** GRANT AWARD - $300,000 State Homeland Security Program FY20

**PRESENTED BY:** William Rash, Fire Chief

**Department:** Fire **Division:** Fire

## RECOMMENDATION

Staff recommends accepting the $300,000.00 on behalf of the Regional Hazmat Teams and authorizing Jason Lyon, Battalion Chief to act as the Program Manager of the Grant funds and appointing Mayor William Cole as the signatory official.

## BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

Acceptance of this grant award will provide funding for five (5) Montana Regional Hazmat Teams to establish a hazmat drone program and to provide pilot training for the teams. The City of Billings Fire Department will accept and manage the funds distributions to the regional hazmat teams under a cost reimbursement plan. The City is not required to match this award with any funds.

## ALTERNATIVES

City Council may approve or disapprove accepting the $300,000 FY2020 State Homeland Security Program Grant award.

## FISCAL EFFECTS

This opportunity presents no financial exposure to the City and allows the delivery of state-of-the-art equipment and training to the five Regional HazMat Teams.

**Consent** **1. G.**

**Regular City Council Meeting**

**Meeting Date:** 10/12/2020

**TITLE:** Lake Hills Subdivision, 21st Filing Amended Lots 8-9, Block 51 - Preliminary Minor Plat

**PRESENTED BY:** Monica Plecker

**Department:** Planning & Community Services **Division:** Planning

## RECOMMENDATION

Staff recommends conditional approval of the preliminary plat of Lake Hills Subdivision, 21st Filing Amended Lots 8-9, Block 51 to the City Council, and adopt the Findings of Fact as presented in the staff report.

### PROPOSED CONDITIONS OF APPROVAL

Planning staff recommends the following conditions of approval:

1. To minimize the effects on local service, prior to final plat approval, the applicant will coordinate with the USPS for locating and providing the correct amount of space for safely delivering the mail to the residents.

2. Minor changes may be made in the SIA and final documents, as requested by the Planning, Legal or Public Works Departments to clarify the documents and bring them into the standard acceptable format.

3. The final plat shall comply with all requirements of the City of Billings Subdivision Regulations, rules, regulations, policies, and resolutions of the City of Billings, and the laws and Administrative Rules of the State of Montana.

## BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

On September 1, 2020, WWC Engineering, agent for Ron Hill and Schneiter Enterprises, applied for preliminary minor plat approval for Lake Hills Subdivision, 21st Filing Amended Lots 8-9, Block 51. The proposed subdivision creates 3 lots from the existing 2 lots for residential development. The subject property is generally located on the west end of Winged Foot Drive where it intersects with Greenbriar Road. The property is zoned Residential 9600 (R96). The proposed lots will be developed in compliance with the zoning as the property is developed.

Consistency with the 2016 Growth Policy, the 2018 Transportation Plan and Billings Area Bikeways and Trail Master Plan are discussed within the Findings of Fact which is attached to this report.

### PROCEDURAL HISTORY

- Pre-application meeting June 25, 2020
- Preliminary plat application submitted to Planning Division on September 1, 2020
- Preliminary plat to City Council October 12, 2020
- 35 working-day preliminary plat review period ends October 22, 2020

**PLAT INFORMATION**

| | |
|---|---|
| General location: | West end of Winged Foot Drive where it intersects with Greenbriar Road |
| Legal Description: | Lake Hills Subdivision, 21st Filing, Amended Lots 8-9, Block 51 |
| Owner/Subdivider: | Ron Hill / Schneiter Enterprises |
| Engineer and Surveyor: | WWC Engineering |
| Existing Zoning: | R96 |
| Existing land use: | Vacant Land |
| Proposed land use: | Residential development |
| Gross and Net area: | 5.91 acres / 5.91 acres |
| Proposed number of lots: | 3 |
| Lot size: | Max: 16,994 square feet<br>Min: 10,517 square feet |
| Parkland requirements: | Parkland dedication is not required with minor subdivisions. |

## STAKEHOLDERS

A public hearing is not scheduled for the City Council meeting; however nearby property owners may attend the City Council meeting. The Planning Division has received no public comments or questions regarding the proposed subdivision.

## ALTERNATIVES

One of the purposes of the City's subdivision review process is to identify potential negative effects of property being subdivided. When negative effects are identified it is the subdivider's responsibility to mitigate those effects.

Various City departments, private service/utility providers and the affected school district has reviewed this application and provided input on effects and mitigation. The Findings of Fact, which are presented as an attachment, discuss potential negative impacts of the subdivision and conditions of approval are recommended as measures to further mitigate any impacts. In this case, there were found to be minimal impacts from this proposed subdivision.

In accordance with state law, the City Council has 35 working days to act upon this minor preliminary plat. The 35 working day review period for the proposed plat ends on October 22, 2020. State and City subdivision regulations also require that preliminary plats be reviewed using specific criteria, as stated within this report. The City may not unreasonably restrict an owner's ability to develop land if the subdivider provides evidence that any identified adverse effects can be mitigated.

Within the 35 working day review period, the City Council is required to:
1. Approve;
2. Conditionally Approve; or
3. Deny the Preliminary Plat

## FISCAL EFFECTS

Approval of this subdivision does not impact the Planning Division budget.

# Attachments

Findings of Fact
Proposed Plat
SIA
Mayor's Letter

# FINDINGS OF FACT

The Planning staff has prepared the Findings of Fact for the preliminary plat of Lake Hills Subdivision, 21st Filing Amended Lots 8-9, Block 51. These findings are based on the preliminary plat application and supplemental documents; addressing the review criteria required by the Montana Subdivision and Platting Act (76-3-608, MCA) and the Billings Subdivision Regulations (Section 23-303(H), BMCC).

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

**1. Effect on agriculture and agricultural water user facilities**

The subject property was originally platted in 1958 as a county subdivision and these lots have been within the Lake Hills Golf course for many years. There are no agricultural water user facilities within this proposed subdivision. It will not have a negative effect on the agricultural industry.

This subdivision does not contain any ditches or water shares, and therefore will not have an effect on agricultural water user facilities.

**2. Effect on local services**

**a.** **Utilities** – Public water services to the subject property will be provided by the County Water District of Billings Heights. An 8-inch water line is being installed in Winged Foot Drive from Greenbriar Road; this work is being funded by SID 1413. Each lot will be provided with individual water service connections. All water line construction shall be installed in conformance with the design standards, specification, rules and regulations of the County Water District of Billings Heights.

Fire hydrants will also be installed as required by the City Fire Department. The City Fire Department with review and approve all proposed hydrant locations prior to installation.

Sanitary sewer service will be provided by the City of Billings by connecting to the existing 8-inch sewer main located in Winged Foot Drive. This 8-inch sewer line is being installed in Winged Foot Drive from Greenbriar Road; it is being funded by SID 1413. Each lot will be provided with individual sewer service connections. All sewer line construction shall be installed in conformance with the design standards, specification, rules and regulations of the City of Billings Engineering Department.

Private utility providers shall use the provided easement outside the public right of way, these easement are shown on the face of the plat.

**b.** **Storm water** – Stormwater management for the proposed subdivision will be provided by directing water through a network of curb and gutters, inlets and

piping. A stormwater master plan is in place for this subdivision. All proposed stormwater management will be reviewed and approved by City of Billings Engineering Department to ensure it meets the master planned stormwater plan for Lake Hills Subdivision. All drainage improvements shall satisfy the criteria set forth by the *City of Billings Stormwater Management Manual*.

**c.** **Solid waste** – The City of Billings will provide solid waste collection and disposal. The City's landfill has adequate capacity for this waste.

**d.** **Streets** – Access to the lots in this proposed subdivision is from Winged Foot Drive, originally platted with a 50-foot wide right of way. Winged Foot Drive will be constructed to 34-foot wide, back of curb to back of curb, and 5-foot wide boulevard sidewalks within the 50-foot wide rights-of-way. An additional 3-foot wide public road easement will be on the lots included with this subdivision on Winged Foot Drive. Sidewalks will be installed at the time of individual lot development. The developer will install accessible ramps at the intersections, which will be completed with the subdivision street improvements.

**e.** **Emergency services** – The Billings Police and Fire Departments will respond to emergencies within the proposed subdivision. The fire station that serves this area is located at 1601 St. Andrews Drive (Station #6).

The subdivision is located within the ambulance service area of American Medical Response (AMR).

Comments from the Police department state that continued expansion of subdivisions will require additional resources to maintain acceptable levels of service.

**f.** **Schools** – School District #2 provides service to students within this subdivision from elementary to high school (Sandstone Elementary School, Castle Rock Middle School, and Skyview High School). School District #2 did not respond to request for comments at the time of the writing of this report.

**g.** **Parks and Recreation** – The parkland dedication requirement for this subdivision have been met with previous filings of Lake Hills Subdivision.

**h.** **Mail Delivery -** The United States Postal Service will provide postal service to the subdivision. They have requested the installation of centralized mailbox unit (CBUs). The developer will work with the USPS to provide a satisfactory location for a CBU for this filing. **(Condition #1)**

**3. Effect on the natural environment**

The subject property is relatively level land adjacent to urban development on its north and west sides. A geotechnical study was performed for the subdivision a summary of the information from that study is included in the SIA under the heading IX

Soils/Geotechnical Study. The subdivision should have a minimal effect on the natural environment.

**4. Effect on wildlife and wildlife habitat**

There are no known endangered or threatened species on the property. Future property owners should be aware that the proposed subdivision is located near prime wildlife habitat and adjacent to open agricultural areas, therefore conflicts with wildlife may occur. Any damage caused by wildlife is the responsibility of the owner. This notice is in the SIA under the heading II. Property Conditions and Information for Lot Purchasers.

**5. Effect on the public health, safety and welfare**

Fire hydrants will be installed to meet fire department requirements. Sidewalks will offer a safe place for pedestrians to walk. The effects on public health and safety should be minimal.

**B. Was an Environmental Assessment required? [(MCA 76-3-603 and BMCC 23-302.H.1.]**

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

**C. Does the subdivision conform to the City of Billings 2016 Growth Policy, the 2018 Urban Area Transportation Plan and the Billings Area Bikeway and Trail Master Plan? [BMCC 23-(8)]**

**1. City of Billings 2016 Growth Policy**

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

> **Essential Investments:** Infill development and development near existing City infrastructure may be the most cost effective. (p.6)
>
> **Strong Neighborhoods (livable, safe, sociable and resilient neighborhoods):** Neighborhoods that are safe and attractive and provide essential services are much desired. (p.8)
>
> **Home Base (healthy, safe and diverse housing options)** Planning and construction of interconnected sidewalks and trails are important to the economy and livability of Billings. (p.9)

**2. Billings Heights Neighborhood Plan**

The Billings Heights Neighborhood Plan, adopted in 2006, identifies this area for low-density residential development. The subdivision meets the following goals of the Heights Neighborhood Plan:

> **Issue: Urban Sprawl**

**Goal:** Encourage infill housing.

**Objectives:** To preserve and conserve resources and curb urban sprawl.

*This subdivision will be building houses in an already established neighborhood, reducing sprawl to new land.*

**Issue:** Public Health, Safety and Welfare

**Goal:** To prohibit dead-end water and sewer service lines.

**Objectives:** To promote resident health, safety and welfare.

*Public infrastructure will be connected eliminating some existing dead ends on water and sewer lines.*

**Issue:** Residential Development

**Goal:** To provide safe, good quality and affordable housing in the Heights. Develop housing patterns that are compatible with existing neighborhoods. Maintain similar housing in established neighborhoods.

**Objectives:** To encourage infill development and housing development that meets residents' desire to have similar housing within their neighborhood.

*This subdivision provides low-density residential single-family development in a neighborhood with existing low-density single-family development.*

**3. 2018 Billings Urban Area Long Range Transportation Plan**

The proposed subdivision adheres to the goals and objectives of the 2018 Transportation Plan and preserves the street network and street hierarchy specified in the plan.

**4. Billings Area Bikeway and Trail Master Plan (BABTMP)**

The proposed subdivision lies within the jurisdiction of the BABTMP. The BABTMP does not show any trails within the proposed subdivision. There will be no trails built with this subdivision.

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

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

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

The subject property is located within the R-96 zoning district. All building development on the lot shall comply with current zoning when applying for a building permit.

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

The subdivider has provided private utility easements as required by private utility providers on the face of the plat.

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

Legal and physical access is provided to the proposed lots from the extension of Greenbriar Road and construction of Winged Foot Drive, all local streets to be dedicated to the public as shown on the plat.

**CONCLUSIONS OF FINDINGS OF FACT**

- The preliminary plat of Lake Hills Subdivision, 21st Filing Amended Lots 8-9, Block 51 does not create any adverse impacts that warrant denial of the subdivision.

- The proposed subdivision conforms to several goals and policies of the 2016 Growth Policy and does not conflict with the Transportation or Bikeway and Trail Plans.

- The proposed subdivision complies with state and local subdivision regulations, local zoning, and provides legal and physical access to each lot.

- Any potential negative or adverse impacts will be mitigated with the proposed conditions of approval.

**RECOMMENDATION**

Staff is forwarding a recommendation of conditional approval of the preliminary plat of Lake Hills Subdivision, 21st Filing Amended Lots 8-9, Block 51, to the City Council, and adopt the Findings of Fact as presented in the staff report.

Approved by the Billings City Council, October 12, 2020

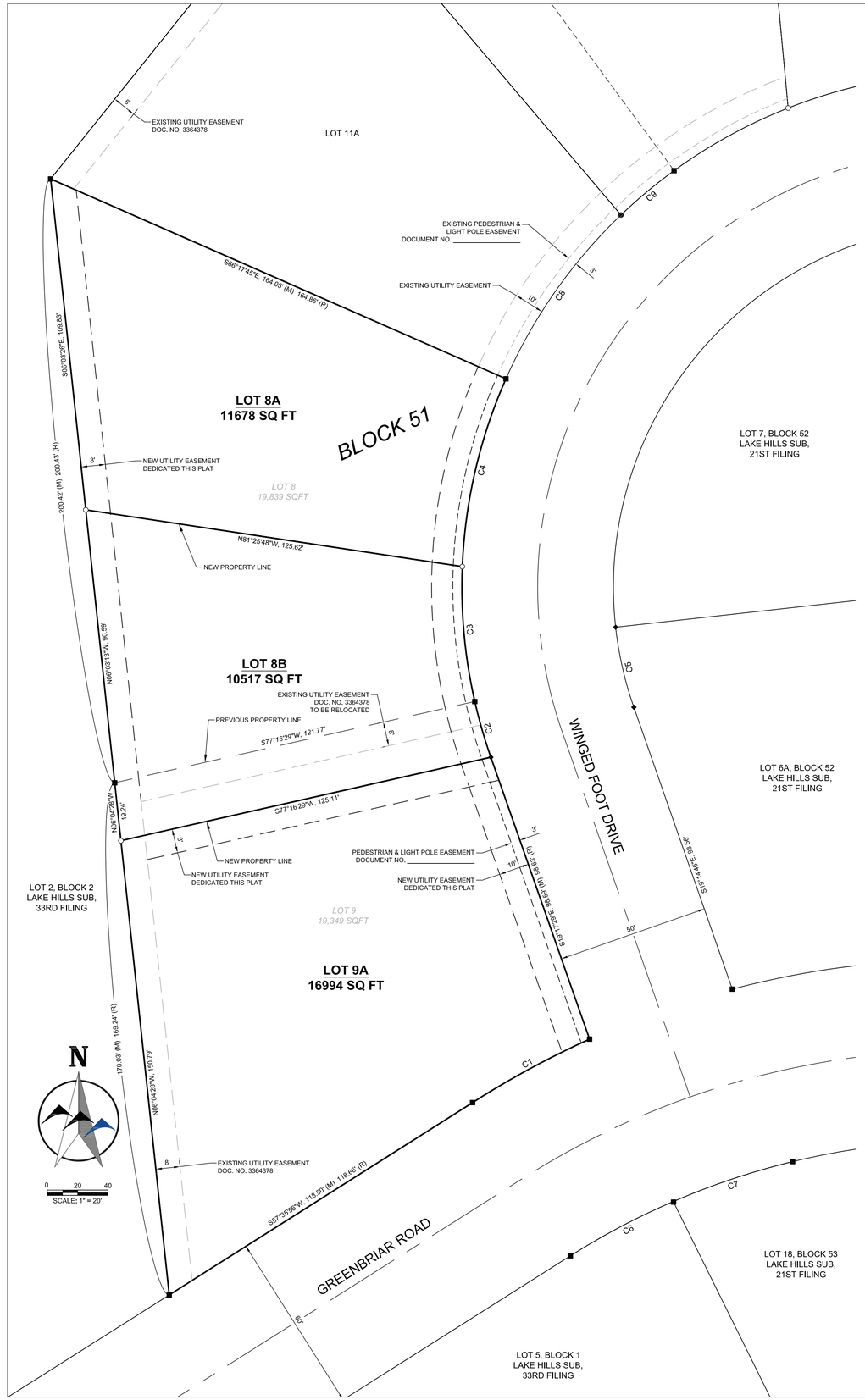
_____

William A. Cole, Mayor

# AMENDED PLAT OF LAKE HILLS SUBDIVISION, 21ST FILING

***OF LOTS 8 & 9 OF BLOCK 51 OF LAKE HILLS SUBDIVISION, 21ST FILING***
***WITHIN NW1/4 OF SECTION 16, T01N, R26E, P.M.M.***
***CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA***

**PREPARED FOR: STEVE SCHNEITER**
**DATE SURVEYED: JULY 2020**
**PREPARED BY: WWC ENGINEERING**




## LEGAL DESCRIPTION

Lots 8 and 9 of Block 51 of Lake Hills Subdivision, 21st Filing, within NW1/4 of Section 16, T01N, R26E, P.M.M., City of Billings, Yellowstone County, Montana.

Said tract of land contains a gross and net area of 0.90 acres, more or less, and is subject to any easements, reservations, or other encumbrances that have been legally acquired.

## LANDOWNERS CERTIFICATE

We hereby certify that the purpose of this survey is to relocate common boundary lines between adjacent properties within a platted subdivision. Therefore this division of land is exempt from review as a subdivision pursuant to M.C.A. 76-3-207(1)(d).

We further certify that pursuant to ARM 24.183.1104(1)(f)(iii)(c), "The area that is being removed from one tract of record and joined with another tract of record is not itself a tract of record. Said area shall not be available as a reference legal description in any subsequent real property transfer after the initial transfer associated with the [certificate of survey or amended plat] on which said area is described, unless said area is included with or excluded from adjoining tracts of record."

We also hereby certify that new divisions of land are subject to review under the Montana Subdivision and Platting Act, pursuant to M.C.A. 76-4-125 (1)(d)(i).

We further grant to all utility companies, as such are defined and established by Montana Law, an easement for the location, maintenance, repair, and removal of their lines over, under, and across the areas designated on the plat as "UTILITY EASEMENT" to have and hold forever.

_____
Schneiter Enterprises, a limited partnership
Steve Schneiter, Member Representative

## ACKNOWLEDGEMENT

State of _____ )
:SS
County of _____ )

on this _____ day of _____, 2020, before me, the undersigned a notary public for the State of _____, personally appeared Steve Schneiter, a Member Representative for Schneiter Enterprises, a limited partnership, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

_____
Notary Public for the State of _____

_____
Ron S. Hill Living Trust
Ron S. Hill, Trustee

## ACKNOWLEDGEMENT

State of _____ )
:SS
County of _____ )

on this _____ day of _____, 2020, before me, the undersigned a notary public for the State of _____, personally appeared Ron S. Hill, Trustee of Ron S. Hill Living Trust, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

_____
Notary Public for the State of _____

## CERTIFICATE OF CITY COUNCIL APPROVAL

The City Council of the City of Billings, Yellowstone County, Montana does hereby certify that the accompanying plat for AMENDED PLAT OF LAKE HILLS SUBDIVISION, 21ST FILING has been duly examined and have found the same to confrom to the law and hereby approve it.

Dated this _____ day of _____, 20____

_____
CITY OF BILLINGS, MONTANA

BY: _____
Mayor

ATTEST: _____
City Clerk

## NOTICE OF APPROVAL

STATE OF MONTANA )
: ss
County of Yellowstone )

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

Date _____ _____
President

_____
Executive Secretary

## CERTIFICATE OF CITY ATTORNEY

This Amended Plat has been reviewed by the City Attorney's Office and is acceptable to form.

Dated this _____ day of _____, 2020

_____
Reviewed by

## CERTIFICATE OF EXAMINING LAND SURVEYOR

Reviewed for errors and omissions in calculations and drafting this ____ day of _____, 2020, pursuant to section 76-3-611(2)(a), M.C.A.

_____
Examining Land Surveyor

Reg. No. _____

## CERTIFICATE OF COUNTY TREASURER

I hereby certify, pursuant to Section 76-3-207(3), MCA, that all real property taxes and special assessments assessed and levied on the land described on this Subdivision Plat and encompassed by the proposed division have been paid.

Dated this _____ day of _____, 20____

_____
TREASURER
YELLOWSTONE COUNTY, MONTANA

## CERTIFICATE OF SURVEYOR

The undersigned, a Montana Registered Land Surveyor being first duly sworn, deposes and says that during the month of March 2020, a survey was performed under his supervision of a tract of land to be known as AMENDED PLAT OF LAKE HILLS, 21ST FILING, In accordance with the request of the owner thereof and in conformance with Montana Subdivision and Platting Act; said subdivision being in accordance with the Landowner's Certificate and as shown on the plat; that the monuments found and set are of the character and occupy the positions hereon.

Dated the _____ day of _____, 20____

_____
John Bruckner
Registration Number 63052 LS

MONTANA
JOHN BRUCKNER
No. 63052 LS
LICENSED LAND SURVEYOR

## SUBDIVISION IMPROVEMENTS AGREEMENT

Document No. _____

## PEDESTRIAN AND LIGHT POLE EASEMENT

Document No. _____

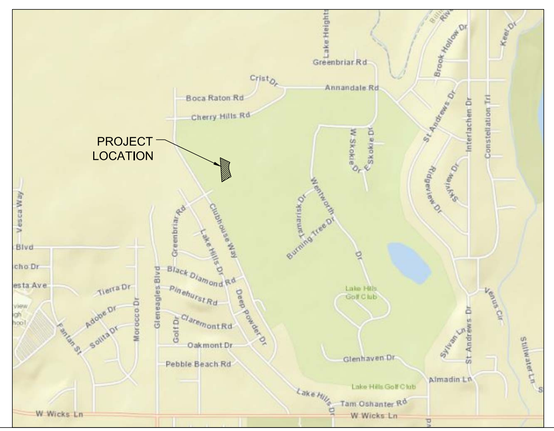
| CURVE TABLE | | | | | |
|---|---|---|---|---|---|
| CURVE # | LENGTH | RADIUS | DELTA | CHORD DIRECTION | CHORD LENGTH |
| C1 | 43.95' | 300.27' | 8°23'12" | S61°30'58"W | 43.91' |
| C2 | 19.15' | 170.00' | 6°27'18" | S16°03'30"E | 19.14' |
| C3 | 44.86' | 170.00' | 15°07'11" | S05°16'15"E | 44.73' |
| C4 | 64.01' | 170.00' | 21°34'29" | S13°04'35"W | 63.64' |
| C5 | 27.09' | 120.00' | 12°56'08" | N12°49'59"W | 27.04' |
| C6 | 38.43' | 241.27' | 9°07'35" | N62°09'13"E | 38.39' |
| C7 | 41.56' | 244.93' | 9°43'15" | N71°30'32"E | 41.51' |
| C8 | 66.47' | 170.00' | 22°24'10" | N35°03'55"E | 66.05' |
| C9 | 65.89' | 170.01' | 22°12'18" | N57°22'12"E | 65.48' |

***NOTES***

1. *BASIS OF BEARING: NAD83(2011) MONTANA STATE PLANE COORDINATE SYSTEM, GRID*
2. *DISTANCES: GROUND, INTERNATIONAL FOOT*
3. *THERE APPEARS TO BE A CALCULATIONS ERROR FOR LOT 9, BLOCK 51 PER THE FILED PLAT FOR LAKE HILLS SUBDIVISION, 21ST FILING. THE NOTED AREA IS 16,173 SQFT. USING THE RECORD DIMENSIONS, THE AREA CALCULATED TO BE +/-19,278 SQFT.*

## VICINITY MAP

NOT TO SCALE




## LEGEND

- SET ⅝" REBAR W/ PURPLE PLASTIC CAP (BRUCKNER 63052LS)
- FOUND ⅝" REBAR W/ PURPLE PLASTIC CAP (BRUCKNER 63052LS)
- FOUND 5/8" REBAR
- FOUND 1/2" REBAR
- ADJACENT PROPERTY BOUNDARY
- AMENDED PLAT
- RELOCATED BOUNDARY
- PREVIOUS LOT LINE
- EXISTING PEDESTRIAN & LIGHT POLE EASEMENT
- EXISTING UTILITY EASEMENT
- PEDESTRIAN & LIGHT POLE EASEMENT
- UTILITY EASEMENT
- (M) MEASURED (THIS SURVEY)
- (R) RECORD (LAKE HILLS SUBDIVISION - 21ST FILING, DOCUMENT NO. 612471)

| QRTR. | SEC. | TWP. | RGE. |
|---|---|---|---|
| ☒ | 16 | 01N | 26E |

**AMENDED PLAT**

JOB#: 2020-177

| REVISIONS | |
|---|---|
| Date | By |
| | |
| | |
| | |
| | |
| | |


WWC ENGINEERING
550 S. 24TH ST. W., SUITE 201
BILLINGS, MT 59102
(406) 894-2210


Drawn By: NRZ | Checked By: AMR/JPB | Date: July 2020 | Scale: 1" = 20'

PLOT STYLE TABLE: WWC-COLOR.ctb
FILE PATH: N:\Billings\Steve Schneiter\2020177 Lake Hills Subdivision Amended Plat\ISO\CAD\Dwg\Lake Hills MP.dwg

# SUBDIVISION IMPROVEMENTS AGREEMENT

# & WAIVER OF RIGHT TO PROTEST FUTURE SPECIAL IMPROVEMENTS DISTRICTS

## *Amended plat of Lake Hills Subdivision, 21st Filing*
## *Table of Contents*
**CITY OF BILLINGS**


**I. VARIANCES** ..... 3
**II. PROPERTY CONDITIONS AND INFORMATION FOR LOT PURCHASERS** ..... 3
**III. TRANSPORTATION** ..... 4
**Streets** ..... 4
**Sidewalks** ..... 4
**Street Lighting** ..... 4
**Traffic Control Devices** ..... 4
**Access** ..... 4
**Billings Area Bikeway and Trails Master Plan (BABTMP)** ..... 5
**Public Transit** ..... 5
**IV. EMERGENCY SERVICE** ..... 5
**V. STORM DRAINAGE** ..... 5
**VI. UTILITIES** ..... 5
**Water** ..... 6
**Sanitary Sewer** ..... 6
**Power, Telephone, Gas, and Cable Television** ..... 6
**VII. PARKS/OPEN SPACE** ..... 7
**VIII. IRRIGATION** ..... 7
**IX. SOILS/GEOTECHNICAL STUDY** ..... 7
**XI. FINANCIAL GUARANTEES** ..... 7
**XII. LEGAL PROVISIONS APPLYING TO SUBDIVIDER** ..... 7

# SUBDIVISION IMPROVEMENTS AGREEMENT

# & WAIVER OF RIGHT TO PROTEST FUTURE SPECIAL IMPROVEMENT DISTRICTS

## *Amended plat of Lake Hills Subdivision, 21st Filing*

**This agreement** is made and entered into this _____day of___, 2020, by and between Ron S. Hill Living Trust, whose address for the purpose of this agreement is **P.O. Box 50636; Billings, Montana 59105**, hereinafter referred to as "Subdivider," and the **CITY OF BILLINGS**, Billings, Montana, hereinafter referred to as "City."

**This agreement** is made and entered into this _____day of___, 2020, by and between Schneiter Enterprises, a limited partnership, whose address for the purpose of this agreement is **1546 Sienna Oak CT; Sandy, UT 84092**, hereinafter referred to as "Subdivider," and the **CITY OF BILLINGS**, Billings, Montana, hereinafter referred to as "City."

**WITNESSETH:**

**WHEREAS**, at a regular meeting conducted on ____day of ____, 2020, the City Council conditionally approved a preliminary plat of Amended Plat of Lake Hills Subdivision, 21st Filing; and

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

**WHEREAS,** the provisions of this agreement shall be effective and applicable to Amended Plat of Lake Hills Subdivision, 21st Filing upon the filing of the final plat thereof in the office of the Clerk and Recorder of Yellowstone County, Montana. The Subdivision shall comply with all requirements of the City of Billings Subdivision Regulations, the rules, regulations, policies, and resolutions of the City of Billings, and the laws and administrative rules of the State of Montana.

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

## I. VARIANCES

**A.** No variances are being requested for this subdivision.

## II. PROPERTY CONDITIONS AND INFORMATION FOR LOT PURCHASERS

**A.** Lot owners will be required to construct that segment of the required sidewalk that fronts their property at the time of lot development.

**B.** Front setbacks for those lots included in the subdivision with frontage determined along Winged Foot Drive shall be calculated from the back of 3-foot utility easement rather than front of lot line/edge of right-of-way. This applies to Lots 8A, 8B and Lot 9A of Block 51.

**C.** Lot owners should be aware that soil characteristics within the area of this subdivision, as described in the 1972 Yellowstone County Soil survey and Geotechnical Engineering Report for Lake Hills Subdivision, 21st Filing, prepared by Rimrock Engineering, Inc. (July 2, 2019), indicate that there could be potential limitations for proposed construction on the lots. Refer to Section IX for discussion of the geotechnical study completed for some of the lots within the Subdivision. All permitted structures within city limits are required by the City of Billings to obtain and follow a geotechnical report prior to construction.

**D.** Lot owners should be aware that this subdivision is being built in close proximity to prime deer and antelope habitat and it is likely that homeowners will experience problems with damage to landscaped shrubs, flowers, and gardens. The Montana Fish, Wildlife, and Parks Department does not provide damage assistance unless there is damage to commercial crops and/or a threat to public health and safety.

**E.** There is attached hereto a Waiver waiving the right to protest the creation of the special improvements district which by this reference is expressly incorporated herein and made as much a part hereof as though fully and completely set forth herein at this point. The Waiver will be filled with the plat, shall run with the land, and shall constitute the guarantee by the Subdivider and property owner or owners of the developments described herein. Said Waiver is effective upon filing and is not conditioned on the completion of the conditions set forth in this Agreement. The Subdivider and owner specifically agree that they are waiving valuable rights and do so voluntarily.

**F.** The Subdivider and subsequent contractors/builders acknowledge that a Stormwater Pollution and Prevention Plan (SWPPP) may be required to be filed with the City and the Montana Department of Environmental Quality (MDEQ). This SWPPP shall be adhered to during all phases of construction and shall be updated as required by MDEQ under the General Permit for Stormwater Discharges Association with Construction Activity, Chapter 28, BMCC and the Billings Stormwater Management Manual.

**G.** Individual lot owners should be aware that Best Management Practices for stormwater control shall be required for new construction on lots. Best Management Practices are

defined within Section 28-201, BMCC and detailed in the Billings Stormwater Management Manual.

## III. TRANSPORTATION

### Streets

- Rights-of-way widths of 60 feet for Greenbriar Road and 50 feet for Winged Foot Drive have already been dedicated in previous filings.
- The Owner shall construct public streets, and curb & gutter within the Subdivision. Streets fronting lots within the Subdivision shall be constructed as 34' back of curb to back of curb. These access roads shall be built to grade with a satisfactory subbase, base course, curb and gutter, and asphalt surface. All streets shall be built in accordance with the City of Billings' site development ordinance, and city subdivision regulations.
- The construction costs have been funded and no additional monetary security is required.

### Sidewalks

- The Owner will install corner intersection handicap ramps.
- Individual lot owners will be responsible for the construction of the sidewalks adjacent to their lot at the time of lot construction and shall be included in each building permit.
- Sidewalks shall be 5-foot wide with a 5-foot boulevard planting strip between the sidewalk and the curb along frontage of those lots included in the subdivision. Transitioning of sidewalk to 5-foot boulevard walk from that of adjacent lots outside the subdivision shall be conducted as called for by City Engineering at time of building permit application.

### Street Lighting

- No street lighting is proposed for the development; however, street lighting is included in the waiver of right to protest.

### Traffic Control Devices

- Traffic control devices are not required for this subdivision but are included in the waiver of right to protest.
- The Owner will furnish and install street name signs for streets within the subdivision or located immediately adjacent thereto in accordance with the specifications of the City of Billings Public Works and Fire Departments.

### Access

- Access to the lots will be from drive approaches installed at the time of lot development from streets built with this Subdivision. Access permits shall be obtained from City Engineering.

**Billings Area Bikeway and Trails Master Plan (BABTMP)**

- This subdivision is located within the jurisdiction of the BABTMP, but no trail corridors are identified within this subdivision area.

**Public Transit**

- This subdivision does not require improvements to ensure public transit service. The nearest transit stop is at the intersection of Wicks Lane and Gleneagles Boulevard.

## IV. EMERGENCY SERVICE

The Billings Fire Department currently provides fire protection for the subdivision.

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

At a minimum, the following is required:

- An unobstructed gravel road or gravel road base must be within 150 feet of the furthest portion of a building under construction as measured along an approved route.
- The access roads are required to support fire apparatus vehicle loading (40 tons) during all weather conditions and shall be a minimum of twenty (20) feet wide.
- An operational fire hydrant shall be located within 600 feet of the furthest portion of a residence under construction as measured along the access roads to the site.
- The above requirements do not alter or effect the current minimum subdivision requirements for apparatus access and water supply.

## V. STORM DRAINAGE

All drainage improvements shall comply with the provisions set forth in Chapter 28, BMCC, and the Stormwater Management Manual in place at the time of development. A master plan is in place for Lake Hills Subdivision and all Future stormwater improvements will be reviewed and approved by the Engineering Division to comply with said plan. The new storm drainage improvements shall be constructed as part of SID 1413. The construction costs have been funded through the establishment of SID 1413 and no additional monetary security is required.

## VI. UTILITIES

The Subdivision Improvements Agreement does not constitute an approval for extension of or connection to water mains and sanitary sewers. The property owner shall make application for extension/connection of water mains and sanitary sewers to the County

Water District of Billings Heights and Public Works Department – Distribution and Collection Division, respectively. The extension/connection of/to water mains and sanitary sewers is subject to the approval of the applications and the conditions of approval. Applications shall be submitted for processing prior to the start of any construction and prior to review and approval of any project plans and specifications. The appropriate water and wastewater construction fees in effect shall be submitted with the applications.

It is acknowledged that the properties subject to this Subdivision Improvements Agreement shall be subject to the appropriate water and wastewater local and interior construction fees in effect at the time of payment. Fees shall be paid for the lots in each phase as applied for in the extension application and as per the first paragraph above.

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

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

**Water**

The County Water District of Billings Heights serves the property. There is an existing 8-inch water main located in Greenbriar Road that currently terminates at both East and West edges of the subdivision. SID 1413 will extend the 8-inch water main along the length of Greenbriar Road through the subdivision. Also installing new 8-inch main along the length of Winged Foot Drive through the subdivision. New water services will be installed for all lots in the subdivision.

**Sanitary Sewer**

Sanitary sewer mains and services will be extended from those that are existing in the subdivision. An existing 8-inch main is located at the intersection of Greenbriar Road and Wentworth Drive and currently terminates at the east edge of the proposed subdivision. SID 1413 will install a new 8-inch sanitary sewer main from the existing 8-inch main and run it along the roadways in front of lots within SID 1413 for sewer services to be installed. New sewer services will also be installed for all lots in the subdivision.

**Power, Telephone, Gas, and Cable Television**

Private utility facilities (power, natural gas, telephone, and cable) will be installed during construction and located within the right-of-way and utility easements shown on the plat.

## VII. PARKS/OPEN SPACE

There is no parkland requirement for this subdivision as the parkland requirement has been previously met.

## VIII. IRRIGATION

No irrigation ditch, field laterals, or irrigation easements exist in this subdivision.

## IX. SOILS/GEOTECHNICAL STUDY

According to the Geotechnical Engineering Report for Lake Hills Subdivision, 21st Filing, prepared by Rimrock Engineering, Inc. (July 2, 2019), some soils found in this area consist of potentially compressible clay soils over sandstone shale bedrock at or near foundation and concrete slab elevations. Field and laboratory test results indicate that some site soils are compressible and potentially expansive with increased moisture which can be detrimental to lightly loaded structures.

Subsurface conditions vary from one location to another and the structural characteristics may vary from one structure to another. Currently all permitted structures within city limits are required by the City of Billings to obtain and follow a geotechnical report prior to construction.

## X. PHASING OF IMPROVEMENTS

There are no intended phasing improvements.

## XI. FINANCIAL GUARANTEES

Except as otherwise provided, Subdivider shall install and construct said required improvements through Special Improvements District No. 1413. All engineering and legal work in connection with such improvements shall be paid by the contracting parties pursuant to said special improvement district and the improvements shall be installed as approved by the City Engineer and the City of Billings Public Works and County Water District of Billings Heights.

## XII. LEGAL PROVISIONS APPLYING TO SUBDIVIDER

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

**B.** The owners of the properties involved in this proposed Subdivision by signature subscribed herein below agree, consent, and shall be bound by the provisions of this Agreement.

**C.** The covenants, agreements, and all statements in this Agreement run with the land and apply to and shall be binding on the heirs, personal representatives, successors and assigns and transferees of the respective parties.

**D.** In the event it becomes necessary for either party to this Agreement to retain an attorney to enforce any of the terms or conditions of this Agreement or to give any notice required herein, then the prevailing party or the party giving notice shall be entitled to reasonable attorney fees and costs.

**E.** Any amendments or modifications of this Agreement or any provisions herein shall be made in writing and executed in the same manner as this original document and shall after execution become a part of this Agreement.

**F.** Subdivider shall comply with all applicable federal, state, and local statutes, ordinances, and administrative regulations during the performance and discharge of its obligations. Subdivider acknowledges and agrees that nothing contained herein shall relieve or exempt it from such compliance.

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

"SUBDIVIDER" Schneiter Enterprises, a limited partnership

By: _____

Title: _____

STATE OF MONTANA )
: ss
County of Yellowstone )

On this___day of_____, 2020, before me, a Notary Public in and for the State of Montana, personally appeared Steve Schneiter, a Member Representative for Schneiter Enterprises, a limited partnership, known to me to be the person who executed the foregoing instrument and acknowledged to me that he/she executed the same.

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

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

"SUBDIVIDER" Ron S. Hill Living Trust

By:_____

Its:_____

STATE OF MONTANA )
: ss
County of Yellowstone )

On this___day of_____, 2020, before me, a Notary Public in and for the State of Montana, personally appeared Ron S. Hill, Trustee of Ron S. Hill Living Trust, known to me to be the person who executed the foregoing instrument and acknowledged to me that he/she executed the same.

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

This agreement is hereby approved and accepted by the City of Billings, this _____day of _____, 2020.

"CITY"
CITY OF BILLINGS
MONTANA

By: _____
Mayor

Attest: _____
City Clerk

STATE OF MONTANA )
: ss
County of Yellowstone )

On this____ day of _____, 2020, before me, a Notary Public in and for the State of Montana, personally appeared _____ and _____, known to me to be the Mayor and City Clerk, respectively, of the City of Billings, Montana, whose names are subscribed to the foregoing instrument in such capacity and acknowledged to me that they executed the same on behalf of the City of Billings, Montana.

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

# Waiver of Right to Protest

## FUTURE SPECIAL IMPROVEMENT DISTRICTS

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

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

The real property hereinabove mentioned is more particularly described as follows:
Amended Plat of Lake Hills Subdivision, 21st Filing
f
Signed and dated this _____day of_____, 2020.

Ron S. Hill Living Trust
By: _____
Title: _____

STATE OF MONTANA )
: ss
County of Yellowstone )

On this___ day of _____, 2020, before me, a Notary Public in and for the State of Montana, personally appeared Ron S. Hill, known to me to be the person who executed the forgoing instrument as the Trustee of Ron S. Hill Living Trust known to me to be the person who executed the forgoing instrument and acknowledged to me that he/she executed the same.

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

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

Signed and dated this _____day of_____, 2020.

Schneiter Enterprises, a limited partnership
By: _____
Title: _____

STATE OF MONTANA )
: ss
County of Yellowstone )

On this___ day of _____, 2020, before me, a Notary Public in and for the State of Montana, personally appeared Steve Schneiter, Member Representative for Schneiter Enterprises, a limited partnership, known to me to be the person who executed the forgoing instrument and acknowledged to me that he/she executed the same.

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

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

# CITY OF BILLINGS

WILLIAM A. COLE, MAYOR

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


October 12, 2020

Ron Hill / Steve Schneiter
550 South 24th Street West Ste. 201
Billings, MT 59102

Dear Applicant:

On October 12, 2020, the Billings City Council conditionally approved the preliminary plat of Lake Hills Subdivision, 21st Filing Amended Lots 8-9, Block 51, subject to the following conditions of approval:

1. To minimize the effects on local service, prior to final plat approval, the applicant will coordinate with the USPS for locating and providing the correct amount of space for safely delivering the mail to the residents.

2. Minor changes may be made in the SIA and final documents, as requested by the Planning, Legal or Public Works Departments to clarify the documents and bring them into the standard acceptable format.

3. The final plat shall comply with all requirements of the City of Billings Subdivision Regulations, rules, regulations, policies, and resolutions of the City of Billings, and the laws and Administrative Rules of the State of Montana.

Should you have questions please contact Dave Green at (406) 247-8666 or by email at greend@billingsmt.gov

Sincerely,

_____

William A. Cole, Mayor

pc: WWC Engineering
Ron Hill / Steve Schneiter

**Consent** **1. H.**

**Regular City Council Meeting**

**Meeting Date:** 10/12/2020

**TITLE:** Amended Lots 1 and 2, Block 3, Terra West Subdivision, 3rd Filing - Preliminary Minor Plat

**PRESENTED BY:** Monica Plecker

**Department:** Planning & Community Services **Division:** Planning

## RECOMMENDATION

Staff recommends conditional approval of the preliminary plat of Amended Lots 1 and 2, Block 3, Terra West Subdivision, 3rd Filing, to the City Council, and adopt the Findings of Fact as presented in the staff report.

### PROPOSED CONDITIONS OF APPROVAL

Planning staff recommends the following conditions of approval:

1. Minor changes may be made in the SIA and final documents, as requested by the Planning, Legal or Public Works Departments to clarify the documents and bring them into the standard acceptable format.

2. The final plat shall comply with all requirements of the City of Billings Subdivision Regulations, rules, regulations, policies, and resolutions of the City of Billings, and the laws and Administrative Rules of the State of Montana.

## BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

On September 1, 2020, Essex Surveying, applied for preliminary minor plat approval for Amended Lots 1 and 2, Block 3, Terra West Subdivision, 3rd Filing. The proposed subdivision creates 3 lots for houses on the property. The subject property is generally located at 3112, 3116 and 3120 Solar Boulevard. The property is zoned Residential 8000 (R-80). The land currently has three houses on it that are a condominium development.

Consistency with the 2016 Growth Policy, the 2018 Transportation Plan and Billings Area Bikeways and Trail Master Plan are discussed within the Findings of Fact which is attached to this report.

### PROCEDURAL HISTORY

- Pre-application meeting July 16, 2020
- Preliminary plat application submitted to Planning Division September 1, 2020
- Preliminary plat to City Council October 12, 2020
- 35 working-day preliminary plat review period ends October 22, 2020

### PLAT INFORMATION

General location: 3112, 3116 and 3120 Solar Boulevard

Legal Description: Amended Lots 1 and 2, Block 3, Terra West Subdivision, 3rd Filing

Owner/Subdivider: Burrowes Family 1995 Living Trust, Marlene Grimm,

| | |
|---|---|
| Daniel and Karen Kohm | |
| Engineer and Surveyor: | Essex Surveying, Zamian Essex |
| Existing Zoning: | R80 |
| Existing land use: | Three Existing Homes |
| Proposed land use: | Existing Homes on Individual Lots |
| Gross and Net area: | 0.46 acres / 0.46 acres |
| Proposed number of lots: | 3 |
| Lot size: | Max: 6,700 square feet<br>Min: 6,655 square feet |
| Parkland requirements: | No parkland is required as this is a minor subdivision. |

## STAKEHOLDERS

A public hearing is not scheduled for the City Council meeting; however nearby property owners may attend the City Council meeting. The Planning Division has received no public comments or questions regarding the proposed subdivision.

## ALTERNATIVES

One of the purposes of the City's subdivision review process is to identify potential negative effects of property being subdivided. When negative effects are identified it is the subdivider's responsibility to mitigate those effects.

Various City departments, private service/utility providers and the affected school district have reviewed this application and provided input on effects and mitigation. The Findings of Fact, which are presented as an attachment, discuss potential negative impacts of the subdivision and conditions of approval are recommended as measures to further mitigate any impacts. In this case, there were found to be minimal impacts from this proposed subdivision.

In accordance with state law, the City Council has 35 working days to act upon this minor preliminary plat. The 35 working day review period for the proposed plat ends on October 22, 2020. State and City subdivision regulations also require that preliminary plats be reviewed using specific criteria, as stated within this report. The City may not unreasonably restrict an owner's ability to develop land if the subdivider provides evidence that any identified adverse effects can be mitigated.

Within the 35 working day review period, the City Council is required to:
1. Approve;
2. Conditionally Approve; or
3. Deny the Preliminary Plat

## FISCAL EFFECTS

Approval of this subdivision does not impact the Planning Division budget.

---

## Attachments

Findings of Fact
Proposed Plat
SIA
Mayor's Letter

---

# FINDINGS OF FACT

The Planning staff has prepared the Findings of Fact for the preliminary plat of Amended Lots 1 and 2, Block 3, Terra West Subdivision, 3rd Filing. These findings are based on the preliminary plat application and supplemental documents; addressing the review criteria required by the Montana Subdivision and Platting Act (76-3-608, MCA) and the Billings Subdivision Regulations (Section 23-303(8), BMCC).

**A. What are the effects on agriculture, local services, the natural environment, wildlife, wildlife habitat, and public health, safety and welfare? [MCA 76-3-608 (3) (a) and BMCC 23-302 (8)(b)]**

**1. Effect on agriculture and agricultural water user facilities**

The subject property is not used as farmland. The original Terra West Subdivision, 3rd Filing was platted in 1994 with single lots for residential development. In 1998 the Villas on the Park condominium association was created to place three homes on two lots. The land has not been used for farming for quite some time. This proposed subdivision will have no effect on agriculture or water user facilities.

**2. Effect on local services**

a. **Utilities** – Water service will be provided by the City of Billings. All homes are constructed and have all water connections to them from existing water lines in the street. There will be no additional water line work to do with this subdivision.

b. **Sewer** - Sanitary sewer service will be provided by the City of Billings. All homes are constructed and have all sewer connections to them from existing sewer lines in the street. There will be no additional sewer line work to do with this subdivision.

   Private utilities exist on the lots and they are currently within easements that have been provided in the past for existing development.

c. **Storm water** –All drainage improvements have been installed and will not be changed with this subdivision.

d. **Solid waste** – The City of Billings will provide solid waste collection and disposal. The City's landfill has adequate capacity for this waste.

e. **Streets** – This subdivision currently takes access off Solar Boulevard. Solar Boulevard is built with curb, gutter and sidewalks in place. Each home has been built with a drive access off Solar Boulevard. There will be no additional road construction for this subdivision.

f. **Emergency services** – The Billings Police and Fire Department will respond to emergencies within the proposed subdivision. The nearest fire station is located at 605 24th St. West (Station #5). Fire hydrants are installed and no additional fire suppression systems are required.

The Billings Police will continue to provide service to the existing homes in this subdivision. The subdivision is located within the ambulance service area of American Medical Response (AMR).

g. **Schools** – No additional burden will be placed on School District #2 as the homes already exist.

h. **Parks and Recreation** –They are not required to provide any parkland with this proposed minor subdivision.

i. **Mail Delivery -** The United States Postal Service (USPS) is providing postal service to the subdivision.

**3. Effect on the natural environment**

The subject property has existing residential development on it. There will be no additional environmental impact on the subject property.

**4. Effect on wildlife and wildlife habitat**

There are no known endangered or threatened species on the property. This land has been a residential development for many years and native habitat is minimal on the land. This subdivision should have a minimal effect on wildlife and wildlife habitat.

**5. Effect on the public health, safety and welfare**

There should be no impacts to public health, safety and welfare because of this subdivision.

**B. Was an Environmental Assessment required? [(MCA 76-3-616 and BMCC 23-902]**

The proposed subdivision is exempt from the requirement for an Environmental Assessment pursuant to Section 76-3-616 (2), MCA.

**C. Does the subdivision conform to the City of Billings 2016 Growth Policy, the 2018 Urban Area Transportation Plan and the Billings Area Bikeway and Trail Master Plan? [BMCC 23-(8)]**

**1. City of Billings 2016 Growth Policy**

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

> **Essential Investments (relating public and private expenditures to public values):** Neighborhoods that are safe and attractive and provide essential services are much desired (p. 7).
>
> Developed parks that provide recreation, special amenities (community gardens, dog parks, viewing areas), and active living opportunities are desirable for an attractive and healthy community (p. 6)

**Strong Neighborhood (livable, safe, sociable and resilient neighborhoods)** Neighborhoods that are safe and attractive (p. 8)

**Home Base (healthy, safe and diverse housing options)** A mix of housing types that meet the needs of a diverse population is important (p. 8)

**2. 2018 Billings Urban Area Long Range Transportation Plan**

The proposed subdivision adheres to the goals and objectives of the Transportation Plan and preserves the street network and street hierarchy specified in the plan.

**3. Billings Area Bikeways and Trail Master Plan (BABTMP)**

The proposed subdivision lies within the jurisdiction of the BABTMP. There is no trail identified within the proposed subdivision or in the surrounding subdivision. The nearest trail is along South 32nd Street West.

**D. Does the subdivision conform to the Montana Subdivision and Platting Act and to local subdivision regulations? [MCA 76-3-608 (3) (b) and BMCC 23-302(8)(b)(1)]**

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

**E. Does the proposed subdivision conform to all requirements of the zoning in effect? [BMCC 23-302 (8)(b)(5)]**

The subject property conform to the requirements of current zoning. A zoning variance was granted to the property owners for smaller lots than what is required by R-80 zoning. City Zoning Variance # 1308.

**F. Does the proposed plat provide easements for the location and installation of any utilities? [MCA 76-3-608 (3) (c) and BMCC 23-302 (8)(b)(2)]**

There are existing utility easements for private utility companies. Those utilities are in place at this time as the proposed lots already have existing houses on them.

**G. Does the proposed plat provide legal and physical access to each parcel within the subdivision and notation of that access on the plat? [MCA 76-3-608 (3) (d) and BMCC 23-302 (8)(b)(3)]**

Legal and physical access to the proposed lots is provided from Solar Boulevard.

**CONCLUSIONS OF FINDINGS OF FACT**

- The preliminary plat of Amended Lots 1 and 2, Block 3, Terra West Subdivision, 3rd Filing does not create any adverse impacts that warrant denial of the subdivision.

- The proposed subdivision conforms to several of the goals and policies of the 2016 Growth Policy and does not conflict with the Transportation Plan or Billings Area Bikeways and Trail Master Plan.

- The proposed subdivision complies with state and local subdivision regulations, local zoning, and sanitary requirements and provides legal and physical access to each lot.

- Any potential negative or adverse impacts will be mitigated with the proposed conditions of approval.

**RECOMMENDATION**

Staff recommends conditional approval of the preliminary plat of Amended Lots 1 and 2, Block 3, Terra West Subdivision, 3rd Filing to the City Council, and adopt the Findings of Fact as presented in the staff report.

Approved by the Billings City Council, October 12, 2020

_____

William A. Cole, Mayor

pc. Essex Suveying

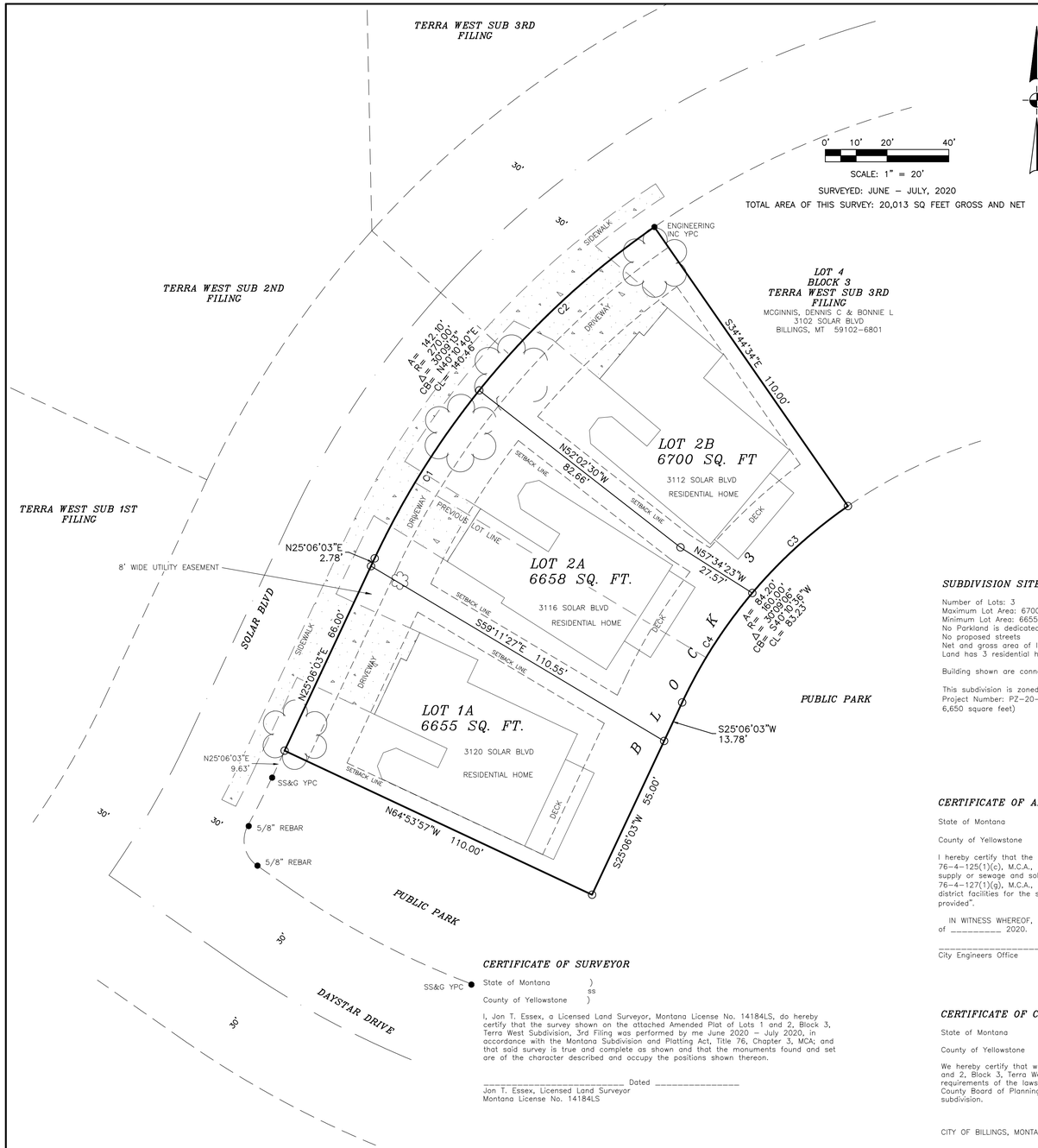
# PRELIMINARY PLAT OF

## AMENDED PLAT OF LOTS 1 AND 2, BLOCK 3
# TERRA WEST SUBDIVISION, 3RD FILING

SITUATED IN THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 1 SOUTH, RANGE 25 EAST, P.M.M. YELLOWSTONE COUNTY, CITY OF BILLINGS, MONTANA

PREPARED FOR: KAREN KOHM

SURVEYED BY: ESSEX SURVEYING, LLC
1350 PK ROAD
SHEPHERD, MT 59079
(406) 665-5188




SCALE: 1" = 20'

SURVEYED: JUNE – JULY, 2020

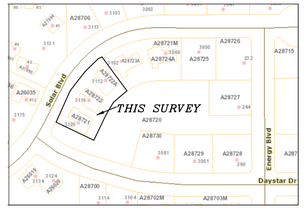
TOTAL AREA OF THIS SURVEY: 20,013 SQ FEET GROSS AND NET

### LEGEND

- ● PROPERTY CORNER FOUND – AS NOTED
- ○ PROPERTY CORNER SET – 5/8" X 24" REBAR WITH A YELLOW PLASTIC CAP MARKED "ESSEX – 14184LS"

### BASIS OF BEARINGS

TERRA WEST SUBDIVISION, 3RD FILING




### SUBDIVISION SITE DATA

Number of Lots: 3
Maximum Lot Area: 6700 square feet
Minimum Lot Area: 6655 square feet
No Parkland is dedicated
No proposed streets
Net and gross area of land to be subdivided: 20,013 square feet gross and net
Land has 3 residential homes

Building shown are connected to City sewer and water located in Solar Blvd.

This subdivision is zoned Residential 8,000 (R-80). City Variance #1308 (May 6, 2020), Project Number: PZ-20-50 for approved variance for lot size (three lots of not less than 6,650 square feet)

| CURVE | ARC LENGTH | RADIUS | DELTA ANGLE | CHORD BEARING | CHORD LENGTH |
|---|---|---|---|---|---|
| C1 | 64.25' | 270.00' | 13°38'05" | N31°55'05"E | 64.10' |
| C2 | 77.84' | 270.00' | 16°31'08" | N46°59'42"E | 77.57' |
| C3 | 41.97' | 160.00' | 15°01'50" | S47°44'14"W | 41.85' |
| C4 | 42.23' | 160.00' | 15°07'16" | S32°39'41"W | 42.10' |

### ERRORS AND OMISSIONS REVIEW

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

_____ _____
Examining Land Surveyor Date

### CERTIFICATE OF SURVEYOR

State of Montana )
ss
County of Yellowstone )

I, Jon T. Essex, a Licensed Land Surveyor, Montana License No. 14184LS, do hereby certify that the survey shown on the attached Amended Plat of Lots 1 and 2, Block 3, Terra West Subdivision, 3rd Filing was performed by me June 2020 – July 2020, in accordance with the Montana Subdivision and Platting Act, Title 76, Chapter 3, MCA; and that said survey is true and complete as shown and that the monuments found and set are of the character described and occupy the positions shown thereon.

_____ Dated _____
Jon T. Essex, Licensed Land Surveyor
Montana License No. 14184LS

### NOTICE OF PLANNING BOARD APPROVAL

State of Montana )
ss
County of Yellowstone )

The Amended Plat of Lots 1 and 2, Block 3, Terra West Subdivision, 3rd Filing, has been approved for filing by the Yellowstone County Board of Planning and Community Services and conforms to the recommendations of that Board.

Date_____

_____ _____
President Executive Secretary

### CERTIFICATE OF APPROVAL BY CITY ENGINEERS OFFICE

State of Montana )
ss
County of Yellowstone )

I hereby certify that the annexed and foregoing Amended Plat conforms with Section 76-4-125(1)(c), M.C.A., "divisions made for purposes other than the construction of water supply or sewage and solid waste disposal facilities as the department specifies by rule and 76-4-127(1)(g), M.C.A., "certification that adequate municipal or county water and/or sewer district facilities for the supply of water and disposal of sewage and solid waste will be provided".

IN WITNESS WHEREOF, I have executed this Certificate of Approval, this _____ day of _____ 2020.

_____
City Engineers Office

### CERTIFICATE OF CITY COUNCIL APPROVAL

State of Montana )
ss
County of Yellowstone )

We hereby certify that we have examined the annexed and foregoing Amended Plat of Lots 1 and 2, Block 3, Terra West Subdivision, 3rd Filing and find that said plat conforms with the requirements of the laws of the State of Montana and the requirements of the Yellowstone County Board of Planning. It is therefore approved and accepted. We therefore approve this subdivision.

CITY OF BILLINGS, MONTANA

By: _____ Dated _____
Mayor

Attest: _____ Date _____
City Clerk

### CITY ATTORNEY APPROVAL

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

Dated this _____ day of _____, 2020.

Reviewed by: _____

### OWNER'S CERTIFICATION AND PROPERTY DESCRIPTION

State of Montana )
ss
County of Yellowstone )

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

Being Lots 1 and 2, Block 3, Terra West Subdivision, 3rd Filing, situated in the Northwest 1/4 of Section 12, Township 1 South, Range 25 East, P.M.M., City of Billings, Yellowstone County, State of Montana. Containing 20,013 Square Feet (0.459 acres), more or less, and all according to the attached Amended Subdivision Plat. Subject to all easements and/or rights-of-way of record, apparent on the ground or reserved per this survey.

No parkland is being dedicated to the public pursuant to Section 76-3-621(3)(d), MCA. The herein described tract of land is to be known and designated as:

***AMENDED PLAT OF LOTS 1 AND 2, BLOCK 3, TERRA WEST SUBDIVISION, 3RD FILING***

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

_____
Marlene E. Grimm
Unit #3116, Villas on the Park

State of Montana )
ss
County of Yellowstone )

On this _____ day of _____, 2020, before me, the undersigned, a Notary Public for the State of Montana, personally appeared Marlene E. Grimm, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

_____
Notary Public for the State of Montana
_____
Printed Name of Notary
Residing at _____
My Commission expires _____

_____ _____
Daniel Joseph Kohm Karen L. Kohm
Unit #3112, Villas on the Park Unit #3112, Villas on the Park

State of Montana )
ss
County of Yellowstone )

On this _____ day of _____, 2020, before me, the undersigned, a Notary Public for the State of Montana, personally appeared Daniel Joseph Kohm and Karen L. Kohm, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

_____
Notary Public for the State of Montana
_____
Printed Name of Notary
Residing at _____
My Commission expires _____

TRUSTEES OF THE BURROWES FAMILY 1995 LIVING TRUST

_____ _____
Keith L. Burrowes, Trustee Beverly A. Burrowes, Trustee
Unit #3120, Villas on the Park Unit #3120, Villas on the Park

_____
Lynnette M. Burrowes, Trustee
Unit #3120, Villas on the Park

State of Montana )
ss
County of Yellowstone )

On this _____ day of _____, 2020, before me, the undersigned, a Notary Public for the State of Montana, personally appeared Keith L. Burrowes, Beverly A. Burrowes and Lynnette M. Burrowes, as Trustees of the Burrowes Family 1995 Living Trust, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

_____
Notary Public for the State of Montana
_____
Printed Name of Notary
Residing at _____
My Commission expires _____

### COUNTY TREASURER'S CERTIFICATION OF TAX PAYMENT

I hereby certify that all real property taxes and special assessments assessed and levied on the land above described are paid pursuant to 76-3-611(1)(b)M.C.A. and 76-3-207(3), M.C.A.

Date_____.

Yellowstone County Treasurer

By:_____

### CLERK AND RECORDER FILING INFORMATION

# SUBDIVISION IMPROVEMENTS AGREEMENT

AMENDED PLAT OF LOTS 1 AND 2, BLOCK 3, TERRA WEST SUBDIVISION, 3RD FILING

**This agreement** is made and entered into this ____ day of _____, 20__, by and between Marlene E. Grimm (3116 Solar Blvd, Billings, MT), Daniel Joseph Kohm and Karen L. Kohm (3112 Solar Blvd, Billings, MT), and Keith L. Burrowes, Beverly A. Burrowes and Lynnette M. Burrowes, as Trustees of the Burrowes Family 1995 Living Trust (3120 Solar Blvd, Billings, MT), hereinafter referred to as "Subdivider," and City of Billings, Montana, hereinafter referred to as "City."

**WITNESSETH:**

**WHEREAS**, the plat of AMENDED PLAT OF LOTS 1 AND 2, BLOCK 3, TERRA WEST SUBDIVISION, 3RD FILING, located in City of Billings, Yellowstone County, Montana, was submitted to the Yellowstone County Board of Planning; and

**WHEREAS**, at a regular meeting conducted on _____ day of _____, 20__, the City of Billings, conditionally approved a preliminary plat of AMENDED PLAT OF LOTS 1 AND 2, BLOCK 3, TERRA WEST SUBDIVISION, 3RD FILING; and

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

**WHEREAS,** the provisions of this agreement shall be effective and applicable to AMENDED PLAT OF LOTS 1 AND 2, BLOCK 3, TERRA WEST SUBDIVISION, 3RD FILING upon the filing of the final plat thereof in the office of the Clerk and Recorder of Yellowstone County, Montana. The Subdivision shall comply with all requirements of the City of Billings Regulations, the rules, regulations, policies, and resolutions of City of Billings, and the laws and administrative rules of the State of Montana.

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

## I. VARIANCES

**A.** Subdivider has requested and has been approved: City Zoning Variance #1308, Project Number: PZ-20-53 for lot size. No other variances are requested.

## II. PROPERTY CONDITIONS AND IMFORMATION FOR THE LOT PURCHASERS

**A.** No water rights have been transferred to the lot owners. Irrigation ditches that exist on the perimeter of this development are for the benefit of other properties. Perimeter ditches and drains shall remain in place and shall not be altered by the Subdivider or subsequent owners.

**B.** There is attached hereto a Waiver waiving the right to protest the creation of the special improvement district or districts which by this reference is expressly incorporated herein and made as much a part hereof as though fully and completely set forth herein at this point. The Waiver will be filed with the plat, shall run with the land, and shall constitute the guarantee by the Subdivider and property owner or owners of the developments described herein. Said Waiver is effective upon filing and is not conditioned on the completion of the conditions set forth in this Agreement. The Subdivider and owner specifically agree that they are waiving valuable rights and do so voluntarily.

**C.** When required by road improvements, all fences and irrigation ditches in the public right-of-way adjacent to this subdivision shall be removed or relocated outside of the public right-of-way and any relocation outside of the public right-of-way shall be subject to securing and recording easements.

**D.** Future maintenance of all public (or common) improvements shall be done through one (1) or more RSID(s) created as part of the SIA for this subdivision.

## III. TRANSPORTATION

**A.** All Streets, Sidewalks, Traffic Control Devises and individual lot access approaches are constructed for this subdivision.

**B. Billings Area Bikeways and Trail Master Plan (BABTMP)**
Subdivision is not affected by the BABTMP

## IV. EMERGENCY SERVICE

Emergency access to this subdivision is existing. Fire hydrants are installed throughout the parent subdivision in accordance with City specifications.

## V. STORM DRAINAGE

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

## VI. UTILITIES

### A. Water

City Water connections are existent for each lot in this subdivision.

### B. Septic System

City of Billings Sanitary sewer connections are existent for each lot in this subdivision.

### C. Power, Telephone, Gas, and Cable Television

Power, Telephone, Gas and Cable Television are existent for each lot in this subdivision.

## VII. PARKS/OPEN SPACE

There is no parkland requirement for proposed Amended Plat of Lots 1 and 2, Block 3, Terra West Subdivision, 3rd Filing, as this is a minor subdivision [MCA 76-3-617(3) (a)].

## VIII. IRRIGATION

No irrigation facilities are located within this subdivision

## IX. WEED MANAGEMENT

All noxious weeds on the latest Yellowstone County Noxious Weed List shall be controlled on all properties in the subdivision.

## X. SOILS/GEOTECHNICAL STUDY

All residential house are built within this subdivision

## XI. PHASING OF IMPROVEMENTS (include if applicable)

No phasing of improvements are necessary for this subdivision.

## XII. FINANCIAL GUARANTEES

No public improvements are necessary for this subdivision

## XIII. LEGAL PROVISIONS

## IX. LEGAL PROVISIONS APPLYING TO SUBDIVIDER

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

**B.** The owners of the properties involved in this proposed Subdivision by signature subscribed herein below agree, consent, and shall be bound by the provisions of this Agreement.

**C.** The covenants, agreements, and all statements in this Agreement run with the land and apply to and shall be binding on the heirs, personal representatives, successors, assigns and transferees of the respective parties.

**D.** In the event it becomes necessary for either party to this Agreement to retain an attorney to enforce any of the terms or conditions of this Agreement or to give any notice required herein, then the prevailing party or the party giving notice shall be entitled to reasonable attorney fees and costs.

**E.** Any amendments or modifications of this Agreement or any provisions herein shall be made in writing and executed in the same manner as this original document and shall after execution become a part of this Agreement.

**F.** Subdivider shall comply with all applicable federal, state, and local statutes, ordinances, and administrative regulations during the performance and discharge of its obligations. Subdivider acknowledges and agrees that nothing contained herein shall relieve or exempt it from such compliance.

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

**"SUBDIVIDER"** Marlene E. Grimm, Unit #3116, Villas on the Park

State of Montana )
:ss
County of Yellowstone )

On this _____ day of _____, 2020, before me, the undersigned, a Notary Public for the State of Montana, personally appeared Marlene E. Grimm, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

_____
Notary Public for the State of Montana
_____
Printed Name of Notary
Residing at _____
My Commission expires _____

**"SUBDIVIDER"** Daniel Joseph Kohm and Karen L. Kohm, Unit #3112, Villas on the Park

State of Montana )
:ss
County of Yellowstone )

On this _____ day of _____, 2020, before me, the undersigned, a Notary Public for the State of Montana, personally appeared Daniel Joseph Kohm and Karen L. Kohm, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

_____
Notary Public for the State of Montana
_____
Printed Name of Notary
Residing at _____
My Commission expires _____

**"SUBDIVIDER"** TRUSTEES OF THE BURROWES FAMILY 1995 LIVING TRUST
Keith L. Burrowes, Trustee, Beverly A. Burrowes, Trustee, Lynnette M. Burrowes, Trustee,
Unit #3120, Villas on the Park

State of Montana )
:ss
County of Yellowstone )

On this _____ day of _____, 2020, before me, the undersigned, a Notary Public for the State of Montana, personally appeared Keith L. Burrowes, Beverly A. Burrowes and Lynnette M. Burrowes, as Trustees of the Burrowes Family 1995 Living Trust, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

_____
Notary Public for the State of Montana

_____
Printed Name of Notary
Residing at _____
My Commission expires _____

"CITY"
CITY OF BILLINGS
MONTANA

By: _____
Mayor

Attest: _____
City Clerk

STATE OF MONTANA )
: ss
County of Yellowstone )

On this ____ day of _____, 20__, before me, a Notary Public in and for the State of Montana, personally appeared _____ and _____, known to me to be the Mayor and City Clerk, respectively, of the City of Billings, Montana, whose names are subscribed to the foregoing instrument in such capacity and acknowledged to me that they executed the same on behalf of the City of Billings, Montana.

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

# Waiver of Right to Protest

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

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

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

AMENDED PLAT OF LOTS 1 AND 2, BLOCK 3, TERRA WEST SUBDIVISION, 3RD FILING

**"SUBDIVIDER"** Marlene E. Grimm, Unit #3116, Villas on the Park

State of Montana )
:ss
County of Yellowstone )

On this _____ day of _____, 2020, before me, the undersigned, a Notary Public for the State of Montana, personally appeared Marlene E. Grimm, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

_____
Notary Public for the State of Montana

_____
Printed Name of Notary
Residing at _____
My Commission expires _____

**"SUBDIVIDER"** Daniel Joseph Kohm and Karen L. Kohm, Unit #3112, Villas on the Park

State of Montana )
:ss
County of Yellowstone )

On this _____ day of _____, 2020, before me, the undersigned, a Notary Public for the State of Montana, personally appeared Daniel Joseph Kohm and Karen L. Kohm, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

_____
Notary Public for the State of Montana

_____
Printed Name of Notary
Residing at _____
My Commission expires _____

**"SUBDIVIDER"** TRUSTEES OF THE BURROWES FAMILY 1995 LIVING TRUST
Keith L. Burrowes, Trustee, Beverly A. Burrowes, Trustee, Lynnette M. Burrowes, Trustee, Unit #3120, Villas on the Park

State of Montana )
:ss
County of Yellowstone )

On this _____ day of _____, 2020, before me, the undersigned, a Notary Public for the State of Montana, personally appeared Keith L. Burrowes, Beverly A. Burrowes and Lynnette M. Burrowes, as Trustees of the Burrowes Family 1995 Living Trust, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

_____
Notary Public for the State of Montana

_____
Printed Name of Notary
Residing at _____
My Commission expires _____

# CITY OF BILLINGS

WILLIAM A. COLE, MAYOR

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


October 12, 2020

Karen Kohm
3112 Solar Blvd.
Billings, MT 59102

Dear Applicant:

On October 12, 2020, the Billings City Council conditionally approved the preliminary plat of Amended Lots 1 and 2, Block 3, Terra West Subdivision, 3rd Filing, subject to the following conditions of approval:

1. Minor changes may be made in the SIA and final documents, as requested by the Planning, Legal or Public Works Departments to clarify the documents and bring them into the standard acceptable format.

2. The final plat shall comply with all requirements of the City of Billings Subdivision Regulations, rules, regulations, policies, and resolutions of the City of Billings, and the laws and Administrative Rules of the State of Montana.

Should you have questions please contact Dave Green at (406) 247-8666 or by email at greend@billingsmt.gov

Sincerely,

_____
William A. Cole, Mayor

pc: Essex Surveying
Burrowes Family 1995 Living Trust
Marlene Grimm

**Consent** **1. I.**

**Regular City Council Meeting**

**Meeting Date:** 10/12/2020

**TITLE:** Willowbrook Subdivision, Amended Lot 4A, Block 1. - Final Minor Plat

**PRESENTED BY:** Monica Plecker

**Department:** Planning & Community Services

**Presentation:** No

## PROBLEM/ISSUE STATEMENT

On September 8, 2020, IMEG, agent for Griffin Automotive Enterprises, Inc., applied for Final Minor plat approval for Willowbrook Subdivision, Amended Lot 4A, Block 1. The proposed subdivision creates 2 lots for commercial development. The subject property is generally located at 4432 South Frontage Road. The property is zoned Planned Unit Development (PUD). Staff has reviewed the application and determined that the proposed plat has met all the conditions of approval and is forwarding a recommendation of final approval to the City Council. Upon City Council approval, these documents are appropriate as to form for filing with the Clerk and Recorder.

## ALTERNATIVES ANALYZED

The City Council may approve or disapprove the final plat of Willowbrook Subdivision, Amended Lot 4A, Block 1. If the City Council chooses to deny the final plat, the denial must be because the criteria in Section 76-3-611, MCA are not met. The criteria are as follows:

76-3-611. Review of final plat. (1) The governing body or the agent or agency designated by the governing body shall examine each final plat, and the governing body shall approve the plat only if:
(a) it conforms to the conditions of approval set forth on the preliminary plat and to the terms of this chapter and (local) regulations adopted pursuant to this chapter; and
(b) the county treasurer has certified that all real property taxes and special assessments assessed and levied on the land to be subdivided have been paid.

Staff finds the final plat meets the criteria outlined in 76-3-611 above.

## FISCAL EFFECTS

The final plat of this subdivision will have no financial impact on the Planning Division.

## RECOMMENDATION

Staff recommends the City Council approve the final plat and SIA of Willowbrook Subdivision, Amended Lot 4A, Block 1.

## Attachments

SIA and Waiver
Final Plat
Conditions of Approval

# SUBDIVISION IMPROVEMENTS AGREEMENT & WAIVER OF RIGHT TO PROTEST FURTURE SPECIAL IMPROVEMENT DISTRICTS

## Lot 4A of the Amended Plat of Lots 1 and 4, Block 1, Willowbrook Subdivision 2nd Filing

**Table of Contents**

**City of Billings, Montana**


I. Variances Page #2

II. Property Conditions and Information for Lot Purchasers Page #3

III. Transportation Page #4
- A. Streets
- B. Sidewalks
- C. Street Lighting
- D. Traffic Control Devices
- E. Access
- F. Heritage Trail Plan
- G. Public Transit

IV. Emergency Services Page #4

V. Storm Drainage Page #5

VI. Utilities Page #6
- A. Water
- B. Sanitary Sewer
- C. Power, Telephone, Gas, and Cable Television

VII. Parks/Open Space Page #6

VIII. Irrigation Page #6

IX. Soils/Geotechnical Study Page #6

X. Financial Guarantees Page #6

XI. Legal Provisions Applying to Subdivider Page #7

# SUBDIVISION IMPROVEMENTS AGREEMENT & WAIVER OF RIGHT TO PROTEST FUTURE SPECIAL IMPROVEMENT DISTRICTS

## *Lot 4A of the Amended Plat of Lots 1 and 4, Block 1, Willowbrook Subdivision 2nd Filing*

**This agreement** is made and entered into this ___ day of_____, 20___, by and between *Griffin Automotive Enterprises, Inc.*, whose address for the purpose of this agreement is **PO Box 2137, Billings, MT 59103**, hereinafter referred to as "Subdivider," and the **CITY OF BILLINGS**, Billings, Montana, hereinafter referred to as "City."

**WITNESSETH:**

**WHEREAS**, the plat of *Lot 4A of the Amended Plat of Lots 1 and 4, Block 1, Willowbrook Subdivision 2nd Filing*, located in the City of Billings, Yellowstone County, Montana, was submitted to the Yellowstone County Board of Planning; and

**WHEREAS**, at a regular meeting conducted on ____ day of_____, 20__, the City Council conditionally approved a preliminary plat of *Lot 4A of the Amended Plat of Lots 1 and 4, Block 1, Willowbrook Subdivision 2nd Filing* and

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

**WHEREAS,** the provisions of this agreement shall be effective and applicable to *Lot 4A of the Amended Plat of Lots 1 and 4, Block 1, Willowbrook Subdivision 2nd Filing* upon the filing of the final plat thereof in the office of the Clerk and Recorder of Yellowstone County, Montana. The Subdivision shall comply with all requirements of the City of Billings Subdivision Regulations, the rules, regulations, policies, and resolutions of the City of Billings, and the laws and administrative rules of the State of Montana.

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

### I. VARIANCES

- No variances have been requested with this Subdivision.

## II. PROPERTY CONDITIONS AND INFORMATION FOR LOT PURCHASERS

**A.** The owner of Lot 4A-1 will be required to construct a multi-use trail/path along the frontage of Lot 4A-1 prior to a building permit being issued.

**B.** The owner of Lot 4A-1 will be required to construct the segment of curb, gutter and road widening that fronts their property, if required by the Montana Department of Transportation, prior to a building permit being issued.

**C.** Lot owners should be aware that this subdivision is being built in close proximity to prime deer and antelope habitat and it is likely that homeowners will experience problems with damage to landscaped shrubs, flowers, and gardens. The Montana Fish, Wildlife, and Parks Department does not provide damage assistance unless there is damage to commercial crops and/or a threat to public health and safety.

**D.** Lot owners should be aware that soil characteristics within the area of this subdivision, as described in the 1972 Yellowstone County Soil Survey, indicate that there could be potential limitations for proposed construction on the lots, which may require a geotechnical survey prior to construction.

**E.** There are no irrigation ditches around the proposed subdivision.

**F.** The subdivider and subsequent contractors/builders acknowledge that there is a Stormwater Pollution and Prevention Plan (SWPPP) filed with the city and the Montana Department of Environmental Quality (MDEQ). This SWPPP shall be adhered to before and during all phases of construction and shall be updated as required by MDEQ under the General Permit for Stormwater Discharges Associated with Construction Activity, Chapter 28, BMCC and the Billings Stormwater Management Manual.

**G.** Individual lot owners should be aware that Best Management Practices for stormwater control shall be required for new construction on lots. Best Management Practices are defined within Section 28-201, BMCC and detailed in the Billings Stormwater Management Manual.

## III. TRANSPORTATION

### A. Streets

- There are no proposed streets within this subdivision.
- The South Frontage Road is an existing street located adjacent to the north side of this property. This is a 45' paved road within a State of Montana 349' right-of-way.
- There is an existing approximately 30' wide asphalt access road across the western side of Lot 4A-1, to the northwestern corner of Lot 4A-2. It is located within a Reciprocal Access Easement.

### B. Sidewalks

- There currently are no existing or proposed sidewalk on or adjacent to the subdivision. Sidewalks are included in the project's waiver of right to protest future improvements.

### C. Street Lighting

- There is no existing street lighting on the property to be subdivided.
- No street lighting is proposed as no streets are proposed. Street lighting along the South Frontage Road has been included in the waiver of right to protest.

### D. Traffic Control Devices

- No traffic control devices are proposed as no streets are proposed.
- There is an existing stop sign at the intersection of the existing access road and Frontage Road.

### E. Access

- Access for the two lots is proposed off of the existing approximately 30' wide asphalt access road. This will provide direct access for the two lots onto the South Frontage Road.

### F. Billings Area Bikeway and Trail Master Plan (BABTMP)

- The owner of Lot 4A-1 will be required to construct a multi-use trail/path along the frontage of Lot 4A-1 prior to a building permit being issued.

### G. Public Transit

- There currently is no public transit in the area of this proposed subdivision.

## IV. EMERGENCY SERVICE

- Emergency access to the two lots is proposed to be by the existing approximately 30' wide asphalt access road.
- There is an existing fire hydrant located along the South Frontage Road to the northwest of this property as well as adjacent to the east side of this property.
- Urban Wildland Interface Code requirements have not been proposed as the property is not located in a highly wooded area.

## V. STORM DRAINAGE

All drainage improvements shall comply with the provisions of the *Stormwater Management Manual* and Section 23-706, BMCC, a stormwater management plan shall be submitted to and approved by the Engineering Division.

- The storm drainage on the property will continue to operate as it has historically.
- There are no proposed improvements to the existing storm drainage system as there is no proposed development on these lots.

## VI. UTILITIES

The Subdivision Improvements Agreement does not constitute an approval for extension of or connection to water mains and sanitary sewers. The property owner shall make application for extension/connection of water mains and sanitary sewers to the Public Works Department – Distribution and Collection Division. The extension/connection of/to water mains and sanitary sewers is subject to the approval of the applications and the conditions of approval. Applications shall be submitted for processing prior to the start of any construction and prior to review and approval of any project plans and specifications.

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

It is acknowledged that City water and sewer mains shall be extended by the property owner to the east property line of Lot 4A-1, by private contract, at the time of the lot development.

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

### A. Water

- At this time, it is unknown what water service requirements there will be as it is unknown what development will take place on Lot 4A-1. This will be required and proposed in accordance with the City of Billings requirements at the time of lot development.

### B. Sanitary Sewer

- At this time, it is unknown what sewer service requirements there will be as it is unknown what development will take place on Lot 4A-1. This will be required and proposed in accordance with the City of Billings requirements at the time of lot development.

### C. Power, Telephone, Gas, and Cable Television

- There is an existing 10' wide utility easement that is proposed to provide power, telephone, gas, or cable television to the proposed lots.

## VII. PARKS/OPEN SPACE

There is no parkland requirement for proposed Lot 4A of the Amended Plat of Lots 1 and 4, Block 1, Willowbrook Subdivision 2nd Filing, as this is a minor subdivision [MCA 76-3-617(3)(a)].

## VIII. IRRIGATION

- There are no existing or proposed irrigation ditches on or adjacent to the subject property.

## IX. SOILS/GEOTECHNICAL STUDY

- A geotechnical report that was previously completed on the property directly adjacent to the subject property has been included with this submittal. A new report will be provided at the time of any proposed development on these lots.
- Any results of the Geotech study, construction restrictions, and/or required mitigation efforts determined by the new report will be required for future development on these lots.

## X. FINANCIAL GUARANTEES

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

## XI. LEGAL PROVISIONS APPLYING TO SUBDIVIDER

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

**B.** The owners of the properties involved in this proposed Subdivision by signature subscribed herein below agree, consent, and shall be bound by the provisions of this Agreement.

**C.** The covenants, agreements, and all statements in this Agreement run with the land and apply to and shall be binding on the heirs, personal representatives, successors, assigns and transferees of the respective parties.

**D.** In the event it becomes necessary for either party to this Agreement to retain an attorney to enforce any of the terms or conditions of this Agreement or to give any notice required herein, then the prevailing party or the party giving notice shall be entitled to reasonable attorney fees and costs.

**E.** Any amendments or modifications of this Agreement or any provisions herein shall be made in writing and executed in the same manner as this original document and shall after execution become a part of this Agreement.

**F.** Subdivider shall comply with all applicable federal, state, and local statutes, ordinances, and administrative regulations during the performance and discharge of its obligations. Subdivider acknowledges and agrees that nothing contained herein shall relieve or exempt it from such compliance.

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

"SUBDIVIDER" *Griffin Automotive Enterprises, Inc.*

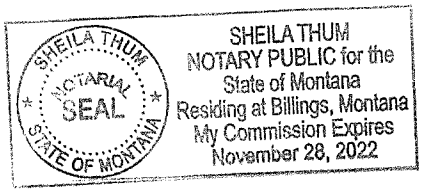
By: _____

Its: President

STATE OF MONTANA )
: ss
County of Yellowstone )

On this 9 day of 9, 2020, before me, a Notary Public in and for the State of Montana, personally appeared Spencer Griffin, known to me to be the President of *Griffin Automotive Enterprises, Inc.*, who executed the foregoing instrument and acknowledged to me that he/she executed the same.

_____




Notary Public in and for the State of Montana
Printed Name: SHEILA THUM
Residing at: Billings
My commission expires: NOV 28 2022

This agreement is hereby approved and accepted by the City of Billings, this 9 day of 9, 2020.

"CITY"
CITY OF BILLINGS MONTANA

By: _____
Mayor

Attest: _____
City Clerk

STATE OF MONTANA )
: ss
County of Yellowstone )

On this 9 day of 9, 2020, before me, a Notary Public in and for the State of Montana, personally appeared _____ and _____, known to me to be the Mayor and City Clerk, respectively, of the City of Billings, Montana, whose names are subscribed to the foregoing instrument in such capacity and acknowledged to me that they executed the same on behalf of the City of Billings, Montana.

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

# WAIVER OF RIGHT TO PROTEST

## FUTURE SPECIAL IMPROVEMENT DISTRICTS

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

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

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

*Lot 4A of the Amended Plat of Lots 1 and 4, Block 1, Willowbrook Subdivision 2nd Filing*

Signed and dated this 9 day of Sept, 2020.

*Griffin Automotive Enterprises, Inc.,*

By: _____

Its: President

STATE OF MONTANA )
: ss
County of Yellowstone )

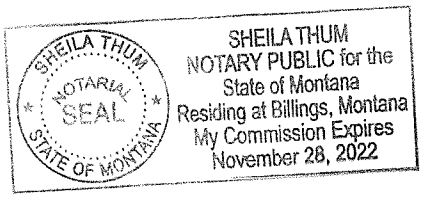
On this day of September 9, 2020, before me, a Notary Public in and for the State of Montana, personally appeared Spencer Griffin, known to me to be *Griffin Automotive Enterprises, Inc.*, the person who executed the forgoing instrument and acknowledged to me that he/she executed the same.

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

_____

Notary Public in and for the State of Montana

Printed name: Sheila Tbtum




Residing in Billings, Montana
My commission expires: Nov 28 2022

# AMENDED LOT 4A OF LOTS 1 AND 4, BLOCK 1, WILLOWBROOK SUBDIVISION

LOCATED IN THE NW1/4 OF SECTION 16, T.1S., R.26E., P.M.M., CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA

**SURVEY COMMISSIONED BY:** GRIFFIN AUTOMOTIVE ENTERPRISES, INC.

**PREPARED BY:** TERRITORIAL-LANDWORKS, INC.

**DATE:** JULY 2019 – JUNE 2020

**RECORD OWNER:** GRIFFIN AUTOMOTIVE ENTERPRISES, INC.

## CERTIFICATE OF DEDICATION

WE DO HEREBY CERTIFY THAT WE HAVE CAUSED TO BE SURVEYED, SUBDIVIDED AND PLATTED INTO LOTS LOT 4A OF LOTS 1 AND 4, BLOCK 1, WILLOWBROOK SUBDIVISION, AN AMENDED SUBDIVISION OF YELLOWSTONE COUNTY, FILED AS DOCUMENT NO. 3902955 IN THE OFFICE OF THE CLERK AND RECORDER OF YELLOWSTONE COUNTY, LOCATED IN THE NORTHWEST ONE-QUARTER (NW1/4) OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 26 EAST, PRINCIPAL MERIDIAN MONTANA, YELLOWSTONE COUNTY, MONTANA; CONTAINING A TOTAL GROSS AND NET AREA OF 25.21 ACRES, MORE OR LESS, BEING SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY AS SHOWN, EXISTING OR OF RECORD, AND

FURTHER, FEDERAL, STATE AND LOCAL PLANS, POLICIES, REGULATIONS AND/OR CONDITIONS OF SUBDIVISION APPROVAL THAT MAY LIMIT THE USE OF THE PROPERTY, INCLUDING THE LOCATION, SIZE, AND USE ARE SHOWN ON THE CONDITIONS OF APPROVAL SHEET (SHEET 1 OF 1 OF THIS PLAT) OR AS OTHERWISE STATED, AND

FURTHER, BUYERS OF PROPERTY SHOULD ENSURE THAT THEY HAVE OBTAINED AND REVIEWED ALL SHEETS OF THE PLAT AND ALL DOCUMENTS RECORDED AND FILED IN CONJUNCTION WITH THE PLAT AND THAT BUYERS OF PROPERTY ARE STRONGLY ENCOURAGED TO CONTACT THE LOCAL PLANNING DEPARTMENT AND BECOME INFORMED OF ANY LIMITATIONS ON THE USE OF THE PROPERTY PRIOR TO CLOSING, AND

FURTHER, ALL OR PART OF THE REQUIRED PUBLIC IMPROVEMENTS HAVE BEEN INSTALLED AND/OR SECURITY REQUIREMENTS PURSUANT TO 76-3-507, MCA, SECURE THE FUTURE CONSTRUCTION OF ANY REMAINING PUBLIC IMPROVEMENTS TO BE INSTALLED HAVE BEEN MET, AND

FURTHER, THE PARKLAND DEDICATION REQUIREMENTS FOR THE SUBDIVISION HAVE BEEN FULFILLED PURSUANT TO SECTION 76-3-621, MCA, AND

FURTHER, THAT THE ABOVE DESCRIBED LAND IS TO BE KNOWN AS **AMENDED LOT 4A OF LOTS 1 AND 4, BLOCK 1, WILLOWBROOK SUBDIVISION**, AND THAT THE PLAT CONFORMS TO THE PRELIMINARY PLAT PREVIOUSLY REVIEWED AND APPROVED BY THE GOVERNING BODY.

GRIFFIN AUTOMOTIVE ENTERPRISES, INC.

SS_____

BY: NEILS PEARSON (VICE PRESIDENT)

STATE OF _____)

COUNTY OF _____)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON _____, 20____, BY NEILS PEARSON, VICE PRESIDENT OF GRIFFIN AUTOMOTIVE ENTERPRISES, INC.

SS_____

NOTARY PUBLIC

## CERTIFICATION OF LANDOWNER

THE UNDERSIGNED HEREBY CERTIFIES THAT PORTIONS OF THE THE TEXT AND/OR GRAPHICS SHOWN HEREON REPRESENT REQUIREMENTS BY THE GOVERNING BODY FOR FINAL PLAT APPROVAL AND THAT ALL CONDITIONS OF SUBDIVISION APPLICATION FOR THIS SUBDIVISION HAVE BEEN SATISFIED, AND THE INFORMATION SHOWN IS CURRENT AS OF THE DATE OF THE CERTIFICATION REQUIRED IN ARM 24.183.1107(4)(a), AND THAT CHANGES TO ANY LAND USE RESTRICTIONS OR ENCUMBRANCES MAY BE MADE BY AMENDMENTS TO COVENANTS, ZONING REGULATIONS, EASEMENTS, OR OTHER DOCUMENTS AS ALLOWED BY LAW OR LOCAL REGULATIONS.

GRIFFIN AUTOMOTIVE ENTERPRISES, INC.

SS_____

BY: NEILS PEARSON (VICE PRESIDENT)

STATE OF _____)

COUNTY OF _____)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON _____, 20____, BY NEILS PEARSON, VICE PRESIDENT OF GRIFFIN AUTO ENTERPRISES, INC.

SS_____

(NOTARY PUBLIC)

## CERTIFICATE OF PLANNING BOARD APPROVAL

THIS PLAT HAS BEEN APPROVED FOR FILING BY THE YELLOWSTONE COUNTY BOARD OF PLANNING AND CONFORMS TO THE RECOMMENDATIONS OF THIS BOARD.

DATED THIS ____ DAY OF _____, 20____.

_____

PRESIDENT

_____

EXECUTIVE SECRETARY

## CERTIFICATE OF COUNTY TREASURER

I HEREBY CERTIFY THAT ALL REAL PROPERTY TAXES AND SPECIAL ASSESSMENTS ASSESSED AND LEVIED ON THE LAND ABOVE DESCRIBED ARE PAID PER SECTION 76-3-611 (1)(b) MCA.

_____

YELLOWSTONE COUNTY TREASURER DATE

## CERTIFICATE OF CITY ATTORNEY

THIS DOCUMENT HAS BEEN REVIEWED BY THE CITY ATTORNEY'S OFFICE AND IS ACCEPTABLE TO FORM.

_____

BY: DATE

## CERTIFICATE OF CITY ENGINEER'S OFFICE

I HEREBY CERTIFY THAT I HAVE EXAMINED THE HERETO ANNEXED PLAT AND FIND THAT IT CONFORMS WITH SECTION 76-4-125(1)(d) MCA REMOVING SANITARY RESTRICTIONS SINCE SAID PLAT IS INSIDE A MASTER PLANNING AREA AND IS PROVIDED WITH MUNICIPAL FACILITIES FOR THE SUPPLY OF WATER AND DISPOSAL OF SEWAGE AND SOLID WASTE.

DATED THIS ____ DAY OF _____, 20____

_____

CITY ENGINEER'S OFFICE

## CERTIFICATE OF EXAMINING LAND SURVEYOR

I HEREBY CERTIFY THAT I HAVE EXAMINED THIS PLAT FOR ERRORS AND OMISSIONS IN COMPUTATIONS AND DRAFTING.

_____

EXAMINING LAND SURVEYOR DATE

## CERTIFICATE OF CITY COUNCIL APPROVAL

THE CITY COUNCIL OF THE CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA, DOES HEREBY CERTIFY THAT THE ACCOMPANYING PLAT HAS BEEN DULY EXAMINED AND HAVE FOUND THE SAME TO CONFORM TO THE LAW AND HEREBY APPROVE IT.

DATED THIS ____ DAY OF _____, 20____.

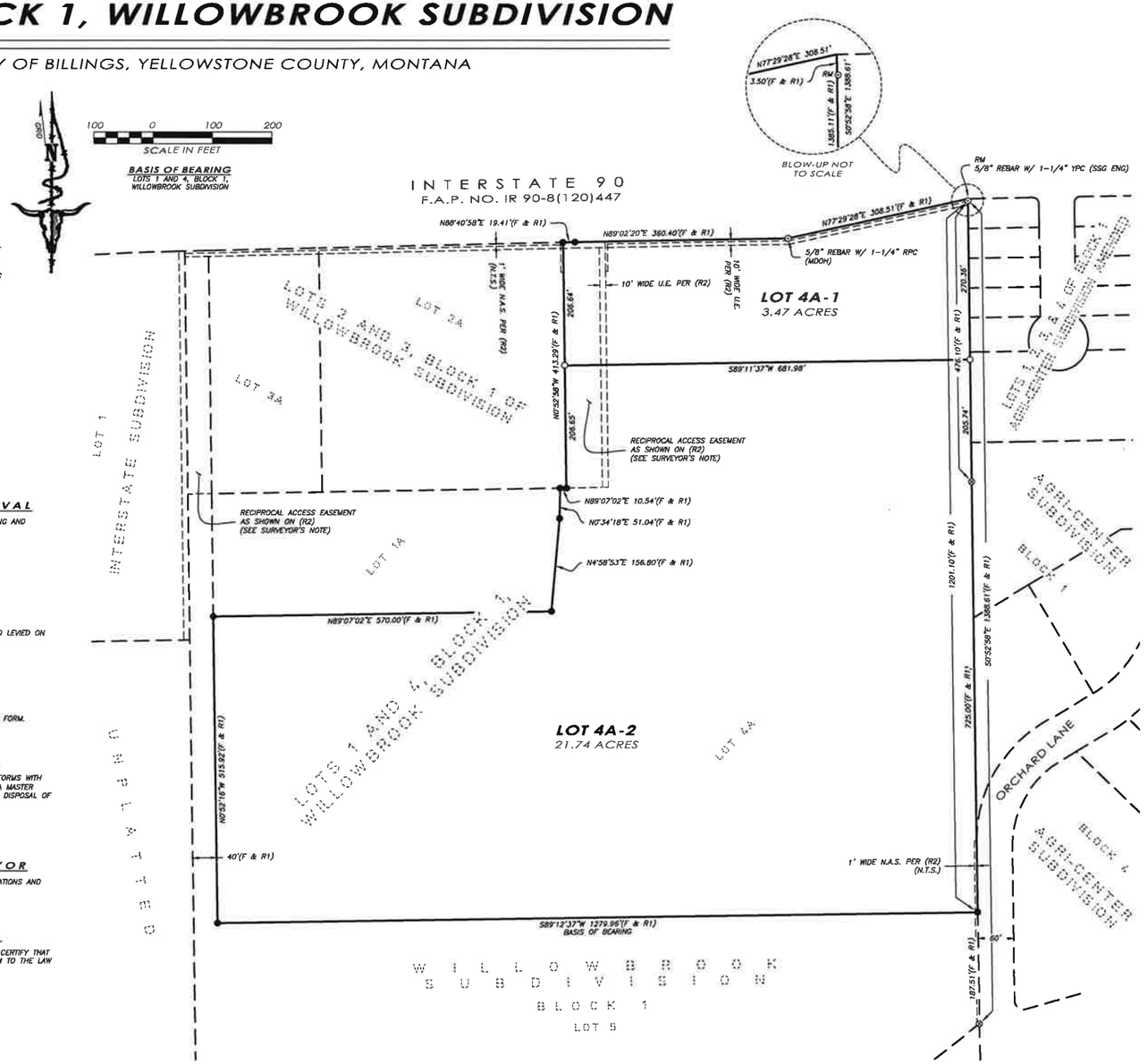
BY:_____

MAYOR DATE

ATTEST:_____

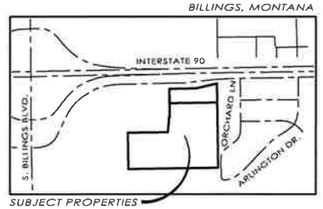
CITY CLERK DATE

## CLERK AND RECORDER FILING INFORMATION




## LEGEND

- ○ = SET 5/8"x24" REBAR WITH 1-1/4" YELLOW PLASTIC CAP (JACOBSON 13748LS)
- ● = FOUND 5/8" REBAR WITH 1-1/4" YELLOW PLASTIC CAP (JACOBSON 13748LS)
- ⊗ = FOUND 1-1/4" YELLOW PLASTIC CAP (ESSEX 14184LS)
- ⊙ = FOUND MONUMENT AS NOTED
- (F) = FOUND THIS SURVEY
- (R1) = RECORD OR ADDITIVE PER LOTS 1 AND 4, BLOCK 1, WILLOWBROOK SUBDIVISION
- (R2) = RECORD PER WILLOWBROOK SUBDIVISION
- YPC = YELLOW PLASTIC CAP
- RPC = RED PLASTIC CAP
- RM = REFERENCE MONUMENT
- U.E. = UTILITY EASEMENT
- F.A.P. = FEDERAL AID PROJECT




**VICINITY MAP**
NOT TO SCALE

## SURVEYOR'S NOTE

THERE SEEMS TO BE SOME AMBIGUITY AS TO THE LOCATION OF THE RECIPROCAL ACCESS EASEMENTS SHOWN HEREON. WILLOWBROOK SUBDIVISION DEPICTS SPECIFIC LOCATIONS FOR THESE RECIPROCAL ACCESS EASEMENTS AS PER DOCUMENT NUMBER 3178167. THE GRANT LANGUAGE WITHIN SAID DOCUMENT DESCRIBES "RECIPROCAL EASEMENTS, ACROSS, UNDER AND THROUGH... LOTS 1 THROUGH 5, WILLOWBROOK SUBDIVISION..."; IF THIS DOCUMENT WERE TO BE REVIEWED AS A STAND-ALONE GRANT INSTRUMENT, THE EASEMENT LOCATION COULD BE INTERPRETED AS BLANKET IN NATURE ACROSS THE ENTIRETY OF LOTS 1-5 OF WILLOWBROOK SUBDIVISION. THIS SURVEY GRAPHICALLY DEPICTS EASEMENT LOCATIONS SHOWN ON WILLOWBROOK SUBDIVISION, BUT DOES NOT PURPORT TO RESOLVE THE DISCREPANCY WITH THE LOCATION DESCRIBED IN THE GRANT INSTRUMENT.

| 1/4 | SEC. | T. | R. |
|---|---|---|---|
| ☒ | 16 | 1S. | 26E. |

## SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THE ATTACHED PLAT REPRESENTS A SURVEY MADE UNDER MY SUPERVISION AND SUBSTANTIALLY COMPLETED ON THE DATE SHOWN HEREON.

SS_____

MATTHEW JACOBSON, PROFESSIONAL LAND SURVEYOR DATE
MONTANA LICENSE NO. 13748LS

MONTANA · MATTHEW JACOBSON · 13748 LS · LICENSED PROFESSIONAL LAND SURVEYOR


PREPARED BY: TERRITORIAL LANDWORKS, INC. TLI PROJECT #20-5606
CIVIL ENGINEERING • SURVEYING • LAND USE CONSULTING
www.TerritorialLandworks.com
Phone: 406/721-9142 PO Box 3861
Fax: 406/721-8224 Missoula, MT 59806


**SHEET 1 OF 1**

**AMENDED LOT 4A OF LOTS 1 AND 4, BLOCK 1, WILLOWBROOK SUBDIVISION**
**A SUBDIVISION OF THE CITY OF BILLINGS**

P2020-00049

RECEIVED
Jun 02 2020
SERVICES DEPARTMENT

# CITY OF BILLINGS

**BILL COLE, MAYOR**

**P.O. BOX 1178**
**BILLINGS, MONTANA 59103**
**(406) 657-8296**
**FAX (406) 657-8390**
**coleb@ci.billings.mt.us**

May 11, 2020

Griffin Automotive Enterprises, Inc.
P.O. Box 2137
Billings, MT 59103

Dear Applicant:

On May 11, 2020, the Billings City Council conditionally approved the preliminary plat of Willowbrook Subdivision Amended Lot 4A, Block 1, subject to the following conditions of approval:

1. Minor changes may be made in the SIA and final documents, as requested by the Planning, Legal or Public Works Departments to clarify the documents and bring them into the standard acceptable format.
2. The final plat shall comply with all requirements of the City of Billings Subdivision Regulations, rules, regulations, policies, and resolutions of the City of Billings, and the laws and Administrative Rules of the State of Montana.

Should you have questions please contact Dave Green at (406) 247-8666 or by email at greend@billingsmt.gov

Sincerely,

William A. Cole

William A. Cole, Mayor

pc: IMEG, Kolten Knatterud

**Consent** **1. J.**

**Regular City Council Meeting**

**Meeting Date:** 10/12/2020

**TITLE:** High Sierra Subdivision, 14th Filing - Final Major Plat

**PRESENTED BY:** Monica Plecker

**Department:** Planning & Community Services **Division:** Planning

## RECOMMENDATION

Staff recommends the City Council approve the final plat and SIA of High Sierra Subdivision, 14th Filing.

## BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

On September 23, 2020, Sanderson Stewart, agent for High Sierra II, Inc., applied for Final Major plat approval for High Sierra Subdivision, 14th Filing. The proposed subdivision creates 90 lots for residential development. The subject property is generally located Northwest of Gleneagles Boulevard and north of Matador Avenue. The property is zoned Residential 7000 Restricted.

Staff has reviewed the application and determined that the proposed plat has met all the conditions of approval and is forwarding a recommendation of final approval to the City Council. Upon City Council approval, these documents are appropriate as to form for filing with the Clerk and Recorder.

## ALTERNATIVES

The City Council may approve or disapprove the final plat of High Sierra Subdivision, 14th Filing. If the City Council chooses to deny the final plat, the denial must be because the criteria in Section 76-3-611, MCA are not met. The criteria are as follows:

76-3-611. Review of final plat. (1) The governing body or the agent or agency designated by the governing body shall examine each final plat, and the governing body shall approve the plat only if:
(a) it conforms to the conditions of approval set forth on the preliminary plat and to the terms of this chapter and (local) regulations adopted pursuant to this chapter; and
(b) the county treasurer has certified that all real property taxes and special assessments assessed and levied on the land to be subdivided have been paid.

Staff finds the final plat meets the criteria outlined in 76-3-611 above.

## FISCAL EFFECTS

The final plat of this subdivision will have no financial impact on the Planning Division.

## Attachments

Conditions of Approval
SIA

# CITY OF BILLINGS

WILLIAM A. COLE, MAYOR

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


March 23, 2020

High Sierra II, Inc.
175 N 27th St Suite 900
Billings, MT 59101

Dear Applicant:

On March 23, 2020, the Billings City Council conditionally approved the preliminary plat of High Sierra Subdivision, 14th Filing, subject to the following conditions of approval:

1. To minimize the effects on local service, prior to final plat approval, the applicant will coordinate with the USPS for locating and providing the correct amount of space for safely delivering the mail to the residents
2. Minor changes may be made in the SIA and final documents, as requested by the Planning, Legal or Public Works Departments to clarify the documents and bring them into the standard acceptable format.
3. The final plat shall comply with all requirements of the City of Billings Subdivision Regulations, rules, regulations, policies, and resolutions of the City of Billings, and the laws and Administrative Rules of the State of Montana.

Should you have questions please contact Dave Green at (406) 247-8666 or by email at greend@billingsmt.gov

Sincerely,

William A. Cole

William A. Cole, Mayor

pc: Sanderson Stewart

## FINDINGS OF FACT

The Planning staff has prepared the Findings of Fact for the preliminary plat of High Sierra Subdivision, 14th Filing. These findings are based on the preliminary plat application and supplemental documents; addressing the review criteria required by the Montana Subdivision and Platting Act (76-3-608, MCA) and the Billings Subdivision Regulations (Section 23-303(H), BMCC).

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

**1. Effect on agriculture and agricultural water user facilities**

The subject property was used for dryland pasture by the Dover Ranch operation to the north. It, along with approximately 375 additional acres, was annexed by the City and rezoned for single-family residential uses in 2007. This proposed subdivision is adjacent to similar residential uses to the south, west, and east. It will provide housing in an area that is not particularly productive for agriculture. It should not have a negative effect on the agricultural industry.

This subdivision does not contain any ditches or water shares, and therefore will not have an effect on agricultural water user facilities.

**2. Effect on local services**

a. **Utilities** – Public water services to the subject property will be provided by making two connections to existing water lines in Matador Avenue and the other is located just north of the intersection of Morocco Drive and Sierra Granda Boulevard. A new 8-inch water line will be installed in the interior street of the subdivision. These lines will be looped wherever possible to equalize water pressure within the subdivision. Each lot will be provided with individual water service connections. All water line construction shall be installed in conformance with the design standards, specification, rules and regulations of the City of Billings Engineering Department.

Fire hydrants will also be installed as required by the City Fire Department. The City Fire Department with review and approve all proposed hydrant locations prior to installation.

Sanitary sewer service will be provided by the City of Billings by connecting to the existing 15-inch sewer main in located at the intersection of Sierra Granda Boulevard Morocco Drive. A connection will also be made to the existing sewer located; it will be extended in Entrada Road to near the intersection of Morocco Drive and Entrada Road. The sanitary sewer lines within the subdivision will be 8-inch lines. Each lot will be provided with individual sewer service connections. All sewer line construction shall be installed in conformance with the design standards, specification, rules and regulations of the City of Billings Engineering Department.

Private utility providers shall use the provided easement outside the public right of way, these easement are shown on the face of the plat.

**b.** **Storm water** – Stormwater management for the proposed subdivision will be provided by directing water through a network of curb and gutters, inlets and piping. The stormwater will be directed to temporary detention ponds. All drainage improvements shall satisfy the criteria set forth by the *City of Billings Stormwater Management Manual* and are subject to review and approval by the City Engineering Department.

The SIA, under the heading V. Storm Drainage, outlines the maintenance of the ponds and all appurtenances associated with them is the responsibility of the HOA. There is an existing HOA with the subdivision and this filing will be included in the same HOA.

**c.** **Solid waste** – The City of Billings will provide solid waste collection and disposal. The City's landfill has adequate capacity for this waste.

**d.** **Streets** – Access to the lots in the 14th Filing will be via extension of roads built prior to this subdivision, Matador Avenue and Cherry Hills Road. The internal subdivision streets will be constructed to 34-feet pavement widths, with curb, gutter, and 5-foot wide boulevard style sidewalks within 56-foot wide rights-of-way. Sidewalks will be installed at the time of individual lot development. The developer will install accessible ramps at the intersections, which will be completed with the subdivision street improvements.

Based on the Traffic Impact Study (TIS) the 14th Filing will affect the following intersections. Wicks Lane/Gleneagles Boulevard, Wicks Lane/Fantan Street, and Wicks Lane/St. Andrews Drive. It was determined that the developer shall contribute 1.95%, 2.17%, and 1.72%, respectively, toward the total cost of the improvements planned for these three intersections. As indicated in the Subdivision Improvement Agreement (SIA) those contributions shall be made prior to final plat approval.

**e.** **Emergency services** – The Billings Police and Fire Departments will respond to emergencies within the proposed subdivision. The fire station that serves this area is located at 1601 St. Andrews Drive (Station #6).

The subdivision is located within the ambulance service area of American Medical Response (AMR).

Comments from the Police department state that continued expansion of subdivisions will require additional resources to maintain acceptable levels of service.

f. **Schools** – School District #2 provides service to students within this subdivision from elementary to high school (Eagle Cliffs Elementary School, Castle Rock Middle School, and Skyview High School). School District #2 has indicated that there is additional capacity at all three schools.

g. **Parks and Recreation** – The parkland dedication requirement for this subdivision amounts to 1.876 acres. The subdivider is proposing to dedicate 5.310 acres.

h. **Mail Delivery** - The United States Postal Service will provide postal service to the subdivision. They have requested the installation of centralized mailbox unit (CBUs). The developer will work with the USPS to provide a satisfactory location for a CBU for this filing. **(Condition #1)**

**3. Effect on the natural environment**

The subject property is relatively level prairie land adjacent to urban development on its south and east sides. A geotechnical study was performed for the subdivision a summary of the information from that study will be included in the SIA under the heading VIII. Soils/Geotechnical Study. The subdivision should have a minimal effect on the natural environment.

**4. Effect on wildlife and wildlife habitat**

There are no known endangered or threatened species on the property. Future property owners should be aware that the proposed subdivision is located near prime wildlife habitat and adjacent to open agricultural areas, therefore conflicts with wildlife may occur. Any damage caused by wildlife is the responsibility of the owner. This notice is in the SIA under the heading II. Property Conditions and Information for Lot Purchasers.

**5. Effect on the public health, safety and welfare**

Fire hydrants will be installed to meet fire department requirements. Sidewalks will offer a safe place for pedestrians to walk. The effects on public health and safety should be minimal.

Comments received from the police state that continued growth of the city would require additional resources to be able to maintain expected levels of service.

**B. Was an Environmental Assessment required? [(MCA 76-3-603 and BMCC 23-302.H.1.]**

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

**C. Does the subdivision conform to the City of Billings 2016 Growth Policy, the 2018 Urban Area Transportation Plan and the Billings Area Bikeway and Trail Master Plan? [BMCC 23-(8)]**

**1. City of Billings 2016 Growth Policy**

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

> **Strong Neighborhoods (livable, safe, sociable and resilient neighborhoods):** Neighborhoods that are safe and attractive and provide essential services are much desired (p.8). Zoning regulations that allow a mixture of housing types provide housing options for all age groups and income levels. (p.8)
>
> **Home Base (healthy, safe and diverse housing options)** A mix of housing types that meet the needs of a diverse population is important. (p.9) Planning and construction of interconnected sidewalks and trails are important to the economy and livability of Billings.

**2. Billings Heights Neighborhood Plan**

The Billings Heights Neighborhood Plan, adopted in 2006, identifies this area for medium density residential development on its Future land Use Map, as this area was not yet annexed or developed when the Plan was adopted. The subdivision meets the following goals of the Heights Neighborhood Plan:

a) **To prohibit dead-end water and sewer service lines. To promote resident health, safety and welfare (Infrastructure Goal Page 21).** This proposed subdivision is looping water and sewer service lines wherever possible with only minor dead ends in future road connections.

b) **Provide safe, good quality and affordable housing in the Heights. Develop housing patterns that are compatible with existing neighborhoods. Maintain similar housing in established neighborhoods (Land Use Goal, Page 19).** This subdivision provides medium density residential single-family development in a neighborhood with existing single-family development.

**3. 2018 Urban Area Transportation Plan**

The proposed subdivision adheres to the goals and objectives of the 2018 Transportation Plan and preserves the street network and street hierarchy specified in the plan.

**4. Billings Area Bikeway and Trail Master Plan (BABTMP)**

The proposed subdivision lies within the jurisdiction of the BABTMP. The BABTMP does not show any trails within the proposed subdivision. There will be no trails built with this subdivision.

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

The proposed subdivision satisfies the requirements of the Montana Subdivision and Platting Act and to the design standards specified in the local subdivision regulations.

The subdivider and the local government have complied with the subdivision review and approval procedures set forth in the local and state subdivision regulations.

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

The subject property is located, at this time, within the R-70-R zoning district. All building development on the lot shall comply with current zoning when applying for a building permit.

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

The subdivider has provided private utility easements as required by private utility providers on the face of the plat.

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

Legal and physical access is provided to the proposed lots from the extension of Matador Avenue, Madrid road, Entrada Road, Morocco Road, Mesa Oaks Lan and Cherry Hills Road, all local streets to be dedicated to the public as shown on the plat.

## CONCLUSIONS OF FINDINGS OF FACT

- The preliminary plat of High Sierra Subdivision, 14th Filing does not create any adverse impacts that warrant denial of the subdivision.
- The proposed subdivision conforms to several goals and policies of the 2016 Growth Policy and does not conflict with the Transportation or Bikeway and Trail Plans.
- The proposed subdivision complies with state and local subdivision regulations, local zoning, and provides legal and physical access to each lot.
- Any potential negative or adverse impacts will be mitigated with the proposed conditions of approval.

## RECOMMENDATION

Staff recommends that the Planning Board recommend conditional approval of the preliminary plat of High Sierra Subdivision, 14th Filing, to the City Council, and adopt the Findings of Fact as presented in the staff report.

Approved by the Billings City Council, March 23, 2020

William A. Cole

William A. Cole, Mayor

Return to:
Sanderson Stewart
1300 North Transtech Way
Billings, MT 59102

# SUBDIVISION IMPROVEMENTS AGREEMENT & WAIVER OF RIGHT TO PROTEST FUTURE SPECIAL IMPROVEMENT DISTRICTS HIGH SIERRA SUBDIVISION, FOURTEENTH FILING

## Table of Contents


| | | | |
|---|---|---|---|
| **I.** | Variances | | SIA-2 |
| **II.** | Property Conditions and Information for Lot Purchasers | | SIA-2 |
| **III.** | Transportation | | SIA-6 |
| | A. | Streets | SIA-6 |
| | B. | Sidewalks | SIA-6 |
| | C. | Street Lighting | SIA-7 |
| | D. | Traffic Control Devices | SIA-7 |
| | E. | Access | SIA-7 |
| | F. | Billings Area Bikeway and Trail Master Plan | SIA-7 |
| | G. | Public Transit | SIA-8 |
| **IV.** | Emergency Services | | SIA-8 |
| **V.** | Storm Drainage | | SIA-8 |
| **VI.** | Utilities | | SIA-9 |
| | A. | Water | SIA-9 |
| | B. | Sanitary Sewer | SIA-10 |
| | C. | Power, Telephone, Gas, and Cable Television | SIA-11 |
| **VII.** | Parks/Open Space | | SIA-11 |
| **VIII.** | Irrigation | | SIA-11 |
| **IX.** | Soils/Geotechnical Study | | SIA-11 |
| **X.** | Financial Guarantees | | SIA-12 |
| **XI.** | Legal Provisions Applying to Subdivider | | SIA-13 |

Return to:
Sanderson Stewart
1300 North Transtech Way
Billings, MT 59102

# SUBDIVISION IMPROVEMENTS AGREEMENT & WAIVER OF RIGHT TO PROTEST FUTURE SPECIAL IMPROVEMENT DISTRICTS HIGH SIERRA SUBDIVISION, FOURTEENTH FILING

**THIS AGREEMENT** is made and entered into this ____ day of _____, 20___, by and between **HIGH SIERRA II, Inc.**, whose address for the purpose of this agreement is 175 North 27th Street, Suite 900 , Billings, MT 59101, hereinafter referred to as "Subdivider," and the **CITY OF BILLINGS**, Billings, Montana, hereinafter referred to as "City."

**WITNESSETH:**

**WHEREAS**, at a regular meeting conducted on _25th__ day of __February__, 20_20_, the Board of Planning recommended conditional approval of a preliminary plat of High Sierra Subdivision, 14th Filing; and

**WHEREAS**, at a regular meeting conducted on _23rd_ day of ___March____, 20_20_, the City Council conditionally approved a preliminary plat of High Sierra Subdivision, 14th Filing; and

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

**WHEREAS,** the provisions of this agreement shall be effective and applicable to High Sierra Subdivision, 14th Filing upon the filing of the final plat thereof in the office of the Clerk and Recorder of Yellowstone County, Montana. The Subdivision shall comply with all requirements of the City of Billings Subdivision Regulations, the rules, regulations, policies, and resolutions of the City of Billings, and the laws and administrative rules of the State of Montana.

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

## I. VARIANCES

**A.** Subdivider has requested, and the City hereby grants, the following variances by the City Council from the strict interpretation of the City's Subdivision Regulations (Section 23.1401, BMCC):

1. No Variances are requested.

## II. PROPERTY CONDITIONS AND INFORMATION FOR LOT PURCHASERS

**A.** Lot owners will be required to construct that segment of the required sidewalk that fronts their property at the time of lot development.

**B.** Lot owners should be aware that this subdivision is being built in close proximity to prime deer and antelope habitat and it is likely that homeowners will experience problems with damage to landscaped shrubs, flowers, and gardens. The Montana Fish, Wildlife, and Parks Department does not provide damage assistance unless there is damage to commercial crops and/or a threat to public health and safety.

**C.** A geotechnical report was performed within the area of this subdivision and submitted with the preliminary plat. The recommendations are found in the Geotechnical Investigation Report High Sierra Subdivision 129 Lots in 14th, 15th and 16th Filings Billings, Montana by Rawhide Engineering Inc. dated January 22, 2020. Lot owners and homebuilders shall reference the report in its entirety, but a summary is as follows:

1. Approximately 6-inches of surface soils should be stripped and removed from the site or stockpiled for use in non-structural areas.

2. Variations in soils may exist between the explored locations and the nature and extent of soil variations may not be evident until construction occurs.

3. These filings have sandstone caprock scattered throughout much of the site and it will have to be removed during construction of the interior streets and to excavate foundations.

4. A large track hoe or specialized equipment may be required during foundation excavations, depending on the location and depth of the

excavation. The boring logs should be reviewed for conditions across the site.

5. Fill should be placed and compacted to a minimum of 97 % relative compaction, in accordance with the ASTM D698 compaction test method. Fills greater than 4-feet should be compacted to 98% of ASTM D698.

6. Street subgrade, utility trenches, parking areas and concrete flatwork subgrade should be placed at a minimum of 97% of ASTM D698.

7. This site varies widely across the total acreage. Some of the foundation will be located on weathered shale bedrock. Portions of the site will have foundations in the medium stiff to soft sandy lean clay soils. Two alternative foundation recommendations are provided within the geotechnical report.

8. Final elevations at the site should be planned so that drainage is directed away from all foundation and concrete slabs. In accordance with the International Residential Code, downspouts with 6-foot extensions should be used. Positive drainage away from all foundations should have 6 inches of fall in the first 10 feet away from the foundations. If sufficient room is not available to construct the 10-foot slope, drainage swales should be constructed as far from the foundations as possible. Plants and landscaping should not be allowed within 3 feet of foundations. Landscaping features such as curbing should not be allowed to create ponding adjacent to the foundations.

The assessment and mitigation of these soil conditions shall be the responsibility of the lot owner. Failure to follow all recommendations in the geotechnical report including grading, foundation design and especially drainage and landscaping will render the geotechnical report null and void. The City may require the owner of each lot to include a geotechnical investigation with the building permit submittal.

**D.** No water rights have been transferred to the lot owners. Irrigation ditches that exist on the perimeter of this development are for the benefit of other properties. Perimeter ditches and drains shall remain in place and shall not be altered by the Subdivider or subsequent owners.

**E.** There is attached hereto a Waiver waiving the right to protest the creation of the special improvement district or districts which by this reference is

expressly incorporated herein and made as much a part hereof as though fully and completely set forth herein at this point. The Waiver will be filed with the plat, shall run with the land, and shall constitute the guarantee by the Subdivider, and property owner or owners of the developments described herein. Said Waiver is effective upon filing and is not conditioned on the completion of the conditions set forth in this Agreement. The Subdivider and owner specifically agree that they are waiving valuable rights and do so voluntarily.

**F.** Lot owners are advised they will be subject to inclusion in a Parks Maintenance District (PMD) for the operation and maintenance of the parkland dedicated with various filings of High Sierra Subdivision, including High Sierra Subdivision, 14th Filing, and future filings of High Sierra Subdivision.

**G.** The Subdivider and subsequent contractors/builders acknowledge that there is a Stormwater Pollution and Prevention Plan (SWPPP) filed with the City and the Montana Department of Environmental Quality (MDEQ). This SWPPP shall be adhered to during all phases of construction and shall be updated as required by MDEQ under the General Permit for Stormwater Discharges Associated with Construction Activity, Chapter 28, BMCC and the Billings Stormwater Management Manual.

**H.** Individual lot owners should be aware that Best Management Practices for stormwater control shall be required for new construction on lots. Best Management Practices are defined within Chapter 28, BMCC and detailed in the Billings Stormwater Management Manual.

1. The lowest finish floor elevation (which includes the garage) shall be a minimum of 18-inches higher than the top of curb, measured from the highest location along the lot frontage. Home builder and lot owner may find it necessary to raise the finish floor elevation of house or garage above this minimum during on-site building design and/or during on-lot grading.

2. The stormwater runoff from individual lots shall be directed toward the public right-of-way wherever possible. However, due to the existing terrain of the subdivision this is not possible for every lot. Where runoff from lots cannot be directed to public right-of-way because existing terrain is falling away from the public right of way, the stormwater runoff shall be directed to flow to the same location as it has historically. Home builder and lot owners shall consider the effect of potential off-lot run-on waters from lots uphill of the subject lot, and grade around the home to provide

positive drainage away from the home. Home builder and lot owners must take necessary measures to protect the house from surface stormwater flows. Lots shall allow, through on-site building design and on-lot grading, for stormwater to pass through each lot without negatively impacting adjacent lots. The lowest openings on each home (window wells) are to be located outside the designated drainage paths. If this is not possible, the builder and lot owners must take necessary measures to protect these openings from inundating from surface water flows. In any case, the homebuilder shall allow enough space between window wells and property lines to provide sufficient swales and proper storm water drainage away from window wells.

3. Certain lots within High Sierra Subdivision, Fourteenth Filing contain a 10-foot-wide drainage easement along the rear and side property lines. These drainage easements are for conveying stormwater and irrigation runoff and the drainage shall not be altered in any way to inhibit the conveyance of stormwater and other runoff. It shall be the lot owners responsibility to maintain and perpetuate this drainage easement and any required drainage swales and facilities. Adjacent lot owners shall not store, place or dump any items, vehicles or materials (including yard waste and grass clippings) in these drainage easements, or negatively affect the function of any drainage swales or other facilities. If it is determined that adjacent lot owners are using this stormwater drainage easement to store, place or dump materials, or alter the drainage in any way, they will be notified to remove any items and restore proper drainage immediately.

4. Each owner of a completed lot shall be a member of the High Sierra Subdivision Homeowners Association (HOA). Membership shall be appurtenant to and may not be separated from ownership of a lot. The Homeowners Association will be set up to maintain the permanent stormwater detention facilities. The HOA Board of Directors shall have the power, in its discretion, to exclude costs of major repairs or approved capital improvements to the HOA Storm Water System from the regular monthly assessments and, instead, impose special assessments for these expenses, and for emergencies, as they are incurred.

## III. TRANSPORTATION

### A. Streets

1. Subdivider will enter into a private contract for the construction of all required improvements for those streets within the subdivision, as follows:

   Matador Avenue from east line of Lot 1, Block 28 of High Sierra Subdivision 8th Filing to the west line of Lot 24, Block 28 of High Sierra Subdivision 14th Filing will be constructed in an existing 60-foot wide right of way and include curb and gutter on the north side of the road and 30-feet of asphalt. Matador Avenue from the west lot line of Lot 24, Block 28 of High Sierra Subdivision 14th Filing to the intersection of Entrada Road, Morocco Drive from the south lot line of Lot 18, Block 32 north to the intersection of Entrada Road, Portola Lane from the intersection of Matador Avenue to the intersection of Morocco Drive, Entrada Road from the intersection of Matador Avenue to one lot depth north of the intersection of Cherry Hills Road, Cherry Hills Road from the intersection of Entrada Road east to the existing terminus of Cherry Hills Road in Lake Hills Subdivision 35th filing, Lindero Boulevard northerly from the intersection of Entrada Road, and 75 feet of Ortega Street west from the intersection of Matador Avenue will be constructed within a 56-foot right-of-way using curb and gutter and full-width pavement (34-feet back of curb to back of curb). The improvements for Mission Oaks Drive east of Matador Avenue will be constructed with High Sierra Subdivision 16th Filing. Curb and Gutter will be installed per the City of Billings Standards in place at time of construction.

### B. Sidewalks

1. Sidewalk on the internal streets shall be installed at the time of individual lot development. The sidewalk shall consist of a 5-foot-wide boulevard type sidewalk with a minimum 5-foot-wide boulevard.

2. Subdivider will install accessible ramps at the intersections, which shall be completed with the subdivision improvements.

3. A 10-foot-wide sidewalk shall be constructed in the 20-foot wide right-of-way corridors and shall be installed at the time of private contract construction.

## C. Street Lighting

Construction or installation of street lights within the public rights-of-way shall not be required at this time, but street lights are included in the Waiver referenced herein for construction of the same in the future. A maintenance district for street lights may be formed for future maintenance of any street lights installed in the future.

## D. Traffic Control Devices

The Subdivider shall furnish and install all necessary traffic control devices within and adjacent to the Subdivision in accordance with the plans and specification submitted to and approved by the City Engineer. Traffic control devices shall include all necessary signing, striping, and channelization devices to properly complete the implementation of the proposed street construction.

Based on the Traffic Impact Study (TIS), the 14th Filing development's portion of critical volumes for impacted intersections are as follows (based on a $250,000.00 intersection improvement cost):

| | Wicks Lane/Gleneagles Blvd | Wicks Lane/Fantan St. | Wicks Lane/St. Andrews Drive |
|---|---|---|---|
| 14th Filing | 1.95% ($4,875.00) | 2.17% ($5,425.00) | 1.72% ($4,300.00) |

City and Subdivider agree that the Subdivider will be required to make cash contributions to these intersections.

## E. Access

Matador Avenue and Cherry Hills Road provide access to High Sierra Subdivision, 14th filing. The interior streets will be located within a 56-foot right-of-way and will have a width of 34-feet back of curb to back of curb.

## F. Billings Area Bikeway and Trail Master Plan

The Billings Area Bikeway Plan (2017) shows no trail connections within the proposed area of High Sierra Subdivision, 14th Filing, and as such, no trail improvements are required as part of this subdivision.

### G. Public Transit

The subdivision does not require improvements to ensure public transit service.

## IV. EMERGENCY SERVICE

The City will provide emergency service. Fire hydrants shall be provided at each street intersection and at intermediate locations where distances exceed 500-feet. Appropriate turn-arounds will be located on any dead-end street in excess of 150-feet.

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

- An unobstructed gravel road or gravel road base must be within 150-feet of the furthest portion of a building under construction as measured along an approved route.
- The access roads are required to support fire apparatus vehicle loading (40 tons) during all weather conditions and shall be a minimum of 20-feet-wide.
- An operational fire hydrant shall be located within 600-feet of the furthest portion of a residence under construction or within 400-feet of the furthest portion of a commercial building under construction as measured along the access roads to the site.
- The above requirements do not alter or effect the current minimum subdivision requirements for fire apparatus access and water supply.

## V. STORM DRAINAGE

Storm drainage for the public streets shall be provided by a combination of surface drainage and curbs and gutters, drained to underground storm drains, and with discharge to a new detention facility that is located within an off-site area on Lot 17, Block 6, High Sierra Subdivision, 11th Filing generally north of the future projection of Gleneagles Boulevard designated for storm water detention. This detention facility has been sized to accept runoff generated from the High Sierra Subdivision, 14th Filing, as well as some run-on volume generated by High Sierra Subdivision 1st Filing. Stormwater management facilities for the subdivision must be able to pass flows generated outside the subdivision area without inundating

existing and proposed home sites. All drainage improvements shall comply with the provisions of the *Stormwater Management Manual* and Section 23-706, BMCC, a stormwater management plan shall be submitted to and approved by the Engineering Division prior to filing of the final plat.

The drainage system improvements will be in accordance with the recommendations of the stormwater analysis and report prepared and submitted with the improvement plans and specifications. Maintenance of permanent stormwater facilities outside of the right-of-way shall be by the High Sierra Subdivision HOA. Maintenance of temporary stormwater facilities outside of the right-of-way shall be by the Owner.

## VI. UTILITIES

The Subdivision Improvements Agreement does not constitute an approval for extension of or connection to water mains and sanitary sewers. The property owner shall make application for extension/connection of water mains and sanitary sewers to the Public Works Department – Engineering Division. The extension/connection of/to water mains and sanitary sewers is subject to the approval of the applications and the conditions of approval. Applications shall be submitted for processing prior to the start of any construction and prior to review and approval of any project plans and specifications.

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

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

### A. Water

The subdivision will be served by making two connections to public water mains, one at Matador Avenue just east of the intersection with Vesca Way and one just north of the intersection of Morocco Drive and Sierra Granda Boulevard. New 12-inch water main will be included in Morocco Drive from the connection point just north of the intersection of Morocco Drive/Sierra Granda Boulevard to the intersection of Morocco Drive/Entrada Road, in Entrada Road north of the intersection of Entrada Road/Morocco Drive, in Matador Avenue from the intersection of Matador Avenue/Mission Oaks Drive to the intersection of Matador

Avenue/Ortega Drive, and in Ortega Drive west of Matador Avenue. New 8-inch water main will be installed in the remaining local interior streets of the subdivision. Water mains are subject to approval from the City of Billings. The water main within the subdivision will make looped connections whenever possible. Fire hydrants will be provided at all appropriate locations and are also subject to approval by the City of Billings.

Since the 12-inch water main extension within Morocco Drive from the connection point to the southern boundary of High Sierra Subdivision, 14th Filing serves other existing platted lots outside High Sierra Subdivision, 14th Filing, the Subdivider shall file a reimbursement agreement to recover the costs associated with serving these existing lots (Lots 2 through 7, Block 13 inclusive, and Lots 2 through 7, inclusive, Block 12, High Sierra Subdivision, First Filing).

**B. Sanitary Sewer**

The subdivision will be served by making a connection to an existing 15-inch diameter sewer main located at the intersection of Sierra Granda Boulevard and Morocco Drive and extending the sewer main to the subdivision boundary. The 15-inch sewer trunk main will be further extended in a northerly direction within Morocco Drive, in Lindero Boulevard and within a portion Entrada Road. A connection will also be made to the existing sewer located at the intersection of Cherry Hills Road and Gleneagles Boulevard and 8-inch sewer will be extended westerly and southerly within Entrada Road to near the intersection of Morocco Drive/Entrada Road. The remaining sanitary sewer located within High Sierra Subdivision, 14th Filing will consist of 8-inch sanitary sewer main which is subject to approval from the City of Billings.

The 15-inch trunk sewer main extended off-site from the intersection of Sierra Granda Boulevard and Morocco Drive is eligible for City of Billings oversizing reimbursement and Subdivider shall be eligible for reimbursement compensation according to City policy in effect at the time of the recording of the final plat. Subdivider shall follow City policy requirements in order to receive compensation.

In addition to the City oversizing compensation, and since the 15-inch sewer main extension within Morocco Drive from Sierra Granda Boulevard north to the southern boundary of High Sierra Subdivision, 14th Filing serves other existing platted lots outside High Sierra Subdivision, 14th Filing, the Subdivider shall file a reimbursement agreement to recover the costs associated with serving these existing lots

owned by others (Lots 2 through 7, Block 13 inclusive, and Lots 2 through 7, inclusive, Block 12, High Sierra Subdivision, First Filing).

**C. Power, Telephone, Gas, and Cable Television**

All telephone, gas, electrical power, and cable television lines shall be the responsibility of the Subdivider. Any line located within public right-of-way shall be subject to approval of the City Engineer.

## VII. PARKS/OPEN SPACE

The park land required for this subdivision is 1.876 acres. The Subdivider proposes to dedicate land for a public park.

Lot owners are advised they will be subject to inclusion in a Special Improvement District (SID) for the development and a Parks Maintenance District (PMD) for the operation and maintenance of this and future parks within High Sierra Subdivision.

## VIII. IRRIGATION

No permanent irrigation ditches, field laterals, or irrigation easements exist on the subdivision.

## IX. SOILS/GEOTECHNICAL STUDY

A geotechnical report was performed within the area of this subdivision and submitted with the preliminary plat. The recommendations are found in the Geotechnical Investigation Report High Sierra Subdivision 129 Lots in 14th, 15th and 16th Filings Billings, Montana by Rawhide Engineering Inc. dated January 22, 2020. Lot owners and homebuilders shall reference the report in its entirety, but a summary is as follows:

1. Approximately 6-inches of surface soils should be stripped and removed from the site or stockpiled for use in non-structural areas.

2. Variations in soils may exist between the explored locations. The nature and extent of soil variations may not be evident until construction occurs.

3. These filings have sandstone caprock scattered throughout much of the site and it will have to be removed during construction of the interior streets and to excavate foundations.

4. A large track hoe or specialized equipment may be required during foundation excavations, depending on the location and depth of the

excavation. The boring logs should be reviewed for conditions across the site.

5. Fill should be placed and compacted to a minimum of 97 % relative compaction, in accordance with the ASTM D698 compaction test method. Fills greater than 4-feet should be compacted to 98% of ASTM D698.

6. Street subgrade, utility trenches, parking areas and concrete flatwork subgrade should be placed at a minimum of 97% of ASTM D698.

7. This site varies widely across the total acreage. Some of the foundation will be located on weathered shale bedrock. Portions of the site will have foundations in the medium stiff to soft sandy lean clay soils. Two alternative foundation recommendations are provided within the geotechnical report.

8. Final elevations at the site should be planned so that drainage is directed away from all foundation and concrete slabs. In accordance with the International Residential Code, downspouts with 6-foot extensions should be used. Positive drainage away from all foundations should have 6 inches of fall in the first 10 feet away from the foundations. If sufficient room is not available to construct the 10-foot slope, drainage swales should be constructed as far from the foundations as possible. Plants and landscaping should not be allowed within 3 feet of foundations. Landscaping features such as curbing should not be allowed to create ponding adjacent to the foundations.

The assessment and mitigation of these soil conditions shall be the responsibility of the lot owner. Failure to follow all recommendations in the geotechnical report including grading, foundation design and especially drainage and landscaping will render the geotechnical report null and void. The City may require the owner of each lot to include a geotechnical investigation with the building permit submittal.

## X. FINANCIAL GUARANTEES

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

## XI. LEGAL PROVISIONS APPLYING TO SUBDIVIDER

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

**B.** The owners of the properties involved in this proposed Subdivision by signature subscribed herein below agree, consent, and shall be bound by the provisions of this Agreement.

**C.** The covenants, agreements, and all statements in this Agreement apply to and shall be binding on the heirs, personal representatives, successors and assigns of the respective parties.

**D.** In the event it becomes necessary for either party to this Agreement to retain an attorney to enforce any of the terms or conditions of this Agreement or to give any notice required herein, then the prevailing party or the party giving notice shall be entitled to reasonable attorney fees and costs.

**E.** Any amendments or modifications of this Agreement or any provisions herein shall be made in writing and executed in the same manner as this original document and shall after execution become a part of this Agreement.

**F.** Subdivider shall comply with all applicable federal, state, and local statutes, ordinances, and administrative regulations during the performance and discharge of its obligations. Subdivider acknowledges and agrees that nothing contained herein shall relieve or exempt it from such compliance.

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

"SUBDIVIDER"

**HIGH SIERRA II, INC.**

By: _____

Its: PRESIDENT

STATE OF MONTANA )
: ss
County of Yellowstone )

On this 22nd day of September, 2020, before me, a Notary Public in and for the State of Montana, personally appeared Gary Oakland, known to me to be the person who executed the foregoing instrument as the President of **HIGH SIERRA II, INC.**, and acknowledged to me that he/she executed the same.

BRITTANY CECIL NOTARIAL SEAL STATE OF MONTANA

**BRITTANY CECIL**
**NOTARY PUBLIC for the State of Montana**
**Residing at Billings, Montana**
**My Commission Expires April 06, 2021**

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

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

"CITY" **CITY OF BILLINGS, MONTANA**

By: _____
Mayor

Attest: _____
City Clerk

STATE OF MONTANA )
: ss
County of Yellowstone )

On this ____ day of _____, 20___, before me, a Notary Public in and for the State of Montana, personally appeared _____ and _____, known to me to be the Mayor and City Clerk, respectively, of the City of Billings, Montana, whose names are subscribed to the foregoing instrument in such capacity and acknowledged to me that they executed the same on behalf of the City of Billings, Montana.

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

# WAIVER OF RIGHT TO PROTEST
# FUTURE SPECIAL IMPROVEMENT DISTRICTS

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

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

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

High Sierra Subdivision, 14th Filing

Signed and dated this 22 day of SEPTEMBER, 2020

"SUBDIVIDER"

**HIGH SIERRA II, INC.**

By: _____
PRESIDENT

STATE OF MONTANA )
: ss
County of Yellowstone )

On this 22nd day of September, 2020, before me, a Notary Public in and for the State of Montana, personally appeared Gary Oakland, known to me to be the President of **HIGH SIERRA II, INC.**, the person who executed the forgoing instrument and acknowledged to me that he/she executed the same.

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

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

BRITTANY CECIL NOTARIAL SEAL STATE OF MONTANA

**BRITTANY CECIL**
**NOTARY PUBLIC for the**
**State of Montana**
**Residing at Billings, Montana**
**My Commission Expires**
**April 06, 2021**

PLAT OF

# HIGH SIERRA SUBDIVISION, 14TH FILING

## BEING TRACT A1–1 OF AMENDED TRACT A1, CERTIFICATE OF SURVEY NO. 3573
## SITUATED IN THE NE1/4 OF SECTION 17, T. 1 N., R. 26 E., P.M.M.,
## IN THE CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA

PREPARED FOR : HIGH SIERRA II, INC.

JULY, 2020

PREPARED BY : SANDERSON STEWART

BILLINGS, MONTANA

### CERTIFICATE OF CITY ENGINEER'S OFFICE

I hereby certify that annexed and foregoing plat conforms with Section 76–4–125(1)(d), M.C.A., for divisions located within jurisdictional areas that have adopted growth policies pursuant to chapter 1 or within first–class or second–class municipalities for which the governing body certifies, pursuant to 76–4–127, that adequate storm water drainage and adequate municipal facilities will be provided.

IN WITNESS WHEREOF, I have executed this CERTIFICATE OF APPROVAL this _____ day of _____, 20____ .

_____
City Engineer's Office

### ERRORS AND OMISSIONS REVIEW

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

_____ _____
Examining Land Surveyor Date

### CERTIFICATE OF 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

### NOTICE OF APPROVAL

STATE OF MONTANA )
:ss
County of Yellowstone )

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

_____ _____
Date President

_____
Executive Secretary

### CERTIFICATE OF APPROVAL: CITY COUNCIL

STATE OF MONTANA )
:ss
County of Yellowstone )

We hereby certify that we have examined the annexed and foregoing PLAT OF HIGH SIERRA SUBDIVISION, 14th FILING, and find that said plat conforms with the requirements of the laws of the State of Montana, and the requirements of The Yellowstone County Board of Planning. It is therefore approved and the dedication to public use of any and all lands shown on this plat as being dedicated to such use are accepted.

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

CITY OF BILLINGS, MONTANA

By: _____ Attest: _____
Mayor City Clerk

### CERTIFICATE OF CITY ATTORNEY

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

Date: _____

Reviewed by: _____

### SUBDIVISION IMPROVEMENTS AGREEMENT

Document No.: _____

### CONSENT TO PLATTING

Document No.: _____

### DRAINAGE EASEMENT

Document No.: _____

### PUBLIC UTILITY EASEMENT

Document No.: _____

### CERTIFICATE OF DEDICATION

STATE OF MONTANA )
:ss
County of Yellowstone )

KNOW ALL MEN BY THESE PRESENTS: That HIGH SIERRA II, INC., the owner of the following described tract of land, does hereby certify that he has caused to be surveyed, subdivided and platted into lots, blocks and streets as shown on the annexed plat, said tract being situated in the NE1/4 of Section 17, T. 1 N., R. 26 E., P.M.M., in the City of Billings and in Yellowstone County, Montana, said tract being more particularly described as follows, to–wit:

Tract A1–1 of Amended Tract A1 of Certificate of Survey No. 3573, as recorded in the Office of the Clerk and Recorder of Yellowstone County, Montana, under Document No. 3904349.

The park requirement for this subdivision has been met by a land donation pursuant to Section 76–3–621(1)(a), M.C.A.

The undersigned hereby grants unto all utility companies, as such are defined and established by Montana Law, and cable television companies, an easement for the location, maintenance, repair and removal of their lines over, under and across the areas designated on the plat as "UTILITY EASEMENT" to have and hold forever. Said tract to be known and designated as HIGH SIERRA SUBDIVISION, 14th FILING, and the lands included in all street, and avenues as shown on the annexed plat are hereby granted and donated to the use of the public forever.

HIGH SIERRA II, INC.

By: _____

Title: PRESIDENT

STATE OF MONTANA )
:ss
County of Yellowstone )

On this 22nd day of September, 2020, before me, the undersigned Notary Public for the State of Montana, personally appeared Gary Oakland, known to me to be the person who signed the foregoing instrument as President of HIGH SIERRA II, INC., and acknowledged to me that said corporation executed the same. Witness my hand and seal the day and year herein above written.

_____
Notary Public for and for the State of Montana

BRITTANY CECIL NOTARIAL SEAL STATE OF MONTANA

BRITTANY CECIL
NOTARY PUBLIC for the
State of Montana
Residing at Billings, Montana
My Commission Expires
April 06, 2021

### CERTIFICATE OF SURVEYOR

STATE OF MONTANA )
:ss
County of Yellowstone )

The undersigned, a Land Surveyor licensed in the State of Montana, states that during the months of May & June, 2020, a survey was performed under his supervision of a tract of land to be known as HIGH SIERRA SUBDIVISION, 14th FILING, in accordance with the request of the owner thereof and in conformance with the Montana Subdivision and Platting Act; said subdivision, description of boundaries and dimensions being in accordance with the Certificate of Dedication and as shown on the annexed plat; that the monuments found and set are of the character and occupy the positions shown hereon and that the gross area is 37.303 acres and the net area is 22.790 acres.

SANDERSON STEWART

By: _____

Montana License No. 18972LS

Date: September 18, 2020

MONTANA MICHAEL REAN BERTHUM 18972LS REGISTERED PROFESSIONAL LAND SURVEYOR

RESERVED FOR CLERK AND RECORDER

PLAT OF

# HIGH SIERRA SUBDIVISION, 14TH FILING

## BEING TRACT A1–1 OF AMENDED TRACT A1, CERTIFICATE OF SURVEY NO. 3573

## SITUATED IN THE NE1/4 OF SECTION 17, T. 1 N., R. 26 E., P.M.M., IN THE CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA

PREPARED FOR : HIGH SIERRA II, INC.

JULY, 2020

PREPARED BY : SANDERSON STEWART

BILLINGS, MONTANA

**BASIS OF BEARING:** THE BASIS OF BEARINGS FOR THIS SURVEY HAS BEEN DERIVED FROM GPS OBSERVATIONS AND IS BASED ON A NAD 83, LAMBERT CONFORMAL CONIC, SINGLE PARALLEL, LOW DISTORTION PROJECTION FOR THE CITY OF BILLINGS; HAVING A POINT OF ORIGIN AT 45°47'00"N LATITUDE AND 108°25'00"W LONGITUDE WITH A SCALE FACTOR OF 1.0001515. THE GRID TO GROUND COMBINED SCALE FACTOR AT THE YELLOW–CAP REBAR MARKED 'H.A. MEYERS 22015' IS 0.9999962437; THE CONVERGENCE ANGLE IS –0°03'55". DISTANCES ARE INTERNATIONAL FEET. FOR THIS SURVEY, GRID DISTANCE IS ESSENTIALLY EQUAL TO GROUND DISTANCE.

- ○ FOUND SURVEY MONUMENT, REBAR & CAP MARKED 'SANDERSON STEWART 8377S', OR AS NOTED
- ● SET 5/8" X 18" REBAR WITH CAP MARKED WITH THE LICENSE NUMBER OF THE UNDERSIGNED LAND SURVEYOR AND "SANDERSON STEWART"
- ■ SET INTERSECTION MONUMENT, 5/8"x18" REBAR WITH CAP MARKED WITH THE LICENSE NUMBER OF THE UNDERSIGNED LAND SURVEYOR AND "SANDERSON STEWART BILLINGS MT". WILL BE REPLACED WITH BRASS CAP MONUMENT BOX UPON COMPLETION OF STREET IMPROVEMENTS.

**NOTES:** ALL CURVES ARE TANGENT AND ALL PROPERTY LINES INTERSECTING CURVES ARE RADIAL UNLESS OTHERWISE NOTED.

EASEMENT LINES ADJACENT TO STREET FRONTAGES DENOTE 8' WIDE UTILITY EASEMENTS.

EASEMENT LINES ADJACENT TO SIDE & REAR LOT LINES DENOTE 5' WIDE DRAINAGE EASEMENTS UNLESS OTHERWISE NOTED.

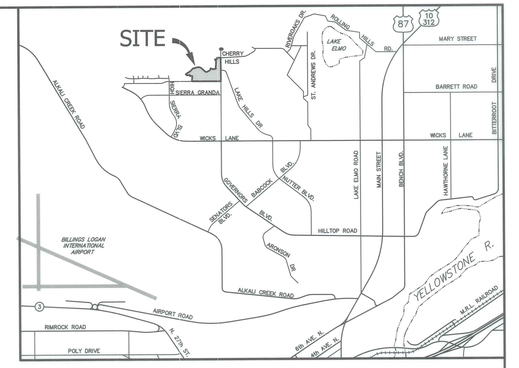
### AREA DATA

| | |
|---|---|
| NET AREA (72 LOTS) | 22.790 AC |
| DEDICATED PARKLAND | 5.310 AC |
| ROAD DEDICATION | 9.203 AC |
| GROSS AREA | 37.303 AC |

NORTH

60 30 0 60 120

SCALE: 1" = 60'




VICINITY MAP

NOT TO SCALE

| RADIAL TABLE | | | |
|---|---|---|---|
| Radial# | Bearing | Radial# | Bearing |
| R1 | S 89°21'53" W | R25 | S 00°46'09" E |
| R2 | S 80°00'01" W | R26 | S 16°19'40" W |
| R3 | S 72°43'15" W | R27 | S 38°25'50" E |
| R4 | N 82°48'52" E | R28 | N 58°57'21" W |
| R5 | N 88°05'11" E | R29 | S 51°00'32" E |
| R6 | S 83°34'47" E | R30 | S 11°39'27" W |
| R7 | N 82°48'58" W | R31 | S 76°09'09" W |
| R8 | N 86°07'00" W | R32 | S 73°04'23" W |
| R9 | N 87°22'06" W | R33 | S 09°17'49" W |
| R10 | N 87°26'09" W | R34 | N 59°09'03" E |
| R11 | S 88°16'46" W | R35 | N 72°32'50" E |
| R12 | S 87°55'53" W | R36 | N 79°20'20" E |
| R13 | S 83°57'11" W | R37 | N 85°01'24" E |
| R14 | S 83°19'09" W | R38 | N 72°41'07" W |
| R15 | S 79°37'39" W | R39 | N 07°54'03" E |
| R16 | S 78°39'55" W | R40 | N 06°24'55" W |
| R17 | S 88°37'30" E | R41 | N 87°31'52" W |
| R18 | S 85°50'52" E | R42 | S 84°05'18" W |
| R19 | S 74°29'53" E | R43 | N 89°16'47" E |
| R20 | S 59°16'25" E | R44 | N 82°00'00" E |
| R21 | S 57°32'04" E | R45 | N 83°41'32" E |
| R22 | S 05°07'16" E | R46 | N 62°38'26" W |
| R23 | N 05°53'13" E | R47 | S 31°51'57" W |
| R24 | N 01°32'28" W | R48 | N 61°00'45" W |

| CURVE TABLE | | | |
|---|---|---|---|
| Curve # | Delta | Radius | Length |
| C1 | 90°40'05" | 20.00' | 31.65' |
| C2 | 90°25'46" | 20.00' | 31.57' |
| C3 | 83°46'44" | 20.00' | 29.24' |
| C4 | 93°09'32" | 20.00' | 32.52' |
| C5 | 6°54'30" | 306.00' | 36.90' |
| C6 | 71°19'13" | 20.00' | 24.90' |
| C7 | 5°36'37" | 256.00' | 25.07' |
| C8 | 92°46'05" | 20.00' | 32.38' |
| C9 | 90°32'25" | 20.00' | 31.60' |
| C10 | 82°39'56" | 20.00' | 28.86' |
| C11 | 95°54'12" | 20.00' | 33.48' |
| C12 | 0°45'59" | 356.00' | 4.76' |
| C13 | 88°43'59" | 20.00' | 30.97' |
| C14 | 6°27'44" | 353.00' | 39.81' |
| C15 | 89°27'35" | 20.00' | 31.23' |
| C16 | 93°02'48" | 20.00' | 32.48' |
| C17 | 72°19'19" | 20.00' | 25.25' |
| C18 | 4°38'26" | 328.00' | 26.57' |
| C19 | 90°49'23" | 20.00' | 31.70' |
| C20 | 104°17'53" | 20.00' | 36.41' |
| C21 | 2°08'41" | 528.00' | 19.76' |
| C22 | 3°35'11" | 260.00' | 16.27' |
| C23 | 7°34'30" | 278.00' | 36.75' |
| C24 | 6°54'42" | 328.00' | 39.57' |
| C25 | 24°41'46" | 328.00' | 141.38' |
| C26 | 28°21'27" | 250.00' | 123.73' |

– SEE SHEET 3 –

RESERVED FOR CLERK AND RECORDER



82061_129_HS14_FP_PROD.DWG 82061.129 9/18/20 BG/MDB

PLAT OF

# HIGH SIERRA SUBDIVISION, 14TH FILING

## BEING TRACT A1–1 OF AMENDED TRACT A1, CERTIFICATE OF SURVEY NO. 3573

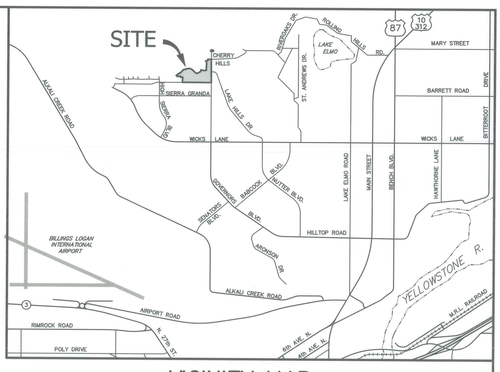
## SITUATED IN THE NE1/4 OF SECTION 17, T. 1 N., R. 26 E., P.M.M., IN THE CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA

PREPARED FOR : HIGH SIERRA II, INC.

JULY, 2020

PREPARED BY : SANDERSON STEWART

BILLINGS, MONTANA




VICINITY MAP

NOT TO SCALE

AREA DATA

| | |
|---|---|
| NET AREA (72 LOTS) | 22.790 AC |
| DEDICATED PARKLAND | 5.310 AC |
| ROAD DEDICATION | 9.203 AC |
| GROSS AREA | 37.303 AC |

NORTH

60 30 0 60 120

SCALE: 1" = 60'

BASIS OF BEARING: THE BASIS OF BEARINGS FOR THIS SURVEY HAS BEEN DERIVED FROM GPS OBSERVATIONS AND IS BASED ON A NAD 83, LAMBERT CONFORMAL CONIC, SINGLE PARALLEL, LOW DISTORTION PROJECTION FOR THE CITY OF BILLINGS; HAVING A POINT OF ORIGIN AT 45°47'00"N LATITUDE AND 108°25'00"W LONGITUDE WITH A SCALE FACTOR OF 1.0001515. THE GRID TO GROUND COMBINED SCALE FACTOR AT THE YELLOW–CAP REBAR MARKED "H.A. MEYERS 22015" IS 0.9999962437; THE CONVERGENCE ANGLE IS –0°03'55". DISTANCES ARE INTERNATIONAL FEET. FOR THIS SURVEY, GRID DISTANCE IS ESSENTIALLY EQUAL TO GROUND DISTANCE.

- ○ FOUND SURVEY MONUMENT, REBAR & CAP MARKED 'SANDERSON STEWART 8377S', OR AS NOTED
- ● SET 5/8" X 18" REBAR WITH CAP MARKED WITH THE LICENSE NUMBER OF THE UNDERSIGNED LAND SURVEYOR AND "SANDERSON STEWART"
- ■ SET INTERSECTION MONUMENT, 5/8"x18" REBAR WITH CAP MARKED WITH THE LICENSE NUMBER OF THE UNDERSIGNED LAND SURVEYOR AND "SANDERSON STEWART BILLINGS MT". WILL BE REPLACED WITH BRASS CAP MONUMENT BOX UPON COMPLETION OF STREET IMPROVEMENTS.

NOTES: ALL CURVES ARE TANGENT AND ALL PROPERTY LINES INTERSECTING CURVES ARE RADIAL UNLESS OTHERWISE NOTED.

EASEMENT LINES ADJACENT TO STREET FRONTAGES DENOTE 8' WIDE UTILITY EASEMENTS.

EASEMENT LINES ADJACENT TO SIDE & REAR LOT LINES DENOTE 5' WIDE DRAINAGE EASEMENTS UNLESS OTHERWISE NOTED.

| RADIAL TABLE | | | |
|---|---|---|---|
| Radial# | Bearing | Radial# | Bearing |
| R1 | S 89°21'53" W | R25 | S 00°46'09" E |
| R2 | S 80°00'01" W | R26 | S 16°19'40" W |
| R3 | S 72°43'15" W | R27 | S 38°25'50" E |
| R4 | N 82°48'52" E | R28 | N 58°57'21" W |
| R5 | N 88°05'11" E | R29 | S 51°00'32" E |
| R6 | S 83°34'47" E | R30 | S 11°39'27" W |
| R7 | N 82°48'58" W | R31 | S 76°09'09" W |
| R8 | N 86°07'00" W | R32 | S 73°04'23" W |
| R9 | N 87°22'06" W | R33 | S 09°17'49" W |
| R10 | N 87°26'09" W | R34 | N 59°09'03" E |
| R11 | S 88°16'46" W | R35 | N 72°32'50" E |
| R12 | S 87°55'53" W | R36 | N 79°20'20" E |
| R13 | S 83°57'11" W | R37 | N 85°01'24" E |
| R14 | S 83°19'09" W | R38 | N 72°41'07" W |
| R15 | S 79°37'39" W | R39 | N 07°54'03" E |
| R16 | S 78°39'55" W | R40 | N 06°24'55" W |
| R17 | S 88°37'30" E | R41 | N 87°31'52" W |
| R18 | S 85°50'52" E | R42 | S 84°05'18" W |
| R19 | S 74°29'53" E | R43 | N 89°16'47" E |
| R20 | S 59°16'25" E | R44 | N 82°00'00" E |
| R21 | S 57°32'04" E | R45 | N 83°41'32" E |
| R22 | S 05°07'16" E | R46 | N 62°38'26" W |
| R23 | N 05°53'13" E | R47 | S 31°51'57" W |
| R24 | N 01°32'28" W | R48 | N 61°00'45" W |

| CURVE TABLE | | | |
|---|---|---|---|
| Curve # | Delta | Radius | Length |
| C1 | 90°40'05" | 20.00' | 31.65' |
| C2 | 90°25'46" | 20.00' | 31.57' |
| C3 | 83°46'44" | 20.00' | 29.24' |
| C4 | 93°09'32" | 20.00' | 32.52' |
| C5 | 6°54'30" | 306.00' | 36.90' |
| C6 | 71°19'13" | 20.00' | 24.90' |
| C7 | 5°36'37" | 256.00' | 25.07' |
| C8 | 92°46'05" | 20.00' | 32.38' |
| C9 | 90°32'25" | 20.00' | 31.60' |
| C10 | 82°39'56" | 20.00' | 28.86' |
| C11 | 95°54'12" | 20.00' | 33.48' |
| C12 | 0°45'59" | 356.00' | 4.76' |
| C13 | 88°43'59" | 20.00' | 30.97' |
| C14 | 6°27'44" | 353.00' | 39.81' |
| C15 | 89°27'35" | 20.00' | 31.23' |
| C16 | 93°02'48" | 20.00' | 32.48' |
| C17 | 72°19'19" | 20.00' | 25.25' |
| C18 | 4°38'26" | 328.00' | 26.57' |
| C19 | 90°49'23" | 20.00' | 31.70' |
| C20 | 104°17'53" | 20.00' | 36.41' |
| C21 | 2°08'41" | 528.00' | 19.76' |
| C22 | 3°35'11" | 260.00' | 16.27' |
| C23 | 7°34'30" | 278.00' | 36.75' |
| C24 | 6°54'42" | 328.00' | 39.57' |
| C25 | 24°41'46" | 328.00' | 141.38' |
| C26 | 28°21'27" | 250.00' | 123.73' |

– SEE SHEET 2 –



82061_129_HS14_FP_PROD.DWG 82061.129 9/18/20 BG/MDB

**Consent** **1. K.**

**Regular City Council Meeting**

**Meeting Date:** 10/12/2020

**TITLE:** High Sierra Subdivision, 16th Filing - Final Major Plat

**PRESENTED BY:** Monica Plecker

**Department:** Planning & Community Services **Division:** Planning

## RECOMMENDATION

Staff recommends the City Council approve the final plat and SIA of High Sierra Subdivision, 16th Filing.

## BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

On September 23, 2020, Sanderson Stewart, agent for High Sierra II, Inc., applied for Final Major plat approval for High Sierra Subdivision, 16th Filing. The proposed subdivision creates 14 lots for residential development. The subject property is generally located Northwest of Gleneagles Boulevard and north of Matador Avenue. The property is zoned Residential 7000 Restricted.

Staff has reviewed the application and determined that the proposed plat has met all the conditions of approval and is forwarding a recommendation of final approval to the City Council. Upon City Council approval, these documents are appropriate as to form for filing with the Clerk and Recorder.

## ALTERNATIVES

The City Council may approve or disapprove the final plat of High Sierra Subdivision, 16th Filing. If the City Council chooses to deny the final plat, the denial must be because the criteria in Section 76-3-611, MCA are not met. The criteria are as follows:

76-3-611. Review of final plat. (1) The governing body or the agent or agency designated by the governing body shall examine each final plat, and the governing body shall approve the plat only if:
(a) it conforms to the conditions of approval set forth on the preliminary plat and to the terms of this chapter and (local) regulations adopted pursuant to this chapter; and
(b) the county treasurer has certified that all real property taxes and special assessments assessed and levied on the land to be subdivided have been paid.

Staff finds the final plat meets the criteria outlined in 76-3-611 above.

## FISCAL EFFECTS

The final plat of this subdivision will have no financial impact on the Planning Division.

## Attachments

Conditions of Approval
SIA

# CITY OF BILLINGS

WILLIAM A. COLE, MAYOR

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


March 23, 2020

High Sierra II, Inc.
175 N 27th St Suite 900
Billings, MT 59101

Dear Applicant:

On March 23, 2020, the Billings City Council conditionally approved the preliminary plat of High Sierra Subdivision, 16th Filing, subject to the following conditions of approval:

1. To minimize the effects on local service, prior to final plat approval, the applicant will coordinate with the USPS for locating and providing the correct amount of space for safely delivering the mail to the residents
2. Minor changes may be made in the SIA and final documents, as requested by the Planning, Legal or Public Works Departments to clarify the documents and bring them into the standard acceptable format.
3. The final plat shall comply with all requirements of the City of Billings Subdivision Regulations, rules, regulations, policies, and resolutions of the City of Billings, and the laws and Administrative Rules of the State of Montana.

Should you have questions please contact Dave Green at (406) 247-8666 or by email at greend@billingsmt.gov

Sincerely,

William A. Cole

William A. Cole, Mayor

pc: Sanderson Stewart

# FINDINGS OF FACT

The Planning staff has prepared the Findings of Fact for the preliminary plat of High Sierra Subdivision, 16th Filing. These findings are based on the preliminary plat application and supplemental documents; addressing the review criteria required by the Montana Subdivision and Platting Act (76-3-608, MCA) and the Billings Subdivision Regulations (Section 23-303(H), BMCC).

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

**1. Effect on agriculture and agricultural water user facilities**

The subject property was used for dryland pasture by the Dover Ranch operation to the north. It, along with approximately 375 additional acres, was annexed by the City and rezoned for single-family residential uses in 2007. This proposed subdivision is adjacent to similar residential uses to the south and west. It will provide housing in an area that is not particularly productive for agriculture. There should not be a negative effect on the agricultural industry.

This subdivision does not contain any ditches or water shares, and therefore will not have an effect on agricultural water user facilities.

**2. Effect on local services**

**a.** **Utilities** – Public water services to the subject property will be provided by making two connections to existing water lines one from Morocco Drive and Mission Oaks Drive intersection and one at the intersection of Matador Avenue and Mission Oaks Drive. A new 8-inch water line will be installed in the interior street of the subdivision. These lines will be looped wherever possible to equalize water pressure within the subdivision. Each lot will be provided with individual water service connections. All water line construction shall be installed in conformance with the design standards, specification, rules and regulations of the City of Billings Engineering Department.

Fire hydrants will also be installed as required by the City Fire Department. The City Fire Department with review and approve all proposed hydrant locations prior to installation.

Sanitary sewer service will be provided by the City of Billings by connecting to the existing 15-inch sewer main in located at the intersection of Mission Oaks Drive and Morocco Drive. The sanitary sewer lines within the subdivision will be 8-inch lines. Each lot will be provided with individual sewer service connections. All sewer line construction shall be installed in conformance with the design standards, specification, rules and regulations of the City of Billings Engineering Department.

Private utility providers shall use the provided easement outside the public right of way, these easement are shown on the face of the plat.

**b.** **Storm water** – Stormwater management for the proposed subdivision will be provided by directing water through a network of curb and gutters, inlets and piping. The stormwater will be directed to detention ponds. All drainage improvements shall satisfy the criteria set forth by the *City of Billings Stormwater Management Manual* and are subject to review and approval by the City Engineering Department.

The SIA, under the heading V. Storm Drainage, states there is an existing HOA with the subdivision and this filing will be included in the same HOA to maintain the storm water system.

**c.** **Solid waste** – The City of Billings will provide solid waste collection and disposal. The City's landfill has adequate capacity for this waste.

**d.** **Streets** – Access to the lots in the 16th Filing will be via Matador Avenue, Mission Oaks Drive and Morocco Drive. Mission Oaks Drive runs east and west between Matador Avenue and Morocco Drive. The internal subdivision street, Mission Oaks, will be constructed as a half street built to a 30-foot pavement width, with curb, gutter on the north side of the street within a 60-foot wide right-of-way. Sidewalks will be installed at the time of individual lot development. The developer will install accessible ramps at the intersections, which will be completed with the subdivision street improvements.

Based on the Traffic Impact Study (TIS) the 16th Filing will affect the following intersections. Wicks Lane/Gleneagles Boulevard, Wicks Lane/Fantan Street, and Wicks Lane/St. Andrews Drive. It was determined that the developer shall contribute 0.31%, 0.34%, and 0.27%, respectively, toward the total cost of the improvements planned for these three intersections. As indicated in the Subdivision Improvement Agreement (SIA) those contributions shall be made prior to final plat approval.

**e.** **Emergency services** – The Billings Police and Fire Departments will respond to emergencies within the proposed subdivision. The fire station that serves this area is located at 1601 St. Andrews Drive (Station #6).

The subdivision is located within the ambulance service area of American Medical Response (AMR).

Comments from the Police department state; 'Continued development and annexation without commensurate resources has adversely affected our ability to deliver services'.

f. **Schools** – School District #2 provides service to students within this subdivision from elementary to high school (Eagle Cliffs Elementary School, Castle Rock Middle School, and Skyview High School). Comments received from School District #2 state they additional capacity in all schools at this time.

g. **Parks and Recreation** – The parkland dedication requirement for this subdivision amounts to 0.255 acres. This parkland dedication is being satisfied with the 14th Filings where the subdivider is proposing to dedicate 5.310 acres.

h. **Mail Delivery** - The United States Postal Service will provide postal service to the subdivision. They have requested the installation of centralized mailbox unit (CBUs). The developer will work with the USPS to provide a satisfactory location for a CBU for this filing. **(Condition #1)**

**3. Effect on the natural environment**

The subject property is relatively level prairie land adjacent to urban development on its south and west sides. A geotechnical study was performed for the subdivision a summary of the information from that study will be included in the SIA under the heading VIII. Soils/Geotechnical Study. The subdivision should have a minimal effect on the natural environment.

**4. Effect on wildlife and wildlife habitat**

There are no known endangered or threatened species on the property. Future property owners should be aware that the proposed subdivision is located near prime wildlife habitat and adjacent to open agricultural areas, therefore conflicts with wildlife may occur. Any damage caused by wildlife is the responsibility of the owner. This notice is in the SIA under the heading II. Property Conditions and Information for Lot Purchasers.

**5. Effect on the public health, safety and welfare**

Fire hydrants will be installed to meet fire department requirements. Sidewalks will offer a safe place for pedestrians to walk. The effects on public health and safety should be minimal.

Comments received from the police state that continued growth of the city would require additional resources to be able to maintain expected levels of service.

**B. Was an Environmental Assessment required? [(MCA 76-3-603 and BMCC 23-302.H.1.]**

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

**C. Does the subdivision conform to the City of Billings 2016 Growth Policy, the 2018 Urban Area Transportation Plan and the Billings Area Bikeway and Trail Master Plan? [BMCC 23-(8)]**

**1. City of Billings 2016 Growth Policy**

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

> **Strong Neighborhoods (livable, safe, sociable and resilient neighborhoods):** Neighborhoods that are safe and attractive and provide essential services are much desired (p.8). Zoning regulations that allow a mixture of housing types provide housing options for all age groups and income levels. (p.8)
>
> **Home Base (healthy, safe and diverse housing options)** A mix of housing types that meet the needs of a diverse population is important. (p.9) Planning and construction of interconnected sidewalks and trails are important to the economy and livability of Billings.

**2. Billings Heights Neighborhood Plan**

The Billings Heights Neighborhood Plan, adopted in 2006, identifies this area for medium density residential development on its Future land Use Map, as this area was not yet annexed or developed when the Plan was adopted. The subdivision meets the following goals of the Heights Neighborhood Plan:

a) **To prohibit dead-end water and sewer service lines. To promote resident health, safety and welfare (Infrastructure, Goal Page 21).** This proposed subdivision is looping water and sewer service lines wherever possible with only minor dead ends in future road connections.

b) **Provide safe, good quality and affordable housing in the Heights. Develop housing patterns that are compatible with existing neighborhoods. Maintain similar housing in established neighborhoods (Land Use Goal, Page 19).** This subdivision provides medium density residential single-family development in a neighborhood with existing single-family development.

**3. 2018 Urban Area Transportation Plan**

The proposed subdivision adheres to the goals and objectives of the 2018 Transportation Plan and preserves the street network and street hierarchy specified in the plan.

**4. Billings Area Bikeway and Trail Master Plan (BABTMP)**

The proposed subdivision lies within the jurisdiction of the BABTMP. The BABTMP does not show any trails within the proposed subdivision. There will be no trails built with this subdivision.

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

The proposed subdivision satisfies the requirements of the Montana Subdivision and Platting Act and to the design standards specified in the local subdivision regulations.

The subdivider and the local government have complied with the subdivision review and approval procedures set forth in the local and state subdivision regulations.

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

The subject property is located, at this time, within the R-70-R zoning district. All building development on the lots shall comply with current zoning when applying for a building permit.

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

The subdivider has provided private utility easements as required by private utility providers on the face of the plat.

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

Legal and physical access is provided to the proposed lots from the extension of Mission Oaks Drive, all local streets to be dedicated to the public as shown on the plat.

**CONCLUSIONS OF FINDINGS OF FACT**

- The preliminary plat of High Sierra Subdivision, 16th Filing does not create any adverse impacts that warrant denial of the subdivision.
- The proposed subdivision conforms to several goals and policies of the 2016 Growth Policy and does not conflict with the Transportation or Bikeway and Trail Plans.
- The proposed subdivision complies with state and local subdivision regulations, local zoning, and provides legal and physical access to each lot.
- Any potential negative or adverse impacts will be mitigated with the proposed conditions of approval.

**RECOMMENDATION**

Staff recommends that the Planning Board recommend conditional approval of the preliminary plat of High Sierra Subdivision, 16th Filing, to the City Council, and adopt the Findings of Fact as presented in the staff report.

Approved by the Billings City Council, March 23, 2020

William A. Cole

William A. Cole, Mayor

Return to:
Sanderson Stewart
1300 North Transtech Way
Billings, MT 59102

# SUBDIVISION IMPROVEMENTS AGREEMENT & WAIVER OF RIGHT TO PROTEST FUTURE SPECIAL IMPROVEMENT DISTRICTS HIGH SIERRA SUBDIVISION, SIXTEENTH FILING

**Table of Contents**


| | | | |
|---|---|---|---|
| **I.** | Variances | | SIA-2 |
| **II.** | Property Conditions and Information for Lot Purchasers | | SIA-2 |
| **III.** | Transportation | | SIA-5 |
| | A. | Streets | SIA-5 |
| | B. | Sidewalks | SIA-6 |
| | C. | Street Lighting | SIA-6 |
| | D. | Traffic Control Devices | SIA-6 |
| | E. | Access | SIA-7 |
| | F. | Billings Area Bikeway and Trail Master Plan | SIA-7 |
| | G. | Public Transit | SIA-7 |
| **IV.** | Emergency Services | | SIA-7 |
| **V.** | Storm Drainage | | SIA-8 |
| **VI.** | Utilities | | SIA-8 |
| | A. | Water | SIA-9 |
| | B. | Sanitary Sewer | SIA-9 |
| | C. | Power, Telephone, Gas, and Cable Television | SIA-9 |
| **VII.** | Parks/Open Space | | SIA-9 |
| **VIII.** | Irrigation | | SIA-9 |
| **IX.** | Soils/Geotechnical Study | | SIA-10 |
| **X.** | Financial Guarantees | | SIA-11 |
| **XI.** | Legal Provisions Applying to Subdivider | | SIA-11 |

Return to:
Sanderson Stewart
1300 North Transtech Way
Billings, MT 59102

# SUBDIVISION IMPROVEMENTS AGREEMENT & WAIVER OF RIGHT TO PROTEST FUTURE SPECIAL IMPROVEMENT DISTRICTS HIGH SIERRA SUBDIVISION, SIXTEENTH FILING

**THIS AGREEMENT** is made and entered into this ____ day of _____, 20___, by and between **HIGH SIERRA II, Inc.**, whose address for the purpose of this agreement is 175 North 27th Street, Suite 900, Billings, MT 59101, hereinafter referred to as "Subdivider," and the **CITY OF BILLINGS**, Billings, Montana, hereinafter referred to as "City."

**WITNESSETH:**

**WHEREAS**, at a regular meeting conducted on _25th_ day of _February__, 2020, the Board of Planning recommended conditional approval of a preliminary plat of High Sierra Subdivision, 16th Filing; and

**WHEREAS**, at a regular meeting conducted on _23rd_ day of __March___, 2020, the City Council conditionally approved a preliminary plat of High Sierra Subdivision, 16th Filing; and

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

**WHEREAS,** the provisions of this agreement shall be effective and applicable to High Sierra Subdivision, 16th Filing upon the filing of the final plat thereof in the office of the Clerk and Recorder of Yellowstone County, Montana. The Subdivision shall comply with all requirements of the City of Billings Subdivision Regulations, the rules, regulations, policies, and resolutions of the City of Billings, and the laws and administrative rules of the State of Montana.

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

## I. VARIANCES

**A.** Subdivider has requested, and the City hereby grants, the following variances by the City Council from the strict interpretation of the City's Subdivision Regulations (Section 23.1401, BMCC):

1. No Variances are requested.

## II. PROPERTY CONDITIONS AND INFORMATION FOR LOT PURCHASERS

**A.** Lot owners will be required to construct that segment of the required sidewalk that fronts their property at the time of lot development.

**B.** Lot owners should be aware that this subdivision is being built in close proximity to prime deer and antelope habitat and it is likely that homeowners will experience problems with damage to landscaped shrubs, flowers, and gardens. The Montana Fish, Wildlife, and Parks Department does not provide damage assistance unless there is damage to commercial crops and/or a threat to public health and safety.

**C.** A geotechnical report was performed within the area of this subdivision and submitted with the preliminary plat. The recommendations are found in the Geotechnical Investigation Report High Sierra Subdivision 129 Lots in 14th, 15th and 16th Filings Billings, Montana by Rawhide Engineering Inc. dated January 22, 2020. Lot owners and homebuilders shall reference the report in its entirety, but a summary is as follows:

1. Approximately 6-inches of surface soils should be stripped and removed from the site or stockpiled for use in non-structural areas.

2. Variations in soils may exist between the explored locations. The nature and extent of soil variations may not be evident until construction occurs.

3. These filings have sandstone caprock scattered throughout much of the site and it will have to be removed during construction of the interior streets and to excavate foundations.

4. A large track hoe or specialized equipment may be required during foundation excavations, depending on the location and depth of the

excavation. The boring logs should be reviewed for conditions across the site.

5. Fill should be placed and compacted to a minimum of 97 % relative compaction, in accordance with the ASTM D698 compaction test method. Fills greater than 4-feet should be compacted to 98% of ASTM D698.

6. Street subgrade, utility trenches, parking areas and concrete flatwork subgrade should be placed at a minimum of 97% of ASTM D698.

7. This site varies widely across the total acreage. Some of the foundation will be located on weathered shale bedrock. Portions of the site will have foundations in the medium stiff to soft sandy lean clay soils. Two alternative foundation recommendations are provided within the geotechnical report.

8. Final elevations at the site should be planned so that drainage is directed away from all foundation and concrete slabs. In accordance with the International Residential Code, downspouts with 6-foot extensions should be used. Positive drainage away from all foundations should have 6 inches of fall in the first 10 feet away from the foundations. If sufficient room is not available to construct the 10-foot slope, drainage swales should be constructed as far from the foundations as possible. Plants and landscaping should not be allowed within 3 feet of foundations. Landscaping features such as curbing should not be allowed to create ponding adjacent to the foundations.

The assessment and mitigation of these soil conditions shall be the responsibility of the lot owner. Failure to follow all recommendations in the geotechnical report including grading, foundation design and especially drainage and landscaping will render the geotechnical report null and void. The City may require the owner of each lot to include a geotechnical investigation with the building permit submittal.

**D.** No water rights have been transferred to the lot owners. Irrigation ditches that exist on the perimeter of this development are for the benefit of other properties. Perimeter ditches and drains shall remain in place and shall not be altered by the Subdivider or subsequent owners.

**E.** There is attached hereto a Waiver waiving the right to protest the creation of the special improvement district or districts which by this reference is

expressly incorporated herein and made as much a part hereof as though fully and completely set forth herein at this point. The Waiver will be filed with the plat, shall run with the land, and shall constitute the guarantee by the Subdivider, and property owner or owners of the developments described herein. Said Waiver is effective upon filing and is not conditioned on the completion of the conditions set forth in this Agreement. The Subdivider and owner specifically agree that they are waiving valuable rights and do so voluntarily.

**F.** Lot owners are advised they will be subject to inclusion in a Parks Maintenance District (PMD) for the operation and maintenance of the parkland dedicated with various filings of High Sierra Subdivision, including High Sierra Subdivision, 16th Filing, and future filings of High Sierra Subdivision.

**G.** The Subdivider and subsequent contractors/builders acknowledge that there is a Stormwater Pollution and Prevention Plan (SWPPP) filed with the City and the Montana Department of Environmental Quality (MDEQ). This SWPPP shall be adhered to during all phases of construction and shall be updated as required by MDEQ under the General Permit for Stormwater Discharges Associated with Construction Activity, Chapter 28, BMCC and the Billings Stormwater Management Manual.

**H.** Individual lot owners should be aware that Best Management Practices for stormwater control shall be required for new construction on lots. Best Management Practices are defined within Chapter 28, BMCC and detailed in the Billings Stormwater Management Manual.

1. The lowest finish floor elevation (which includes the garage) shall be a minimum of 18-inches higher than the top of curb, measured from the highest location along the lot frontage. Home builder and lot owner may find it necessary to raise the finish floor elevation of house or garage above this minimum during on-site building design and/or during on-lot grading.

2. The stormwater runoff from individual lots shall be directed toward the public right-of-way wherever possible. However, due to the existing terrain of the subdivision this is not possible for every lot. Where runoff from lots cannot be directed to public right-of-way because existing terrain is falling away from the public right of way, the stormwater runoff shall be directed to flow to the same location as it has historically. Home builder and lot owners shall consider the effect of potential off-lot run-on waters from lots uphill of the subject lot, and grade around the home to provide

positive drainage away from the home. Home builder and lot owners must take necessary measures to protect the house from surface stormwater flows. Lots shall allow, through on-site building design and on-lot grading, for stormwater to pass through each lot without negatively impacting adjacent lots. The lowest openings on each home (window wells) are to be located outside the designated drainage paths. If this is not possible, the builder and lot owners must take necessary measures to protect these openings from inundating from surface water flows. In any case, the homebuilder shall allow enough space between window wells and property lines to provide sufficient swales and proper storm water drainage away from window wells.

3. Each owner of a completed lot shall be a member of the High Sierra Subdivision Homeowners Association (HOA). Membership shall be appurtenant to and may not be separated from ownership of a lot. The Homeowners Association will be set up to maintain the permanent stormwater detention facilities. The HOA Board of Directors shall have the power, in its discretion, to exclude costs of major repairs or approved capital improvements to the HOA Storm Water System from the regular monthly assessments and, instead, impose special assessments for these expenses, and for emergencies, as they are incurred.

## III. TRANSPORTATION

### A. Streets

1. Subdivider will enter into a private contract for the construction of all required improvements for those streets within the subdivision, as follows:

   Mission Oaks Drive from Matador Avenue to Morocco Drive will be constructed within an existing 60-foot right-of-way. The Subdivider shall construct the north curb and gutter and 30-feet of asphalt paving if the south side of the street has not yet been constructed at the time of recording the final plat of High Sierra Subdivision, 16th Filing. Subdivider may choose to utilize an SID to cost share the improvements with adjacent landowners at the time of construction. Morocco Drive adjacent to Lot 19, Block 32 of High Sierra Subdivision 16th filing will be constructed within a 56-foot right-of-way using curb and gutter and full-width pavement (34-feet back of curb to back of curb). Curb and Gutter

will be installed per the City of Billings Standards in place at time of construction.

**B. Sidewalks**

1. Sidewalk on the internal streets shall be installed at the time of individual lot development. The sidewalk shall consist of a 5-foot-wide boulevard type sidewalk on the north side of Mission Oaks Drive with a minimum 5-foot-wide boulevard.

2. Subdivider will install accessible ramps at the intersections of Mission Oaks Drive/Morocco Drive and Mission Oaks Drive/El Camino Way which shall be completed with the subdivision improvements.

**C. Street Lighting**

Construction or installation of streetlights within the public rights-of-way shall not be required at this time, but streetlights are included in the Waiver referenced herein for construction of the same in the future. A maintenance district for streetlights may be formed for future maintenance of any streetlights installed in the future.

**D. Traffic Control Devices**

The Subdivider shall furnish and install all necessary traffic control devices within and adjacent to the Subdivision in accordance with the plans and specification submitted to and approved by the City Engineer. Traffic control devices shall include all necessary signing, striping, and channelization devices to properly complete the implementation of the proposed street construction.

Based on the Traffic Impact Study (TIS), the 16th Filing development's portion of critical volumes for impacted intersections are as follows (based on a $250,000.00 intersection improvement cost:

| | Wicks Lane/Gleneagles Blvd | Wicks Lane/Fantan St. | Wicks Lane/St. Andrews Drive |
|---|---|---|---|
| 16th Filing | 0.31% ($775.00) | 0.34% ($850.00) | 0.27% ($675.00) |

City and Subdivider agree that the Subdivider will be required to make cash contributions to these intersections.

### E. Access

Morocco Drive (via Entrada Road) and Matador Avenue provide access to the subdivision. The interior street (Mission Oaks Drive) will be located within an existing 60-foot right-of-way and will have a minimum width of 30-feet of asphalt pavement and curb and gutter only on the north side.

### F. Billings Area Bikeway and Trail Master Plan

The Billings Area Bikeway Plan (2017) shows no trail connections within the proposed area of High Sierra Subdivision, 16th Filing, and as such, no trail improvements are required as part of this subdivision.

### G. Public Transit

The subdivision does not require improvements to ensure public transit service.

## IV. EMERGENCY SERVICE

The City will provide emergency service. Fire hydrants shall be provided at each street intersection and at intermediate locations where distances exceed 500-feet. Appropriate turnarounds will be located on any dead-end street in excess of 150-feet.

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

At a minimum, the following is required:

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

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

## V. STORM DRAINAGE

Storm drainage for Mission Oaks Drive (fronting the 14 lots within High Sierra Subdivision, 16th Filing) shall be provided by a combination of surface drainage and curbs and gutters, drained to underground storm drains, and with discharge to a new detention facility that is located within an off-site area on Lot 17, Block 6, High Sierra Subdivision, 11th Filing generally north of the future projection of Gleneagles Boulevard designated for storm water detention. This detention facility has been sized to accept runoff generated from the High Sierra Subdivision, 16th Filing. Stormwater management facilities for the subdivision must be able to pass flows generated outside the subdivision area without inundating existing and proposed home sites. All drainage improvements shall comply with the provisions of the *Stormwater Management Manual* and Section 23-706, BMCC, a stormwater management plan shall be submitted to and approved by the Engineering Division prior to filing of the final plat.

The drainage system improvements will be in accordance with the recommendations of the stormwater analysis and report prepared and submitted with the improvement plans and specifications. Maintenance of the stormwater retention area and associated drainage facilities shall be by the High Sierra Subdivision HOA.

## VI. UTILITIES

The Subdivision Improvements Agreement does not constitute an approval for extension of or connection to water mains and sanitary sewers. The property owner shall make application for extension/connection of water mains and sanitary sewers to the Public Works Department – Engineering Division. The extension/connection of/to water mains and sanitary sewers is subject to the approval of the applications and the conditions of approval. Applications shall be submitted for processing prior to the start of any construction and prior to review and approval of any project plans and specifications.

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

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

Billings Public Works Department, Fire Department and the Montana Department of Environmental Quality.

### A. Water

The subdivision will be served by making two connections to public water mains, one at Morocco Drive at the intersection of Morocco Drive/Mission Oaks Drive and one at the intersection of Matador Avenue/Mission Oaks Drive. A new 12-inch water main will be installed in the Mission Oaks Drive which is subject to approval from the City of Billings. The water main within the subdivision will make looped connections whenever possible. Fire hydrants will be provided at all appropriate locations and are also subject to approval by the City of Billings.

### B. Sanitary Sewer

The subdivision will be served by making a connection to an existing 15-inch diameter sewer main located at the intersection of Mission Oaks Drive and Morocco Drive and extending the 8-inch sewer main westward within Mission Oaks Drive.

### C. Power, Telephone, Gas, and Cable Television

All telephone, gas, electrical power, and cable television lines shall be the responsibility of the Subdivider. Any line located within public right-of-way shall be subject to approval of the City Engineer.

## VII. PARKS/OPEN SPACE

The park land required for this subdivision is 0.255 acres. The Subdivider previously dedicated land for a public park that included a dedication to cover this subdivision with the filing of High Sierra Subdivision, 14th Filing. Therefore, no additional parkland is required with High Sierra Subdivision, 16th Filing.

Lot owners are advised they will be subject to inclusion in a Special Improvement District (SID) for the development and a Parks Maintenance District (PMD) for the operation and maintenance of this and future parks within High Sierra Subdivision.

## VIII. IRRIGATION

No permanent irrigation ditches, field laterals, or irrigation easements exist on the subdivision.

## IX. SOILS/GEOTECHNICAL STUDY

A geotechnical report was performed within the area of this subdivision and submitted with the preliminary plat. The recommendations are found in the Geotechnical Investigation Report High Sierra Subdivision 129 Lots in 14th, 15th and 16th Filings Billings, Montana by Rawhide Engineering Inc. dated January 22, 2020. Lot owners and homebuilders shall reference the report in its entirety, but a summary is as follows:

1. Approximately 6-inches of surface soils should be stripped and removed from the site or stockpiled for use in non-structural areas.

2. Variations in soils may exist between the explored locations. The nature and extent of soil variations may not be evident until construction occurs.

3. These filings have sandstone caprock scattered throughout much of the site and it will have to be removed during construction of the interior streets and to excavate foundations.

4. A large track hoe or specialized equipment may be required during foundation excavations, depending on the location and depth of the excavation. The boring logs should be reviewed for conditions across the site.

5. Fill should be placed and compacted to a minimum of 97 % relative compaction, in accordance with the ASTM D698 compaction test method. Fills greater than 4-feet should be compacted to 98% of ASTM D698.

6. Street subgrade, utility trenches, parking areas and concrete flatwork subgrade should be placed at a minimum of 97% of ASTM D698.

7. This site varies widely across the total acreage. Some of the foundation will be located on weathered shale bedrock. Portions of the site will have foundations in the medium stiff to soft sandy lean clay soils. Two alternative foundation recommendations are provided within the geotechnical report.

8. Final elevations at the site should be planned so that drainage is directed away from all foundation and concrete slabs. In accordance with the International Residential Code, downspouts with 6-foot extensions should be used. Positive drainage away from all foundations should have 6 inches of fall in the first 10 feet away from the foundations. If sufficient room is not available to construct the 10-foot slope, drainage swales should be constructed as far from the foundations as possible. Plants and landscaping

should not be allowed within 3 feet of foundations. Landscaping features such as curbing should not be allowed to create ponding adjacent to the foundations.

The assessment and mitigation of these soil conditions shall be the responsibility of the lot owner. Failure to follow all recommendations in the geotechnical report including grading, foundation design and especially drainage and landscaping will render the geotechnical report null and void. The City may require the owner of each lot to include a geotechnical investigation with the building permit submittal.

## X. FINANCIAL GUARANTEES

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

## XI. LEGAL PROVISIONS APPLYING TO SUBDIVIDER

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

**B.** The owners of the properties involved in this proposed Subdivision by signature subscribed herein below agree, consent, and shall be bound by the provisions of this Agreement.

**C.** The covenants, agreements, and all statements in this Agreement apply to and shall be binding on the heirs, personal representatives, successors and assigns of the respective parties.

**D.** In the event it becomes necessary for either party to this Agreement to retain an attorney to enforce any of the terms or conditions of this Agreement or to give any notice required herein, then the prevailing party or the party giving notice shall be entitled to reasonable attorney fees and costs.

**E.** Any amendments or modifications of this Agreement or any provisions herein shall be made in writing and executed in the same manner as this original document and shall after execution become a part of this Agreement.

**F.** Subdivider shall comply with all applicable federal, state, and local statutes, ordinances, and administrative regulations during the performance and discharge of its obligations. Subdivider acknowledges and agrees that nothing contained herein shall relieve or exempt it from such compliance.

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

"SUBDIVIDER" **HIGH SIERRA II, INC.**

By: Gary Oakland

Its: PRESIDENT

STATE OF MONTANA )
: ss
County of Yellowstone )

On this 22nd day of September, 2020, before me, a Notary Public in and for the State of Montana, personally appeared Gary Oakland, known to me to be the person who executed the foregoing instrument as the President of **HIGH SIERRA II, INC.**, and acknowledged to me that he/she executed the same.

Brittany Cecil

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

BRITTANY CECIL NOTARIAL SEAL STATE OF MONTANA

BRITTANY CECIL
NOTARY PUBLIC for the
State of Montana
Residing at Billings, Montana
My Commission Expires
April 06, 2021

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

"CITY" **CITY OF BILLINGS, MONTANA**

By: _____
Mayor

Attest: _____
City Clerk

STATE OF MONTANA )
: ss
County of Yellowstone )

On this ____ day of _____, 20___, before me, a Notary Public in and for the State of Montana, personally appeared _____ and _____, known to me to be the Mayor and City Clerk, respectively, of the City of Billings, Montana, whose names are subscribed to the foregoing instrument in such capacity and acknowledged to me that they executed the same on behalf of the City of Billings, Montana.

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

# WAIVER OF RIGHT TO PROTEST
# FUTURE SPECIAL IMPROVEMENT DISTRICTS

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

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

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

High Sierra Subdivision, 16th Filing

Signed and dated this 22 day of SEPTEMBER, 2020

"SUBDIVIDER"

**HIGH SIERRA II, INC.**

BY: _____
PRESIDENT

STATE OF MONTANA )
: ss
County of Yellowstone )

On this 22nd day of September, 2020, before me, a Notary Public in and for the State of Montana, personally appeared Gary Oakland, known to me to be the President of **HIGH SIERRA II, INC.**, the person who executed the forgoing instrument and acknowledged to me that he/she executed the same.

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

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

BRITTANY CECIL NOTARIAL SEAL STATE OF MONTANA

**BRITTANY CECIL**
**NOTARY PUBLIC for the**
**State of Montana**
**Residing at Billings, Montana**
**My Commission Expires**
**April 06, 2021**

PLAT OF

# HIGH SIERRA SUBDIVISION, 16TH FILING

## BEING LOT 17, BLOCK 31 OF HIGH SIERRA SUBDIVISION, 14TH FILING, SITUATED IN THE NE1/4 OF SECTION 17, T. 1 N., R. 26 E., P.M.M., IN THE CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA

PREPARED FOR : HIGH SIERRA II, INC.

AUGUST, 2020

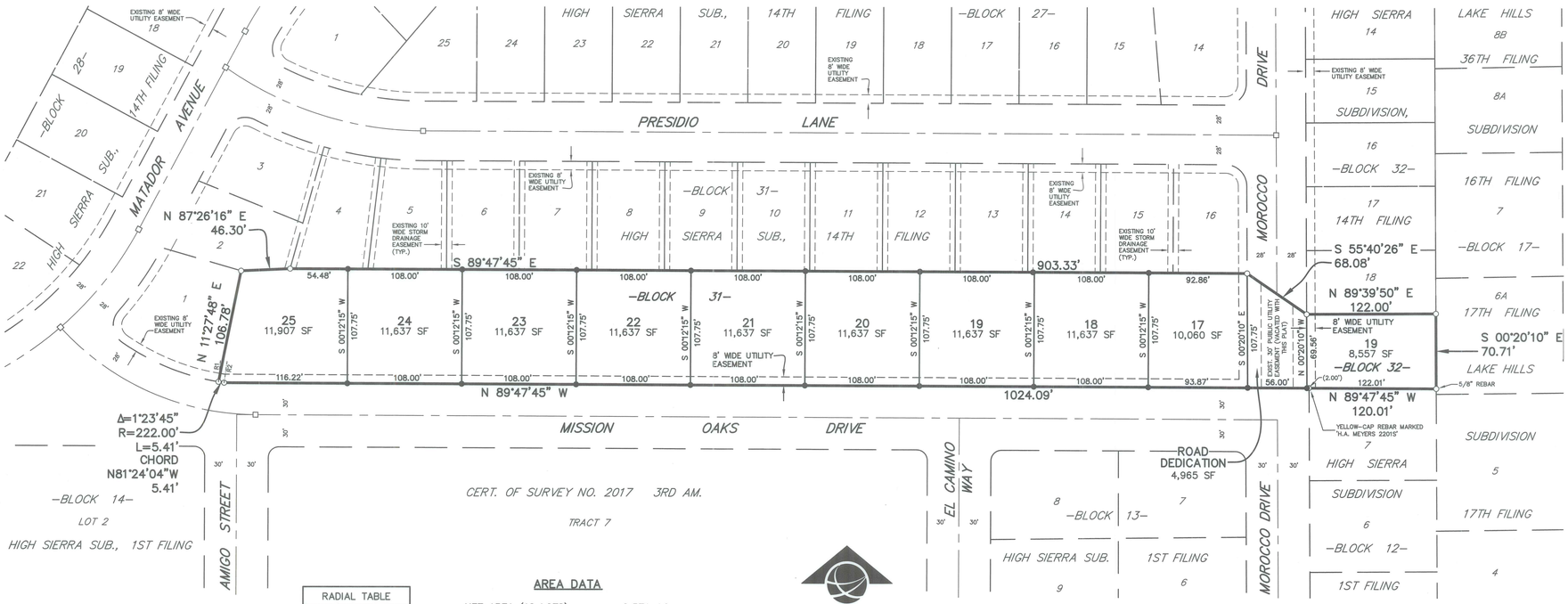
PREPARED BY : SANDERSON STEWART

BILLINGS, MONTANA

**BASIS OF BEARING:** PLAT OF HIGH SIERRA SUBDIVISION, 14TH FILING

- ○ FOUND SURVEY MONUMENT, REBAR & CAP MARKED 'SANDERSON STEWART 18972LS', OR AS NOTED
- ● SET 5/8" X 18" REBAR WITH CAP MARKED WITH THE LICENSE NUMBER OF THE UNDERSIGNED LAND SURVEYOR AND "SANDERSON STEWART"
- □ SET INTERSECTION MONUMENT, 5/8"x18" REBAR WITH CAP MARKED WITH THE LICENSE NUMBER OF THE UNDERSIGNED LAND SURVEYOR AND "SANDERSON STEWART BILLINGS MT". WILL BE REPLACED WITH BRASS CAP MONUMENT BOX UPON COMPLETION OF STREET IMPROVEMENTS.

**NOTE:** ALL CURVES ARE TANGENT AND ALL PROPERTY LINES INTERSECTING CURVES ARE RADIAL UNLESS OTHERWISE NOTED.




| RADIAL TABLE | |
|---|---|
| Radial # | Bearing |
| R1 | N 09°17'49" E |
| R2 | N 07°54'03" E |

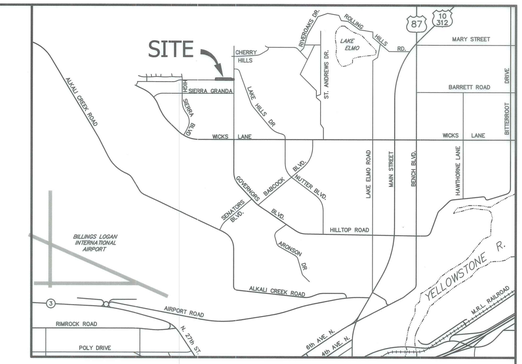
**AREA DATA**

| | |
|---|---|
| NET AREA (10 LOTS) | 2.571 AC |
| DEDICATED PARKLAND | 0.000 AC |
| ROAD DEDICATION | 0.114 AC |
| GROSS AREA | 2.685 AC |

NORTH

60 30 0 60 120

SCALE: 1" = 60'




**VICINITY MAP**

NOT TO SCALE

### CERTIFICATE OF DEDICATION

STATE OF MONTANA )
:ss
County of Yellowstone )

KNOW ALL MEN BY THESE PRESENTS: That HIGH SIERRA II, INC., the owner of the following described tract of land, does hereby certify that he has caused to be surveyed, subdivided and platted into lots, blocks and streets as shown on the annexed plat, said tract being situated in the NE1/4 of Section 17, T. 1 N., R. 26 E., P.M.M., in the City of Billings and in Yellowstone County, Montana, said tract being more particularly described as follows, to-wit:

Lot 17, Block 31 of High Sierra Subdivision, 14th Filing, according to the official plat on file in the office of the clerk & recorder of Yellowstone County, Montana, under Document No. _____ .

The park requirement for this subdivision has been met by a previous land donation with the platting of High Sierra Subdivision, 14th Filing.

The undersigned hereby grants unto all utility companies, as such are defined and established by Montana Law, and cable television companies, an easement for the location, maintenance, repair and removal of their lines over, under and across the areas designated on the plat as "UTILITY EASEMENT" to have and hold forever. Said tract to be known and designated as HIGH SIERRA SUBDIVISION, 16th FILING, and the lands included in all street, and avenues as shown on the annexed plat are hereby granted and donated to the use of the public forever.

HIGH SIERRA II, INC.

By: _____

Title: PRESIDENT

STATE OF MONTANA )
:ss
County of Yellowstone )

On this 22nd day of September, 2020, before me, the undersigned Notary Public, for the State of Montana, personally appeared Gary Oakland, known to me to be the person who signed the foregoing instrument as President of HIGH SIERRA II, INC., and acknowledged to me that said corporation executed the same. Witness my hand and seal the day and year herein above written.

_____
Notary Public in and for the State of Montana

BRITTANY CECIL NOTARIAL SEAL STATE OF MONTANA

BRITTANY CECIL
NOTARY PUBLIC for the State of Montana
Residing at Billings, Montana
My Commission Expires April 06, 2021

### CERTIFICATE OF SURVEYOR

STATE OF MONTANA )
:ss
County of Yellowstone )

The undersigned, a Land Surveyor licensed in the State of Montana, states that during the months of May & June, 2020, a survey was performed under his supervision of a tract of land to be known as HIGH SIERRA SUBDIVISION, 16th FILING, in accordance with the request of the owner thereof and in conformance with the Montana Subdivision and Platting Act; said subdivision, description of boundaries and dimensions being in accordance with the Certificate of Dedication and as shown on the annexed plat; that the monuments found and set are of the character and occupy the positions shown hereon and that the gross area is 2.685 acres and the net area is 2.571 acres.

SANDERSON STEWART

By: _____

Montana License No. 18972LS

Date: September 18, 2020

MONTANA MICHAEL DEAN BERTRAM 18972LS LICENSED PROFESSIONAL LAND SURVEYOR

### CERTIFICATE OF CITY ENGINEER'S OFFICE

I hereby certify that annexed and foregoing plat conforms with Section 76-4-125(1)(d), M.C.A., for divisions located within jurisdictional areas that have adopted growth policies pursuant to chapter 1 or within first-class or second-class municipalities for which the governing body certifies, pursuant to 76-4-127, that adequate storm water drainage and adequate municipal facilities will be provided.

IN WITNESS WHEREOF, I have executed this CERTIFICATE OF APPROVAL this _____ day of _____, 20____ .

_____
City Engineer's Office

### NOTICE OF APPROVAL

STATE OF MONTANA )
:ss
County of Yellowstone )

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

_____ _____
Date President

_____
Executive Secretary

### CERTIFICATE OF APPROVAL: CITY COUNCIL

STATE OF MONTANA )
:ss
County of Yellowstone )

We hereby certify that we have examined the annexed and foregoing PLAT OF HIGH SIERRA SUBDIVISION, 16th FILING, and find that said plat conforms with the requirements of the laws of the State of Montana, and the requirements of The Yellowstone County Board of Planning. It is therefore approved and the dedication to public use of any and all lands shown on this plat as being dedicated to such use are accepted.

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

CITY OF BILLINGS, MONTANA

By: _____ Attest: _____
Mayor City Clerk

### ERRORS AND OMISSIONS REVIEW

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

_____ _____
Examining Land Surveyor Date

### CERTIFICATE OF 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 ATTORNEY

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

Date: _____

Reviewed by: _____

### SUBDIVISION IMPROVEMENTS AGREEMENT

Document No.: _____

### CONSENT TO PLATTING

Document No.: _____

RECEIPT FOR FEES AND RECORDER

**Consent** **1. L.**

**Regular City Council Meeting**

**Meeting Date:** 10/12/2020

**TITLE:** Zone Change 982-1127 Alderson Ave-RP to RMF-Second Reading

**PRESENTED BY:** Karen Husman

**Department:** Planning & Community Services **Division:** Planning

## RECOMMENDATION

The City Council, after conducting a public hearing, approved on first reading this zone change by unanimous vote and adopted the findings of the 10 criteria during its September 28, 2020 meeting. Staff recommends Council approve Zone Change 982 on second reading, including adoption of the 10 criteria.

## BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

This is a zone change request from Residential Professional (RP) to Residential Multi-Family (RMF) on Block 4, Lot 4-8, Sunset Subdivision, a 39,793 square foot parcel of land. A pre-application neighborhood meeting was held on July 23, 2020, at 1127 Alderson Ave.

## ALTERNATIVES

The City Council may:

- Adopt the findings of the 10 criteria as recommended by the Zoning Commission and approve the application; or
- Amend the findings of the 10 criteria as recommended by the Zoning Commission and approve or deny the application; or
- Delay action up to 30 days

## FISCAL EFFECTS

Approval of this application will have no direct financial impact on the Planning Division or other City budgets.

## Attachments

Zoning Map & Site Photos
Ordinance

ZC 982 ATTACHMENTS

Zoning Map

Aerial Photo

Site Photos

**ORDINANCE 20-_____**

**AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THE ZONE CLASSIFICATION ON LOTS 4 THROUGH 8, BLOCK 4 of SUNSET SUBDIVISION BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS THAT:**

***Section 1.*** **RECITALS.** *Title 76, Chapter 2, Part 3, MCA,* and *Sections 27-302 and 27-1502, BMCC,* provide for amendment to the City Zoning Map from time to time. The City Zoning Commission and staff have reviewed the proposed zoning for the real property hereinafter described. The Zoning Commission and staff have considered the ten (10) criteria required by Title 76, Chapter 2, Part 3, MCA. The recommendations of the Zoning Commission and staff have been submitted to the City Council, and the City Council, in due deliberation, has considered the ten (10) criteria required by state law.

***Section 2.*** **DESCRIPTION. LOTS 4 THROUGH 8, BLOCK 4 of SUNSET SUBDIVISION, GENERALLY LOCATED AT 1127 Alderson Avenue,** is presently zoned **Residential Professional (RP)** and is shown on the official zoning map within this zone.

***Section 3.*** **ZONE AMENDMENT.** The official zoning map is hereby amended and the zoning for **LOTS 4 THROUGH 8, BLOCK 4 of SUNSET SUBDIVISION,** is hereby changed from **Residential Professional (RP) to Residential Multi-Family (RMF)** and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining **Residential Multi-Family (RMF)** as set out in the Billings, Montana City Code.

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

***Section 5.*** **REPEALER**. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

***Section 6.*** **SEVERABILITY**. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

PASSED by the City Council on first reading this 28th day of September, 2020.

PASSED, ADOPTED and APPROVED on second reading this 12th day of October, 2020.

CITY OF BILLINGS

BY:_____
William A. Cole, Mayor

Attest:

BY:_____
Denise R. Bohlman, City Clerk

Zone Change 982– Sunset Subdivision, Block 4, Lots 4-8

**Consent** **1. M. 1.**

**Regular City Council Meeting**

**Meeting Date:** 10/12/2020

**TITLE:** Payment of Claims for week of September 7, 2020

**PRESENTED BY:** Andy Zoeller, Finance Director

**Department:** Finance

## RECOMMENDATION

Staff recommends Council approve the Payment of Claims

## BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

Claims in the amount of $1,193563.36 have been reviewed and are presented for City Council payment approval. A complete listing of the claims for the week are available in the Finance Department.

**Payment Approval Process**

Every invoice for payment in entered into the City's accounting system and the backup documentation is scanned in and attached (physical invoices, additional e-mails explaining payments, bids, contracts, etc.) Each invoice goes through a multi-step approval process depending upon the amount of the payment.

First, invoices are entered by the department requesting the payment and the Department Director or designee must perform an initial review and approval of the purchase. The number of approvals within the Department can vary based upon the size of the Department, but no less than one approver within each Department must verify the payment.

Second, all payments, regardless of size, must be approved by the Purchasing Agent. The Purchasing Agent will review the payment to ensure purchasing procedures are followed and appropriate documentation is attached.

If the payment is greater than $1,000, then it must be approved by the Finance Director.
If that payment is greater than $10,000, then it must be approved by the City Administrator or Assistant City Administrator.

Once all approvals are completed, the payment is able to be made and the Accounts Payable Clerk can print the check. After all checks are printed, a list of all checks in excess of $2,500 is generated and placed on the next City Council meeting for review.

## ALTERNATIVES

- No other alternatives were analyzed

## FISCAL EFFECTS

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.

## Attachments

Councilmemo wk of 09072020

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/08/2020 | 836351 | AD Creative Group | Transit | $ 3,301.25 | Graphic Design & Layout for Logo |
| 09/08/2020 | 836361 | Armscor Cartridge | Public Safety | $ 3,297.50 | Armscor Invoice 12137, 40 S&W, 223 and 9mm ammo |
| 09/08/2020 | 836361 | Armscor Cartridge | Public Safety | $ 4,680.00 | Arscmor 12136, 40 S&W and 9mm ammo |
| 09/08/2020 | 836364 | Beartooth Enviro | Solid Waste | $ 4,869.17 | Landfill hazardous waste removal |
| 09/08/2020 | 836369 | Billings Depot | Engineering | $ 11,441.51 | Depot Rent October |
| 09/08/2020 | 836369 | Billings Depot | P.W. Admin | $ 2,860.38 | Depot Rent October |
| 09/08/2020 | 836368 | Blgs Carpet Cleaning | Facilities | $ 20,666.10 | Inv. 17264 COVID19 Cleaning City Hall/BOC Adm/Police Barn |
| 09/08/2020 | 836368 | Blgs Carpet Cleaning | Facilities | $ 29,943.13 | Inv. 17264 COVID19 Cleaning City Hall/BOC Adm/Police Barn |
| 09/08/2020 | 836375 | Center for PSM | General | $ 22,320.00 | Consultant Agreement |
| 09/08/2020 | 836375 | Center for PSM | General | $ 25,920.00 | Consultant Agreement |
| 09/08/2020 | 836380 | Civicplus | Airport | $ 302.36 | Quarterly Civic Send Airport |
| 09/08/2020 | 836380 | Civicplus | IT Resources | $ 302.36 | Quarterly CivicSend IT |
| 09/08/2020 | 836380 | Civicplus | IT Resources | $ 6,444.66 | Quarterly Hosting & Support Fees |
| 09/08/2020 | 836380 | Civicplus | IT Resources | $ 82.69 | SSL Certificate Quarterly Fee Renewa |
| 09/08/2020 | 836384 | Co Water Dist-Heights | Park Dist 1 | $ 20.91 | Water charges for Arrowhead- 13137 |
| 09/08/2020 | 836384 | Co Water Dist-Heights | Park Dist 1 | $ 2,432.53 | Water charges for Arrowhead- 13138 |
| 09/08/2020 | 836384 | Co Water Dist-Heights | Park Dist 1 | $ 409.82 | Water charges for Cleavenger- 01019 |
| 09/08/2020 | 836384 | Co Water Dist-Heights | Park Dist 1 | $ 3,922.73 | Water charges for Hawthorne- 08163 |
| 09/08/2020 | 836384 | Co Water Dist-Heights | Park Dist 1 | $ 3,054.77 | Water charges for Primrose- 06100 |
| 09/08/2020 | 836384 | Co Water Dist-Heights | Parks | $ 2,437.04 | Water charges for Frances - 16219 |
| 09/08/2020 | 836384 | Co Water Dist-Heights | Parks | $ 1,005.33 | Water charges for Luthern - 10112 |
| 09/08/2020 | 836384 | Co Water Dist-Heights | Parks | $ 1,081.75 | Water charges for Rolling Hills- 09174 |
| 09/08/2020 | 836384 | Co Water Dist-Heights | Parks | $ 4,981.89 | Water charges for Twin Oaks- 17196 |
| 09/08/2020 | 836384 | Co Water Dist-Heights | Parks | $ 2,873.93 | Water charges for Uinta - 17140 |
| 09/08/2020 | 836384 | Co Water Dist-Heights | Parks | $ 3,719.94 | Water charges for Walden Grove - 30388 |
| 09/08/2020 | 836387 | Cummins Rocky Mt | Fleet | $ 256.65 | 31743 PO NUM 311028 |
| 09/08/2020 | 836387 | Cummins Rocky Mt | Public Safety | $ 2,071.78 | 31429 |
| 09/08/2020 | 836387 | Cummins Rocky Mt | Solid Waste | $ 242.07 | 31351 |
| 09/08/2020 | 836387 | Cummins Rocky Mt | Solid Waste | $ 635.73 | 31365 |
| 09/08/2020 | 836387 | Cummins Rocky Mt | Solid Waste | $ 58.66 | 31366 |
| 09/08/2020 | 836387 | Cummins Rocky Mt | Solid Waste | $ (125.00) | 31447 |
| 09/08/2020 | 836387 | Cummins Rocky Mt | Solid Waste | $ 71.47 | 31622 |
| 09/08/2020 | 836387 | Cummins Rocky Mt | Solid Waste | $ 1,296.66 | 31788 |
| 09/08/2020 | 836387 | Cummins Rocky Mt | Transit | $ 3,410.22 | 38-31678 |
| 09/08/2020 | 836390 | Dana Safety Supply | Public Safety | $ 174.00 | Dana 653955, surface mount, lights |
| 09/08/2020 | 836390 | Dana Safety Supply | Public Safety | $ 769.73 | Dana 653971, Red/white lights, mounts |
| 09/08/2020 | 836390 | Dana Safety Supply | Public Safety | $ 336.00 | Dana 654140, red/white blue/white WEC lights |
| 09/08/2020 | 836390 | Dana Safety Supply | Public Safety | $ 683.34 | Dana 654560, WEC lights accessories |
| 09/08/2020 | 836390 | Dana Safety Supply | Public Safety | $ 162.00 | DANA 658831, WEC Amber/White surface mount |
| 09/08/2020 | 836390 | Dana Safety Supply | Public Safety | $ 2,540.00 | Dana 660437, white light series, mirror mounts, red,white,blue |
| 09/08/2020 | 836390 | Dana Safety Supply | Public Safety | $ 36.00 | Dana 660623, medium duty lock conversion kit |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/08/2020 | 836390 | Dana Safety Supply | Public Safety | $ 340.00 | Dana Safety 657061, utility drvr, mounts |
| 09/08/2020 | 836391 | Davidson | General | $ 3,091.50 | May Semester Tuition Reimbursement 08.25.20 |
| 09/08/2020 | 836392 | Dell Computer L P | IT Resources | $ 3,993.72 | See attached "Details" |
| 09/08/2020 | 836392 | Dell Computer L P | Parking | $ 149.74 | 1-24" monitor -Park 3 Garage |
| 09/08/2020 | 836394 | Dixie Petro-Chem | Water | $ 3,752.00 | BULK CHLORINE |
| 09/08/2020 | 836395 | DOWL | Arterial Streets | $ 3,487.50 | WO 20-12 S 32nd St W (King Ave W to Gabel); 9-4051.21836.01 Pmt 9 |
| 09/08/2020 | 836395 | DOWL | Planning | $ 3,798.20 | Alt Prioritization & Public Preference Plan |
| 09/08/2020 | 836396 | DT Blgs Partnership | Tax Incrmnt N 27 | $ 23,286.75 | Urban Revitalization District Operating Agreement |
| 09/08/2020 | 836397 | Ennis-Flint Inc. | Street/Traffic | $ 3,325.32 | heat tape per attached quote |
| 09/08/2020 | 836402 | First Am Title | CDBG | $ 15,000.00 | FTHB Troy Rice 508 South 33rd |
| 09/08/2020 | 836403 | First Montana Title | CDBG | $ 15,000.00 | FTHB Dennis Sinquah 523 Terry |
| 09/08/2020 | 836408 | Great West Eng | Solid Waste | $ 1,151.50 | WO 19-19 Landfill Cells 3&4 Partial Closure; 22100 Pmt 14 |
| 09/08/2020 | 836408 | Great West Eng | Solid Waste | $ 1,473.50 | WO 19-19 Landfill Cells 3&4 Partial Closure; 22311 Pmt 15 |
| 09/08/2020 | 836408 | Great West Eng | Solid Waste | $ 2,242.55 | WO 20-46 Lanfill Compost Facility; 22206 Pmt 1 |
| 09/08/2020 | 836410 | Guardian Security | Library | $ 7,128.80 | 594 August 2020 Security service for the Library |
| 09/08/2020 | 836411 | Gulledge Consulting | General | $ 2,750.00 | Inv. #25 Gulledge Consulting July |
| 09/08/2020 | 836412 | Hanna Const | Park Dist 1 | $ 27,764.55 | curbing and sidewalk for Rose Park - 2736 |
| 09/08/2020 | 836415 | HDR, Inc. | Water | $ 3,041.08 | WO 18-23 Water Master Plan Update; 1200289383 Pmt 19 |
| 09/08/2020 | 836415 | HDR, Inc. | Water | $ 3,602.57 | WO 20-20 Walter Pump Station Addition; 1200289385 Pmt 6 |
| 09/08/2020 | 836416 | High Point Networks | IT Resources | $ 10,380.00 | 2-EX3400-48P POE switch -Front to back air flow -Use at Comm. Center |
| 09/08/2020 | 836416 | High Point Networks | Transit | $ 1,141.00 | Juniper Switch EX-2300 12 port -MET |
| 09/08/2020 | 836419 | Hydrotech | Water | $ 21,875.00 | Temporary Water for Water Main Pipeburst Project-South 39th St Area |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 22.00 | 47003022 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 305.08 | 47003022 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 21.22 | 47029316 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 330.16 | 47029317 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 8.97 | 47029317 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 112.74 | 47029317 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 9.20 | 47054468 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 67.12 | 47054469 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 132.19 | 47056607 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 325.54 | 47103344 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 26.34 | 47103345 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 7.35 | 47103345 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 17.10 | 47107997 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 11.20 | 47107998 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 31.25 | 47108000 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 16.51 | 47140574 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 32.29 | 47226969 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 10.02 | 47226970 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 21.99 | 47226971 |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 4.79 | 47226972 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 41.12 | 47226973 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 9.60 | 47226974 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 27.60 | 47226975 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 26.29 | 47226976 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 18.59 | 47252869 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 15.34 | 47252870 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 60.75 | 47252870 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 48.37 | 47252871 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 159.47 | 47252872 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 136.04 | 47252872 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 876.77 | 47252872 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 70.75 | 47340637 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 54.54 | 47340638 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 38.91 | 47340638 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 22.06 | 47340639 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 3.59 | 47390433 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 57.90 | 47390434 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 16.52 | 47390435 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 54.62 | 47390435 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 5.30 | 47390435 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 66.07 | 47390436 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 16.52 | 47390436 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 26.52 | 47390438 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 29.68 | 47416929 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 8.99 | 47416929 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 16.51 | 47416930 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 20.34 | 47416931 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 73.89 | 47441434 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 16.52 | 47441435 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 228.03 | 47441435 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 81.57 | 47441435 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 18.38 | 47441436 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 23.68 | 47441436 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 11.79 | 47441436 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 246.83 | 47441436 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 27.59 | 47621509 |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 16.51 | 46967967 Foundation donation for board member |
| 09/08/2020 | 836422 | Ingram Library Service | Library | $ 153.00 | 47140575 One Book Billings |
| 09/08/2020 | 836424 | Invoice Cloud | Building | $ 90.16 | 1703-2020-7; BILLER PORTAL ACCESS FEE |
| 09/08/2020 | 836424 | Invoice Cloud | City Ins Fund | $ 1.44 | 1703-2020-7; BILLER PORTAL ACCESS FEE |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/08/2020 | 836424 | Invoice Cloud | Parking | $ 18.01 | 1703-2020-7; BILLER PORTAL ACCESS FEE |
| 09/08/2020 | 836424 | Invoice Cloud | Solid Waste | $ 7,607.05 | 1703-2020-7; BILLER PORTAL ACCESS FEE |
| 09/08/2020 | 836424 | Invoice Cloud | Wastewater | $ 9,744.24 | 1703-2020-7; BILLER PORTAL ACCESS FEE |
| 09/08/2020 | 836424 | Invoice Cloud | Water | $ 11,463.81 | 1703-2020-7; BILLER PORTAL ACCESS FEE |
| 09/08/2020 | 836426 | Jacobs Engineering | Gas Tax | $ 1,651.50 | Asset Management Program Project; F9Z0930006 |
| 09/08/2020 | 836426 | Jacobs Engineering | Light Maint | $ 1,651.50 | Asset Management Program Project; F9Z0930006 |
| 09/08/2020 | 836426 | Jacobs Engineering | Storm Sewer | $ 3,303.00 | Asset Management Program Project; F9Z0930006 |
| 09/08/2020 | 836426 | Jacobs Engineering | Street/Traffic | $ 4,954.50 | Asset Management Program Project; F9Z0930006 |
| 09/08/2020 | 836426 | Jacobs Engineering | Wastewater | $ 10,734.76 | Asset Management Program Project; F9Z0930006 |
| 09/08/2020 | 836426 | Jacobs Engineering | Water | $ 10,734.76 | Asset Management Program Project; F9Z0930006 |
| 09/08/2020 | 836427 | Kadrmas Lee & Jackson | Water | $ 3,349.00 | WO 19-01 South Side Triangle Water Main Replacemen-Pmt 16 |
| 09/08/2020 | 836428 | KLE Construction | Solid Waste | $ 2,920.50 | WO 20-05 Billings Landfill Road Rehabilitation; Pmt 3 |
| 09/08/2020 | 836429 | Knife River | Street/Traffic | $ 2,453.55 | inv#704353 asphalt |
| 09/08/2020 | 836429 | Knife River | Street/Traffic | $ 779.52 | inv#704595 asphalt |
| 09/08/2020 | 836429 | Knife River | Street/Traffic | $ 2,922.70 | inv#705005 asphalt |
| 09/08/2020 | 836429 | Knife River | Street/Traffic | $ 2,302.30 | inv#705434 asphalt |
| 09/08/2020 | 836429 | Knife River | Street/Traffic | $ 40.00 | inv#705597 3/4" bedding rock |
| 09/08/2020 | 836429 | Knife River | Street/Traffic | $ 40.00 | inv#705598 3/4" bedding rock |
| 09/08/2020 | 836429 | Knife River | Street/Traffic | $ 3,790.08 | inv#705627 asphalt |
| 09/08/2020 | 836429 | Knife River | Street/Traffic | $ 67.76 | inv#705778 asphalt |
| 09/08/2020 | 836432 | KTVQ Communication | P.W. Admin | $ 4,475.00 | All-inclusive strategic planning, create,production |
| 09/08/2020 | 836432 | KTVQ Communication | P.W. Admin | $ 400.00 | All-inclusive strategic planning, create,production |
| 09/08/2020 | 836432 | KTVQ Communication | P.W. Admin | $ 5,000.00 | All-inclusive strategic planning, create,production |
| 09/08/2020 | 836445 | Midwest Tape | Library | $ 364.32 | 99146175 |
| 09/08/2020 | 836445 | Midwest Tape | Library | $ 254.84 | 99146176 |
| 09/08/2020 | 836445 | Midwest Tape | Library | $ 362.81 | 99146177 |
| 09/08/2020 | 836445 | Midwest Tape | Library | $ 14.99 | 99174865 |
| 09/08/2020 | 836445 | Midwest Tape | Library | $ 26.24 | 99198060 |
| 09/08/2020 | 836445 | Midwest Tape | Library | $ 63.72 | 99198061 |
| 09/08/2020 | 836445 | Midwest Tape | Library | $ 26.23 | 99229378 |
| 09/08/2020 | 836445 | Midwest Tape | Library | $ 61.15 | 99229379 |
| 09/08/2020 | 836445 | Midwest Tape | Library | $ 114.70 | 99229379 |
| 09/08/2020 | 836445 | Midwest Tape | Library | $ 12.74 | 99229681 |
| 09/08/2020 | 836445 | Midwest Tape | Library | $ 598.16 | 99229681 |
| 09/08/2020 | 836445 | Midwest Tape | Library | $ 68.21 | 99254893 |
| 09/08/2020 | 836445 | Midwest Tape | Library | $ 69.24 | 99254893 |
| 09/08/2020 | 836445 | Midwest Tape | Library | $ 24.58 | 99254894 |
| 09/08/2020 | 836445 | Midwest Tape | Library | $ 24.58 | 99254894 |
| 09/08/2020 | 836445 | Midwest Tape | Library | $ 182.16 | 99254894 |
| 09/08/2020 | 836445 | Midwest Tape | Library | $ 182.16 | 99254894 |
| 09/08/2020 | 836445 | Midwest Tape | Library | $ 172.38 | 99254896 |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/08/2020 | 836445 | Midwest Tape | Library | $ 199.40 | 99254897 |
| 09/08/2020 | 836445 | Midwest Tape | Library | $ 67.44 | 99254898 |
| 09/08/2020 | 836449 | Montana Dakota Utilities | Fleet | $ 5,113.34 | 09112020 PO NUM 311002 |
| 09/08/2020 | 836451 | Morrison Maierle | Airport | $ 55,872.77 | AIP-65 Terminal Expansion Project Engineering - CA - Federal Share |
| 09/08/2020 | 836451 | Morrison Maierle | Airport | $ 4,726.76 | AIP-65 Terminal Expansion Project Engineering - CA - Not Eligible |
| 09/08/2020 | 836451 | Morrison Maierle | Airport | $ 18,071.20 | Terminal Expansion Project-Terminal Security-Design-Federal Share |
| 09/08/2020 | 836451 | Morrison Maierle | Airport | $ 1,528.80 | Terminal Expansion Project-Terminal Security-Design-Local Share |
| 09/08/2020 | 836451 | Morrison Maierle | Wastewater | $ 33,052.53 | WO 20-01 Water/Sewer Replacement Project; 205189 Pmt 8 |
| 09/08/2020 | 836452 | Moulton Bellingham | General | $ 19,403.57 | Inv. #137390 Houser et al v. COB WWFF |
| 09/08/2020 | 836452 | Moulton Bellingham | General | $ 10,590.00 | Inv.#137392 County Water District Heights Contract Dispute |
| 09/08/2020 | 836452 | Moulton Bellingham | General | $ 5,536.07 | Inv.#137393 McDaniel v. COB |
| 09/08/2020 | 836448 | MT Broom & Brush Co | Facilities | $ 1,400.99 | Lux Electrostatic Backpack Cordless Sprayers |
| 09/08/2020 | 836448 | MT Broom & Brush Co | Facilities | $ 1,400.99 | Lux Electrostatic Backpack Cordless Sprayers |
| 09/08/2020 | 836453 | MT Waterworks | Water | $ 355.98 | 3/4" CC X COMP CORP STOP |
| 09/08/2020 | 836453 | MT Waterworks | Water | $ 9,408.00 | 3/4" METER LOOPS AKA YOKE |
| 09/08/2020 | 836453 | MT Waterworks | Water | $ 253.90 | 6" X 3/4" SADDLE DOUBLE BAND - CAST IRON |
| 09/08/2020 | 836455 | NeighborWorks MT | CDBG | $ 4,777.40 | Reimbursement request #1_NWMT C & C Project |
| 09/08/2020 | 836456 | NorthWestern Energy | Library | $ 12,185.64 | 3039007-4 Library electricity August 2020 |
| 09/08/2020 | 836457 | Northwestern Energy | Park Dist 1 | $ 19,717.34 | North Park irrigation |
| 09/08/2020 | 836460 | Pioneer Tech Service | Solid Waste | $ 4,251.44 | WO 18-32 Landfill Slope Stability; 14091 Pmt 10 |
| 09/08/2020 | 836464 | Purvis Industries | Transit | $ 286.32 | 30189918 |
| 09/08/2020 | 836464 | Purvis Industries | Transit | $ 12.46 | 30202521 |
| 09/08/2020 | 836464 | Purvis Industries | Transit | $ 336.64 | 30202522 |
| 09/08/2020 | 836464 | Purvis Industries | Wastewater | $ 2,489.04 | 30199426; ROLLERS FOR SLUDGE CONVEYERS |
| 09/08/2020 | 836469 | Sanderson Stewart | Water | $ 23,346.60 | WO 19-01 Water/Sewer Replacement Project; 48616 Pmt 21 |
| 09/08/2020 | 836470 | Schaefer Systems | Solid Waste | $ 25,254.00 | 90-100 gallon refuse carts |
| 09/08/2020 | 836477 | Star Service Inc | Solid Waste | $ 15,753.25 | Labor & materials to bring Sauer technician in to fix 2 compressors. |
| 09/08/2020 | 836477 | Star Service Inc | Solid Waste | $ 5,775.75 | Labor & materials to bring Sauer technician in to fix 2 compressors. |
| 09/08/2020 | 836477 | Star Service Inc | Solid Waste | $ 440.00 | Service labor & materials to change out owner provided gauge on fill station |
| 09/08/2020 | 836479 | Stevens Brothers | Facilities | $ 1,142.75 | Steam Boiler yearly inspection.  City Hall |
| 09/08/2020 | 836479 | Stevens Brothers | Water | $ 2,795.00 | B20021; CUMMINS METER VAULT |
| 09/08/2020 | 836480 | Stewart Title | CDBG | $ 15,000.00 | FTHB Michael Goerl 17 Jackson |
| 09/08/2020 | 836484 | Terracon Consultants | Gas Tax | $ 5,445.00 | WO 20-03 2020 City Overlay/Chip Seal Contract 1 & 2; TE4303 |
| 09/08/2020 | 836488 | Town & Country Supply | Fleet | $ 7,466.00 | 410753 PO NUM 311027 |
| 09/08/2020 | 836488 | Town & Country Supply | Fleet | $ 7,590.95 | 411751 PO NUM 311027 |
| 09/08/2020 | 836490 | Truth2Lies Analysis | Public Safety | $ 2,800.00 | Truth2Lies invoice 2020-0019, Statement Profiling training |
| 09/08/2020 | ACH | U.S. Bank  PCards | Airport | $ 75.00 | A1 Jds Lock - PCard |
| 09/08/2020 | ACH | U.S. Bank  PCards | Airport | $ 594.00 | A1 Jds Lock - PCard |
| 09/08/2020 | ACH | U.S. Bank  PCards | Airport | $ 658.50 | Aerotronics Inc Tfbo - PCard |
| 09/08/2020 | ACH | U.S. Bank  PCards | Airport | $ 625.00 | Aerotronics Inc Tfbo - PCard |
| 09/08/2020 | ACH | U.S. Bank  PCards | Airport | $ 504.30 | Airside Solutions, Inc - PCard |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 130.00 | Als Bootery And Repair Sh - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 130.00 | Als Bootery And Repair Sh - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 65.30 | Amazon.Com*Mf4O670Q0 Amzn - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 45.50 | Amazon.Com*Mf56W0A42 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 135.76 | Amazon.Com*Mf9Vz9O80 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 99.98 | Amazon.Com*Mm4Qr4Tz2 Amzn - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 14.99 | Amzn Mktp Us*Mf1Ym22O2 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 29.54 | Amzn Mktp Us*Mv1B45Bu1 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 1,690.00 | Armacost Trane Service Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 424.00 | Big Sky Fire Equipment - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 257.04 | Buildersfirstsource64021 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 132.67 | C&B Billings - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 63.58 | Carquest 3103 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 295.00 | Civil Air Patrol Magazine - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 55.98 | Dt *Duluth Trading Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 73.99 | Dtv*Directv Service - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 216.00 | Ecolab Pest As400 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 113.92 | Ecolab Pest Cs - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 97.13 | Ecolab Pest Cs - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 97.13 | Ecolab Pest Cs - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 172.08 | Ecolab Pest Cs - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 107.92 | Ecolab Pest Cs - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 107.92 | Ecolab Pest Cs - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 172.08 | Ecolab Pest Cs - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 113.92 | Ecolab Pest Cs - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 205.00 | Empire Heating And Coolin - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 134.00 | Energy Laboratories Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 26.46 | Evergreen Ace Hardware - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 1,065.32 | Ferguson Ent #3027 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 62.38 | Fishers Technology - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 141.90 | Frontier Fence - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 142.98 | Galls - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 613.84 | Galls - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 81.20 | Grainger - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 17.01 | Grainger - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 328.84 | Grainger - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 32.99 | Grainger - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 441.00 | Grainger - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 22.05 | Grainger - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 32.99 | Grainger - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 16.50 | Grainger - PCard |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 132.00 | Graphic Imprints - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 169.92 | Graybar Electric - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 2,005.82 | H&E Equipment Services - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 100.00 | Historical Society-Gift - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 56.69 | Hose & Rubber Supply - Bi - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 701.20 | Ideal Manufacturing Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 75.00 | In *Cotter'S Sewer, Septi - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 301.77 | In *Ecosolutions - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 1,310.00 | In *Mjr Industries Inc. - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 1,555.00 | In *Mjr Industries Inc. - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 1,750.00 | In *Mjr Industries Inc. - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 703.60 | Johnson Controls Ss - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 470.40 | Johnson Controls Ss - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 1,890.00 | Johnson Controls Ss - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 629.00 | Kb Commercial Products - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 431.00 | Kb Commercial Products - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 75.36 | Ln Curtis - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 1,518.13 | Long Bldg. Technologies - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 15.78 | Lowes #00319* - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 53.36 | Lowes #00319* - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 205.00 | Lp Anderson Point S Tire - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 1,929.05 | M-B Companies, Inc. - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 250.00 | Meadow Green Sales - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 47.84 | Mfcp Billings - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 19.56 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 1,117.61 | Montana Broom & Brush Co1 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 518.09 | Montana Broom & Brush Co1 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 565.32 | Montana Broom & Brush Co1 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 739.42 | Montana Broom & Brush Co1 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 310.02 | Montana Broom & Brush Co1 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 53.76 | Montana Broom & Brush Co1 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 980.02 | Montana Broom & Brush Co1 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 271.08 | Napa Store 3547001 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 21.77 | Napa Store 3547001 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 305.17 | Northwest Pipe Fittings, - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 2,048.86 | Nwestco - 003 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ (145.00) | Oes Global Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 1,740.00 | Oes Global Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 560.00 | Oes Global Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 1,214.36 | Ostlund'S Fire Protecti - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 567.50 | Pp*Zeecreativeinc - PCard |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 64.00 | Pp*Zeecreativeinc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 23.50 | Redd'S Prints And Signs I - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 228.65 | Redd'S Prints And Signs I - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 187.00 | Ropane Serv *Product - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 273.03 | Safety Kleen Corp - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 28.20 | Schnitzer Steel Billings - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 50.99 | Schnitzer Steel Billings - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 134.97 | Shiptons Big R Heights - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 44.99 | Shipton'S Big R-East - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 179.96 | Shipton'S Big R-East - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 44.99 | Shipton'S Big R-East - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 599.95 | Sp * Maxxpacks.Com - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 104.50 | Spic And Span - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 57.50 | Spic And Span - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 1,669.88 | State Chemic*State Che - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 459.98 | State Chemic*State Che - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 453.08 | Stericycle - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 251.53 | Tacoma Screw Products B - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 27.77 | Tacoma Screw Products B - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ (153.00) | The Iris Companies - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 540.00 | Toshiba Business Solutio - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 39.98 | Tractor-Supply-Co #0303 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 69.99 | Tractor-Supply-Co #0303 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 1,000.00 | Transportation Security - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 2,000.00 | Transportation Security - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 337.50 | Tw Enterprises - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 1,740.00 | Wilbur Ellis Billings - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 1,319.57 | Yellowstone Electric Comp - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Airport | $ 15.55 | Zoom.Us - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Building | $ 54.01 | Amazon.Com*Mm1Hd0Cl2 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Building | $ 29.49 | Amazon.Com*Mm5N77A81 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Building | $ 128.04 | Amzn Mktp Us*Mf8Qq9T71 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Building | $ 22.99 | Amzn Mktp Us*Mv0Gt2Rl2 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Building | $ 6.59 | Amzn Mktp Us*Mv0Pm47N2 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Building | $ 21.99 | Amzn Mktp Us*Mv0X869S2 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Building | $ 9.99 | Amzn Mktp Us*Mv57D2Rw0 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Building | $ 124.58 | Amzn Mktp Us*Mv5A04Yn0 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Building | $ 22.46 | Costco Whse #0069 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Building | $ 12.49 | Costco Whse #0069 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Building | $ 219.00 | Int'L Code Council Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Building | $ 175.00 | Nfpa Natl Fire Protect - PCard |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/08/2020 | ACH | U.S. Bank PCards | CDBG | $ 113.77 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | CDBG | $ 21.25 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | CDBG | $ 6.47 | Albertsons #0047 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | CDBG | $ 38.16 | Albertsons #0047 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | CDBG | $ 4.99 | Albertsons #0047 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | CDBG | $ 43.67 | Amazon.Com*Mf9Xz9E91 Amzn - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | CDBG | $ 31.15 | Amazon.Com*Mm6Qa9T81 Amzn - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | CDBG | $ 25.55 | Amazon.Com*Mv9Ou0Wd2 Amzn - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | CDBG | $ 25.98 | Amzn Mktp Us*Mf0Mc2Rr2 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | CDBG | $ 45.47 | Amzn Mktp Us*Mf37M9Cb0 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | CDBG | $ 28.36 | Amzn Mktp Us*Mf6Qj20Q0 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | CDBG | $ 122.92 | Amzn Mktp Us*Mm7Sc5Ti1 Am - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | CDBG | $ 41.64 | Amzn Mktp Us*Mv4Ih27K1 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | CDBG | $ 10.90 | Amzn Mktp Us*Mv4Ih27K1 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | CDBG | $ 43.98 | Amzn Mktp Us*Mv6Dh71I2 Am - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | CDBG | $ 12.95 | Canva* 02766-9529136 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | CDBG | $ 36.95 | Credit Technologies, Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | CDBG | $ 36.95 | Credit Technologies, Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | CDBG | $ 8.00 | Don'S Car Wash - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | CDBG | $ 83.20 | Doordash*Blaze Pizza - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | CDBG | $ 33.60 | Imperial Thai Cuisine - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | CDBG | $ 500.00 | Sanderson Stewart - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | CDBG | $ 16.97 | Scheels Billings - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | CDBG | $ 900.00 | Smk*Surveymonkey.Com - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | CDBG | $ 164.30 | Topz Sandwich Company St - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | CDBG | $ 22.50 | Western Awards & Engravin - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Central Services | $ 189.20 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Court Grants | $ 90.00 | Allegra - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Court Grants | $ 65.00 | City Of Billings Park An - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Court Grants | $ 73.98 | Office Depot #450 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Court Grants | $ 17.97 | Target 00001719 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Court Grants | $ 15.55 | Zoom.Us - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Engineering | $ 15.70 | Amazon.Com*Mf9Z21Ef0 Amzn - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Engineering | $ 18.59 | Amzn Mktp Us*Mf5L951H0 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Engineering | $ 22.79 | Amzn Mktp Us*Mv0Rq8Uu2 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Engineering | $ 80.00 | City Of Billiings Buildin - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Engineering | $ 214.70 | Cor Enterprises - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Engineering | $ 0.09 | Fishers Technology - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Engineering | $ 46.40 | Fps/Mountain Alarm - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Engineering | $ 36.00 | Fps/Mountain Alarm - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Engineering | $ 36.75 | Selby'S - PCard |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/08/2020 | ACH | U.S. Bank PCards | Engineering | $ 645.00 | Terracon Consultants Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Engineering | $ 15.55 | Zoom.Us - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Facilities | $ 80.00 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Facilities | $ 160.00 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Facilities | $ 14.99 | Adobe *800-833-6687 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Facilities | $ 591.72 | Air Controls-Billings - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Facilities | $ 1,350.00 | Creative Monograms Smb - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Facilities | $ 151.20 | Ecolab Pest As400 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Facilities | $ 33.56 | Evergreen Ace Hardware - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Facilities | $ 7.99 | Evergreen Ace Hardware - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Facilities | $ 4.99 | Fedex Offic16000016089 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Facilities | $ 12.50 | Fps/Mountain Alarm - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Facilities | $ 75.00 | Fps/Mountain Alarm - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Facilities | $ 217.26 | Grainger - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Facilities | $ 14.84 | Grainger - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Facilities | $ 156.97 | Grainger - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Facilities | $ 229.82 | Hanson Chemical - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Facilities | $ 73.74 | Hanson Chemical - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Facilities | $ 13.98 | Harbor Freight Tools 207 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Facilities | $ 22.31 | Heartland Paper Company - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Facilities | $ 99.72 | Heartland Paper Company - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Facilities | $ 44.62 | Heartland Paper Company - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Facilities | $ 637.00 | Kone, Inc. - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Facilities | $ 8.24 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Facilities | $ 649.50 | Midland Mechanical Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Facilities | $ 165.00 | Rgp*Trugreen - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Facilities | $ 920.00 | Sq *Skyline Service - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Facilities | $ 68.75 | The Home Depot #3101 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Fire Grants | $ 849.95 | Costco Whse #0069 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Fleet | $ 48.95 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Fleet | $ 119.98 | Harbor Freight Tools 207 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Fleet | $ 439.99 | Harbor Freight Tools 207 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Fleet | $ 1,728.00 | Mitchell1/Snap-On Us - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Fleet | $ 432.00 | Mt Dor Revenue Pmt - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Fleet | $ 43.78 | Yellowstone County Treas - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 103.36 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 190.22 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 95.40 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 92.22 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 31.99 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 5.13 | 360 Office Solutions Inc - PCard |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ (108.13) | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 15.03 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 180.05 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 38.00 | Aaim - Services - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 555.00 | Absaroka River Adventures - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 655.00 | Absaroka River Adventures - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 480.00 | Absaroka River Adventures - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 52.99 | Adobe Creative Cloud - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 29.99 | Adobe Creative Cloud - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 52.99 | Adobe Creative Cloud - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 33.02 | Adobe Creative Cloud - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 14.99 | Adobe Pdf Pack Subs - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 3.52 | Albertsons #0038 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 16.01 | Albertsons #0038 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 3.18 | Albertsons #0038 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 40.97 | Albertsons #0038 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 21.65 | Albertsons #0038 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 5.98 | Albertsons #0038 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 29.61 | Albertsons #0038 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 13.89 | Albertsons #0038 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 6.12 | Albertsons #0038 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 19.54 | Albertsons #0038 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 9.16 | Albertsons #0038 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 29.02 | Albertsons #0038 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 81.29 | Albertsons #1227 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 18.98 | Albertsons #4025 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 6.49 | Albertsons #4025 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 14.94 | Albertsons #4025 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 20.66 | Albertsons #4025 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 13.96 | Albertsons #4025 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 4.68 | Albertsons #4025 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 16.14 | Albertsons #4041 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 42.72 | Alsco Inc. - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 36.76 | Amazon.Com*Mf6993Jh1 Amzn - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 318.52 | Amazon.Com*Mf9Vl4No1 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 138.64 | Amazon.Com*Mv2644Mb2 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 166.89 | Amazon.Com*Mv34W5B71 Amzn - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 49.98 | Amazon.Com*Mv4Nq2Hm0 Amzn - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 205.40 | Amazon.Com*Mv54O2Ma0 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 76.00 | American Red Cross - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 108.74 | Amzn Mktp Us*Mf0Tj70Z2 - PCard |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 33.22 | Amzn Mktp Us*Mf1Yc2Ot0 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 19.97 | Amzn Mktp Us*Mf2R52092 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 80.32 | Amzn Mktp Us*Mf4Sc49N2 Am - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 377.80 | Amzn Mktp Us*Mf5S95Gt0 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 17.30 | Amzn Mktp Us*Mf6Mm5E82 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 18.37 | Amzn Mktp Us*Mf9O207C1 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 58.99 | Amzn Mktp Us*Mm6Af6Z91 Am - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 8.39 | Amzn Mktp Us*Mm6Af6Z91 Am - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 117.74 | Amzn Mktp Us*Mv0V809Q2 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 12.99 | Amzn Mktp Us*Mv1Cr27E1 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 45.00 | Amzn Mktp Us*Mv1Um3Mp2 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 44.92 | Amzn Mktp Us*Mv2Wa29N0 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 26.11 | Amzn Mktp Us*Mv56I9Wl2 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 24.99 | Amzn Mktp Us*Mv6Qj0D01 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 45.99 | Amzn Mktp Us*Mv7469St0 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 502.84 | Amzn Mktp Us*Mv7Gf9Yq0 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 26.37 | Amzn Mktp Us*Mv95B6Mu0 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 220.02 | Amzn Mktp Us*Mv9Cs5G82 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 69.00 | Bighorn Boots - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 6.63 | Billings Hardware & Ga - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 23.92 | Billings Hardware & Ga - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 433.00 | Billings Ink And Toner, I - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 74.75 | Buddy Punch - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 74.75 | Buddy Punch - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 74.75 | Buddy Punch - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 74.75 | Buddy Punch - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 19.45 | Ciox Health - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 137.75 | City Of Billings Park An - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 120.00 | Clr*9Round 406-6905681 Mt - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 3.98 | Conoco - Dons Xpress Cent - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 22.44 | Costco Whse #0069 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 30.98 | Costco Whse #0069 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 74.84 | Costco Whse #0069 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 505.37 | Dickeys Barbecue Pit - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 5.00 | Dollar Tree - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 29.00 | Dollar Tree - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 18.00 | Dollar Tree - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 8.00 | Dollar Tree - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 32.40 | Dxp Enterprises - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 465.00 | Elk River Outfitters - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 93.00 | Elk River Outfitters - PCard |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 465.00 | Elk River Outfitters - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 5.00 | Facebk *Uzt7Rvwvj2 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 35.00 | Facebk *Ywxjxu6Vj2 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 35.69 | Fedex 94609830 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 84.17 | Fishers Technology - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 81.69 | Fishers Technology - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 229.61 | Fishers Technology - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 372.00 | Fps/Mountain Alarm - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 567.00 | Get Air Billings, Llc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 462.00 | Get Air Billings, Llc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 284.81 | Get Air Billings, Llc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 175.00 | Get Air Billings, Llc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 65.75 | Gih*Globalindustrialeq - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 135.00 | Government Finance Offic - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 104.91 | Hanson Chemical - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 116.09 | Hanson Chemical - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 107.43 | Hanson Chemical - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 91.25 | Hanson Chemical - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 9.99 | Heights Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 21.97 | Heights Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 2.19 | Holiday Stations 0108 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 6.57 | Holiday Stations 0731 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 93.48 | Idu*Insight Public Sec - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 1,175.59 | Idu*Insight Public Sec - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 1,346.50 | In *Thompson Pools - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 127.00 | In *Thompson Pools - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 165.56 | Jj Amusements - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 17.76 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 59.99 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 18.36 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 5.39 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 57.93 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 32.38 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 12.99 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 181.46 | Knife River 5601 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 126.63 | Knife River 5601 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 12.98 | Lowes #00319* - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 6.75 | Lowes #00319* - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 37.14 | Meadow Green Sales - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 79.39 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 29.21 | Midland Implement Co - PCard |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 343.80 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 201.00 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 19.17 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 424.00 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 153.00 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 125.00 | Montanasocietyofcertified - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 175.00 | Montanasocietyofcertified - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ (14.29) | Napa Store 3547007 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 42.87 | Napa Store 3547007 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 89.94 | Office Depot #1080 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 19.99 | Office Depot #2135 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 25.98 | Office Depot #2135 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 16.99 | Office Depot #2135 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 63.68 | Office Depot #450 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 47.49 | Office Depot #450 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 87.98 | Office Depot #450 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 9.48 | O'Reilly Auto Parts 1549 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 10.99 | O'Reilly Auto Parts 1751 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 14.97 | O'Reilly Auto Parts 1751 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 81.60 | O'Reilly Auto Parts 1751 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 10.49 | O'Reilly Auto Parts 1751 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 150.00 | Paypal *Goscma - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 150.00 | Paypal *Goscma - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 15.99 | Paypal *Udemy - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 2,119.60 | Pepsicola Bottling Compan - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 30.00 | Pepsicola Bottling Compan - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 60.46 | Pizza Hut #1714 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 28.54 | Samsclub #4805 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 59.99 | Scheels Billings - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 50.94 | Sherwin Williams 703203 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 158.00 | Shiptons Big R Heights - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 52.99 | Shipton'S Big R-East - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 11.99 | Shipton'S Big R-East - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 138.00 | Skate World - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 144.00 | Skate World - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 228.00 | Skate World - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 37.00 | Smk*Surveymonkey.Com - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 154.00 | Sp * Zoomontana - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 79.99 | Spectrum - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 123.75 | Sq *Billings - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 220.00 | Sq *Clint Lunde - PCard |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 140.00 | Sq *The Grand Escape Room - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 25.00 | Sq *The Grand Escape Room - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 195.00 | Sq *The Grand Escape Room - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ (35.00) | Sq *The Grand Escape Room - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 25.00 | Sq *The Grand Escape Room - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ (35.00) | Sq *The Grand Escape Room - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ (40.00) | Sq *The Grand Escape Room - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ (40.00) | Sq *The Grand Escape Room - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 160.00 | Sq *The Grand Escape Room - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 140.00 | Sq *The Grand Escape Room - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 160.00 | Sq *The Grand Escape Room - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 60.00 | Steepworld Climbing & - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 195.00 | Sunset Bowl - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 107.25 | Sunset Bowl - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 195.00 | Sunset Bowl - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 154.00 | Sunset Bowl - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 136.50 | Sunset Bowl - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 3.85 | Tacoma Screw Products B - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 54.62 | Tacoma Screw Products B - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 81.89 | Tacoma Screw Products B - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 47.99 | Target 00001719 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 12.49 | Target 00001719 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 19.99 | Target 00013334 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 16.00 | Target 00013334 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 4.00 | Target 00013334 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 99.95 | The Base Camp - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 220.00 | The Big Horn Resort - Bil - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 180.00 | The Big Horn Resort - Bil - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 30.00 | The Big Horn Resort - Bil - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 120.00 | The Big Horn Resort - Bil - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 61.00 | Tire Rama 101 Bc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 74.00 | Toner Buzz - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 9.57 | U-Haul Moving & Storage A - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 10.21 | U-Haul Moving & Storage A - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 84.90 | United States Profession - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 279.34 | Valley Distributing Of - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 291.42 | Valley Distributing Of - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 1,083.23 | Valley Distributing Of - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 30.90 | Valley Distributing Of - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 237.86 | Valley Distributing Of - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 85.86 | Wal-Mart #1956 - PCard |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 94.12 | Wal-Mart #1956 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 23.10 | Wal-Mart #1956 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 39.80 | Wal-Mart #2923 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 36.88 | Wal-Mart #2923 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 17.91 | Wal-Mart #2923 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 25.00 | Wheniwork.Com - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 29.75 | Wheniwork.Com - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 108.90 | Wheniwork.Com - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 25.00 | Wheniwork.Com - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 12.86 | Wheniwork.Com - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 9.88 | Wm Supercenter #1956 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 48.97 | Wm Supercenter #1956 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 37.10 | Wm Supercenter #1956 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 15.90 | Wm Supercenter #1956 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 91.17 | Wm Supercenter #1956 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 19.79 | Wm Supercenter #1956 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 55.87 | Wm Supercenter #1956 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 53.00 | Wm Supercenter #2923 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 131.38 | Wm Supercenter #2923 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 57.65 | Wm Supercenter #2923 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 17.59 | Wm Supercenter #2923 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 45.00 | Yellowstone Art Museum - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 45.00 | Yellowstone Art Museum - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 87.56 | Yellowstone County Treas - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 23.00 | Ywhc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 16.00 | Zeecreativeinc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 138.00 | Zeecreativeinc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 57.06 | Zoom.Us - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 15.55 | Zoom.Us - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 15.55 | Zoom.Us - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 15.55 | Zoom.Us - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 15.55 | Zoom.Us - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | General | $ 46.10 | Zoom.Us - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | IT Resources | $ 1,821.72 | 1Password - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | IT Resources | $ 63.60 | Amzn Mktp Us*Mf88T79I0 Am - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | IT Resources | $ 39.99 | Amzn Mktp Us*Mm19A6Hq1 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | IT Resources | $ 19.99 | Amzn Mktp Us*Mm8Cp0N22 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | IT Resources | $ 75.94 | Amzn Mktp Us*Mv40R9130 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | IT Resources | $ (5,091.78) | Duo*Com - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | IT Resources | $ (727.73) | Duo*Com - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | IT Resources | $ 34.50 | Fps/Mountain Alarm - PCard |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/08/2020 | ACH | U.S. Bank PCards | IT Resources | $ 15.55 | Zoom.Us - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Legal Grants | $ (495.00) | Alliance For Hope Interna - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Legal Grants | $ (495.00) | Alliance For Hope Interna - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Legal Grants | $ (243.81) | Intercontinental San Die - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Legal Grants | $ (243.81) | Intercontinental San Die - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 56.44 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 100.99 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 444.89 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 20.29 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 14.31 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 14.76 | Albertsons #0047 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 31.26 | Amazon.Com*Mf74B5Oi1 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 11.99 | Amazon.Com*Mv0R93I30 Amzn - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 19.98 | Amzn Mktp Us*Mf0Eq4Gd2 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 57.46 | Amzn Mktp Us*Mf0H46X00 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 209.44 | Amzn Mktp Us*Mf2Gh47F1 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 21.23 | Amzn Mktp Us*Mf6Od89D2 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 352.38 | Amzn Mktp Us*Mf7Ui1Ab1 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 31.98 | Amzn Mktp Us*Mf7W85S61 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 34.98 | Amzn Mktp Us*Mm0Ma6Xk1 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 15.99 | Amzn Mktp Us*Mm0Nm4Fl2 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 11.99 | Amzn Mktp Us*Mm64E1Ge1 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 15.99 | Amzn Mktp Us*Mm64E1Ge1 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 47.95 | Amzn Mktp Us*Mm7Ks4Xy1 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 169.95 | Amzn Mktp Us*Mm7Ky43X2 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 29.07 | Amzn Mktp Us*Mm7Xy1Xm1 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 437.96 | Amzn Mktp Us*Mv0T36E30 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 19.48 | Amzn Mktp Us*Mv42H8Wp2 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 16.17 | Amzn Mktp Us*Mv8891H52 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 63.00 | Batteries+Bulbs #0253 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 12.95 | Canva* 02777-0137869 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 283.60 | Econo Print - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 357.06 | Fabricators Unlimited Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 1.85 | Fishers Technology - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 1,170.52 | Fps/Mountain Alarm - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 245.00 | High Point Networks, Llc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 141.56 | Kb Commercial Products - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 333.29 | Kb Commercial Products - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 6.98 | Laurel Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 480.00 | Protech Mechanical Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 35.79 | Sams Club #4805 - PCard |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 24.16 | Samsclub #4805 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 29.50 | Sp * Capguard.Us - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 104.00 | Sq *Yellowstone County Ne - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 54.00 | Techsoup - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 660.40 | Trafficsafetywarehouse - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 35.00 | Usps Po 2907800103 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 80.00 | Vannoy Metal Works - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 60.33 | Wal-Mart #1956 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 42.92 | Wal-Mart #2923 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 32.94 | Wm Supercenter #1956 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Library | $ 60.00 | Wsu Mrktplace - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | P.W. Admin | $ 235.00 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | P.W. Admin | $ 8.41 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | P.W. Admin | $ 39.08 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | P.W. Admin | $ 118.00 | Accounting Professional E - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | P.W. Admin | $ 179.88 | Adobe Acropro Subs - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | P.W. Admin | $ 80.55 | Amazon.Com*Mf94C21Z0 Amzn - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | P.W. Admin | $ 73.34 | Amazon.Com*Mm2Z34Tf2 Amzn - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | P.W. Admin | $ 149.89 | Amazon.Com*Mv9Lp7Mt2 Amzn - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | P.W. Admin | $ 258.00 | Amzn Mktp Us*Mf8Au6692 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | P.W. Admin | $ 279.80 | Amzn Mktp Us*Mf90Y6Wm0 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | P.W. Admin | $ 71.80 | Amzn Mktp Us*Mf9Ja2040 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | P.W. Admin | $ 11.49 | Billingsgazettethriftynck - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | P.W. Admin | $ 29.00 | Bnp Media - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | P.W. Admin | $ (40.00) | Dessol Mailbigfile - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | P.W. Admin | $ 426.00 | Doubletree Hotels - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | P.W. Admin | $ 7.02 | Fishers Technology - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | P.W. Admin | $ 9.00 | Fps/Mountain Alarm - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | P.W. Admin | $ 11.60 | Fps/Mountain Alarm - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | P.W. Admin | $ 46.66 | Zoom.Us - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 23.08 | 2M Company Warehouse - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 62.30 | A & I Distributors - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 57.21 | A And H Turf And Specialt - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 71.28 | A And H Turf And Specialt - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 13.50 | A And H Turf And Specialt - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 11.70 | A And H Turf And Specialt - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 10.70 | A And H Turf And Specialt - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 157.00 | A And H Turf And Specialt - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 2.74 | A And H Turf And Specialt - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 88.28 | A And H Turf And Specialt - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 7.43 | A And H Turf And Specialt - PCard |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 39.22 | A And H Turf And Specialt - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 52.60 | A And H Turf And Specialt - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 100.00 | A And H Turf And Specialt - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 125.00 | A And H Turf And Specialt - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 87.23 | A And H Turf And Specialt - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 20.00 | A-1 Rentals - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 29.99 | Adobe Creative Cloud - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ (179.99) | Amazon.Com Amzn.Com/Bill - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ (12.99) | Amzn Mktp Us - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 143.96 | Amzn Mktp Us*Mf48B89A2 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 209.99 | Amzn Mktp Us*Mv72N3Rx2 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 25.98 | Amzn Mktp Us*Mv7I65Aw2 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 45.00 | Batteries+Bulbs #0253 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 70.78 | Border States Industries - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 23.98 | Buildersfirstsource64021 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 109.10 | C&B Billings - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 296.50 | C&B Billings - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 24.56 | C&B Billings - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 109.10 | C&B Billings - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 25.20 | C&B Billings - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 276.38 | C&B Billings - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 67.87 | Crescent Electric 054 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 129.95 | Evergreen Ace Hardware - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 62.68 | Evergreen Ace Hardware - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 114.36 | Facebk *Ltjjxystf2 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 460.94 | Ferguson Ent #3027 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 81.69 | Fishers Technology - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 121.86 | Grainger - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 6.68 | Grainger - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 31.95 | Hanson Chemical - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 63.90 | Hanson Chemical - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 157.00 | Hanson Chemical - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 166.51 | Hanson Chemical - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 19.98 | Heights Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 49.98 | Heights Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 19.95 | Heights Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 59.78 | Hose & Rubber Supply - Bi - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 271.85 | In *Canyon Creek Nursery - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 57.35 | Industrial Sales And Se - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 16.15 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 15.70 | Kings Ace Hdwe - PCard |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 15.99 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 17.99 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 7.98 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 44.99 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 8.95 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 35.98 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 109.31 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 25.13 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 28.16 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 21.58 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 3.59 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 19.67 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 19.98 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 51.97 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 39.82 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ (224.33) | Knife River 5601 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 11.85 | Lil Market - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 223.98 | Lisacs Billingstire Sp - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 125.28 | Lowes #00319* - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 71.94 | Lowes #00319* - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 33.25 | Lowes #00319* - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 24.44 | Lowes #00319* - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 403.16 | Lowes #00319* - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 16.50 | Lp Anderson Point S Tire - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 202.28 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 11.48 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 343.80 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 465.93 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 696.84 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 435.53 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 41.84 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 5.59 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 212.00 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 46.63 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 204.37 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 296.00 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 81.29 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 473.25 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 146.89 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 207.38 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 727.44 | Midland Implement Co - PCard |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 143.52 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 31.28 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 62.50 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 228.50 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 171.90 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 102.00 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 9.54 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 247.04 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 21.02 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 3.92 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 434.55 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 123.26 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 301.62 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 454.60 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 166.00 | Mojo Graph* Billings P - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 17.25 | Napa Store 3547001 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 98.70 | Napa Store 3547001 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 25.57 | Norco Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 78.61 | Northwest Pipe Fittings, - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 39.42 | Northwest Pipe Fittings, - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 300.00 | Rain Bird Gsp - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 79.50 | Ratco Trailer And Hitch - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 36.75 | Rdoce Bil 020112 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 195.44 | Sherwin Williams 703203 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 359.99 | Shipton'S Big R-East - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 134.97 | Shipton'S Big R-East - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 47.49 | Shipton'S Big R-West - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 252.60 | Sprinkler Warehouse - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 121.19 | Staley S Tire And Automot - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 1.22 | Tacoma Screw Products B - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 53.24 | Tacoma Screw Products B - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 311.66 | Tacoma Screw Products B - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 35.08 | Tacoma Screw Products B - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 53.86 | Tacoma Screw Products B - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 367.98 | Tacoma Screw Products B - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 90.00 | The Good Earth Works - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 62.23 | The Home Depot #3101 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 35.50 | The Home Depot #3101 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 286.60 | Tire Rama 101 Bc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 177.26 | Toolots Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 14.00 | Torgersons Billings 01010 - PCard |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 230.00 | West End Lock And Secur - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 587.00 | West End Lock And Secur - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 97.00 | Www.Volgistics.Com - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 19.00 | Yellowstone Valley Elect - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Park Dist 1 | $ 16.10 | Zoom.Us - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parking | $ 75.47 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parking | $ 100.44 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parking | $ 75.47 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parking | $ 17.99 | Amzn Mktp Us*Mf9Qv1Ra2 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parking | $ 17.99 | Amzn Mktp Us*Mf9Qv1Ra2 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parking | $ 17.99 | Amzn Mktp Us*Mf9Qv1Ra2 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parking | $ 31.73 | Awg 3575 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parking | $ 137.03 | Billings Construction Sup - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parking | $ 137.02 | Billings Construction Sup - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parking | $ 7.25 | Co Billings Landfill - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parking | $ 46.06 | Costco Whse #0069 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parking | $ 8.00 | Creative Monograms Smb - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parking | $ 83.41 | Econo Print - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parking | $ 114.87 | Galls - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parking | $ 68.80 | Grainger - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parking | $ 86.96 | Grainger - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parking | $ 86.96 | Grainger - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parking | $ 86.96 | Grainger - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parking | $ 68.80 | Grainger - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parking | $ 68.80 | Grainger - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parking | $ 87.77 | Harbor Freight Tools 207 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parking | $ 160.73 | Kb Commercial Products - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parking | $ 39.99 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parking | $ 5.99 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parking | $ 3.99 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parking | $ 26.99 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parking | $ 736.75 | Kone, Inc. - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parking | $ 349.00 | Kone, Inc. - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parking | $ 349.00 | Kone, Inc. - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parking | $ 349.00 | Kone, Inc. - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parking | $ 84.03 | Lowes #00319* - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parking | $ 122.58 | Montana Int Sub Pymnt - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parking | $ 23.97 | Shipton'S Big R-East - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parking | $ 85.00 | Sign Pro Billings - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parking | $ 290.00 | Sq *Skyline Service - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parking | $ 33.14 | Usps Po 2907800103 - PCard |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/08/2020 | ACH | U.S. Bank PCards | Parking | $ 12.00 | West End Lock And Secur - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parks | $ 197.00 | Econo Glass Company - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parks | $ 57.54 | In *Canyon Creek Nursery - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parks | $ 95.92 | In *Canyon Creek Nursery - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parks | $ 184.96 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parks | $ 21.21 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parks | $ 18.61 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parks | $ 461.96 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parks | $ 569.99 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parks | $ 145.00 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parks | $ 113.15 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parks | $ 461.96 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parks | $ 282.00 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parks | $ 193.70 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parks | $ 123.62 | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parks | $ (17.56) | Midland Implement Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parks | $ 336.69 | Northwest Pipe Fittings, - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parks | $ 162.90 | Northwest Pipe Fittings, - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parks | $ 127.50 | The Good Earth Works - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parks | $ 465.00 | Vermeer Rocky Mtn Billing - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parks | $ 40.59 | Yellowstone Valley Elect - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parks | $ 213.37 | Yellowstone Valley Elect - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parks | $ 157.56 | Yellowstone Valley Elect - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parks | $ 19.56 | Yellowstone Valley Elect - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parks | $ 71.56 | Yellowstone Valley Elect - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parks | $ 20.24 | Yellowstone Valley Elect - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parks Prgrms | $ 149.00 | International Bronze Plaq - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Parks Prgrms | $ 358.00 | International Bronze Plaq - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | PD Prgrms | $ 38.80 | Conoco - Thriftway Ss #8 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | PD Prgrms | $ 126.00 | Creative Monograms Smb - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | PD Prgrms | $ 200.00 | National Association Of S - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | PD Prgrms | $ 23.34 | Phillips 66 - 7 Eleven 35 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | PD Prgrms | $ 45.03 | Phillips 66 - 7 Eleven 35 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | PD Prgrms | $ 51.00 | Pond'S Lodge - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | PD Prgrms | $ 1,009.19 | Residence Inn Murray - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | PD Prgrms | $ 1,009.19 | Residence Inn Murray - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Phone System | $ 19.99 | Amazon.Com*Mf5693Us2 Amzn - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Phone System | $ 12.99 | Amzn Mktp Us*Mf9Qv1Ra2 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Phone System | $ 19.98 | Amzn Mktp Us*Mm1Cb8E42 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Planning | $ 55.95 | Amazon.Com*Mf23Y9Iu0 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Planning | $ 29.28 | Amazon.Com*Mv0Dl1142 Amzn - PCard |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/08/2020 | ACH | U.S. Bank PCards | Planning | $ 23.26 | Amazon.Com*Mv7Z86Ea0 Amzn - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Planning | $ (13.61) | Amzn Mktp Us - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Planning | $ (7.25) | Amzn Mktp Us - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Planning | $ 8.69 | Amzn Mktp Us*Mf6W47R92 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Planning | $ 23.96 | Amzn Mktp Us*Mf73Y4I60 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Planning | $ 15.99 | Amzn Mktp Us*Mv1Wm1Bc1 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Planning | $ 43.74 | Amzn Mktp Us*Mv71L6R12 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Planning | $ 50.00 | Association Of Pedestrian - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Planning | $ 36.43 | Costco Whse #0069 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Planning | $ 12.49 | Costco Whse #0069 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Planning | $ 46.78 | Doordash*Dickeys Barbe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Planning | $ 10.00 | Facebk *2Ducksjv92 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Planning | $ 50.00 | Facebk *Uqs23Vemv2 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Planning | $ 189.00 | Global Leadership Netw - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Planning | $ 3.58 | Harbor Freight Tools 207 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Planning | $ 82.73 | Harbor Freight Tools 207 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Planning | $ 65.00 | Montana Association Of Pl - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Planning | $ 44.00 | Tinys Tavern Inc 2 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Planning | $ 280.00 | Type Network + Webtype - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Planning | $ 19.85 | Walmart.Com Ax - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Planning | $ 26.64 | Wm Supercenter #1956 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Planning | $ 16.56 | Wm Supercenter #2923 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Planning | $ 43.78 | Yellowstone County Treas - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Planning | $ 15.55 | Zoom.Us - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 92.16 | 2A Industries - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 6.38 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 817.65 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 965.94 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 824.16 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 184.10 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 41.56 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 1,875.19 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 60.00 | A1 Jds Lock - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 989.00 | Aces Brand Imaging - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 1,310.00 | Aces Brand Imaging - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 1,514.80 | Action Targets - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 179.88 | Adobe Acropro Subs - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 174.41 | Amazon.Com*Mf8Io23P2 Amzn - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 113.13 | Amazon.Com*Mm3Dl1Oh1 Amzn - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 224.90 | Amzn Mktp Us*Mf1200P32 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 79.51 | Amzn Mktp Us*Mf15B7Gl2 - PCard |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 174.95 | Amzn Mktp Us*Mf3P38210 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 152.97 | Amzn Mktp Us*Mf6Re9Uy2 Am - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 16.98 | Amzn Mktp Us*Mf8831Ia2 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 8.99 | Amzn Mktp Us*Mf9Hi0Oz0 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 62.99 | Amzn Mktp Us*Mm2Vf24A1 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 45.39 | Amzn Mktp Us*Mm4Mt6Fl1 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 17.99 | Amzn Mktp Us*Mm5682Fs1 Am - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 23.43 | Amzn Mktp Us*Mm5682Fs1 Am - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 62.99 | Amzn Mktp Us*Mm7Z79Cp1 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 129.99 | Amzn Mktp Us*Mv46Y28F1 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 56.74 | Amzn Mktp Us*Mv7Vu72O1 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 32.16 | Amzn Mktp Us*Mv7Xh52C1 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 23.20 | Amzn Mktp Us*Mv8Sj5Ky1 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 40.59 | Amzn Mktp Us*Mv8Wq18S1 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 596.30 | Assembled Products Corpor - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 349.00 | Assoc Career Center - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 147.94 | B&H Photo 800-606-6969 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 373.90 | B&H Photo 800-606-6969 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 761.49 | Balco Uniform Co Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 1,304.89 | Best Buy 00005926 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 36.97 | Best Buy 00005926 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 154.36 | Best Friends Animal Hosp - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 265.00 | Billings Chamber Of Comme - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 522.00 | Bozeman Camera And Repair - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 94.90 | Brownells Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 149.98 | Cabela'S Online U.S. - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 292.53 | Campbell Pet Company - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 238.00 | Cmc Rescue - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 8.37 | Costco Whse #0069 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 260.70 | Costco Whse #0069 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 774.95 | Costco Whse #0069 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 587.80 | Cottonwood Inn And Suites - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 1,250.00 | Crashdatagr - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 457.00 | Creative Monograms Smb - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 6.00 | Dollar Tree - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 540.69 | Econo Print - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 400.32 | Econo Print - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 91.69 | Evergreen Ace Hardware - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 25.16 | Evergreen Ace Hardware - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 139.61 | Evergreen Ace Hardware - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 15.63 | Fedex 94746902 - PCard |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 16.51 | Fedex 94899962 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 21.37 | Fedex 95002790 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 826.00 | Fire Protection Pub - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 74.25 | Firemaster - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 81.00 | Fps/Mountain Alarm - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 66.28 | Galls - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 190.07 | Galls - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 315.77 | Galls - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 133.90 | Galls - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 30.24 | Galls - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 1,499.99 | Galls - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 105.77 | Graybar Electric - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 440.00 | Gunarama Wholesale Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 973.00 | Gunarama Wholesale Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 746.00 | Gunarama Wholesale Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 913.97 | Handtrucks2Go - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 46.87 | Hanson Chemical - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 74.80 | Hanson Chemical - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 100.85 | Hanson Chemical - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 145.56 | Hanson Chemical - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 55.95 | Hanson Chemical - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 233.13 | Hanson Chemical - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 147.72 | Hanson Chemical - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 82.00 | Hanson Chemical - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 97.97 | Hanson Chemical - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 82.00 | Hanson Chemical - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 652.90 | Hc Warehouse/Buckstaff - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 120.00 | Iaai - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 360.00 | Iacp - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 260.99 | Idu*Insight Public Sec - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 351.49 | In *Cynthia Boyer - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 144.20 | In *Cynthia Boyer - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 288.40 | In *Cynthia Boyer - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 612.78 | In *The Earphone Connecti - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 265.00 | Int'L Code Council Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 52.53 | Iron Mountain - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 98.56 | Iron Mountain - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 47.69 | Kb Commercial Products - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 24.29 | Kb Commercial Products - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 1,025.95 | Kent D Bruce Co, Llc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 6.29 | Kings Ace Hdwe - PCard |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 91.53 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 76.45 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 44.99 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 46.51 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 264.81 | Lehigh Defense Llc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 184.00 | Mars Of Billings - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 353.00 | Mars Of Billings - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 250.90 | Midwayusa Com - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 344.05 | Moore Lane Vh - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 19.99 | Napa Store 3547001 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 2,862.08 | Nbf*Natl Biz Furniture - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ (15.99) | Netflix.Com - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 206.05 | Npi/Ram Mounts - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 119.46 | Npi/Ram Mounts - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 34.95 | Office Depot #2135 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 98.97 | Office Depot #2135 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 25.00 | Office Depot #2135 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 5.68 | Office Depot #2135 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 14.96 | Office Depot #2135 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 49.48 | Office Depot #450 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 59.99 | Office Depot #450 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 15.99 | Office Depot #450 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 82.77 | Office Depot #450 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 266.95 | Outdoor Research - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 256.95 | Outdoor Research - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 153.95 | Outdoor Research - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 29.07 | Paypal *Claimfoxinc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 50.00 | Paypal *Jcatlaw Jcatlaw - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 50.00 | Paypal *Jcatlaw Jcatlaw - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 50.00 | Paypal *Jcatlaw Jcatlaw - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 50.00 | Paypal *Jcatlaw Jcatlaw - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 99.00 | Paypal *Tritechfore - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 612.10 | Peavey Corp. - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 75.98 | Petsmart # 0393 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 17.88 | Sams Club #4805 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 18.88 | Samsclub #4805 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 3.48 | Samsclub #4805 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 73.59 | Samsclub #4805 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 28.96 | Samsclub #4805 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 18.38 | Samsclub #4805 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 18.38 | Samsclub #4805 - PCard |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 279.99 | Scheels Billings - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 132.88 | Scheels Billings - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 419.98 | Scheels Billings - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 15.96 | Shipton'S Big R-East - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 16.99 | Shipton'S Big R-West - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 11.99 | Shipton'S Big R-West - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 503.20 | Shipton'S Big R-West - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 231.38 | Spectrum - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 350.00 | Sq *Pacific Training Grou - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 1,950.00 | Sq *Trinity Tactical Cons - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 65.99 | Target 00001719 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 67.94 | Target 00013334 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 25.99 | The Home Depot #3101 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 63.20 | The Home Depot #3101 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 314.10 | The Home Depot 3101 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 24.03 | The Mail Drop - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 104.66 | The Ups Store 2594 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 27.99 | The Wave - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 211.10 | Tlo Transunion - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 27.00 | Tst* City Brew Coffee - C - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 195.70 | Uline *Ship Supplies - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 75.90 | Universal Awards - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 65.00 | Universal Awards - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 260.00 | Universal Awards - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 69.00 | Universal Awards - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 50.24 | Ups*000000W219W8290 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 23.79 | Ups*000000W219W8300 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 11.48 | Ups*000000W219W8310 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 13.81 | Ups*000000W219W8320 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 49.16 | Ups*000000W219W8330 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 16.45 | Wal-Mart #1956 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 34.98 | Walmart.Com - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 17.00 | West End Lock And Secur - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 264.00 | Winchell Landscaping In - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 2.62 | Wm Supercenter #2923 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 481.65 | Yellowstone County Treas - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 30.34 | Yellowstone Valley Elect - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 33.15 | Yellowstone Valley Elect - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 209.00 | Yourmember-Careers - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 249.00 | Yourmember-Careers - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Public Safety | $ 200.00 | Yourmember-Careers - PCard |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/08/2020 | ACH | U.S. Bank PCards | Solid Waste | $ 50.00 | Albertsons #0047 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Solid Waste | $ 142.50 | American Water Technol - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Solid Waste | $ 115.01 | Amzn Mktp Us*Mv0Dx8Bp1 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Solid Waste | $ 251.98 | Best Buy 00005926 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Solid Waste | $ 344.15 | Billings Construction Sup - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Solid Waste | $ 9.59 | City Of Billings - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Solid Waste | $ 24.99 | Evergreen Ace Hardware - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Solid Waste | $ 256.24 | Fastenal Company 01Mtbll - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Solid Waste | $ 1,638.36 | Fastenal Company 01Mtbll - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Solid Waste | $ 85.39 | Galles Filter And Exhaust - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Solid Waste | $ 89.98 | Harbor Freight Tools 207 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Solid Waste | $ 151.04 | Hose & Rubber - Randolph - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Solid Waste | $ 11.84 | Hose & Rubber - Randolph - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Solid Waste | $ 9.76 | Hose & Rubber Supply - Bi - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Solid Waste | $ 41.60 | Hose & Rubber Supply - Bi - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Solid Waste | $ 417.21 | Impactplast - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Solid Waste | $ 399.00 | Industrial Sales And Se - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Solid Waste | $ 122.40 | Johnstone Supply - Billin - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Solid Waste | $ 177.60 | Johnstone Supply - Billin - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Solid Waste | $ 143.92 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Solid Waste | $ 56.98 | Lowes #00319* - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Solid Waste | $ 430.99 | Mac Tools - Billings - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Solid Waste | $ 155.66 | Mytee Products - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Solid Waste | $ 630.75 | Northwest Industrial Supp - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Solid Waste | $ 76.00 | Pacific Steel Branch #02 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Solid Waste | $ 6.34 | Tacoma Screw Products Ta - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Solid Waste | $ 335.36 | Yellowstone Valley Elect - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 79.76 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 74.00 | A And H Turf And Specialt - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 140.00 | A And H Turf And Specialt - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ (56.77) | Amazon.Com Amzn.Com/Bill - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 64.71 | Amazon.Com*Mf2Kv4A70 Amzn - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 10.04 | Amazon.Com*Mf5R71Ga2 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 124.52 | Amazon.Com*Mm6Rg9A11 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 25.96 | Amzn Mktp Us*Mf2F229K0 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 110.23 | Amzn Mktp Us*Mf5Ed8Gy0 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 26.50 | Amzn Mktp Us*Mf9Sk1Bn0 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 11.98 | Amzn Mktp Us*Mm1Lj14W0 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 59.98 | Amzn Mktp Us*Mm5Hp3Aa1 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 7.95 | Amzn Mktp Us*Mm7025Zz2 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 47.03 | Awg 3575 - PCard |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 22.98 | Billings Hardware & Servi - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 148.01 | City Of Billings - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 65.00 | Creative Monograms Smb - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 189.00 | Enduro Seat Covers - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 5.99 | Evergreen Ace Hardware - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 13.56 | Evergreen Ace Hardware - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 43.12 | Evergreen Ace Hardware - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 252.35 | Fastenal Company 01Mtbi1 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 82.00 | Fishers Technology - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 9.08 | Grainger - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 11.84 | Grainger - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 150.98 | Harbor Freight Tools 207 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 45.97 | Harbor Freight Tools 207 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 22.30 | Hose & Rubber Supply - Bi - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ (6.99) | Kindle Svcs*Mv2Em1O12 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 7.19 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 18.10 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 7.84 | Lowes #00319* - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 54.00 | Macon Supply Billings 308 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 170.25 | Pacific Steel Branch #02 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 35.92 | Samsclub #4805 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 129.48 | Selby'S - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 89.98 | Shipton'S Big R-West - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 42.87 | Shipton'S Big R-West - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 57.53 | Tacoma Screw Products B - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 91.64 | Tacoma Screw Products B - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 11.59 | Tacoma Screw Products B - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 118.40 | The Home Depot #3101 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 29.94 | The Home Depot #3101 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 80.47 | Tractor-Supply-Co #0303 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Street/Traffic | $ 193.90 | Yellowstone Valley Elect - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 73.07 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 5.58 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 11.15 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 51.89 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 55.00 | A1 Jds Lock - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 100.74 | Aaim - Services - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 79.99 | Amazon.Com*Mm5Lo53F1 Amzn - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 924.32 | Amazon.Com*Mv2Iw59X2 Amzn - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 358.20 | Amzn Mktp Us*Mf0Cc7F11 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 40.70 | Amzn Mktp Us*Mf4Ea9Dj1 - PCard |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 68.97 | Amzn Mktp Us*Mf5Tk9Sa1 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 14.00 | Amzn Mktp Us*Mf87O5Rz2 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 26.41 | Amzn Mktp Us*Mv7F848Y2 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 30.43 | Austin Hardware & Supp - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 237.63 | Cleaning Stuff - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 72.38 | Cleaning Stuff - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 5.74 | Costco Whse #0069 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 55.98 | Costco Whse #0069 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 800.00 | Desert Mtn Broadcasting - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 80.67 | Discount Cleaning Equipme - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 144.84 | Ecolab Pest As400 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 144.84 | Ecolab Pest As400 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 255.00 | Empire Heating And Coolin - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 23.11 | Fishers Technology - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 511.94 | Freedom Racing Tool And A - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 2.84 | Holiday Stations 0285 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 125.00 | In *Cotter'S Sewer, Septi - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 173.00 | In *White Heating & A/C I - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 71.04 | Johnstone Supply - Billin - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 885.28 | Kimball Midwest Payeezy - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 13.77 | Kimball Midwest Payeezy - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 19.50 | Kimball Midwest Payeezy - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 2.99 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 14.95 | Lowes #00319* - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 10.53 | Lowes #00319* - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 34.68 | Napa Store 3547007 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 25.16 | Office Depot #450 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 17.99 | O'Reilly Auto Parts 1551 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 195.00 | Polaris Laboratories, Ll - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 130.00 | Polaris Laboratories, Ll - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 345.95 | Subway 00523167 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 38.97 | The Home Depot #3101 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 12.98 | The Home Depot #3101 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 129.20 | Uniquetruck - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 39.23 | Wal-Mart #2923 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 557.75 | Williams Plumbing & Heati - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 6.24 | Wm Supercenter #1956 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 21.63 | Yellowstone County Treas - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Transit | $ 15.55 | Zoom.Us - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 27.03 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 36.80 | 360 Office Solutions Inc - PCard |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 33.72 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 9.15 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 143.33 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 83.73 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 62.82 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 14.99 | Adobe Acropro Subs - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 27.59 | Amzn Mktp Us*Mf3Bj8S60 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 14.40 | Amzn Mktp Us*Mf99A36Y1 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 52.00 | Bami-I - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 2.14 | Carquest 3103 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 1.32 | Carquest 3103 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 913.33 | City Of Billings - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 1.95 | Costco Whse #0069 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 25.42 | Costco Whse #0069 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 464.99 | Dkc*Digi Key Corp - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 39.60 | Edge Construction Supp - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 33.20 | Edge Construction Supp - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 8.00 | Edge Construction Supp - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 1.42 | Edge Construction Supp - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 7.18 | Edge Construction Supp - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 24.91 | Fastenal Company 01Mtbll - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 3.84 | Fps/Mountain Alarm - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 9.22 | Fps/Mountain Alarm - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 14.07 | Hose & Rubber Supply - Bi - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 7.91 | Hose & Rubber Supply - Bi - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 55.37 | Hose & Rubber Supply - Bi - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 144.50 | Hose & Rubber Supply - Bi - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 84.45 | Hose & Rubber Supply - Bi - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 67.98 | Humanscale - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 22.88 | Internation - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 100.00 | Internation - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 175.00 | Jares Fence Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 34.99 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 3.24 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 6.11 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 30.96 | Lowes #00319* - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 552.92 | Lowes #00319* - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 47.99 | Mac Tools - Billings - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 70.47 | Midland Scientific Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 1,299.94 | Midland Scientific Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 117.86 | Midland Scientific Inc - PCard |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 118.64 | Midland Scientific Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 165.09 | Midland Scientific Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 245.11 | Midland Scientific Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 215.92 | Midland Scientific Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 32.00 | Mt Prof License Renew - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 5.16 | Northwest Industrial Supp - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 97.53 | Northwest Industrial Supp - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 22.00 | Northwest Industrial Supp - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 30.00 | Northwest Industrial Supp - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 257.40 | Northwest Scientific Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 470.10 | Northwest Scientific Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 175.39 | Northwest Scientific Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 20.96 | Sq *Big Sky Safety Supply - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 6.48 | Tacoma Screw Products B - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 135.95 | Tacoma Screw Products B - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ (4.86) | Tacoma Screw Products B - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 1.73 | Wal-Mart #1956 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 20.40 | Western Office Equipment - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 75.64 | Xylem Online Pay - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 265.85 | Yellowstone Valley Elect - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 1,392.12 | Yellowstone Valley Elect - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 19.00 | Yellowstone Valley Elect - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 208.45 | Yellowstone Valley Elect - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Wastewater | $ 166.59 | Yellowstone Valley Elect - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 62.82 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 54.05 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 9.01 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 11.24 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 27.45 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 110.40 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 67.45 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 126.43 | 360 Office Solutions Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 8.00 | A And H Turf And Specialt - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 43.73 | Agilent Technologies, - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 22.65 | Agilent Technologies, - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 148.42 | Agilent Technologies, - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 9.20 | Amzn Mktp Us*Mf3Bj8S60 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 55.19 | Amzn Mktp Us*Mf3Bj8S60 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 4.80 | Amzn Mktp Us*Mf99A36Y1 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 28.79 | Amzn Mktp Us*Mf99A36Y1 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 32.53 | Amzn Mktp Us*Mm1Ku9Ew1 - PCard |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 79.98 | Amzn Mktp Us*Mv66P0Vp0 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 178.36 | Awg 3575 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 96.50 | Awwa.Org - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 161.50 | Awwa.Org - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 40.70 | Back Country Family Chi - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 78.00 | Bami-I - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 34.99 | Best Buy 00005926 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 70.00 | Big Sky Irrigation Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 1.98 | Carquest 3103 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 3.20 | Carquest 3103 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 5.84 | Costco Whse #0069 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 76.26 | Costco Whse #0069 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 61.39 | Cpi*Coleparmerinstrumt - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 30.00 | Dxp Enterprises - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 2.12 | Edge Construction Supp - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 25.65 | Edge Construction Supp - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 59.40 | Edge Construction Supp - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 233.56 | Edge Construction Supp - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 10.78 | Edge Construction Supp - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 49.80 | Edge Construction Supp - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 396.04 | Environmental Resource - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 1,316.44 | Epasales - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 77.16 | Fastenal Company 01Mtbll - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 37.37 | Fastenal Company 01Mtbll - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 11.50 | Ferguson Ent #3027 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 117.71 | Ferguson Ent #3027 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 8.28 | Fishers Technology - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 5.58 | Fishers Technology - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 91.28 | Flowmark High Tech Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 13.84 | Fps/Mountain Alarm - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 23.07 | Fps/Mountain Alarm - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 11.53 | Fps/Mountain Alarm - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 684.57 | Galco Industrial Electro - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 567.75 | Ge Analytical Instrument - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 132.89 | Gih*Globalindustrialeq - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 383.84 | Gih*Globalindustrialeq - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 383.84 | Gih*Globalindustrialeq - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 510.93 | Grainger - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 175.68 | Grainger - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 211.84 | Grainger - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 159.00 | Grainger - PCard |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 394.24 | Grainger - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 96.13 | Harbor Freight Tools 207 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 64.99 | Harbor Freight Tools 207 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 21.10 | Hose & Rubber Supply - Bi - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 83.05 | Hose & Rubber Supply - Bi - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 126.67 | Hose & Rubber Supply - Bi - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 459.68 | Indelco Plastics Corp - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 100.00 | Internation - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 22.87 | Internation - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 118.20 | Kb Commercial Products - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 94.47 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 26.99 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 35.06 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 1.99 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 23.94 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 25.16 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 8.97 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 3.04 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 2.96 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 17.99 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 44.95 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 24.16 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 18.87 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 12.99 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 4.85 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 8.99 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 27.55 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 9.17 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 14.99 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 24.94 | Kings Ace Hdwe - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 109.46 | Labfaucets.Com - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 130.00 | Lesman Iron Works - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 39.50 | Lowes #00319* - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 21.00 | Macon Supply Billings 308 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 294.63 | Mcmaster-Carr - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 158.75 | Mcmaster-Carr - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 12.06 | Midland Scientific Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 115.62 | Midland Scientific Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 765.60 | Montana Seals And Packing - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 48.00 | Mt Prof License Renew - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 279.36 | National Electric 230 - PCard |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 87.35 | Northwest Industrial Supp - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 7.74 | Northwest Industrial Supp - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 117.25 | Northwest Industrial Supp - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 60.65 | Northwest Industrial Supp - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 45.00 | Northwest Industrial Supp - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 105.31 | Northwest Industrial Supp - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 88.71 | Northwest Scientific Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 88.56 | Northwest Scientific Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 147.42 | Northwest Scientific Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 140.54 | Northwest Scientific Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 40.69 | Northwest Scientific Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 71.89 | Northwest Scientific Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 44.48 | Npc*New Pig Corp - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 42.38 | Npc*New Pig Corp - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 41.58 | Office Depot #1078 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 571.91 | Office Depot #1080 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 125.49 | Office Depot #1080 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 12.99 | Office Depot #450 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 1,476.00 | Pella Windows And Doors I - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 136.03 | Power Service Inc - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 299.99 | Provantage - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 7.49 | Rdoce Bil 020112 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 965.35 | Shimadzu Scientific Instr - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 599.98 | Shiptons Big R Heights - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 599.98 | Shipton'S Big R-East - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 199.09 | Sigma Aldrich Us - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 62.86 | Sq *Big Sky Safety Supply - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 2.59 | Tacoma Screw Products B - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ (7.28) | Tacoma Screw Products B - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 9.72 | Tacoma Screw Products B - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 210.11 | Tacoma Screw Products B - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 30.76 | Tacoma Screw Products B - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 40.35 | The Home Depot #3101 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 23.84 | The Home Depot #3101 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 8.79 | The Home Depot #3101 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 104.48 | The Home Depot #3101 - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 9.20 | Tvetene Turf - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 27.60 | Tvetene Turf - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 13.40 | Tvetene Turf - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 23.00 | Tvetene Turf - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 5.21 | Wal-Mart #1956 - PCard |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 30.60 | Western Office Equipment - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 8.45 | Www.Superbrightleds.Co - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 24.95 | Yellowstone Valley Elect - PCard |
| 09/08/2020 | ACH | U.S. Bank PCards | Water | $ 2,391.85 | Yellowstone Valley Elect - PCard |
| 09/08/2020 | 836494 | Value Line Publishing | Library | $ 4,735.00 | JW20-178237 renew annual subscription |
| 09/08/2020 | 836498 | Western Municipal Const | Water | $ 69,106.16 | WO 15-35 Zone 1 WTP Waterline Improvements; Pmt 8 |
| 09/08/2020 | 836498 | Western Municipal Const | Water | $ 91,273.16 | WO 15-35 Zone 1 WTP Waterline Improvements; Pmt 9 |
| 09/08/2020 | 836502 | Yellowstone Electric Co | Airport | $ 7,077.08 | Invoice #9626. Parts only. 480V Panel & Breakers on East End. |
| 09/08/2020 | 836503 | Zayo Group LLC | Phone System | $ 2,569.46 | Bill Account#026770-T1 Ethernet Connection |

**Consent** **1. M. 2.**

**Regular City Council Meeting**

**Meeting Date:** 10/12/2020

**TITLE:** Payment of Claims for week of September 14, 2020

**PRESENTED BY:** Andy Zoeller, Finance Director

**Department:** Finance

## RECOMMENDATION

Staff recommends Council approve the Payment of Claims

## BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

Claims in the amount of $2,547,574.45 have been audited and are presented for City Council payment approval. A complete listing of the claims for the week are available in the Finance Department.

**Payment Approval Process**

Every invoice for payment in entered into the City's accounting system and the backup documentation is scanned in and attached (physical invoices, additional e-mails explaining payments, bids, contracts, etc.) Each invoice goes through a multi-step approval process depending upon the amount of the payment.

First, invoices are entered by the department requesting the payment and the Department Director or designee must perform an initial review and approval of the purchase. The number of approvals within the Department can vary based upon the size of the Department, but no less than one approver within each Department must verify the payment.

Second, all payments, regardless of size, must be approved by the Purchasing Agent. The Purchasing Agent will review the payment to ensure purchasing procedures are followed and appropriate documentation is attached.

If the payment is greater than $1,000, then it must be approved by the Finance Director.
If that payment is greater than $10,000, then it must be approved by the City Administrator or Assistant City Administrator.

Once all approvals are completed, the payment is able to be made and the Accounts Payable Clerk can print the check. After all checks are printed, a list of all checks in excess of $2,500 is generated and placed on the next City Council meeting for review.

## ALTERNATIVES

- No other alternatives were analyzed

## FISCAL EFFECTS

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.

## Attachments

Councilmemo wk of 09142020

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/14/2020 | 836507 | AD Creative Group | Building | $ 142.00 | Department's Logos,Letterhead,Business Cards,etcs |
| 09/14/2020 | 836507 | AD Creative Group | CDBG | $ 142.00 | Department's Logos,Letterhead,Business Cards,etcs |
| 09/14/2020 | 836507 | AD Creative Group | General | $ 426.00 | Department's Logos,Letterhead,Business Cards,etcs |
| 09/14/2020 | 836507 | AD Creative Group | General | $ 426.00 | Department's Logos,Letterhead,Business Cards,etcs |
| 09/14/2020 | 836507 | AD Creative Group | General | $ 426.00 | Department's Logos,Letterhead,Business Cards,etcs |
| 09/14/2020 | 836507 | AD Creative Group | General | $ 426.00 | Department's Logos,Letterhead,Business Cards,etcs |
| 09/14/2020 | 836507 | AD Creative Group | General | $ 426.00 | Department's Logos,Letterhead,Business Cards,etcs |
| 09/14/2020 | 836507 | AD Creative Group | General | $ 426.00 | Department's Logos,Letterhead,Business Cards,etcs |
| 09/14/2020 | 836507 | AD Creative Group | General | $ 426.00 | Department's Logos,Letterhead,Business Cards,etcs |
| 09/14/2020 | 836507 | AD Creative Group | General | $ 1,687.20 | Department's Logos,Letterhead,Business Cards,etcs |
| 09/14/2020 | 836507 | AD Creative Group | IT Resources | $ 426.00 | Department's Logos,Letterhead,Business Cards,etcs |
| 09/14/2020 | 836507 | AD Creative Group | Library | $ 426.00 | Department's Logos,Letterhead,Business Cards,etcs |
| 09/14/2020 | 836507 | AD Creative Group | P.W. Admin | $ 426.00 | Department's Logos,Letterhead,Business Cards,etcs |
| 09/14/2020 | 836507 | AD Creative Group | Planning | $ 142.00 | Department's Logos,Letterhead,Business Cards,etcs |
| 09/14/2020 | 836507 | AD Creative Group | Public Safety | $ 426.00 | Department's Logos,Letterhead,Business Cards,etcs |
| 09/14/2020 | 836515 | Arrowhead Forensics | Public Safety | $ 14,596.30 | Cabinets to be delivered on or about 7/20/2020. |
| 09/14/2020 | 836515 | Arrowhead Forensics | Public Safety | $ 167.00 | Prefilters for safefume chamber or safekeeper |
| 09/14/2020 | 836518 | AVI Systems Inc | Library | $ 20,606.61 | Community Room technology upgrade |
| 09/14/2020 | 836519 | Baker Tilly Virchow Krause | 2004A Street Imp | $ 260.00 | 2020 Continuing Disclosure Services |
| 09/14/2020 | 836519 | Baker Tilly Virchow Krause | 2015 GO Refund Bond | $ 260.00 | 2020 Continuing Disclosure Services |
| 09/14/2020 | 836519 | Baker Tilly Virchow Krause | Airport | $ 1,300.00 | 2020 Continuing Disclosure Services |
| 09/14/2020 | 836519 | Baker Tilly Virchow Krause | Facilities Mngmt | $ 260.00 | 2020 Continuing Disclosure Services |
| 09/14/2020 | 836519 | Baker Tilly Virchow Krause | Library GO Debt | $ 260.00 | 2020 Continuing Disclosure Services |
| 09/14/2020 | 836519 | Baker Tilly Virchow Krause | Parks 2000 GO Debt | $ 260.00 | 2020 Continuing Disclosure Services |
| 09/14/2020 | 836519 | Baker Tilly Virchow Krause | SID Fund | $ 5,200.00 | 2020 Continuing Disclosure Services |
| 09/14/2020 | 836519 | Baker Tilly Virchow Krause | Solid Waste | $ 1,300.00 | 2020 Continuing Disclosure Services |
| 09/14/2020 | 836519 | Baker Tilly Virchow Krause | Storm Sewer Debt | $ 650.00 | 2020 Continuing Disclosure Services |
| 09/14/2020 | 836519 | Baker Tilly Virchow Krause | Storm Sewer Debt | $ 650.00 | 2020 Continuing Disclosure Services |
| 09/14/2020 | 836519 | Baker Tilly Virchow Krause | Tax Increment E | $ 433.33 | 2020 Continuing Disclosure Services |
| 09/14/2020 | 836519 | Baker Tilly Virchow Krause | Tax Increment N 27 | $ 433.34 | 2020 Continuing Disclosure Services |
| 09/14/2020 | 836519 | Baker Tilly Virchow Krause | Tax Increment S | $ 433.33 | 2020 Continuing Disclosure Services |
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Airport | $ 38.28 | Janitorial Supplies Building Maintenance. August 2020 |
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Airport | $ 151.11 | Janitorial Supplies, Laundry Service for Operations. August 2020 |
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Airport | $ 384.88 | Laundry Services Building Maintenance. August 2020 |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Library | $ 27.00 | 0452277-00 |
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Library | $ 27.00 | 0453216-00 |
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Library | $ 27.00 | 0454110-00 |
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Library | $ 28.25 | 0455024-00 |
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Library | $ 27.00 | 0455956-00 |
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Parking | $ 2.00 | 1332-00 |
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Parking | $ 2.00 | 1332-00 |
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Parking | $ 2.00 | 1332-00 |
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Parking | $ 1.66 | 1440-00 |
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Parking | $ 1.67 | 1440-00 |
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Parking | $ 1.67 | 1440-00 |
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Parking | $ 1.67 | 7500-00 |
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Parking | $ 1.67 | 7500-00 |
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Parking | $ 1.66 | 7500-00 |
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Parking | $ 1.34 | 8400-00 |
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Parking | $ 1.33 | 8400-00 |
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Parking | $ 1.33 | 8400-00 |
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Parking | $ 2.00 | 8600-00 |
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Parking | $ 2.00 | 8600-00 |
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Parking | $ 2.00 | 8600-00 |
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Solid Waste | $ 1,019.05 | Laundry service for Solid Waste 0455227 |
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Solid Waste | $ 583.28 | Laundry service for the Landfill 0455227 |
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Street/Traffic | $ 979.60 | statement 8/31/20 acct 2300-00001 clothing rental |
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Wastewater | $ 822.07 | 2600 8-3-20; FLOOR MATS |
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Wastewater | $ 385.20 | 2600 8-3-20; FLOOR MATS |
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Wastewater | $ 10.80 | 2600 8-3-20; FLOOR MATS |
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Wastewater | $ 8.64 | 2600 9-4-20; MONTHLY UNIFORM FEES |
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Wastewater | $ 636.66 | 2600 9-4-20; MONTHLY UNIFORM FEES |
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Wastewater | $ 270.00 | 2600 9-4-20; MONTHLY UNIFORM FEES |
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Wastewater | $ 148.73 | 9390 9-4-20; FLOOR MATS |
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Water | $ 224.10 | 2600 8-3-20; FLOOR MATS |
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Water | $ 882.58 | 2600 8-3-20; FLOOR MATS |
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Water | $ 577.80 | 2600 8-3-20; FLOOR MATS |
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Water | $ 35.10 | 2600 8-3-20; FLOOR MATS |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Water | $ 179.28 | 2600 9-4-20; MONTHLY UNIFORM FEES |
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Water | $ 28.08 | 2600 9-4-20; MONTHLY UNIFORM FEES |
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Water | $ 726.66 | 2600 9-4-20; MONTHLY UNIFORM FEES |
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Water | $ 405.00 | 2600 9-4-20; MONTHLY UNIFORM FEES |
| 09/14/2020 | 836521 | Big Sky Linen & Uniform | Water | $ 446.19 | 9390 9-4-20; FLOOR MATS |
| 09/14/2020 | 836526 | Billings Sign Service Inc | Tax Increment S | $ 3,261.75 | Monument Sign - Evidence Building |
| 09/14/2020 | 836528 | Business Tax Section | Arterial Streets | $ 157.15 | WO 19-33 Grand Avenue & Virginia Lane Traffic Signa |
| 09/14/2020 | 836528 | Business Tax Section | Gas Tax | $ 205.70 | SID 14-08 Wanigan Subdivision Improvements |
| 09/14/2020 | 836528 | Business Tax Section | Gas Tax | $ 300.29 | SID 14-08 Wanigan Subdivision Improvements; Pmt 2 |
| 09/14/2020 | 836528 | Business Tax Section | Gas Tax | $ 1,699.03 | WO 19-35 Metal Streets Reconstruction; Pmt 1 |
| 09/14/2020 | 836528 | Business Tax Section | Gas Tax | $ 1,298.26 | WO 19-35 Metal Streets Reconstruction; Pmt 2 |
| 09/14/2020 | 836528 | Business Tax Section | Library | $ 208.15 | Community Room technology upgrade |
| 09/14/2020 | 836528 | Business Tax Section | Park District 1 | $ 328.70 | Tennis courts-Lillis (convert 2 courts into 6 pickleball courts) |
| 09/14/2020 | 836528 | Business Tax Section | SID Const | $ 995.46 | SID 14-08 Wanigan Subdivision Improvements |
| 09/14/2020 | 836528 | Business Tax Section | Sidewalk Const | $ 556.46 | WO 19-35 Metals Streets Reconstruction |
| 09/14/2020 | 836528 | Business Tax Section | Sidewalk Const | $ 21.94 | WO 19-35 Metals Streets Reconstruction |
| 09/14/2020 | 836528 | Business Tax Section | Solid Waste | $ 11,861.64 | WO 17-12 Landfill Reconfiguration; Pmt 18 |
| 09/14/2020 | 836528 | Business Tax Section | Solid Waste | $ 123.10 | WO 20-05 Billings Landfill Road Rehabilitation |
| 09/14/2020 | 836528 | Business Tax Section | Wastewater | $ 258.16 | Replace Siding, Roof, Gutters on Primary Digester Bldg.; 1630-2 |
| 09/14/2020 | 836528 | Business Tax Section | Water | $ 320.00 | WO 18-22 Leavens Reservoir Waterline and Improvements; Pmt 1 |
| 09/14/2020 | 836532 | Chicago Title of MT | CDBG | $ 10,000.00 | FTHB Julie Kaiser 639 Terry Avenue |
| 09/14/2020 | 836536 | Community Solutions | Court Grants | $ 425.00 | 20 Aug. CSI ETC ETG |
| 09/14/2020 | 836536 | Community Solutions | Court Grants | $ 500.00 | 20 Aug. CSI ETC Home Visits |
| 09/14/2020 | 836536 | Community Solutions | Court Grants | $ 1,100.00 | 20 Aug. CSI ETG |
| 09/14/2020 | 836536 | Community Solutions | Court Grants | $ 500.00 | 20 Aug. CSI Home Visits |
| 09/14/2020 | 836546 | Cushing Terrell | Park District 1 | $ 12,720.00 | Castle Rock master plan invoice - 154169 |
| 09/14/2020 | 836546 | Cushing Terrell | Park District 1 | $ 5,709.42 | CastleRock master plan-invoice 153483 |
| 09/14/2020 | 836548 | DC Frost Associates | Wastewater | $ 3,809.46 | 41977; U.V. LAMPS |
| 09/14/2020 | 836548 | DC Frost Associates | Wastewater | $ 5,136.55 | 41999; U.V. PARTS |
| 09/14/2020 | 836551 | Dixie Petro-Chem | Water | $ 3,752.00 | BULK CHLORINE |
| 09/14/2020 | 836553 | Duncan Parking Tech | Parking | $ 163.26 | DPT038437_CC Transaction Fee July 2020 |
| 09/14/2020 | 836553 | Duncan Parking Tech | Parking | $ 1,281.50 | DPT038437_Liberty Meter PEMs August 2020 |
| 09/14/2020 | 836553 | Duncan Parking Tech | Parking | $ 172.14 | DPT038656_CC Transaction Fee August 2020 |
| 09/14/2020 | 836553 | Duncan Parking Tech | Parking | $ 1,281.50 | DPT038656_Liberty Meter PEMs September 2020 |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/14/2020 | 836554 | Duval Ford LLC | Public Safety | $ 35,882.34 | This is an order per attached Quote- Dark Gray SUV |
| 09/14/2020 | 836557 | Empire Garage Owners | Parking | $ 8,604.61 | 8182020_ City of Billings August Assessment |
| 09/14/2020 | 836558 | Energy Laboratories | Water | $ 3,353.00 | 338518; WATER TESTING |
| 09/14/2020 | 836558 | Energy Laboratories | Water | $ 907.00 | 338547; WATER TESTING WEST END LAB |
| 09/14/2020 | 836558 | Energy Laboratories | Water | $ 39.50 | 338572; WATER TESTING |
| 09/14/2020 | 836665 | First Am Title Company | CDBG | $ 15,000.00 | FTHB Kendell Smith 191 Norris Court East |
| 09/14/2020 | 836666 | First Montana Title Co | CDBG | $ 10,000.00 | FTHB Louis Bradshaw 4250 Carlton Avenue SW |
| 09/14/2020 | 836667 | FirstMark Construction | Gas Tax | $ 20,364.16 | SID 14-08 Wanigan Subdivision Improvements |
| 09/14/2020 | 836667 | FirstMark Construction | Gas Tax | $ 29,728.70 | SID 14-08 Wanigan Subdivision Improvements; Pmt 2 |
| 09/14/2020 | 836667 | FirstMark Construction | Gas Tax | $ 168,203.85 | WO 19-35 Metal Streets Improvements; Pmt 1 |
| 09/14/2020 | 836667 | FirstMark Construction | Gas Tax | $ 128,527.40 | WO 19-35 Metal Streets Improvements; Pmt 2 |
| 09/14/2020 | 836667 | FirstMark Construction | SID Const | $ 98,550.63 | SID 14-08 Wanigan Subdivision Improvements |
| 09/14/2020 | 836667 | FirstMark Construction | Sidewalk Const | $ 55,089.02 | WO 19-35 Metal Streets Improvements |
| 09/14/2020 | 836667 | FirstMark Construction | Sidewalk Const | $ 2,171.25 | WO 19-35 Metal Streets Improvements |
| 09/14/2020 | 836572 | Hansers Wrecker | General | $ 6,257.50 | Invoice BIL8001, 420 Jackson Abatement |
| 09/14/2020 | 836575 | Hawkins Inc. | Water | $ 18,916.80 | AQUA HAWK 457 COAGULANT |
| 09/14/2020 | 836575 | Hawkins Inc. | Water | $ 18,429.60 | AQUA HAWK 457 COAGULANT |
| 09/14/2020 | 836575 | Hawkins Inc. | Water | $ 18,076.80 | AQUA HAWK 457 COAGULANT |
| 09/14/2020 | 836575 | Hawkins Inc. | Water | $ 18,421.20 | AQUA HAWK 457 COAGULANT |
| 09/14/2020 | 836579 | Iaff | Payroll Clearing | $ 5,063.88 | Payroll Summary |
| 09/14/2020 | 836582 | Invoice Cloud Inc | Building | $ 59.98 | 1703-2020-8; BILLER PORTAL ACCESS FEE |
| 09/14/2020 | 836582 | Invoice Cloud Inc | Health Ins Fund | $ 20.98 | 1703-2020-8; BILLER PORTAL ACCESS FEE |
| 09/14/2020 | 836582 | Invoice Cloud Inc | Parking | $ 10.88 | 1703-2020-8; BILLER PORTAL ACCESS FEE |
| 09/14/2020 | 836582 | Invoice Cloud Inc | Solid Waste | $ 6,009.10 | 1703-2020-8; BILLER PORTAL ACCESS FEE |
| 09/14/2020 | 836582 | Invoice Cloud Inc | Wastewater | $ 7,592.54 | 1703-2020-8; BILLER PORTAL ACCESS FEE |
| 09/14/2020 | 836582 | Invoice Cloud Inc | Water | $ 8,932.40 | 1703-2020-8; BILLER PORTAL ACCESS FEE |
| 09/14/2020 | 836583 | J & J Concrete Inc. | Gas Tax | $ 27,211.39 | WO 20-04 2020 ADA Ramp Replacement Project; Pmt 2 |
| 09/14/2020 | 836585 | KC Roofing & Const | Wastewater | $ 25,557.98 | Replace Siding, Roof, Gutters on Primary Digester Bldg.; 1630-2 |
| 09/14/2020 | 836589 | KLE Construction | Solid Waste | $ 12,187.15 | WO 20-05 Billings Landfill Road Rehabilitation |
| 09/14/2020 | 836590 | Knife River | Street/Traffic | $ 440.00 | inv#7063182 asphalt |
| 09/14/2020 | 836590 | Knife River | Street/Traffic | $ 779.52 | inv#7064993 asphalt |
| 09/14/2020 | 836590 | Knife River | Street/Traffic | $ 272.25 | inv#7066102 asphalt |
| 09/14/2020 | 836590 | Knife River | Street/Traffic | $ 1,311.75 | inv#7071932 asphalt |
| 09/14/2020 | 836590 | Knife River | Street/Traffic | $ 102.72 | inv#7074133 3/8" chips |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/14/2020 | 836590 | Knife River | Street/Traffic | $ 351.45 | inv#707423 asphalt |
| 09/14/2020 | 836590 | Knife River | Street/Traffic | $ 1,542.80 | inv#707777 asphalt |
| 09/14/2020 | 836591 | Koch's Tennis Court | Park District 1 | $ 32,541.30 | Convert tennis court into six pickleball courts |
| 09/14/2020 | 836592 | KTVQ | Airport | $ 3,809.00 | Promotional Videos. Safe to Fly Campaign |
| 09/14/2020 | 836592 | KTVQ | Airport | $ 485.00 | Promotional Videos. Safe to Fly Campaign. The CW |
| 09/14/2020 | 836603 | Montana CSED | Payroll Clearing | $ 2,649.57 | Payroll Summary |
| 09/14/2020 | 836611 | MPPA | Payroll Clearing | $ 3,503.60 | Payroll Summary |
| 09/14/2020 | 836606 | MT Fed- Public Employees | Payroll Clearing | $ 2,635.00 | Payroll Summary |
| 09/14/2020 | 836609 | MT State Fireman | Payroll Clearing | $ 4,396.84 | Payroll Summary |
| 09/14/2020 | 836613 | MT Waterworks | Water | $ 1,295.90 | 1" CURB VALVE - COMPRESSION |
| 09/14/2020 | 836613 | MT Waterworks | Water | $ 156.06 | 1" X 3/4" COMPRESSION COUPLING - 74758Q341 |
| 09/14/2020 | 836613 | MT Waterworks | Water | $ 119.34 | 1-1/2" CTS X 1-1/2" MIP P/N: 74753Q112 |
| 09/14/2020 | 836613 | MT Waterworks | Water | $ 220.60 | 3/4" BRASS RANGER COUPLING NL |
| 09/14/2020 | 836613 | MT Waterworks | Water | $ 4,418.46 | 6' FIRE HYDRANT BILLINGS SPECS - PUSH ON |
| 09/14/2020 | 836613 | MT Waterworks | Water | $ 787.50 | 8" HYMAX COUPLING - 8.54-9.84 |
| 09/14/2020 | 836613 | MT Waterworks | Water | $ 305.02 | 8" X 1" TAPPING SADDLE - FOR CAST IRON (2129396) |
| 09/14/2020 | 836613 | MT Waterworks | Water | $ 157.78 | 8" X 3/4" TAPPING SADDLE - FOR C900 PLASTIC PIPE |
| 09/14/2020 | 836613 | MT Waterworks | Water | $ 293.40 | COPPER FOR SERVICES |
| 09/14/2020 | 836613 | MT Waterworks | Water | $ 600.00 | CURB BOX 3/4" - 1-1/2" TAP - 7' BURY |
| 09/14/2020 | 836613 | MT Waterworks | Water | $ 2,436.90 | TYLER 24" EXTENSION #60 - (TY112389) |
| 09/14/2020 | 836615 | National League Of Cities | General | $ 9,176.00 | Inv. 169982 Membership Dues |
| 09/14/2020 | 836617 | NorMont Equipment | Street/Traffic | $ 29,090.00 | message boards SMC4000 per quote |
| 09/14/2020 | 836618 | NorthWestern Energy | Airport | $ 17.49 | 0712534-7. Entrance Gate 16. August 2020 |
| 09/14/2020 | 836618 | NorthWestern Energy | Airport | $ 282.94 | 0712535-4. Employee Parking. August 2020 |
| 09/14/2020 | 836618 | NorthWestern Energy | Airport | $ 19.12 | 0712791-3. Gate 16. August 2020 |
| 09/14/2020 | 836618 | NorthWestern Energy | Airport | $ 18.11 | 0712795-4. Gate 17. August 2020 |
| 09/14/2020 | 836618 | NorthWestern Energy | Airport | $ 17.86 | 0712797-0. Gate 9. August 2020 |
| 09/14/2020 | 836618 | NorthWestern Energy | Airport | $ 5.80 | 0712805-1. IP-10. August 2020 |
| 09/14/2020 | 836618 | NorthWestern Energy | Airport | $ 7.06 | 0712813-5. Burn Pit. August 2020 |
| 09/14/2020 | 836618 | NorthWestern Energy | Airport | $ 17.48 | 0719759-3. Gate 12. August 2020 |
| 09/14/2020 | 836618 | NorthWestern Energy | Airport | $ 84.10 | 0719760-1. Gate 14. August 2020 |
| 09/14/2020 | 836618 | NorthWestern Energy | Airport | $ 19.37 | 0719761-9. Gate 15. August 2020 |
| 09/14/2020 | 836618 | NorthWestern Energy | Airport | $ 18.99 | 0719762-7. Gate 13. August 2020 |
| 09/14/2020 | 836618 | NorthWestern Energy | Airport | $ 17.22 | 0720296-3. Gate 29. August 2020 |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/14/2020 | 836618 | NorthWestern Energy | Airport | $ 17.59 | 2114868-9. Runway Weather System. August 2020 |
| 09/14/2020 | 836618 | NorthWestern Energy | Building | $ 17.74 | 1569631-3 |
| 09/14/2020 | 836618 | NorthWestern Energy | General | $ 1,051.65 | 0712538-8 |
| 09/14/2020 | 836618 | NorthWestern Energy | General | $ 63.43 | 0712539-6 |
| 09/14/2020 | 836618 | NorthWestern Energy | General | $ 1,818.44 | 0720841-6 |
| 09/14/2020 | 836618 | NorthWestern Energy | General | $ 7.81 | 1635289-0 |
| 09/14/2020 | 836618 | NorthWestern Energy | General | $ 41.87 | 1692666-9 |
| 09/14/2020 | 836618 | NorthWestern Energy | General | $ 5.80 | 3178260-0 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 102.77 | 0712683-2 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 5.92 | 0722253-2 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 227.06 | 0722256-5 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 8.13 | 0722258-1 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 16.39 | 0722259-9 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 10.01 | 0722272-2 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 31.19 | 0722273-0 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 13.83 | 0722274-8 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 114.27 | 0722275-5 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 40.52 | 0722277-1 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 33.30 | 0722278-9 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 17.49 | 0722279-7 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 5.92 | 0722280-5 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 5.92 | 0722281-3 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 5.92 | 0722283-9 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 5.92 | 0722284-7 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 17.49 | 0722808-3 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 8.85 | 0722852-1 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 8.13 | 0722862-0 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 47.44 | 0722901-6 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 6.31 | 0722976-8 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 257.57 | 0722995-8 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 85.83 | 0723005-5 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 5.92 | 0723025-3 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 21.37 | 0723039-4 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 5.80 | 0723046-9 |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 16.34 | 0723049-3 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 12.99 | 0723053-5 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 18.21 | 0723064-2 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 18.21 | 0723065-9 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 3.95 | 0723391-9 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 120.70 | 0723884-3 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 18.21 | 0723887-6 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 3.21 | 0793134-8 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 66.86 | 0813489-2 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 5.80 | 0831702-6 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 51.13 | 0920801-8 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 12.65 | 0978917-3 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 23.07 | 0999807-1 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 386.10 | 1141284-8 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 12.79 | 1156527-2 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 1,652.01 | 1160780-1 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 5.80 | 1230066-1 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 5.68 | 1588262-4 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 7.33 | 1902257-3 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 47.94 | 1904944-4 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 46.75 | 1941243-6 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 15.32 | 3020837-5 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 102.91 | 3241436-9 |
| 09/14/2020 | 836618 | NorthWestern Energy | Park District 1 | $ 5.80 | 3477233-5 |
| 09/14/2020 | 836618 | NorthWestern Energy | Parking | $ 14.74 | 3279035-4 |
| 09/14/2020 | 836618 | NorthWestern Energy | Parks Maint | $ 6.68 | 0722272-2 |
| 09/14/2020 | 836618 | NorthWestern Energy | Parks Maint | $ 5.92 | 0723384-4 |
| 09/14/2020 | 836618 | NorthWestern Energy | Parks Maint | $ 7.74 | 0723385-1 |
| 09/14/2020 | 836618 | NorthWestern Energy | Parks Maint | $ 7.74 | 0723386-9 |
| 09/14/2020 | 836618 | NorthWestern Energy | Parks Maint | $ 7.74 | 0723387-7 |
| 09/14/2020 | 836618 | NorthWestern Energy | Parks Maint | $ 7.74 | 0723388-5 |
| 09/14/2020 | 836618 | NorthWestern Energy | Parks Maint | $ 2.62 | 0723391-9 |
| 09/14/2020 | 836618 | NorthWestern Energy | Parks Maint | $ 0.12 | 0723392-7 |
| 09/14/2020 | 836618 | NorthWestern Energy | Parks Maint | $ 6.69 | 0723393-5 |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/14/2020 | 836618 | NorthWestern Energy | Parks Maint | $ 5.92 | 0723394-3 |
| 09/14/2020 | 836618 | NorthWestern Energy | Parks Maint | $ 5.92 | 0723395-0 |
| 09/14/2020 | 836618 | NorthWestern Energy | Parks Maint | $ 5.92 | 0723396-8 |
| 09/14/2020 | 836618 | NorthWestern Energy | Parks Maint | $ 5.92 | 0723397-6 |
| 09/14/2020 | 836618 | NorthWestern Energy | Parks Maint | $ 5.92 | 0723398-4 |
| 09/14/2020 | 836618 | NorthWestern Energy | Parks Maint | $ 5.92 | 0723835-5 |
| 09/14/2020 | 836618 | NorthWestern Energy | Parks Maint | $ 8.13 | 0723836-3 |
| 09/14/2020 | 836618 | NorthWestern Energy | Parks Maint | $ 6.05 | 0723840-5 |
| 09/14/2020 | 836618 | NorthWestern Energy | Parks Maint | $ 174.27 | 0723879-3 |
| 09/14/2020 | 836618 | NorthWestern Energy | Parks Maint | $ 6.44 | 0723883-5 |
| 09/14/2020 | 836618 | NorthWestern Energy | Parks Maint | $ 0.83 | 0723885-0 |
| 09/14/2020 | 836618 | NorthWestern Energy | Parks Maint | $ 6.69 | 0881455-0 |
| 09/14/2020 | 836618 | NorthWestern Energy | Parks Maint | $ 1.10 | 0971824-8 |
| 09/14/2020 | 836618 | NorthWestern Energy | Parks Maint | $ 0.25 | 1029192-0 |
| 09/14/2020 | 836618 | NorthWestern Energy | Parks Maint | $ 65.82 | 1045813-1 |
| 09/14/2020 | 836618 | NorthWestern Energy | Parks Maint | $ 1.44 | 1265177-4 |
| 09/14/2020 | 836618 | NorthWestern Energy | Parks Maint | $ 0.74 | 1312707-1 |
| 09/14/2020 | 836618 | NorthWestern Energy | Parks Maint | $ 250.06 | 1513796-1 |
| 09/14/2020 | 836618 | NorthWestern Energy | Parks Maint | $ 190.10 | 1513800-1 |
| 09/14/2020 | 836618 | NorthWestern Energy | Parks Maint | $ 8.09 | 1513802-7 |
| 09/14/2020 | 836618 | NorthWestern Energy | Parks Maint | $ 13.68 | 1513804-3 |
| 09/14/2020 | 836618 | NorthWestern Energy | Parks Maint | $ 7.19 | 1514388-6 |
| 09/14/2020 | 836618 | NorthWestern Energy | Parks Maint | $ 6.69 | 1564209-3 |
| 09/14/2020 | 836618 | NorthWestern Energy | Parks Maint | $ 1.44 | 1948667-9 |
| 09/14/2020 | 836618 | NorthWestern Energy | Parks Maint | $ 1.72 | 2041362-1 |
| 09/14/2020 | 836618 | NorthWestern Energy | Parks Maint | $ 5.52 | 2055817-7 |
| 09/14/2020 | 836618 | NorthWestern Energy | Parks Maint | $ 21.82 | 3707234-5 |
| 09/14/2020 | 836618 | NorthWestern Energy | Parks Maint | $ 34.53 | 3707235-2 |
| 09/14/2020 | 836618 | NorthWestern Energy | Parks Maint | $ 42.92 | 3707236-0 |
| 09/14/2020 | 836618 | NorthWestern Energy | Public Safety | $ 8.20 | 0712532-1 |
| 09/14/2020 | 836618 | NorthWestern Energy | Public Safety | $ 843.11 | 0712537-0 |
| 09/14/2020 | 836618 | NorthWestern Energy | Public Safety | $ 520.16 | 0720817-6 |
| 09/14/2020 | 836618 | NorthWestern Energy | Public Safety | $ 431.69 | 0720840-8 |
| 09/14/2020 | 836618 | NorthWestern Energy | Public Safety | $ 1,923.57 | 1183483-5 |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/14/2020 | 836618 | NorthWestern Energy | Radio | $ 206.53 | 1006915-1 |
| 09/14/2020 | 836618 | NorthWestern Energy | Street/Traffic | $ 10.63 | 0855404-0 |
| 09/14/2020 | 836618 | NorthWestern Energy | Street/Traffic | $ 26.86 | 1045820-6 |
| 09/14/2020 | 836618 | NorthWestern Energy | Street/Traffic | $ 5.80 | 1242222-6 |
| 09/14/2020 | 836618 | NorthWestern Energy | Street/Traffic | $ 17.86 | 1738989-1 |
| 09/14/2020 | 836618 | NorthWestern Energy | Street/Traffic | $ 1.69 | 1797828-9 |
| 09/14/2020 | 836618 | NorthWestern Energy | Street/Traffic | $ 7.06 | 2047000-1 |
| 09/14/2020 | 836618 | NorthWestern Energy | Street/Traffic | $ 7.58 | 2047007-6 |
| 09/14/2020 | 836618 | NorthWestern Energy | Street/Traffic | $ 7.33 | 2047010-0 |
| 09/14/2020 | 836618 | NorthWestern Energy | Street/Traffic | $ 7.44 | 2047011-8 |
| 09/14/2020 | 836618 | NorthWestern Energy | Street/Traffic | $ 7.06 | 2047013-4 |
| 09/14/2020 | 836618 | NorthWestern Energy | Street/Traffic | $ 7.44 | 2047017-5 |
| 09/14/2020 | 836618 | NorthWestern Energy | Street/Traffic | $ 7.58 | 2047018-3 |
| 09/14/2020 | 836618 | NorthWestern Energy | Street/Traffic | $ 7.06 | 2047019-1 |
| 09/14/2020 | 836618 | NorthWestern Energy | Street/Traffic | $ - | 3088038-9 |
| 09/14/2020 | 836618 | NorthWestern Energy | Street/Traffic | $ 0.97 | 3590004-2 |
| 09/14/2020 | 836618 | NorthWestern Energy | Street/Traffic | $ 34.37 | 3648861-7 |
| 09/14/2020 | 836618 | NorthWestern Energy | Street/Traffic | $ 20.78 | 3660075-7 |
| 09/14/2020 | 836618 | NorthWestern Energy | Transit | $ 24.65 | 0712764-0 |
| 09/14/2020 | 836618 | NorthWestern Energy | Wastewater | $ 0.11 | 0723383-6 |
| 09/14/2020 | 836618 | NorthWestern Energy | Wastewater | $ 353.69 | 0723878-5 |
| 09/14/2020 | 836618 | NorthWestern Energy | Wastewater | $ 128.94 | 1175972-7 AUG 2020; MONTHLY SERVICE FEE |
| 09/14/2020 | 836618 | NorthWestern Energy | Wastewater | $ 7.19 | 1704025-4 |
| 09/14/2020 | 836618 | NorthWestern Energy | Wastewater | $ 62.18 | 1704030-4 |
| 09/14/2020 | 836618 | NorthWestern Energy | Wastewater | $ 2,654.72 | 2132749-9 |
| 09/14/2020 | 836618 | NorthWestern Energy | Water | $ 1,646.69 | 0100478-7 |
| 09/14/2020 | 836618 | NorthWestern Energy | Water | $ 9.55 | 0722249-0 |
| 09/14/2020 | 836618 | NorthWestern Energy | Water | $ 6,719.42 | 0722270-6 |
| 09/14/2020 | 836618 | NorthWestern Energy | Water | $ 53.29 | 1160807-2 |
| 09/14/2020 | 836618 | NorthWestern Energy | Water | $ 63.79 | 1346673-5 |
| 09/14/2020 | 836618 | NorthWestern Energy | Water | $ 15.59 | 1867265-9 |
| 09/14/2020 | 836618 | NorthWestern Energy | Water | $ 462.73 | 1920951-9 AUG 2020; MONTHLY SERVICE FEES |
| 09/14/2020 | 836618 | NorthWestern Energy | Water | $ 777.68 | 2082903-2 AUG 2020; MONTHLY SERVICE FEES |
| 09/14/2020 | 836623 | Power Service Of MT | Wastewater | $ 9,175.44 | 8033313058A; PARTS FOR ATLAS COPCO COMPRESSORES |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/14/2020 | 836623 | Power Service Of MT | Wastewater | $ 920.00 | 8033313058B; SERVICE ON ATLAS COPCO COMPRESSORS |
| 09/14/2020 | 836626 | Public Utilities | Airport | $ 22,069.98 | 136516 |
| 09/14/2020 | 836626 | Public Utilities | Facilities Mngmt | $ 497.84 | 158260 |
| 09/14/2020 | 836626 | Public Utilities | Park District 1 | $ 1,585.23 | 180092 |
| 09/14/2020 | 836626 | Public Utilities | Park District 1 | $ 125.70 | 255552 |
| 09/14/2020 | 836626 | Public Utilities | Park District 1 | $ 267.07 | 265820 |
| 09/14/2020 | 836626 | Public Utilities | Parks Maint | $ 118.60 | 102418 |
| 09/14/2020 | 836626 | Public Utilities | Parks Maint | $ 1,026.17 | 136082 |
| 09/14/2020 | 836626 | Public Utilities | Parks Maint | $ 4,145.97 | 136090 |
| 09/14/2020 | 836626 | Public Utilities | Parks Maint | $ 6,201.45 | 136091 |
| 09/14/2020 | 836626 | Public Utilities | Parks Maint | $ 18,864.18 | 136092 |
| 09/14/2020 | 836626 | Public Utilities | Parks Maint | $ 1,036.19 | 136093 |
| 09/14/2020 | 836626 | Public Utilities | Parks Maint | $ 4,117.99 | 136096 |
| 09/14/2020 | 836626 | Public Utilities | Parks Maint | $ 12,519.89 | 136103 |
| 09/14/2020 | 836626 | Public Utilities | Parks Maint | $ 3,840.28 | 136108 |
| 09/14/2020 | 836626 | Public Utilities | Parks Maint | $ 194.87 | 136111 |
| 09/14/2020 | 836626 | Public Utilities | Parks Maint | $ 995.85 | 148074 |
| 09/14/2020 | 836626 | Public Utilities | Parks Maint | $ 3,428.21 | 148398 |
| 09/14/2020 | 836626 | Public Utilities | Parks Maint | $ 370.50 | 148423 |
| 09/14/2020 | 836626 | Public Utilities | Parks Maint | $ 2,779.08 | 148654 |
| 09/14/2020 | 836626 | Public Utilities | Parks Maint | $ 528.30 | 148702 |
| 09/14/2020 | 836626 | Public Utilities | Parks Maint | $ 1,007.22 | 158252 |
| 09/14/2020 | 836626 | Public Utilities | Parks Maint | $ 7,830.89 | 163614 |
| 09/14/2020 | 836626 | Public Utilities | Parks Maint | $ 229.27 | 163944 |
| 09/14/2020 | 836626 | Public Utilities | Parks Maint | $ 4,106.09 | 164211 |
| 09/14/2020 | 836626 | Public Utilities | Parks Maint | $ 6,986.49 | 164212 |
| 09/14/2020 | 836626 | Public Utilities | Parks Maint | $ 3,847.86 | 166674 |
| 09/14/2020 | 836626 | Public Utilities | Parks Maint | $ 1,403.31 | 168362 |
| 09/14/2020 | 836626 | Public Utilities | Parks Maint | $ 3,158.08 | 175850 |
| 09/14/2020 | 836626 | Public Utilities | Parks Maint | $ 192.37 | 176577 |
| 09/14/2020 | 836626 | Public Utilities | Parks Maint | $ 1,011.01 | 177710 |
| 09/14/2020 | 836626 | Public Utilities | Parks Maint | $ 17.17 | 179987 |
| 09/14/2020 | 836626 | Public Utilities | Parks Maint | $ 1,825.86 | 180090 |
| 09/14/2020 | 836626 | Public Utilities | Parks Maint | $ 252.01 | 180091 |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/14/2020 | 836626 | Public Utilities | Parks Maint | $ 138.31 | 187900 |
| 09/14/2020 | 836626 | Public Utilities | Parks Maint | $ 2,947.70 | 192352 |
| 09/14/2020 | 836626 | Public Utilities | Parks Maint | $ 472.16 | 201942 |
| 09/14/2020 | 836626 | Public Utilities | Parks Maint | $ 3,089.86 | 242652 |
| 09/14/2020 | 836626 | Public Utilities | Parks Maint | $ 20.96 | 260404 |
| 09/14/2020 | 836626 | Public Utilities | Street/Traffic | $ 3,222.51 | 168389 |
| 09/14/2020 | 836626 | Public Utilities | Street/Traffic | $ 1,679.98 | 168593 |
| 09/14/2020 | 836626 | Public Utilities | Street/Traffic | $ 106.82 | 178621 |
| 09/14/2020 | 836626 | Public Utilities | Street/Traffic | $ 34.00 | 180331 |
| 09/14/2020 | 836626 | Public Utilities | Street/Traffic | $ 3,941.49 | 180332 |
| 09/14/2020 | 836626 | Public Utilities | Street/Traffic | $ 1,138.01 | 180333 |
| 09/14/2020 | 836626 | Public Utilities | Street/Traffic | $ 4,324.28 | 180335 |
| 09/14/2020 | 836626 | Public Utilities | Street/Traffic | $ 2,232.20 | 180336 |
| 09/14/2020 | 836626 | Public Utilities | Street/Traffic | $ 172.27 | 180337 |
| 09/14/2020 | 836626 | Public Utilities | Street/Traffic | $ 217.75 | 180338 |
| 09/14/2020 | 836626 | Public Utilities | Street/Traffic | $ 198.80 | 180339 |
| 09/14/2020 | 836626 | Public Utilities | Street/Traffic | $ 152.30 | 180396 |
| 09/14/2020 | 836626 | Public Utilities | Street/Traffic | $ 4,961.00 | 181505 |
| 09/14/2020 | 836626 | Public Utilities | Street/Traffic | $ 3,331.30 | 184751 |
| 09/14/2020 | 836626 | Public Utilities | Street/Traffic | $ 2,777.96 | 185688 |
| 09/14/2020 | 836626 | Public Utilities | Street/Traffic | $ 1,315.02 | 185689 |
| 09/14/2020 | 836626 | Public Utilities | Street/Traffic | $ 11.26 | 185690 |
| 09/14/2020 | 836626 | Public Utilities | Street/Traffic | $ 3,561.40 | 185691 |
| 09/14/2020 | 836626 | Public Utilities | Street/Traffic | $ 3,994.55 | 191161 |
| 09/14/2020 | 836626 | Public Utilities | Street/Traffic | $ 2,759.01 | 191162 |
| 09/14/2020 | 836626 | Public Utilities | Street/Traffic | $ 152.30 | 241853 |
| 09/14/2020 | 836626 | Public Utilities | Street/Traffic | $ 140.93 | 243345 |
| 09/14/2020 | 836626 | Public Utilities | Street/Traffic | $ 121.98 | 243346 |
| 09/14/2020 | 836626 | Public Utilities | Street/Traffic | $ 106.29 | 243891 |
| 09/14/2020 | 836626 | Public Utilities | Street/Traffic | $ 936.30 | 248978 |
| 09/14/2020 | 836626 | Public Utilities | Street/Traffic | $ 997.96 | 259589 |
| 09/14/2020 | 836626 | Public Utilities | Street/Traffic | $ 2,013.68 | 259590 |
| 09/14/2020 | 836626 | Public Utilities | Street/Traffic | $ 12.56 | 259591 |
| 09/14/2020 | 836626 | Public Utilities | Street/Traffic | $ 2,419.03 | 261854 |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/14/2020 | 836626 | Public Utilities | Wastewater | $ 18.50 | 180645 |
| 09/14/2020 | 836627 | PW-Administration | Water | $ 1,420.00 | 149806021; ENGINEERING PERMITS |
| 09/14/2020 | 836627 | PW-Administration | Water | $ 440.00 | 149806021; ENGINEERING PERMITS |
| 09/14/2020 | 836627 | PW-Administration | Water | $ 8,670.00 | 149806021; ENGINEERING PERMITS |
| 09/14/2020 | 836630 | RDO Equipment | Solid Waste | $ 4,399.27 | Filters for the Landfill |
| 09/14/2020 | 836630 | RDO Equipment | Solid Waste | $ 231.78 | Oil for the Landfill P6664212 |
| 09/14/2020 | 836630 | RDO Equipment | Solid Waste | $ 800.27 | Oil for the Landfill P6669412 |
| 09/14/2020 | 836630 | RDO Equipment | Solid Waste | $ 88.50 | P6639512 |
| 09/14/2020 | 836630 | RDO Equipment | Solid Waste | $ 5.00 | P6639512 |
| 09/14/2020 | 836630 | RDO Equipment | Solid Waste | $ 91.50 | P6663712 |
| 09/14/2020 | 836630 | RDO Equipment | Solid Waste | $ 100.60 | Starter assembly for the Landfill P6648112 |
| 09/14/2020 | 836632 | Rocky Mt Health Network | Health Ins Fund | $ 7,800.00 | August 2020 Healthy Is |
| 09/14/2020 | 836642 | St V's Occupational Health | General | $ 2,435.00 | August 2020 drug testing DOT physicals, on site nursing, COVID |
| 09/14/2020 | 836642 | St V's Occupational Health | General | $ 50.00 | August 2020 drug testing DOT physicals, on site nursing, COVID |
| 09/14/2020 | 836642 | St V's Occupational Health | Health Ins Fund | $ 240.00 | August 2020 drug testing DOT physicals, on site nursing, COVID |
| 09/14/2020 | 836642 | St V's Occupational Health | Health Ins Fund | $ 675.00 | August 2020 drug testing DOT physicals, on site nursing, COVID |
| 09/14/2020 | 836642 | St V's Occupational Health | Library | $ 95.00 | August 2020 drug testing DOT physicals, on site nursing, COVID |
| 09/14/2020 | 836642 | St V's Occupational Health | Public Safety | $ 377.75 | August 2020 drug testing DOT physicals, on site nursing, COVID |
| 09/14/2020 | 836642 | St V's Occupational Health | Solid Waste | $ 525.00 | August 2020 drug testing DOT physicals, on site nursing, COVID |
| 09/14/2020 | 836642 | St V's Occupational Health | Street/Traffic | $ 285.00 | August 2020 drug testing DOT physicals, on site nursing, COVID |
| 09/14/2020 | 836642 | St V's Occupational Health | Transit | $ 190.00 | August 2020 drug testing DOT physicals, on site nursing, COVID |
| 09/14/2020 | 836642 | St V's Occupational Health | Wastewater | $ 38.00 | August 2020 drug testing DOT physicals, on site nursing, COVID |
| 09/14/2020 | 836642 | St V's Occupational Health | Water | $ 57.00 | August 2020 drug testing DOT physicals, on site nursing, COVID |
| 09/14/2020 | 836643 | Stewart Title Company | CDBG | $ 15,000.00 | FTHB Bianca Washington 3285 Canyon Drive #55 |
| 09/14/2020 | 836646 | Swank Enterprises | Solid Waste | $ 1,174,302.56 | WO 17-12 Landfill Reconfiguration; Pmt 18 |
| 09/14/2020 | 836652 | Town & Country Supply | Fleet | $ 10,267.67 | 411404 PO NUM 311042 |
| 09/14/2020 | 836652 | Town & Country Supply | Transit | $ 8,985.00 | Invoice #410768 PO NUM 311029. Diesel Fuel |
| 09/14/2020 | 836652 | Town & Country Supply | Water | $ 242.92 | NONSTOCKING ITEMS-P.U.D. |
| 09/14/2020 | 836652 | Town & Country Supply | Water | $ 223.15 | NONSTOCKING ITEMS-P.U.D. |
| 09/14/2020 | 836652 | Town & Country Supply | Water | $ 179.78 | NONSTOCKING ITEMS-P.U.D. |
| 09/14/2020 | 836653 | Tractor & Equipment | General | $ 469.67 | BLW00202326 |
| 09/14/2020 | 836653 | Tractor & Equipment | Solid Waste | $ 57.70 | BLCS0738805 |
| 09/14/2020 | 836653 | Tractor & Equipment | Solid Waste | $ 96.07 | BLCS0738895 |
| 09/14/2020 | 836653 | Tractor & Equipment | Solid Waste | $ 1,757.10 | Radial seals for the Landfill BLCS0738730 |

| Check Date | Check# | Name | Fund Name | Amount | Item Desc |
|---|---|---|---|---|---|
| 09/14/2020 | 836653 | Tractor & Equipment | Water | $ 266.52 | TEST SAMPLE BOTTLES |
| 09/14/2020 | 836653 | Tractor & Equipment Co. | Wastewater | $ 98,662.00 | one new Caterpillar DP70N1 Forklift |
| 09/14/2020 | 836658 | Western Municipal Const | Water | $ 31,680.00 | WO 18-22 Leavens Reservoir Waterline and Improvements; Pmt 1 |
| 09/14/2020 | 836663 | Yellowstone Electric Co | Arterial Streets | $ 15,557.65 | WO 19-33 Grand Avenue & Virginia Lane Traffic Signal |
| 09/14/2020 | 836664 | Yellowstone Valley Elec | Water | $ 2,695.92 | 4179006 JULY 2020; MONTHLY SERVICE FEE |

**Regular City Council Meeting**

**Meeting Date:** 10/12/2020

**TITLE:** Public Hearing and Resolution to Create SILMD 328

**PRESENTED BY:** Debi Meling

**Department:** Public Works **Division:** Engineering

## RECOMMENDATION

Staff recommends that the City Council conduct a public hearing and approve the resolution creating SILMD 328 if the valid protest does not exceed 50%.

## BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

The State of Montana is currently in the process of improving 27th Street between State Avenue and Rimrock Road. Among the improvements is the installation of new streetlights. If streetlights are installed, a Special Improvement Light Maintenance District (SILMD) is required to provide energy to the new lights. Usually a SILMD includes maintenance, however, an agreement has been made with the State of Montana and they will continue to own and maintain the new lights. Council passed a Resolution of Intent to Create SILMD 328 at its September 14, 2020, meeting and set a October 12, 2020 public hearing on the proposed district. Legal notice of the proposed district and public hearing was published and mailed to all property owners in the proposed district in accordance with State law.

The new lighting will use cobra style poles with LED lamps and underground wiring. The SILMD will include only the power costs for the district.

The deadline for written protests is Monday, October 5, 2020 at 5:00 p.m. The number and percentage of valid written protests received will be reported to City Council at the October 12, 2020 Council meeting. As provided in State law, the City Council has the authority to create the district if the legal protest does not exceed 50%.

## ALTERNATIVES

City Council may:

- Approve, the Resolution creating SILMD 328 to provide a source of funding for the operation of the streetlights or;
- Disapprove the Resolution creating the district. If the Council does not adopt the Resolution, the property owners cannot be assessed for operation, and the new lighting be installed but not turned on.

## FISCAL EFFECTS

All costs of maintaining the lighting wil be paid by the State of Montana. All costs of providing energy for the lighting are paid from assessments against the properties within the light district.

There are eleven City of Billings owned properties located within the District. The total assessed frontage is 1,546 feet, equaling an estimated total annual assessment of $897.21.

# Attachments

Resolution to Create

**RESOLUTION NO. 20-_____**

**A RESOLUTION CREATING SPECIAL IMPROVEMENT LIGHTING MAINTENANCE DISTRICT NO. 328 OF THE CITY OF BILLINGS, MONTANA, FOR THE PURPOSE OF SECURING AND PROVIDING ENERGY FOR NEW STREETLIGHTING, SETTING THE BOUNDARIES THEREOF, STATING THE GENERAL CHARACTER OF THE IMPROVEMENTS TO BE MADE, ESTABLISHING THE ESTIMATED RATE FOR ENERGY AND SUPPLYING ELECTRICAL CURRENT THEREFORE FOR THE FIRST YEAR, AND THE PROPORTION OF THE COST TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE METHOD OF ASSESSMENT OF SAID COSTS.**

WHEREAS, the City Council of the City of Billings, Montana, on the 14th day of September, 2020, passed Resolution 20-10899, a Resolution of Intention to Create a Special Improvement Lighting Maintenance District designated as No. 328, setting the hearing on the creation of said District and hearing of protests against the extent and creation of said District, or any matter pertaining thereto, and thereafter gave notice by publication and mailing, all as required by law, and at said hearing which was held at the time and place specified in said Notice, all protests were heard and considered; and

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

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

SECTION 1:

That the City Council of the City of Billings, Montana does hereby create a District, to be known and designated as Special Improvement Lighting Maintenance District No. 328, hereinafter called the District, for the purpose of securing and providing energy for new

street lights for lighting said District.

SECTION 2:

That the boundaries of the District are as set forth in Resolution of Intention No. 20-10899, hereinafter called the Resolution, on file in the office of the City Clerk of Billings, Montana, and by this reference is incorporated herein and made a part hereof.

SECTION 3:

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

SECTION 4:

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

SECTION 5:

The City of Billings intends to establish the contract rate for supplying electrical energy in accordance with the rate schedule approved by the Montana Public Service Commission. Said rate is currently estimated at $5.24 per unit, per month, and that NorthWestern Energy Company shall provide energy to the lighting fixtures. That the State of Montana shall provide normal maintenance and replacement as needed to lighting fixtures, poles, cables and other incidental equipment, and shall at all times own said lighting fixtures, poles, cables and other incidental equipment.

SECTION 6:

The estimate of the energy cost of the District per year, including City administrative costs, is the sum of $12,500; that the entire cost of said District shall be paid by the owners of the property depicted in Exhibit “A” attached hereto, with each lot, parcel or piece of land within the District to be assessed for that portion of the whole cost which it's assessable lot frontage bears to the total assessable lot frontage of the entire District, exclusive of streets, avenues, alleys and public places. The estimated cost of the District per year for property owners is on the basis of approximately $0.0580343 per lineal foot.

SECTION 7:

That the entire cost of the District shall be paid by an annual assessment against the property in the District. That all monies derived from the collection of such assessments shall be paid into a fund to be known as the "Special Improvement Lighting Maintenance District No. 328 Maintenance Fund", and warrants shall be drawn on said fund for the payment of such cost of supplying electrical current therefore.

SECTION 8:

That reference is hereby made to the Resolution, the maps, specifications, boundaries, perimeter and data pertaining to the District, on file in the offices of the City Clerk and City Engineer, for further particulars, all of which are made a part hereof.

PASSED by the City Council of the City of Billings, Montana and approved this 12th day of October, 2020.

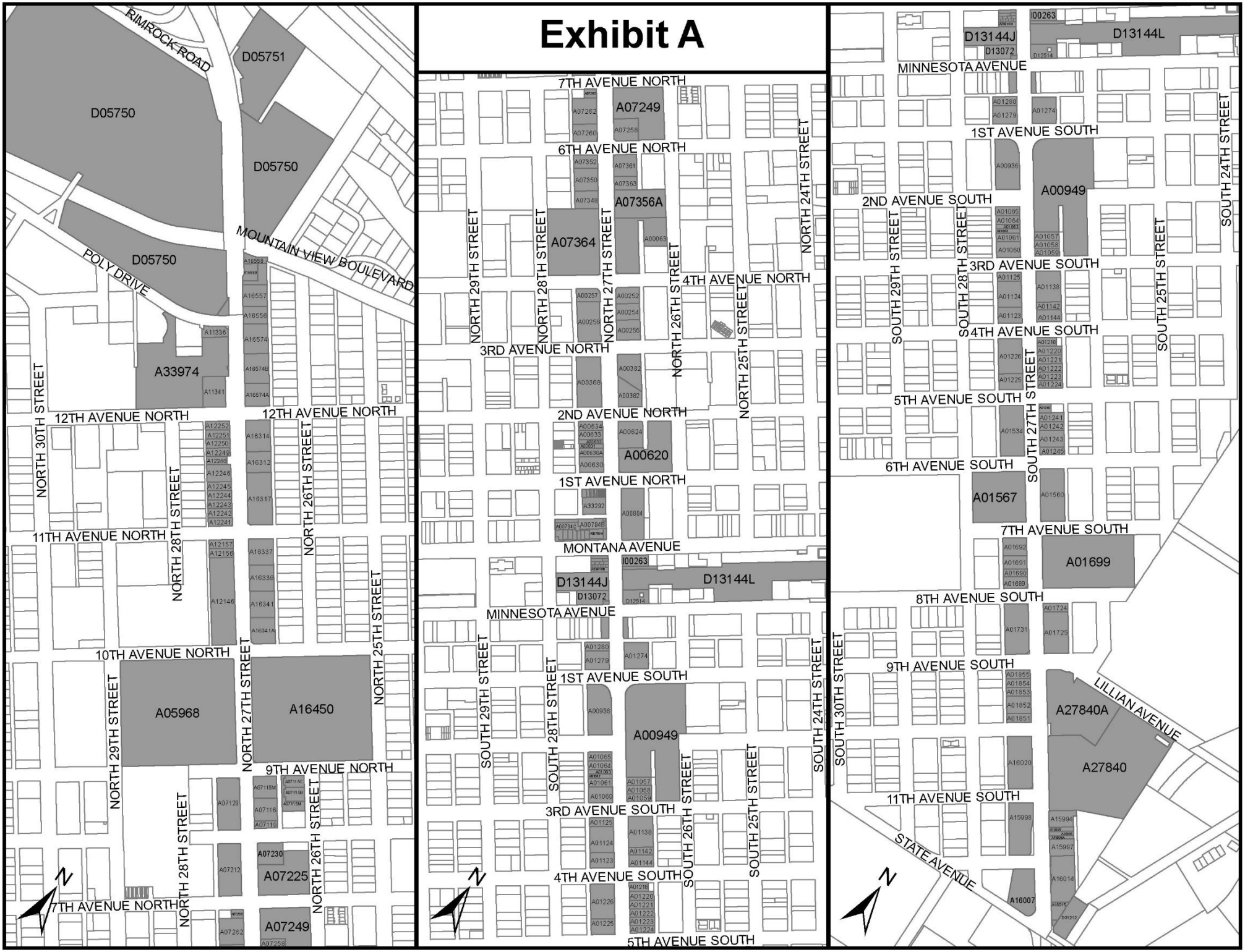
THE CITY OF BILLINGS:

BY:_____
William A. Cole
MAYOR

ATTEST:

BY:_____
Denise Bohlman CITY CLERK

# Exhibit A


RIMROCK ROAD
D05751
D05750
D05750
D05750
MOUNTAIN VIEW BOULEVARD
POLY DRIVE
A33974
A11336
A11341
A16559
A16558
A16557
A16556
A16574
A16574B
A16574A
NORTH 30TH STREET
12TH AVENUE NORTH
12TH AVENUE NORTH
NORTH 28TH STREET
NORTH 26TH STREET
A12252
A12251
A12250
A12249
A12248
A12246
A12245
A12244
A12243
A12242
A12241
A16314
A16312
A16317
11TH AVENUE NORTH
NORTH 28TH STREET
NORTH 26TH STREET
NORTH 25TH STREET
A12157
A12156
A12146
A18337
A16336
A16341
A16341A
10TH AVENUE NORTH
NORTH 29TH STREET
NORTH 27TH STREET
A05968
A16450
9TH AVENUE NORTH
NORTH 29TH STREET
NORTH 28TH STREET
NORTH 26TH STREET
A07120
A07115M
A07116
A07119
A07230
A07212
A07225
7TH AVENUE NORTH
A07249
A07262
A07258
7TH AVENUE NORTH
A07249
A07262
A07260
6TH AVENUE NORTH
A07352
A07350
A07348
A07361
A07363
A07356A
A00063
A07364
NORTH 29TH STREET
NORTH 28TH STREET
NORTH 27TH STREET
NORTH 26TH STREET
NORTH 24TH STREET
4TH AVENUE NORTH
3RD AVENUE NORTH
A00257
A00256
A00252
A00254
A00255
A00368
A00382
NORTH 25TH STREET
2ND AVENUE NORTH
A00634
A00633
A00630A
A00630
A00624
A00620
1ST AVENUE NORTH
A33292
A00804
A00794
A00794B
MONTANA AVENUE
I00263
D13144L
D13144J
D13072
D12514
MINNESOTA AVENUE
A01280
A01279
A01274
1ST AVENUE SOUTH
SOUTH 29TH STREET
SOUTH 28TH STREET
SOUTH 24TH STREET
A00936
A00949
A01066
A01064
A01061
A01060
A01057
A01058
A01059
3RD AVENUE SOUTH
SOUTH 26TH STREET
SOUTH 25TH STREET
A01125
A01124
A01123
A01138
A01142
A01144
4TH AVENUE SOUTH
A01226
A01225
A01218
A01220
A01221
A01222
A01223
A01224
5TH AVENUE SOUTH
D13144J
D13072
I00263
D13144L
D12514
MINNESOTA AVENUE
1ST AVENUE SOUTH
A00936
A00949
2ND AVENUE SOUTH
SOUTH 29TH STREET
SOUTH 28TH STREET
SOUTH 25TH STREET
SOUTH 24TH STREET
A01066
A01064
A01061
A01060
A01057
A01058
A01059
A01125
A01124
A01123
A01138
A01142
A01144
3RD AVENUE SOUTH
4TH AVENUE SOUTH
SOUTH 27TH STREET
A01226
A01225
A01218
A01220
A01221
A01222
A01223
A01224
5TH AVENUE SOUTH
A01534
A01241
A01242
A01243
A01245
6TH AVENUE SOUTH
A01567
A01560
7TH AVENUE SOUTH
A01692
A01691
A01690
A01689
A01699
8TH AVENUE SOUTH
A01724
A01731
A01725
9TH AVENUE SOUTH
SOUTH 30TH STREET
A01855
A01854
A01853
A01852
A01851
LILLIAN AVENUE
A27840A
A27840
A16020
11TH AVENUE SOUTH
A15998
A15994
A15997
A16014
STATE AVENUE
A16007

**Regular** **3.**

**Regular City Council Meeting**

**Meeting Date:** 10/12/2020

**TITLE:** Zone Change 983 - Public Hearing and 1st reading

**PRESENTED BY:** Nicole Cromwell

**Department:** Planning & Community Services **Division:** Planning

## RECOMMENDATION

The City Zoning Commission recommends the City Council approve Zone Change 983 and adopt the findings of the ten review criteria.

## BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

This is a zone change request for the southern 1.98 acres of Lot 2, Block 1, Cherry Creek Estates Subdivision, from Public to Residential 8,000 (R-80). There is a concurrent County zone change for the portion of Lot 2 north of the city limits up to the northern leg of Cherry Creek Loop (8.62 acres). The portion of the property containing the road and the river bank will remain zoned public (~1,44 acres). The proposed development plan will include a future annexation and subdivision of the property for the development of two-family townhomes. The townhomes would be sold to individual owners.

The City Council received a Valid Protest Petition opposing the zone change on Thursday, September 24th, the week before the first reading scheduled for the City Council meeting on September 28th, 2020. The applicant requested a delay to the October 12, 2020, City Council meeting, in order to address the concerns of the neighbors in protest of the zone change from Public to R-80. The City Council granted the request to delay the first reading public hearing.

The current zoning is Public in the city limits and Residential 9,600 (R-96) in the county portion. The current zoning of Lot 2 was approved in May 2001 as County Zone Change 541. The Public zone portion was intended to accommodate an extension or connection to the bike and trail system along the Yellowstone River and for potential future park dedication to the City. All large subdivisions for residential purposes are required to either dedicate parkland or pay cash in lieu of dedication. The Public zoned portion of this lot was never offered as parkland dedication and is still owned by Cherry Island, LLC. The Cherry Creek Manufactured Home Park developed and maintains a neighborhood park within that court, and Danube Court, the last phase of Cherry Creek, paid cash in lieu of parkland dedication.

The proposed zoning of R-80 will allow one and two-family dwellings on lots of 8,000 square feet for a one-family home and 10,000 square feet for a two-family dwelling. The developer intends to build primarily two-family dwellings and presented a concept site plan at the pre-application neighborhood meeting. The concept plan shows an internal road connecting the northern and southern legs of Cherry Creek Loop with 33 two-family dwellings (66 dwelling units total). The total lot area in the proposed development is about 12 acres. The proposed 66 dwelling units would have about 7,900 square feet of lot area per unit or 5.5 dwelling units per acre. The Aspen Cove Townhomes to the north at the intersection of Wicks Lane and Bitterroot Drive are zoned Residential 7,000 (R-70). There are 34 townhomes on this 4.88 acre parcel and have a density of about 7 dwelling units per acre. The directly adjacent properties to the west are

outside the city limits and developed at much lower densities of 1 to 1.5 dwellings per acre.

The Cherry Creek Estates development started in 1998 when the first of 11 zone change applications was filed with the Planning Division. Four of the zone changes were withdrawn, two were denied and five were approved. The County zone change that approved the Residential Manufactured Home (County ZC 543) zoning was litigated in district court. The suit did not overturn the County Commissioners' decision to approve the zone change. The property including this Public zoned portion of Lot 2 was subsequently annexed to the city in 2002. The City Council agreed to annex the property with the intent to initiate a zone change after the annexation. The Council initiated the zone change in July 2002 to change the RMH and Public zoning to Residential 9,600 (R-96). The owners protested the zone change triggering the requirement for a super-majority vote to approve the zone change. The Council failed to achieve a super majority vote in favor of the zone change so the RMH and Public zoning stayed in place.

The subject property has remained un-developed for the last 22 years while the Cherry Creek Manufactured Home Park and Danube Court were developed. An early zone change application for a Planned Development (County Zone Change 524) proposed an underlying zoning of RMH for the manufactured home park and Public for all of Lot 2. In this proposal, Lot 2 would remain vacant and be developed as a natural area park with landscaping and trails. The Zoning Commission recommended denial. The County Commissioners denied the Planned Development zone change in early 2000. The next approved zone change for the property was in May 2001 and the zoning has remained the same since that time.

Planning staff reviewed the application and recommended approval of the zone change to the City Zoning Commission. The Zoning Commission concurred with this recommendation. The 2006 Billings Heights Neighborhood Plan and the 2016 City Growth Policy encourage the development of infill property where city services already exist and new neighborhoods can be served efficiently. The Heights Neighborhood Plan adopted a general statement encouraging new neighborhoods and developments that are similar in nature to existing neighborhoods. Both plans encourage a mix of housing choices in neighborhoods. The proposed development of townhomes expands the housing options in this area of Billings Heights, and should be a good fit between the manufactured home park and the low density county residences to the west. Water and sewer are readily available to the property. Public safety services are fiscally constrained, but the adjacent neighborhoods are already served and this new development can be served as well.

Prior to making its decision on the zone change, the City Council shall consider the Zoning Commission's recommended findings of the ten criteria:

1. Is the new zoning designed in accordance with the Growth Policy?
The proposed zone change is consistent with the following guidelines of the 2016 Growth Policy:
**Strong Neighborhoods:**

- Zoning regulations that allow a mixture of housing types provide housing options for all age groups and income levels
- Neighborhoods that are safe and attractive and provide essential services are much desired

**Home Base:**

- A mix of housing types that meet the needs of a diverse population is important

- The Housing Needs Assessment is an important tool to ensure Billings recognizes and meets the demands of future development Common to all types of housing choices is the desire to live in surroundings that are affordable, healthy and safe

The proposed zone change is consistent with the following goals of the 2006 Billings Heights Neighborhood Plan:

- To provide safe, good quality and affordable housing in the Heights.
- Develop housing patterns that are compatible with existing neighborhoods.
- Encourage high density multi-family development along arterial routes.
- Maintain similar housing in established neighborhoods.

The proposed zoning will allow another housing choice in an area with limited housing choices – either manufactured homes or large lot single family dwellings. There are a few townhomes at the intersection of Wicks Lane and Bitterroot Drive but the market is under-represented for this high-demand housing choice. The Emma Jean Heights Subdivision to the north and west is zoned for one or two-family dwellings but is developing mostly as single family dwellings. Subdivisions further north and west have allowed similar housing choices by mixtures of zone districts. Existing demand for housing choice is going up for all ages of buyers including "boomers" and millennials just buying a first home. The proposed zoning would allow a townhome choice in an area where two choices pre-dominate – a manufactured home or a detached single family residence on a larger lot. The overall density of 4 to 6 dwelling units per acre will remain essentially the same throughout the Cherry Creek Subdivision.

2. Is the new zoning designed to secure from fire and other dangers?
The new zoning requires minimum setbacks, open and landscaped areas and building separations. The new zoning, as do all zoning districts, provides adequate building separations and density limits to provide security from fire and other dangers.

3. Whether the new zoning will promote public health, public safety and general welfare?
Public health and public safety will be promoted by the proposed zoning. The additional dwelling units will help increase the number of rate payers to the city utility systems and increase the taxable value of the property.

4. Will the new zoning facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirement?
Transportation: The proposed zoning will not significantly increase post-development traffic volume. The applicant will be required to prepare a Traffic report to accurately assess the capacity of the surrounding street network to handle the increased traffic from the townhome development. Any improvements or mitigation will be determined by the City Traffic Engineer.
Water and Sewer: The City will provide sewer to the property. Billings Heights Water will provide water service.
Schools and Parks: Schools and parks should not be affected by the proposed zoning.
Fire and Police: The subject property is served by city public safety services. The Police and Fire Departments had no concerns with the zone change.

5. Will the new zoning provide adequate light and air?
The proposed zoning provides for sufficient setbacks to allow for adequate separation between structures and adequate light and air.

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

Traffic generation from 66 new dwelling units will be between 650 to 800 new vehicle trips per day. This trip count includes trips to the new residences for services such as mail, deliveries, solid waste and similar as well as the trips by the occupants. The new subdivision will have sidewalks and will connect to other sidewalks and pedestrian facilities in the neighborhood. The new zoning will not have any increase effect on the transportation system.

7. Will the new zoning promote compatible urban growth?
The new zoning does promote compatibility with urban growth. The proposed zoning will allow this parcel to provide new housing compatible with the existing neighborhoods to the west and east.

8. Does the new zoning consider the character of the district and the peculiar suitability of the property for particular uses?
The proposed zoning does consider the character of the district and the suitability of the property for the proposed use. The proposed zoning will allow a housing choice that is in demand in the area.

9. Will the new zoning conserve the value of buildings?
There are no existing buildings on the property. Manufactured homes to the east will be the closest to the new development but there is a significant planted buffer yard and 6-foot high screening fence. To the west, most these home will be 160 to 200 feet from the back of the new townhomes. In general, new construction tends to increase adjacent building and property values.

10. Will the new zoning encourage the most appropriate use of land throughout the City of Billings?
The proposed zoning will allow the development of another housing choice in this area of Billings Heights. This is the most appropriate use of the land.

## STAKEHOLDERS

The City Zoning Commission held a public hearing on September 1, 2020 and received the staff report, testimony from the applicant's agents (Marshall Phil, Blueline Engineering; Jeff Engel, Builder; Myles Egan, Realtor) and from several surrounding property owners. The surrounding owners include Jason and Lindsey McGimpsey of 1317 Bitterroot Drive, Ming Cabrera of the Heights Task Force, and Pam Ellis of 2000 Outlook Drive. Several emails and letters of concern were also submitted to the Zoning Commission. These are included as an attachment to this staff report.

The applicant's agents stated the proposed development will be for up to 66 townhome dwellings (33 two-unit buildings), with owner occupied units as the predominate use. The owner-occupancy of the townhomes is necessary to get the best financing for the unit owners and to better manage the property maintenance through the HOA. There is a limit of 10% investor owned units for townhome financing and this will keep the number of rentals low. Mr. Engel stated the units would be around 1,200 to 1,500 square feet of living space with attached garages and no basements. Mr. Engel stated many would be 2-bedroom units with a few 3-bedroom units. Mr. Phil stated there will be a 20 foot wide "no build" area along the west property line so the lower density county residences along Bitterroot Drive will not have structures right over the back fence.  Mr. Phil stated each back yard would also require 1 or 2 trees to help buffer the roof lines. He stated there would be a new vinyl fence around the entire development and sidewalks on both sides of the internal street.

Mr. McGimpsey stated the owners of this lot are the same original owners of the Cherry Creek Manufactured Home Park. He stated these owners and park managers cannot be trusted to do what they say they will do. He stated although the 1999 zone change for a Planned Development was denied, the owners continued to tout this property as a "buffer" to the neighborhood along Bitterroot Dr. Mr. McGimpsey stated this is how the manufactured home zoning was approved with the assurance this land would remain undeveloped. Mr. McGimpsey stated the current zoning of R-96 is a good transition zoning from the RMH to their homes along Bitterroot Drive. He urged the Zoning Commission not to approve the zone change.

Pam Ellis stated the owners of the property cannot be trusted to do as they promise. She stated the Cherry Creek owners have been poor managers of the manufactured home park and have reneged on their promises to the neighborhood and the tenants for years. The manufactured home park is too dense and adding more density on this property is not going to help. She stated she disagrees with the findings for criteria number four (transportation, water/sewer, schools/parks, fire/police) and number six (motorized and non-motorized transportation). Ms. Ellis stated the 66 new homes will burden the local streets with too much traffic and will overcrowd the schools. She stated the Billings Police already have more than twice the normal service calls in Cherry Creek alone and the proposed development will not make this any better.

Ming Cabrera stated he was member of the Heights Task Force and agrees with the Task Force's letter of opposition to the zone change. He stated his biggest issue is with the number of rental properties already in the area. He stated the owners of this property did a poor job managing the Cherry Creek manufactured home park and the expectation is the same management would prevail in this new development. He stated the owners have no good history to back up the claim of a good quality development. He stated he disagrees with the proposed finding for criteria number three (public health, safety and general welfare). Mr. Cabrera stated the zoning would only benefit the property owner and not the surrounding property owners. He urged the commission to reject the zone change.

Lindsey McGimpsey of 1317 Bitterroot Drive testified in opposition to the zone change. She stated she has lived next door to the property for 15 years and the owners have never been good stewards of the land. She stated the 2016 zone change had a very different recommendation from Planning staff. (In 2016, a zone change from R-96 to RMH was proposed to expand the manufactured home park. Planning staff recommended denial of RMH zoning). She urged the commission to not be fooled by promises of beautiful new homes by the property owner. The owner did not live up to their development agreement with the city and have been negligent property owners from the start.

Mr. Phil provided rebuttal testimony. He stated the Cherry Creek Manufactured Home Park agreement allowed up to 363 units and this is how many are in the park. He stated the new owners of the park have just begun improvements and have installed new management. He stated they are beginning to look at the potential traffic impacts but have not completed the study. The study will be reviewed by the City Traffic Engineer to ensure the new development can mitigate any known impacts to surrounding streets. He stated the new dwellings will be owner occupied since investor owned units are difficult to finance. He state a small number of the units (7 or fewer) might be retained by the developer as an investment. The entire development will be managed by an HOA and will take care of all property maintenance. Monthly maintenance fees will be assessed to cover this 100% property maintenance. Mr. Phil stated he spoke with officials at SD #2 about the development and any potential impact to school population projections. He stated SD #2 did not have concerns with accommodating any

new students. He stated the alleged "buffer zone" was from a failed past zone change and the owner never intended to leave this property vacant forever.

Commission member Greg McCall made a motion to recommend approval and adoption of the findings of the ten criteria. The motion was seconded by Commission member Dan Brooks. The Commission voted four in favor and one opposed (Jack King) to the motion.

The owners within 150 feet of the proposed zone change subsequently submitted a Valid Protest Petition against the zone change on Thursday, September 24th, 2020. The valid protest will trigger a 2/3 majority vote of the presenting a voting members of the City Council. The applicant submitted a request to delay the first reading from September 28th to October 12th. The City Council granted the request to delay the first reading public hearing.

## ALTERNATIVES

The City Council may:

- Adopt the findings of the 10 criteria as recommended by the Zoning Commission and approve the application; or
- Amend the findings of the 10 criteria as recommended by the Zoning Commission and approve or deny the application; or
- Delay action up to 30 days.

## FISCAL EFFECTS

Approval of the Zone Change will have no direct impact on the Planning Division budget.

---

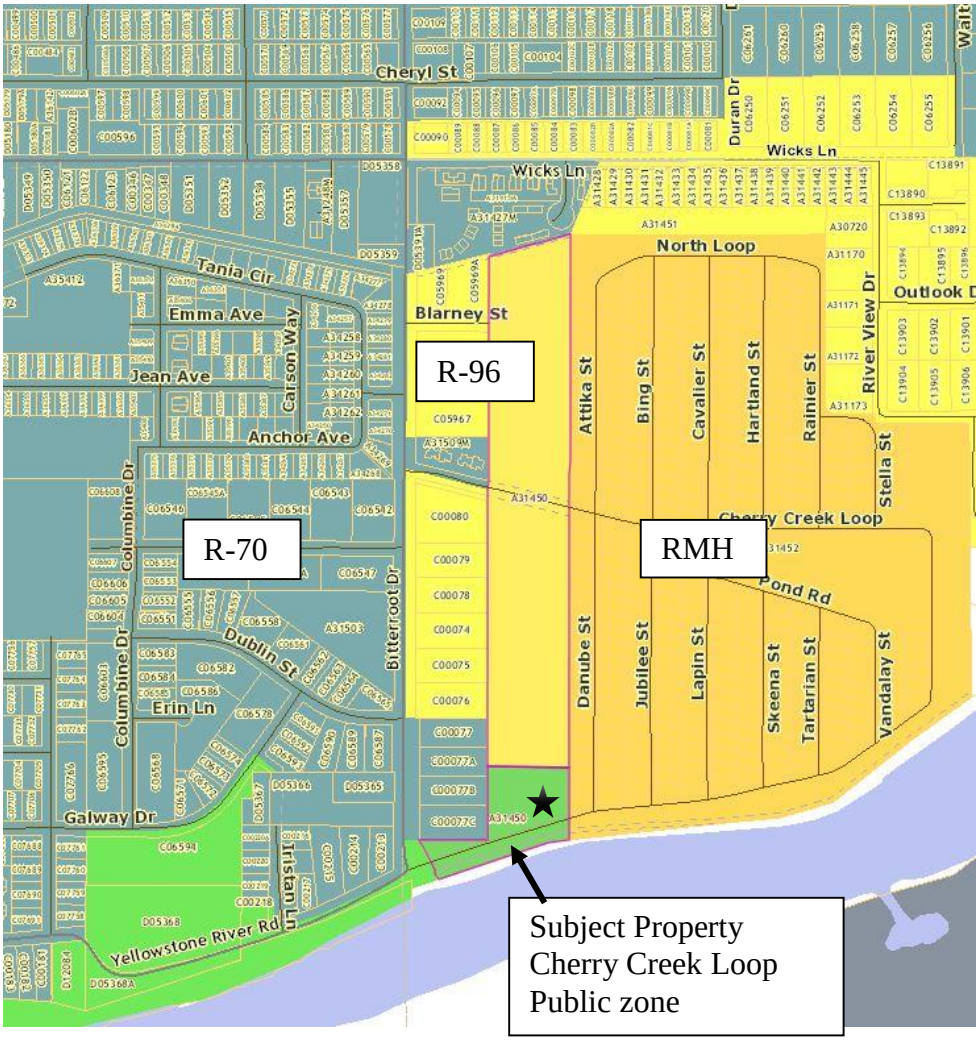
## Attachments

Zoning Map and Site Photos
Application and Letter
Public Comments Received
Ordinance ZC 983
Protest Petition
Verification of Valid Protest
Request to Delay Public Hearing Sept 28

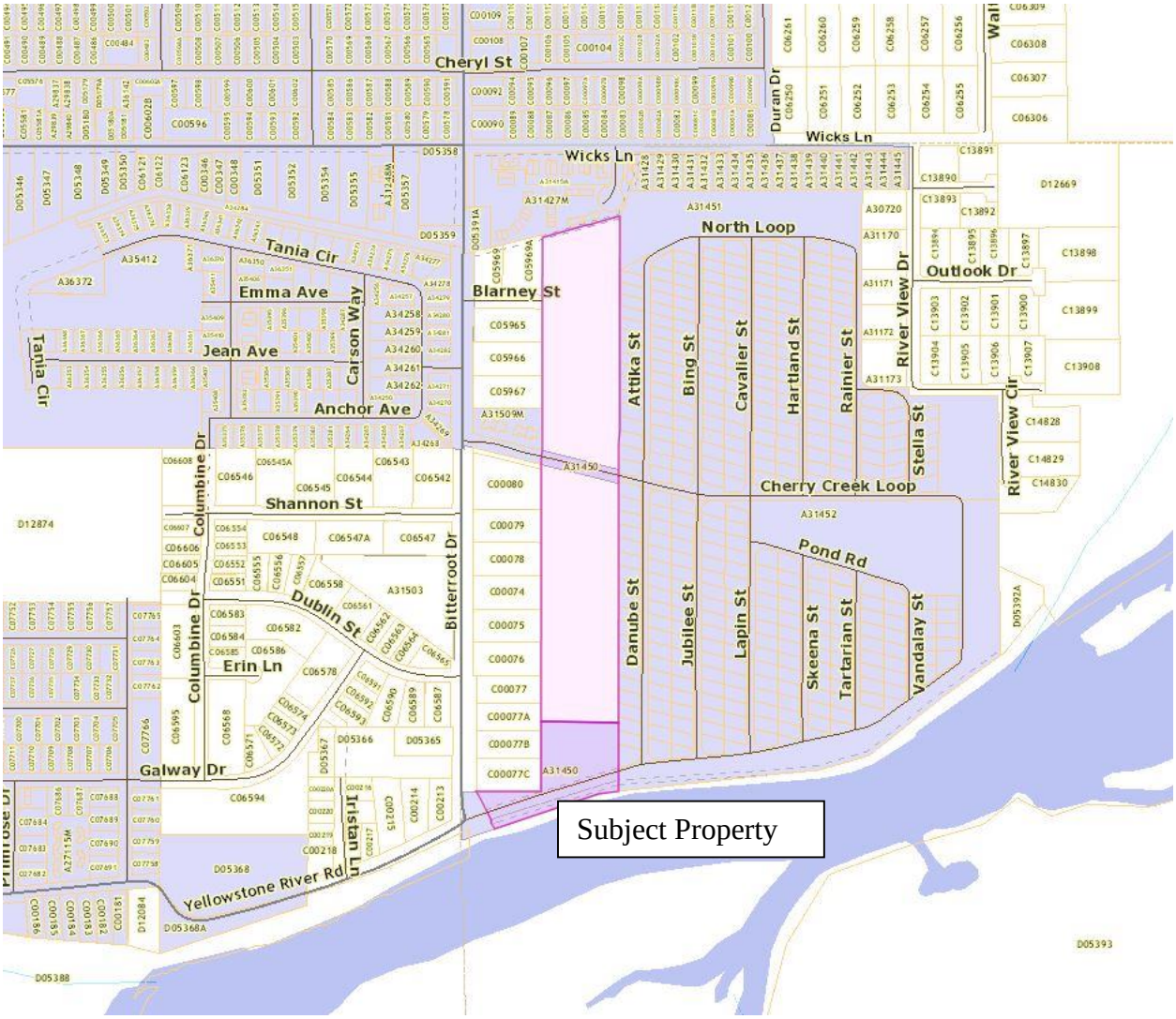
---

**Surrounding Zoning**

Zone Change 983 – Cherry Creek Estates Lot 2, Block 1



Wicks Ln
Wicks Ln
North Loop
Tania Cir
Emma Ave
Blarney St
Jean Ave
Carson Way
Anchor Ave
Columbine Dr
Shannon St
Attika St
Bing St
Cavalier St
Hartland St
Rainier St
River View Dr
Stella St
Cherry Creek Loop
Pond Rd
Danube St
Jubilee St
Lapin St
Skeena St
Tantalum St
Vandalay St
Bitterroot Dr
Dublin St
Columbine Dr
Erin Ln
Galway Dr
Yellowstone River Rd
Subject Property


Cheryl St
Duran Dr
Wicks Ln
Tania Cir
Emma Ave
Jean Ave
Anchor Ave
Carson Way
Blarney St
North Loop
Outlook Dr
River View Dr
River View Cir
Attika St
Bing St
Cavalier St
Hartland St
Rainier St
Stella St
Cherry Creek Loop
Pond Rd
Danube St
Jubilee St
Lapin St
Skeena St
Tartarian St
Vandalay St
Columbine Dr
Shannon St
Bitterroot Dr
Dublin St
Erin Ln
Galway Dr
Trisan Ln
Yellowstone River Rd
Subject Property

**Subject Property Photos**

Subject Property – from Cherry Creek Loop South

View east to the entrance of Cherry Creek Estates MHP

View south and east across Cherry Creek Loop

View west along Cherry Creek Loop South

Subject property view north

Subject Property view north and east

Subject property view north and west

# APPLICATION FORM

**CITY ZONE CHANGE** **Billings Zone Change #** 983 **- Project #** P2-20-00183

The undersigned as owner(s) of the following described property hereby request a Zone Change as outlined in the City of Billings Zoning Regulations.

Present Zoning: Public

Proposed Zoning: R-8000

TAX ID# A31450 CITY ELECTION WARD # Outside City Limits, & 2

Legal Description of Property:

CHERRY CREEK ESTATES SUB, S24, T01 N, R26 E, BLOCK 1, Lot 2, ACRES 20.196, **MULTIPLE DISTRICTS**-(SD O2-16.77 AC,SD 2-3.42 AC) (04 AMND ANNEX RESOL #03-17967 (04)

Address or General Location (If unknown, contact City Engineering): Cherry Creek Loop

Size of Parcel (Area & Dimensions): 86,505, 308' x 338.76' x 203.73' x 354.73 3.42 acres

Present Land-Use: None

Proposed Land-Use: Duplex Housing Development

Covenants or Deed Restrictions on Property: Yes_____ No X

If yes, please attach to application

*** Additional information may be required as determined by the Zoning Coordinator in order to fully evaluate the application.

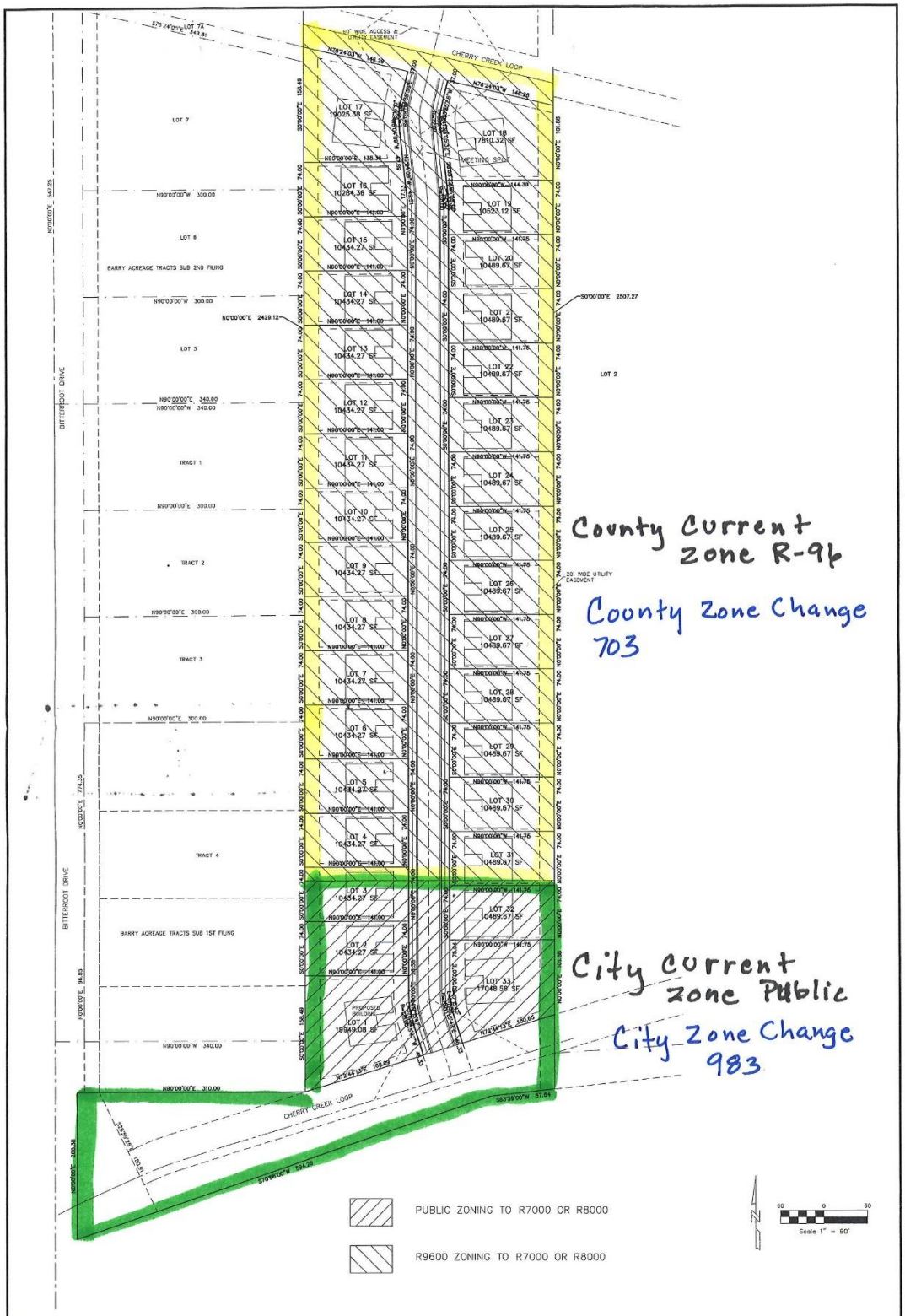
Owner(s): Cherry Island LLC
(Recorded Owner)
5855 Elysian Rd Billings MT, 59101
(Address)
254-2106 jelause@wmc-i.com
(Phone Number) (email)

Agent(s): BLUELINE ENGINEERING
(Name)
724 1ST AVE N, BILLINGS MT 59101
(Address)
406-294-2294 MPHIL@BLUELINE-ENG.COM
(Phone Number) (email)

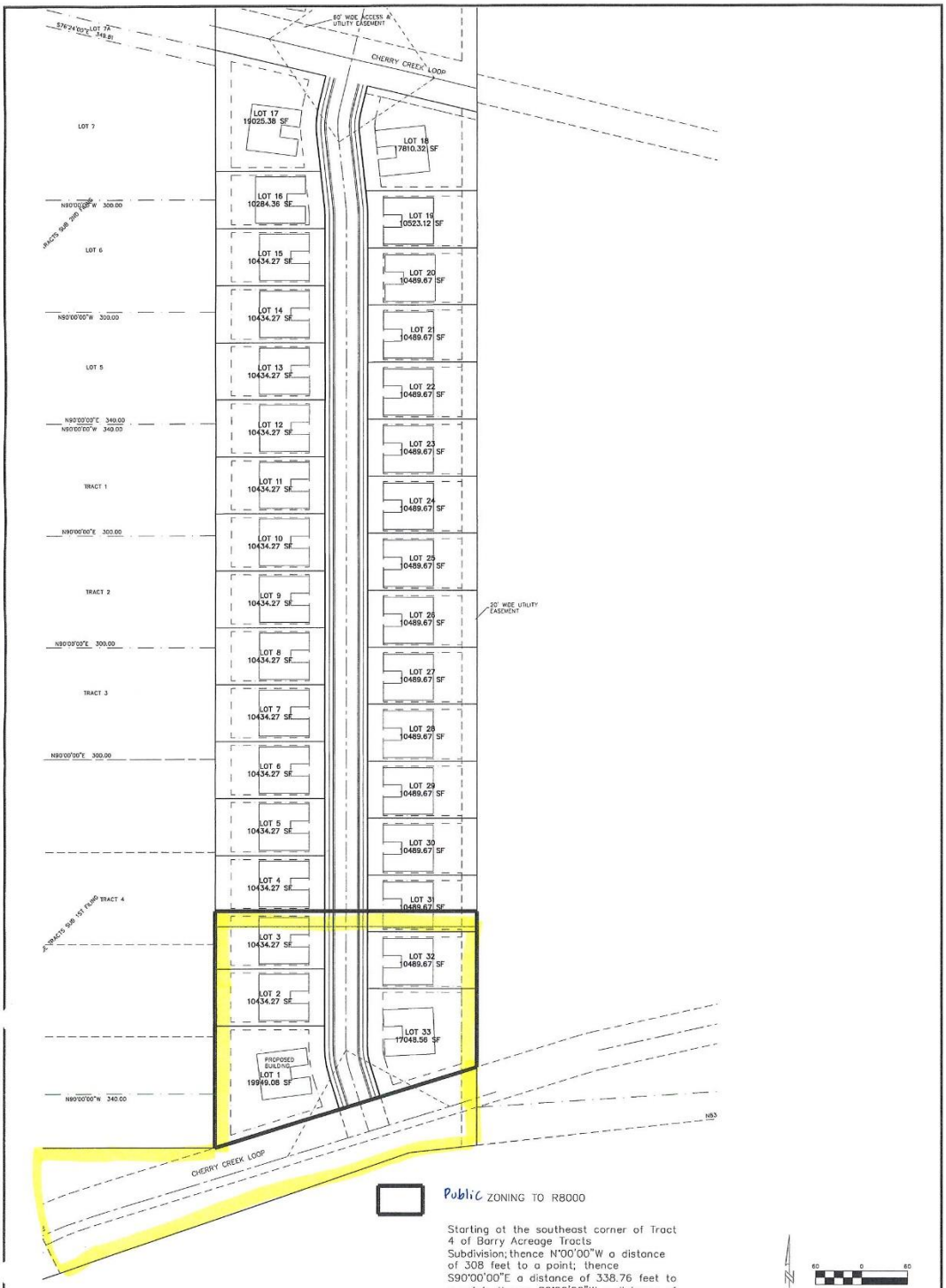
I understand that the filing fee accompanying this application is not refundable, that it pays for the cost of processing, and that the fee does not constitute a payment for a Zone Change. Also, I attest that all the information presented herein is factual and correct.

Signature: _____ Date: 8-3-20
(Recorded Owner)

RECEIVED
AUG 03 2020
PLANNING & COMMUNITY SERVICES DEPARTMENT
Date Stamp




| | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| SHEETS 1 / 1 | LOT 2, BLOCK 1, CHERRY CREEK ESTATES SUB SITE PLAN | DRAWING: SITE2DDWG | SCALE: 1"=60' | CHECKED BY: MDP | DRAWN BY: KLP | DATE: 5/28/20 | JOB: 1909 | NO. | DATE | REVISIONS | blueline ENGINEERING | 724 1ST AVENUE N BILLINGS, MT 59101 PHONE (406) 294-2294 FAX (406) 294-2295 | |




~SHEET~ 1 / 1

LOT 2, BLOCK 1,
CHERRY CREEK ESTATES SUB
R9600 TO R8000

DRAWING SUBDIVISION
SCALE: 1"=60'
CHECKED BY: MNP
DRAWN BY: KLP
DATE: 7/31/20
JOB: 19691
NO. DATE REVISIONS

blueline ENGINEERING
724 1ST AVENUE N
BILLINGS, MT 59101
PHONE (406) 294-2294
FAX (406) 294-2295

blueline
ENGINEERING

July 31, 2020

Planning & Community Services Department
2825 3rd Ave North, 4th Floor
Billings, MT, MT 59101

To Whom It May Concern:

We are submitting this Zone Change Application for the following: the area zoned Pubic in the southern half of Lot 2, Block 1, Cherry Creek Estates Subdivision, Section 24, T1N, R26E, P.M.M. in Yellowstone County, Montana (Tax ID # A31450);

This Zone Change is being submitted to you after several discussions with Staff, neighbors, and the Heights Task Force. It is clear from these discussions that the neighborhood wants to see a project that protects against rundown appearances, reduces crime, and preserves land values. Therefore, a Zone Change of R-8000 has been requested to provide the largest lots available in Zoning, while still being able to build duplex townhomes. The single-family zoning of R-9600, drives the costs above the target market to achieve affordable housing. Single-family homes are not the best transitional zoning from the RMH property. Past zone changes in the area have shown that the higher density uses are not what planning and the neighborhood desire.

To help achieve the desires of these residents, we are preparing documents to allow the townhomes to be owned with individual water and sewer services. An HOA will be formed that will provide for oversight of building and property appearances, lawn and snow removal services. An HOA also helps form a strong neighborhood with pride of ownership. Other concerns with utility and street maintenance will be dealt with by that infrastructure being owner and maintained by the City of Billings and the Heights Water District.

Zone change #673 was a request to change this site from R-96 to RMH and the staff recommended denial. Item 8 in the zoning consideration stated that the request "may not be the best match for the character of the area." It further stated that "A zoning of R-70 on the subject property might be more suitable in density and lot size per unit to transition from the RMH zoning on the east to the R-96 zoning to the west, as well as fit with the existing R-70 zoning in the area." This staff recommendation has been used in helping make the decision to request R-8000 zoning.

The following paragraphs are in response to the questions found within the County Zone Change Application.

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

   The rezoning of this property supports the Growth Policy in the following ways:

**Essential Investments (relating public and private expenditures to public values)**

a. *The safety of all users and the connectivity of the transportation system are important criteria to consider in roadway designs and transportation plans*

The road serving this development being owned and maintained by the city through tax on the proposed lots. Being a public access from N Cherry Creek Loop to S Cherry Creek Loop would be further improve connectivity as the connecting roads to the east are private.

b. *Public transit and commercial air service are critical to ensure access to and around the City*

Public transit would benefit from the ability to enter either N Cherry Loop to pick up passengers from the nearby housing and then loop around through a public street and leave via S Cherry Loop.

c. *Planning and construction of safe and affordable Interconnected sIdewalks and tralls are important to the economy and livability of Billings.*

To ensure the development has safe and interconnected sidewalks the new public road would have 5' boulevards and 5' sidewalks on both sides. The sidewalks will be maintained, cleaned, and snow removed by the HOA.

d. *Developed parks that provide recreation, special amenities (community gardens, dog parks, viewing areas), and active living opportunities are desirable for an attractive and healthy community*

It is anticipated that the Parks Department will request cash-in-lieu for this development.

**e.** *Natural landscapes are an important part of Billings heritage and help protect the environment.*

The Development includes ample backyards and encourages planting trees and grasses. In addition, a "no build" zone will run the length of the west boundary and will be landscaped with trees.

f. *Landscaping of public rights-of-way and entryways makes Billings more visually appealing to residents and visitors*

The public right of way will have a 5' boulevard that will be more visually appealing to residents and visitors. The boulevard will be landscaped and maintained by the HOA.

g. *Public health and safety and emergency service response are critical to the well-being of Billings' residents, businesses, and visitors*

Public health and safety will benefit from a public road bridging North and South Cherry Creek roads that will be maintained by the city. This is also a public turn around in closer vicinity to the more remote Stella St N, Erin St, and Vandalay St. Giving emergency vehicles easier access.

h. *Infill development and development near existing City infrastructure may be the most cost effective*

Infill development is preferred when possible near existing City infrastructure. This development is a prime example of an infill project with infrastructure existing on the north, south, and running through the middle. The development is also has existing development on all sides.

***i.*** *Accessibility, friendly and cost effective government are important public value.*

This will not apply to this development

***j.*** *The history and heritage of Billings are cornerstones of our community*

The history and heritage of Billings are cornerstone of our community and few things are as crucial to our history as the Yellowstone River. This development boarders right on the river and many residents would travel and experience Yellowstone River Road's beautiful view every day. New development in this area could spark more interest and, in the future, and extension of Yellowstone River Road, and N Cherry Creek Loop could become a scenic drive location.

k. *Neighborhoods that are safe and attractive and provide essential services are much Desired*

A well-developed HOA with the means to enforce its rules and regulations will ensure this development will be and remain a safe and attractive neighborhood.

l. *Infrastructure and service investments that stabilize or improve property values, secure future utility costs, consider maintenance costs, and improve our environmental quality far into the future (i.e. energy efficient) are desirable*

Permanent "stick built" homes would be an improvement over the mobile home courtyard to the east. In addition, the new crossroad would provide another cross connection of utilities from N Cherry Loop to S Cherry Loop to provide redundant service in case of incident.

m. *It is important to factor in maintenance costs when programming public spaces and infrastructure*

Maintenance of infrastructure will be paid for by tax on the developed lots.

n. *Integrated, long range water planning that better utilizes existing resources and treatment options, and when necessary acquires new ones, is vital.*

the development in an infill project and will not be extending city water service beyond its current reaches.

o. *Regulatory compliant water and wastewater treatment plants that provide sufficient capacity will help sustain community growth*

The development will be on city water and sewer. These will be maintained by the tax provided by the developments lots.

p. *A supportive school system that inspires, motivates, and prepares students for meaningful employment is important for ensuring a high quality, competitive community*

The school system has been contacted and adequate school space has been confirmed. The new influx of residents to the area also means an increase in revenue for any school bond measures passed.

**Place making (Enhance, maintain, preserve, and improve existing public places)**

a. *A multi-use community recreational facility is desirable*

It is anticipated that there will be no community recreational facilities as part of this development.

b. *Enhancement and maintenance of public spaces and buildings through City stewardship is integral to a vibrant community*

The road, will be the city's and can be enhanced and maintained through their Stewardship.

c. *Park master plans and transportation plans are important to facilitate the preservation and improved public access to the Yellowstone River and the Rims*

The development will provide another access point to N Cherry Creek Loop which runs parallel to the bank of the Yellowstone River. The development is adjacent to Two Moon Park, is 0.5 miles from Hawthorne Park, 0.33 miles From Primrose Park, and 0.8 miles from the Billings Bike Trail network.

d. *Public and private partnerships are valuable for creating enhanced entryways into Billings*

The entryway into the subdivision will have an enhanced design including landscaping and signage.

e. *Locally grown foods help sustain agriculture, provide healthy options, and support local businesses*

Locally grown foods can help sustain agriculture and foster healthier lifestyles. This development includes ample backyard space that would be ideal for home gardens. The lot currently has a lush mix of trees, bushes, and grasses without any irrigation.

***f.*** *The history and heritage of Billings are cornerstones of our community*

The history and heritage of Billings are cornerstone of our community and few things are as crucial to our history as the Yellowstone River. This development boarders right on the river and many residents would travel and experience Yellowstone River Road's beautiful view every day. New development in this area could spark more interest and, in the future, and extension of Yellowstone River Road, and N Cherry Creek Loop could become a scenic drive location.

*g. Natural landscapes are important because they define the uniqueness of Billings and help protect the environment and beautify neighborhoods*

Natural landscapes are an important part of Billings heritage and help protect the environment. The Development include very ample backyards and encourages planting trees and grasses. In addition a "no build" zone will run the length of the west boundary and will be landscaped with trees.

*h. Encouraging the installation of art in public spaces enhances the places and showcases the talents and diversity of the community*

No art is currently planned for this development.

i.

*j. Enhancing public buildings and spaces to be more efficient in their uses of energy, money, and space is important to having a vibrant and livable City*

No public building will be part of this development and the public right-ow-way will be owned by the city.

**Community Fabric (attractive, aesthetically pleasing, uniquely Billings)**

*a. Developed landscape areas in commercial areas encourage more pedestrian activity andvibrant commercial activity*

There are no commercial areas as part of this development

*b. Attractive streetscapes provide a pleasant and calming travel experience in urban and suburban neighborhoods*

The streets will be maintained by the city and the sidewalks and boulevards will be maintained by the HOA to ensure a pleasant streetscape.

*c. Outdoor public spaces provide casual and relaxing gathering areas for people*

There will be no outdoor public spaces in this development.

d. *Planning and construction of interconnected sidewalks and trails are important to the livability of Billings*

To ensure the development has safe and interconnected sidewalks the new public road would have 5' boulevards and 5' sidewalks on both sides. The sidewalks will be maintained, cleaned, and snow removed by the HOA.

e. *Developed parks that provide recreation, special amenities, and active living opportunities are desirable for an attractive and healthy community*

It is anticipated that the Parks Department will request cash-in-lieu for this development.

f. *Natural landscapes and parks are important because they define the uniqueness of Billings and help protect the environment*

Natural landscapes are an important part of Billings heritage and help protect the environment. The Development include very ample backyards and encourages planting trees and grasses. In addition, a "no build" zone will run the length of the west boundary and will be landscaped with trees.

g. *Cost-effective landscaping of public rights-of-way and entryways makes Billings more visually appealing to residents and visitors*

The public right of way will have a 5' boulevard that will be more visually appealing to residents and visitors. The boulevard will be landscaped and maintained by the HOA and encouraged to use landscaping or low impact landscaping.

**Strong Neighborhoods (livable, safe, sociable, and resilient neighborhoods)**

a. *Zoning regulations that allow a mixture of housing types provide housing options for all age groups and income levels*

The housing for this development will be affordable duplex style home units. Will affordable they will have individual water and sewer services so they can each be privately owned and sold. This will provide a transition of affordable homes between the neighboring mobile home court to the neighboring single family homes.

b. *Walkable neighborhoods that permit convenient destinations such as neighborhood services, open space, parks, schools and public gathering spaces foster health, good will and social interaction*

There will be no public gathering locations as part of this development but there will be full sidewalk access on all sides of the street.

c. *Safe and livable neighborhoods can be achieved through subdivision design that focuses on complete streets, pedestrian-scale street lights, street trees and walkable access to public spaces*

The development will have complete streets with 5' sidewalks and 5' boulevards maintained by the HOA.

d. *Zoning and subdivision regulations that utilize Crime Prevention Through Environmental Design (CPTED) strategies result in safer neighborhoods*

Because the HOA will be enforcing landscaping rules and home maintenance rules it will be following the CPTED #3 principal: territorial reinforcement, and #4 principal: maintenance.

e. *Implementation of the Infill Policy is important to encourage development of underutilized properties*

This development is an infill project.

f. *Public safety and emergency service response are critical to the well-being of Billings' residents and businesses*

Public health and safety will benefit from a public road bridging North and South Cherry Creek roads that will be maintained by the city. This is also a public turn around in closer vicinity to the more remote Stella St N, Erin St, and Vandalay St. Giving emergency vehicles easier access.

**Home Base (healthy, safe, and diverse housing options)**

a. *A mix of housing types that meet the needs of a diverse population is important*

This development is a transitional project from the mobile home court to the east to the single-family homes to the west. This will provide a diverse mix of hosing options in the local areas as a whole.

b. *The Housing Needs Assessment is an important tool to ensure Billings recognizes and meets the demands of future development*

The Billings Housing Needs Assessment clearly states that Billings' population is on the rise and the need for more housing is a critical as ever. This is especially true of lower income housing for 1st time renters/owners, low income households, elderly retired persons, and minority groups. One of the benefits of developing duplex homes instead of single-family homes is an increase in affordability and availability. The duplexes in this development will have individual water and sewer services to each half and thus they can be bought individually. This gives an opportunity, especially to young couples and first-time buyers, to own a home rather than rent. Owning one's

home is always preferable to renting. Another advantage to the duplex system is that it allows caretakers and family members of disabled and elderly people to live close by while giving both parties a large degree of independence.

c. *Common to all types of housing choices is the desire to live in surroundings that are affordable, healthy and safe*

This development will provide affordable housing with an HOA designed to keep the neighborhood healthy, clean, and safe.

d. Planning and construction of interconnected sidewalks and trails are important to the economy and livability of Billings

To ensure the development has safe and interconnected sidewalks the new public road would have 5' boulevards and 5' sidewalks on both sides. The sidewalks will be maintained, cleaned, and snow removed by the HOA.

e. *Public safety and emergency service response are critical to the well-being of Billings' Residents*

health and safety will benefit from a public road bridging North and South Cherry Creek roads that will be maintained by the city. This is also a public turn around in closer vicinity to the more remote Stella St N, Erin St, and Vandalay St. Giving emergency vehicles easier access.

f. *Homes that are safe and sound support a healthy community*

The duplexes proposed for this development are locally designed and will be built by local contractors to City of Billings and national standards of safety.

g. *Accessory dwellings units provide an important type of affordable housing options if compatible*

No accessory dwellings will be part of this development.

h. *Energy efficient housing can reduce energy consumption*
The duplexes proposed for this development are designed to be energy efficient and according to the newest home insulation regulations.

**Mobility and Access (transportation choices in places where goods and services are accessible to all)**

a. *Connecting people to places with transportation choices is vital to the well-being of Billings' residents, businesses and visitors*

The development will provide another public road loop access for busses to pick up passengers from this development as well as the nearby trailer court.

b. *Safe and accessible transportation systems benefit everyone's quality of life*

This development will have sidewalks on both sides and the HOA will ensure they will be safe and clear of snow and debris.

c. *Affordable public transit is much desired*

No dedicated public transit will be part of this development but it will be accessible by bus.

d. *Development oriented to transit routes will provide more transportation choices and is Preferred*

Public transit would benefit from the ability to enter either N Cherry Loop to pick up passengers from the nearby housing and then loop around through a public street and leave via S Cherry Loop.

e. *"Safe Routes to Schools" promotes physical health and reduces vehicle trips, earning parents more time and less costs for transportation*

To ensure the development has safe and interconnected sidewalks the new public road would have 5' boulevards and 5' sidewalks on both sides. The sidewalks will be maintained, cleaned, and snow removed by the HOA. This would provide a safe route for children within the development and those passing through from the southern end of the mobile home court.

f. *Planning and construction of interconnected sidewalks and trails are important to the economy and livability of Billings*

To ensure the development has safe and interconnected sidewalks the new public road would have 5' boulevards and 5' sidewalks on both sides. The sidewalks will be maintained, cleaned, and snow removed by the HOA

g. *On-street bike facilities promote predictability for all users*

No on-street bike facilities are planned as part of this development.

h. *Expanded air service ensures that Billings remains a competitive and an accessible destination*

No air-services are planned as part of this development.

i. *Technology can reduce congestion and facilitate emergency vehicle travel at railroad crossings*
There are no railroad crossings in this development.

**Prosperity (promoting equal opportunity and economic development)**

a. *Predictable, reasonable City taxes and assessments are important to Billings' taxpayers*

Predictable and reasonable City taxes and assessments are important to Billings taxpayers. This development would add 33 new duplexes with a total of 66 taxable units.

b. *A diversity of available jobs can ensure a strong Billings' economy*

The development would be built by local contractors and designed by local architects and engineers. Once finished the development's HOA would contract local business for lawncare and snow removal creating more local jobs opportunities.

c. *Successful businesses that provide local jobs benefit the community*

There will be no commercial development as part of this subdivision.

d. *Community investments that attract and retain a strong, skilled and diverse workforce also attracts businesses*

New affordable housing opportunities give new workers a foot in the door to start their life in Billings and advance through the job force.

e. *Retaining and supporting existing businesses helps sustain a healthy economy*

New workers moving into the affordable housing of this development would most likely shop in local businesses.

f. *Continued workforce training benefits the community and helps attract and retain Businesses*

This does not apply to this development

g. *Strategically placed industrial parks will encourage a more diverse city economy, and will better help manage effluent and emission from industrial processes*

There will be no industrial parks as part of this development.

1. Explain your need for the intended zone change and why the property cannot be used under the existing zoning. Explain how the new zoning will fit in with the existing zoning and land uses of the immediate area.

   The existing zoning of R-9600 is not the most compatible adjacent zoning to RMH zoning. Affordable duplex housing is the perfect transitional zoning to buffer the neighbors to the west.

Additional information and materials specified within the Application forms are included in those forms and/or attached to this letter. We thank you very much for your continued support on this request, and for your consideration of our re-zoning application. Please feel free to contact me at (406) 294-2294 if you have any questions.

Sincerely,

Marshall Phil

## Pre-Application Statement of Owner(s) or Agent(s)

The owner(s), contract purchasers (if any) and agents (if any) are required to submit this completed form and any attachments along with a completed zone change application packet, including any required fees, for a zone change to be processed by the Planning Division.

1. **Present Zoning**: Public
2. **Written description of the Zone Change Plan** including square footage or acres of proposed new zoning: Change to R-8000,
3. **Subject Property Map**: please attach to this form
4. **Legal Description of Property**:

   CHERRY CREEK ESTATES SUB, S24, T01 N, R26 E, BLOCK 1, Lot 2, ACRES 20.196, **MULTIPLE DISTRICTS**-(SD O2-16.77 AC,SD 2-3.42 AC) (04 AMND ANNEX RESOL #03-17967 (04)
5. **Neighborhood Task Force Area**: Yes /// No . If Yes, Name of Task Force and mailing address of Chairperson: Jennifer Owen 906 Royal Ave.Billings MT, 59105
6. **Roster of persons who attended the pre-application neighborhood meeting**: please attach to this form
7. **A copy of the meeting notice.** please attach to this form
8. **A brief synopsis of the meeting results.** please attach to this form
9. **The undersigned affirm the following:**
   1) The pre-application neighborhood meeting was held on the 27, day of July, 2020
   2) The zone change application is based on materials presented at the meeting.

**Owner (s):** Cherry Island LLC Telephone: 254-2106

Address: 5855 Elysian Rd Email: jclause@wmc-i.com

Billings MT, 59101

**Agent (s):** Blueline Engineering Telephone: 406-294-2294

Address: 724 1st Ave. N Email: mphil@Blueline-eng.com

Billings MT 59101

# CHERRY CREEK ZONE CHANGE MEETING

Held on location of property in question on 7/27/2020 6:00 PM

## Participants

Leon Clause – Owner/Developer

Jeff Engel – Contractor/Consultant

Marshall Phil – Engineering Consultant

Joseph LaFountain – Engineering Consultant

Pam Ellis – Heights Task Force and Neighbor

Karmen Higginbotham – Neighbor

Rhonda & Kass Ioane – Neighbor

Jason McGimpsey – Neighbor

Bridger McGimpsey – Neighbor

Orion McGimpsey – Neighbor

Lindsay McGimpsey – Neighbor

Tracy Marsh – Neighbor

Terry Dennis – Neighbor

Aaron Higginbotham – Neighbor

## Meeting Highlights

Marshall Phil – Project scope is subdivision development of 33 lots with duplex homes. Duplex homes would require changing the current zoning from R-9600 and public to R-7000 or R-8000.

Pam- will the units/ duplexes be rented or sold by the developer

Leon – the units will mainly be sold but it is jointly owned by him and his 2 brothers and cannot say with certainty what percent they will sell or rent

Marshall – condominium documents will be put in place so individual units can be sold with individual water and sewer services.

Jason – what percentage of the units will be sold versus rented? this can cause problems with HOA control while project is still being developed and while units remain unsold

Aaron- Also concerned with how many units would be rented out by the developer

Marshall- With 33 duplexes and thus 66 units the HOA will have the power to ensure rules and regulations involving tenants and appearance will be enforced

Jason- What about the buffer yard mentioned/promised during previous development/zoning (this was a concern of all neighbors and the heights task force)

Marshall- The buffer yard mentioned was never intended to have the entire parcel of land go undeveloped indefinitely. (Neighbors as a whole disagreed with this)

All Neighbors and Heights task force- voiced concern/dissatisfaction with the state of the nearby Cherry Creek trailer courts development and maintenance. Worried that this will be similar. They stated that the current trailer court has high crime rate, drug use, and sex offenders. Cherry Creek trailer court was developed by the father of the current developer.

Leon & Marshall Response- The HOA will prevent these problems because of the size of the development will give it the "teeth" to sue/evict problem tenants. The development will be on city water, sewer, stormwater, and the road will be a public road maintained by the city. None of the improvements will be privately owned and will be maintained by the taxes paid to the city. The HOA will have provisions for yard maintenance snow removal and upkeep.

All Neighbors – the "buffer yard" (as above) helps separate the trailer court from their homes. They like the land undeveloped.

Marshall Response- The subdivision will still act as a buffer from the trailer court as an area of lower density zoning than the trailer court.

Leon- He has to pay the taxes on the undeveloped land.

All Neighbors and Task Force- would like to see HOA draft.

Rhonda Ioane – how many duplexes will there be and how big are the units, the lots look small

Jason- how big are the lots

Marshall – The lots are more than 10,000 square feet and the units 3500 square feet. The lots are very deep, 140', so they look small on the map but have very large backyards.

Terry Dennis – will the development have irrigation wells to maintain landscape?

Leon- it could

Marshall – The duplexes will be on city water.

Jason- will that affect the groundwater? Have any Boring been done.

Rhonda Ioane- we have well water; what affect will it have on us?

Marshall – Geotech boring on this property have not been done. Nearby wells indicate that there will be plenty of water. The well would only be for landscape irrigation the homes will have city water service. Bores will be done when the project is farther along in accordance with MTDEQ and DNRC.

Rhonda Ioane- I have a drain field what effect will it have on my drain field?

Marhsal- the drain field is up hill of development so none.

Jason- has any topo been done of the land where will the duplexes sit?

Marshall- topo has been done, some dirt work will be required but you always want to move as little dirt as possible.

Pam and Neighbors- Pam initially brought up how many new students would be coming from the development but all the Neighbors were concerned about this. Great concern about over crowding in all levels of schools.

Marshall- 27 new students would be added as estimated by 40% of homes have 1 child, according to the Lincoln center Beartooth's target enrollment is 385 and are currently at 354 so it will not be over-crowded. Skyview is at capacity but the Lincoln center stated the Lockwood high school will be taking students and Medicine Crow has more capacity.

Pam- Lockwood relieves the overcrowding that would have necessitated opening an alternative high school in Billings; the bulge of new students that necessitated building 2 new middle schools are now moving into high school. The estimates do not include the impact of the Cal Kunkl development on Barrett Road.

Karen and others - believe the city average for children per home to be greater than national avg. and duplexes whether occupied by renters or owners would more likely be younger families with children

Terry - kids have to wait for the bus at the corner of Cherry Creek Loop and Bitterroot because they bus won't come down the street. And there is no bus shelter or sidewalk.

Terry & Pam – Could a bus shelter be added? People driving by are uncomfortable with the number of students standing at the corner unsheltered

Jason & Pam – has a traffic impact study been done?

Marshall – not at this stage of development but it will be required as part of subdivision development.

Pam- what is the recode zone for the area?

Marshal - we will find out what the recode zoning will be

All – discussion about the type of homes that can/will be put in. What can go onto R-9600, 8000, 7000, can it be duplex, trailer, double wide, modular homes, stick built.

Neighbors and the Task Force- would prefer homes similar to the existing nearby houses.

Discussion with Leon after the meeting with Pam and Terry

There is no open space for children or people with dogs to recreate. This neighborhood has no accessible neighborhood parks. Cal Kunkl's development on Barrett has 1 acre in the planned development agreement for open space for children. This may be a good "quality of life" improvement, leaving a buffer area and creating a more desirable living environment.

September 1, 2020

To the Members of the City Zoning Commission,

The Heights Task Force wishes to express its opposition to the proposed zone change that would facilitate new development to the west of the Cherry Creek mobile home park. Heights Task Force members have been actively involved in conversations with representatives of the developer, seeking answers on a number of critical concerns. To date, those concerns have been either dismissed or ignored. The concerns of the Heights Task Force, as outlined below, show that on a number of points, the proposed zone change falls short of the 10 criteria that the Commission considers in approving a zone change. Because the proposed zone change does not meet all 10 criteria, the Heights Task Force respectfully requested that the application be denied.

The Cherry Creek Manufactured Home Park (Cherry Creek MHP) is a high-density neighborhood that is already experiencing challenges with public safety, transportation, student safety, and access to parks and recreation. Facility operations and maintenance by the previous Cherry Creek MHP owners – the same developers on this proposed zone change and project – have been problematic for many residents. A satellite image of the neighborhood is provided on the last page of this letter to allow the Commission a better visual on the density of the area.

**Criterion #3 – Public Health/Public Safety/General Welfare**

Crime in this neighborhood is already a significant concern. Allowing higher density development that exacerbates the overcrowding in the area will certainly continue to place the safety and general welfare of people living in this neighborhood at risk. During multiple Heights Task Force meetings, residents of the Cherry Creek MHP have indicated that crime is a serious concern. In just the last week, there has been a theft, an assault, and three disturbing the peace incidents in the area of the proposed zone change.

Allowing more high-density development will make these conditions worse, not better. During a recent Task Force meeting, a member of the Billings Police Department indicated that calls to the area typically require two police cars to respond, as weapons are often involved. Increasing the density of development in this area is not consistent with promoting public safety or the general welfare of the neighborhood.

**Criterion #4 – Transportation/Water/ Sewerage/Schools/Parks/Other Public Requirements**

Traffic congestion in the area remains a significant concern at current levels, without the addition of 600-800 vehicle trips per day. In particular, neighbors have indicated that a large number of students are waiting on the corner for busing, as school buses do not enter the Cherry Creek MHP. The combination of additional students waiting for the bus with no shelter or safe waiting area and hundreds of additional vehicle trips per day is a meaningful safety concern that the Zoning Commission should consider.

Similarly, both the developer application and the staff memo seem to disregard the measurable impact on nearby public schools. Beartooth Elementary serves this neighborhood and is already, according to the developer, at 92% occupancy. Medicine Crow Middle School is currently operating at a similar

enrollment rate. The proposed zone change would allow a higher density of housing, meaning that more children are likely than if the area retained its current zoning. An influx of families to the project area would push both Beartooth and Medicine Crow to near capacity, and that is without factoring in other projects under development in the same area. Further, Billings Public Schools is indicating record enrollment this year, meaning that ordinary community growth is already putting a strain on existing elementary facilities. Retaining the current zoning is the best way to limit adverse impacts on neighborhood schools.

The project developers have indicated they will not develop any parks or recreation facilities in the area. The Cherry Creek MHP has virtually no recreational space available and residents are indicating that the current property owners are directing that outdoor play equipment be removed. While the current operations of the Cherry Creek MHP are no longer the responsibility of the Applicant, it bears upon the Zoning Commission's consideration that existing recreational options are already severely constrained in the neighborhood. The addition of 66 units to the area without any additional improvements to parks, trails, or recreational space falls far short of the criterion to facilitate the provision of parks through a zoning change.

Finally, many neighbors and property owners in the area have raised multiple questions regarding impacts on water that have been unanswered by the Applicant. Specifically, it is not clear how the proposed zone change, allowing higher density building, would impact neighbors on wells. Because the Applicant does plan to use well water for irrigating the development, neighbors are rightfully concerned about the water table and no information has been provided in response to that concern.

**Criterion #6 -- Motorized/Non-motorized Transportation**

As stated above, neighbors in the area have concerns over the current traffic congestion as well as the lack of proposed solutions if the zoning were changed to allow higher density development. The Applicant does not propose to develop any walking trails, bike paths or other neighborhood amenities that would promote the use of non-motorized transportation options.

**Availability of Housing Options**

Many of the zoning criteria speak to the desire for diversity in housing options. Throughout the staff memo and the Applicant documents, the need for options other than detached single-family homes is repeated frequently. Yet, the analysis of the zoning change appears to completely ignore the 96-unit duplex and four-plex development in the vicinity of Medicine Crow Middle School. The analysis provided characterizes this area of the Heights as lacking in housing options but fails to mention the Barrett Road project as providing a meaningful number of additional housing options. Further, the Barrett Road project includes improvements to traffic routes, sidewalks and pedestrian pathways, and recreational options – all of which have been expressly rejected as options by the developers of the Cherry Creek project. Considering that there will be an influx of higher density options in the immediate vicinity of the proposed new development, there is no need to change the zoning to facilitate housing diversity in the neighborhood.

**Homeowners' Association**

Residents of the Cherry Creek MHP and neighbors in the area have spoken at both task force meetings and the community meeting for this project about the long legacy of broken promises by the Applicant.

Commitments to develop park space, maintain streets and common areas, and improve safety have not been upheld. Residents in the area are rightfully concerned that the same history will be repeated in this project if higher density development is allowed.

It appears that, in response to these concerns, the Applicant is offering to establish a Homeowners' Association (HOA) in the area, which would ostensibly be tasked with maintaining the character of the neighborhood and acting in a way to preserve property values. Unfortunately, establishing an HOA in no way solves the very legitimate concerns of residents in this area. The developer has indicated that some units might be sold, others will be retained by the developers as rental units, and it is impossible to predict now how many units might be sold or rented. Because the developers intend to retain units for rentals, there is a clearly foreseeable scenario in which the developers simply control the HOA. Typically, an HOA operates on the concept of one vote per home, to be exercised by the homeowners themselves. Thus, rental properties held by the developers will give the Applicant multiple votes in an HOA, as it is the property owner, not renter, who votes in a typical HOA. If 51% of the units are retained by the developers, they would then fully control the HOA and have the capacity to override the wishes of other owners in the Association. Both neighborhood residents and the Task Force have requested drafts of the HOA proposal, but no documents have been provided.

The Zoning Commission does not need to consider the existence of an HOA in its evaluation of the 10 zoning criteria, but to the extent that the Applicant is suggesting that concerns about safety, property values, or general development impact can be addressed through the proposed HOA, we would submit that is simply not the case. Absent assurances that the HOA is structured in a way to serve as an entity fully independent of the property developers, the proposed HOA will have no impact on any of the concerns raised by residents or the zoning criteria.

Based on the concerns identified in this letter, the Heights Task Force requests that the proposed zone change be rejected, as it fails to meet all 10 of the zone change criteria. The current zoning allows for responsible housing development that is consistent with the character of the neighborhood without the volume of negative impacts that would be caused by higher-density development.

Thank you for your consideration of these comments.

Sincerely,

Jennifer Owen
Chair, Heights Neighborhood Task Force

River View Dr
River View Cir
Outlook Dr
Erin St
Rally Point Water
River View Dr
David B. Bakken, RPh
Cherry Creek Community Center
Vandalay St
Rainier St N
Tartarian St
Pond Rd
N Cherry Creek Loop
Hartland St N
Skeena St
North Loop
Cavalier St N
S Cherry Creek Loop
Odds, Ends, and Such
Temporarily closed
Bing St N
Jubilee St
Jubilee St
S Cherry Creek Loop
Attika St N
Danube St
N Cherry Creek Loop
Blarney St
Bitterroot Dr
Youth Dynamics
Bitterroot Dr
Bitterroot Dr
Shannon St
Riverside Cemetery
Dublin St
Carson Way
Anchor Ave
Galway Dr

September 1, 2020

Zoning Commission
2825 3rd Avenue North, 4th Floor
Billings, MT 59101

Dear Zoning Commission, City Council and Yellowstone County Commissioners:

We are writing this letter in opposition to the proposed zoning change in Cherry Creek Estates from R-96 and P to R-8000. The zoning change will have long term negative effects on the neighborhood and surrounding area. There is no support in the neighborhood for this zoning change.

This is the list of criteria for a zone change from the City of Billings website:

- Whether the new zoning was designed in accordance with the comprehensive plan

  This expansion does not comply with the comprehensive plan. In the plan that Cherry Creek submitted in order to get approval for initial buildout, the owners agreed that these areas would be a 'buffer zone' between the trailer houses and the landowners on Bitterroot. That is detailed in the documents that Jason and Lindsay McGimpsey submitted.

- Whether the new zoning was designed to lessen congestion in the streets

  This expansion adds 66 new homes in this area. The engineer on this project admitted he had not done a traffic study to assess the current usage. The area already has 370 trailers and now to add 66 more residents, the traffic will only increase. The entry in and out of Cherry Creek is backed up on a regular basis.

- Whether the new zoning will promote health and general welfare.

  Adding another 66 units in this area will not promote the health and welfare – the engineer has not yet done a study on how the water/sewer in the new development will affect the wells and septic systems of the homes on Bitterroot Drive. Since the ownership of these units will remain with the Clause family, the idea that the duplexes will be kept up any differently than the trailer court has been is not believable. The trailer court has a long history of buildings that are outside of zoning codes, abandoned vehicles, police visits and convicted sex offenders in residence next to children. While Cherry Creek now is under new ownership, the past history of the Clause family's management of the facility and refusal to enforce zoning regulations indicates that this property would be maintained in a similar fashion. The Clause family has a total disregard to the neighborhood and the overall Heights neighborhoods.

- Whether the new zoning will be secure from fire, panic and other dangers

  The duplexes will be dead end streets - the schematic we saw at the meeting does not appear to address whether a fire truck could enter and exit the area safely.

- Whether the new zoning will provide adequate light and air

This new facility will not provide adequate light and air for the existing homeowners. It infringes upon their properties with a large fence and will most likely add to the crime and misc vandalism issues that the current property owners experience.

- Whether the new zoning will prevent the overcrowding of land

  Absolutely will be overcrowding – 66 units in that small of an area? There will absolutely be overcrowding.

- Whether the new zoning will avoid undue concentration of population

  Absolutely will concentrate people on a small plot of land, with at least 66 new cars in and out, up to 120 cars.

- Whether the new zoning will facilitate the adequate provision of transportation, water, sewerage, schools, parks, fire, police and other public requirements

  Given the current level of police calls and fire calls, adding 66 more residences will only add to the number of police and fire calls. Currently, the City of Billings Police department responds to several calls a day at Cherry Creek. The previous management at Cherry Creek (Clause) would not screen residents. It is reasonable based on that previous management style that this new 66 unit development will be the same.

- Whether the new zoning gives reasonable consideration to the character of the district

  Absolutely not. All the housing around this area is single family, with the exception of the south side of Wicks lane to the north. Those units are owner occupied and maintained. The single family housing across the street and adjacent to Cherry Creek makes this densely populated proposal foolish.

- Whether the new zoning gives reasonable consideration to peculiar suitability of the property for particular uses

  Absolutely not – no consideration to the suitability of the property has been given. This property was meant to be a buffer between the trailer park and the residents. Building 66 units on it will only overcrowd the property

- Whether the new zoning was adopted with a view to conserving the value of buildings

  Absolutely not. With the building of these units, the houses to the west will lose their value. The area was meant to be a 'buffer' between the trailers and the house – for the very intent to preserve the value of the existing houses. Adding 66 units of duplexes will undermine the value of the homes.

- Whether the new zoning will encourage the most appropriate use of land throughout the City of Billings.

The most appropriate use of this land is the buffer it was set aside for. The fact that the units will be owned and maintained by the same landowner that built and maintained Cherry Creek should be enough to shut this down.

Prior to this application, one was submitted to expand into this area in 2016. After touring the trailer park and looking over the condition of the area and the lack of maintenance and lack of zoning enforcement for buildings, the Zoning board made a recommendation NOT to allow the change. I would like the commission to examine that decision and the reasons for it before considering this one. While Cherry Creek has been sold to a new management group and there is now hope that it will become a more suitable community for the Heights, no guarantees are made.

Since this would be managed by the same people that couldn't manage and maintain Cherry Creek, I would ask the commission to vote "NO" on this expansion request also.

Sincerely,

Tracy Marsh

Barry and Tracy Marsh

## Bartley, Robbin

**From:** Ed Hostettler <edhostettler@yahoo.com>
**Sent:** Tuesday, September 1, 2020 10:16 AM
**To:** Bartley, Robbin
**Subject:** [EXTERNAL] Comment for Zoning Commission meeting 9/1/20

**ATTENTION:** This email originated from outside of the City of Billings. Use caution when clicking links or opening attachments unless you recognize the sender and are expecting the contents.

Dear Members:

I am asking you to reject the request to change from single family to multi-family zoning requested by the owners of Cherry Creek MHP. At the last Heights Task Force meeting, two residents of Cherry Creek MHP recommended rejection for this change. These residents sited the continual lying and deception by the ownership of this mobile park. The Billings Police reports at our task force meetings site numerous calls to Cherry Creek. Your approval of this zone change will result in significantly increasing density and consequent impact on traffic, schools, and probably even more Billings Police calls for service.

You know that a fire call last year resulted in the loss of a manufactured home because the management of Cherry Creek turned off the water to the hydrants. By the time the Billings Fire Dept. was able to get water for suppression, the home was a total loss. This is typical of the management of Cherry Creek by all accounts. Please deny this application for change.

Edwin Hostettler
1305 Nutter Cir
Billings MT 59105

09/01/2020

RE: Zone Change

Robbin / Tammy,

The original agreement upon approve of Cherry Creek, was to be used at a "**undeveloped**" buffer zone. I am writing you to express my concern for this new development. Cherry Creek is the worst and most problem area in Billings. As a lifelong Heights resident, in my option, your approval of this will degrade the Heights area even more so. This new development is owned by the same people who developed Cherry Creek. It has been nothing but a thorn in the City as well as the police and first responders.

This land was setup as a buffer zone by Cherry Creek Land Developers and as agreed upon, should remain exactly that. This will effect over populated schools and property values of surrounding houses negatively.

Therefor I am strongly against this development.

Sincerely,

Aaron & Karmen Higginbotham

1315 Bitterroot Dr.

Billings, MT 59105

September 1, 2020

Zoning Commissioners
2825 3rd Avenue North, 4th Floor
Billings, MT 59101

Dear Zoning Commission, City Council, and Yellowstone County Commissioners,

We are writing this letter in opposition to the proposed zoning change in Cherry Creek Estates from R-96 and P to R-8000. This zoning change would have long-term negative impacts on our neighborhood and the surrounding area. There is no support within our neighborhood or our community for this proposed zoning change and no citizen in good conscious could support any additional dwelling units of any kind within this development.

Several documents and meeting minutes have been discovered which reference the 300' buffer zone (the area which is up for consideration of a zone change) zoned R96 to satisfy surrounding property owners, community members, and Commissioners, in order to develop the trailer park in the first place. Neighborhood concerns have not changed (they, in fact, have gotten greater as the development has become what we all feared), nor should the buffer zone be eliminated.

The zone change request does not meet several of the 11 criteria that you use to aide in your review of proposed zone changes. Cherry Creek Estates does not meet the criteria set forth in items 1, 2, 3, 4, 6, 7, 8, 9, or 11. A series of flimsy justifications have been provided as part of the application which all do not stand upon any type of further research.

The proposed zone change is not in accordance with the City of Billings Growth Policy. Cherry Creek most certainly does not provide neighborhood character, visual appeal, or quality of life for its residents. The majority of the 370 trailer homes as well as the "parks" and common areas located within the development are in a constant state of disrepair. They are not providing a service to low income people. The development does not fit the criteria of MCA 76-3-102, specifically items 2, 3, 5, and 6. Cherry Creek is already overcrowded and has been developed far beyond the 300 unit maximum outlined within the development agreement. With close to 370 units, an additional 66 dwelling units this area will be the most densely populated in Yellowstone County.

As a community, we recently passed the School District #2 bond issue (the owners of Cherry Creek actively fought the bond issue – not wanting to pay their fair share for the impact that their development's residents have had on the overcrowding of local schools). This bond money has gone, in big part, to addressing our District overcrowding issues. Our local elementary school, Beartooth Elementary, has experienced extreme overcrowding, and this issue has been resolved with the redistricting and addition of Medicine Crow Middle School. If Cherry Creek adds additional dwelling units (which were not accounted for in the projected growth of our area), this will easily result in a significant number of additional children flooding into the schools and again creating overcrowding / accreditation issues. The recently approved zone change adjacent to Medicine Crow will also have to be factored into this decision.

This area requires **multiple** daily visits from the City of Billings Police **and** Fire Department (please reference reports which are available from the City of Billings Police Department), and is a known area for drug use, drug distribution, child abuse and neglect, burglary, property damage, assault, vandalism, noise disturbances, harassment, DUI, restraining order violations, forgery, fraud, firework use, custodial interferences, trespassing, and weapons violations. The attached headlines from the Billings Gazette offers further evidence illustrating the problems this development has faced in recent years. An additional 66 dwelling units will only increase the burden on already strained City services.

On top of all of this illegal activity, there are many registered violent/sex offenders in this development (including a Level 3 and a Level 2 offender). At the time of the last zone change request in 2016, over half of the registered violent/sex offenders east of Main St. live within Cherry Creek.

We invite you to tour Cherry Creek Estates and witness first-hand the reasons that our neighborhood and the Heights community are not in support of adding additional dwelling units to the existing 370. The owners did not and could not maintain what they had. Now the same family would like an opportunity to create another large low-income development with more empty promises utilizing the same ownership model in which they are able to take financial advantage of low income families. The two class action lawsuits which they lost are enough evidence of their business practices and ethics.

Our neighborhood is made up of hundreds of single-family, owner-occupied homes adjacent to and bordering Cherry Creek Estates. We have a pride of ownership, and an eye towards making Billings and our local community the best it can be. We do not appreciate being subjected to a slight variation of the same zoning change request presented in 2016. There is no logical reason to again subject the community and neighborhood to yet another attempt by this developer at creating a significantly worse situation than currently exists in this development.

Please help us in our efforts to keep Billings great!

Sincerely,

Jason & Lindsay McGimpsey

Attachments
MCA 76-3-102
Cherry Creek rules/regulations
Development plan for Cherry Creek Estates
8/24/01 County Commissioners Meeting Minutes
Aerial map of Cherry Creek and buffer area
Cherry Creek Development responses
Environmental Assessment of Cherry Creek
Cherry Creek headlines

# Montana Code Annotated 2015



**76-3-102. Statement of purpose.** It is the purpose of this chapter to:

(1) promote the public health, safety, and general welfare by regulating the subdivision of land;

(2) prevent overcrowding of land;

(3) lessen congestion in the streets and highways;

(4) provide for adequate light, air, water supply, sewage disposal, parks and recreation areas, ingress and egress, and other public requirements;

(5) require development in harmony with the natural environment;

(6) promote preservation of open space;

(7) promote cluster development approaches that minimize costs to local citizens and that promote effective and efficient provision of public services;

(8) protect the rights of property owners; and

(9) require uniform monumentation of land subdivisions and transferring interests in real property by reference to a plat or certificate of survey.

**History:** En. Sec. 2, Ch. 500, L. 1973; amd. Sec. 1, Ch. 498, L. 1975; amd. Sec. 1, Ch. 552, L. 1977; R.C.M. 1947, 11-3860; amd. Sec. 1, Ch. 272, L. 1993; amd. Sec. 2, Ch. 468, L. 1995; amd. Sec. 2, Ch. 348, L. 2001.

*Provided by Montana Legislative Services*

# GENERAL TERMS OF RULES AND REGULATIONS FOR CHERRY CREEK ESTATES SUBDIVISION

1. Each lot in the manufactured home park shall be known as a residential lot and shall be used solely for residential purposes. No structure shall be erected, altered, placed or permitted upon any lot other than one (1) single family manufactured home per lot; a garage and storage building not to exceed a combined size of 720 SF. No additions or enclosed entries shall be constructed to any manufactured home.

2. No structure other than a manufactured home exceeding 1,000 SF in size which shall be used for residential purposes. All manufactured homes shall be at least 14 feet wide and shall not be over five years old at the time of placement on to a lot. Axles and tires shall be removed upon placement and before skirting.

3. The exterior of any garage or storage unit shall be constructed of new materials and be completed in its entirety before it can be used for any purpose. All wooden structures shall be sided with conventional siding and shall be kept well maintained at all times. Other prefab storage units must be approved by the Board of Directors of Cherry Creek Development, Inc. and thereafter kept well maintained.

4. Plans and specifications for all garages to be built on any lot shall be submitted by the lessee to the Board of Directors for review, and upon receiving written approval, the lessee shall purchase a City of Billings building permit.

5. No swine, poultry, or other livestock shall be kept on said premises; however domestic pets may be kept by the lessee of which domestic pet shall be defined as meaning not more than two dogs and not more than two cats per living unit. All pets shall be confined to the lessee's premises at all times, or kept on a leash.

6. No construction equipment or materials of any nature can be stored unless for the purpose of immediate construction. No trash, obsolete materials, non-operating or non-licensed vehicles or portions thereof, or other refuse shall be allowed to accumulate on any of the above-described lots. No camp trailers, trailers, boats and such shall be stored on the lot, unless it can be stored inside a building meeting the above size requirements.

7. No noxious, offensive or illegal activity shall be carried out upon any lot, nor shall anything be done thereon which may become a nuisance or annoyance or to the extent that the same becomes unsightly or unsafe; nor shall any motor vehicle used in organized automobile or stock car races be stored or maintained on said premises.

8. All garbage containers shall be stored so that they will be concealed from the view of streets.

9. All manufactured homes shall be located in accordance with the regulations of the City of Billings. The front setback shall be at least 20 feet. No structure shall be built within 8 feet of the manufactured home.

10. No fence or hedge shall be of more than 4 feet in height. All fence materials must be new at the time of installation. Placement of fence, hedge or trees will be restricted per City of Billings ordinance line of clear vision at intersections.

11. The lessee of any lot shall be responsible for keeping the grass and weeds cut on his lot, even though he may not have a home on the lot at all times. The Board of Directors reserves the right to enter onto any lot to cut any grass and weeds that may appear to be unsightly, and the cost of same may be assessed against the renter of the lot or living unit.

12. Each manufactured home shall be skirted within 30 days after it is moved onto the lot. Skirting shall be of a color similar to the home and shall be kept well maintained and in good repair.

# DEVELOPMENT PLAN
# FOR
# CHERRY CREEK ESTATES SUBDIVISION

LEGAL DESCRIPTION: Lot 1, Block 1, Cherry Creek Estates Subdivision located in the NW¼ and SW¼ Section 24, T.1N., R.26E., P.P.M., Yellowstone County.

THE PURPOSE of this development is to provide for and satisfy some of the need for modern manufactured housing. In recent years, there have become fewer and fewer available manufactured housing lots for rent. This low is creating increased lot rents and hardships for the elderly on fixed income and young families starting out. The location of this development is ideal because of the landscaped buffer that can be provided, the ability to connect to public utilities, the assurance that the proposed design is the limit of the expansion, the large amount of open space that can be retained, and the ability to provide amenities for public as well as the residents of the development.

A. BUILDING AND USE RESTRICTIONS:

Unless expressly designated to the contrary, all standards or requirements of the City of Billings and Yellowstone County Zoning Regulations shall be followed for the type of use within each of the areas listed below:

1. LAND USES :

   a. Single family, double and triple wide manufactured homes. The entire development shall be privately owned lots for rent.

2. USES PERMITTED:

   a. Single-family residential manufactured home structures shall be built to HUD code and will meet all standards as stated in the Unifield Zoning Regulations, Section 27-608, Item 2, Manufactured Homes, Class A. Structures shall be built with conventional materials used in the housing industry. No specific requirement for foundation shall be required.

   b. All other uses allowed by right in the R-9600 zoning district as set forth in Section 27-305 of the BMCC.

   c. Uses requiring special review approval as defined in Section 27-305 shall be required to proceed through the special review process set forth in Section 27-1503 of the BMCC.

B. SUPPLEMENTAL AREA YARD AND HEIGHT REQUIREMENTS FOR BOTH UNDERLYING ZONES:

All set backs will be per fire code requirements.

C. BUILDING DESIGN:

1. Exterior portion of development shall have homes built post 1995 of a minimum size of 1,100 square feet. The exterior of the home shall have at least two architectural options, such as dormer, a window option, or other as approved by Cherry Creek Development, Inc. Garages and one shed shall be allowed, combined total square footage not to exceed 800 square feet. Garage and shed shall be similar color of home.

2. Interior portion of development must have homes at least a minimum of 960 square feet and homes shall be built post 1990. The home exterior shall be built of conventional materials.

D. ESTIMATED DEVELOPMENT SCHEDULE: All improvements in the Planned Development will be constructed within five years of the date of the Council approval.

1. Within six months of development approval: Begin grading and layout of project.

2. Within twelve months of Preliminary Plat approval:

   a. Begin construction of sewer and water infrastructure, electrical, telephone, gas, and roads for Phase I.

   b. Begin construction of some of the amenities.

   c. Begin grading work on proposed 9 hole golf course.

3. Within 18 months of Preliminary Plat approval:

   a. Begin work on the greens area of the first 9-holes of proposed 18 hole golf course.

   b. Start Construction of Phase II.

   c. Construction will be complete on Phase I (150 units).

4. Within 24 months of Preliminary Plat approval:

   a. Construction of road, sewer and water infrastructure will be completed on Phase II.

b. Completion of first 9 hole of proposed 18 hole golf course.

c. Completion of Clubhouse.

5. At 36 months after Preliminary Plat approval:

a. Begin construction of remaining amenities.

6. All items of construction will be completed by 60 months after preliminary plat is approved.

E. OTHER SPECIAL AGREEMENT:

1. Easements: To be established. Possibility for Storm Drain Easement, Bikepath Easement, lift station provision issues to discuss to with the City.

2. Screening bordering neighbors to west: A 6-foot fence shall be provided specifically along the border of neighbors to the west. In no event shall the screening be placed as to obstruct clear site vision of street intersections.

3. Other requirements: Unless expressly designated above, all other standards or requirements of the City of Billings development standards, building, zoning and site development ordinances shall be followed.

F. REVERSION:

If for any reason this Planned Development is not implemented and construction improvements within the development schedule in above Paragraph I.4 and in conformance with this Development Plan, nor are any dwelling units in place within five years of zone change approval, then this property shall revert back to the previous zoning.

**IN WITNESS WHEREOF**, the parties have set their hands and seals the day and year first above written.

CHERRY CREEK DEVELOPMENT, INC.

By _____

Its _____

STATE OF MONTANA )
: ss.
County of Yellowstone )

On this _____ day of _____, 1999, before me, a Notary Public for the State of Montana, personally appeared _____, known to me to be the _____ of CHERRY CREEK DEVELOPMENT, INC. that executed the within instrument and acknowledged to me that such corporation executed the same.

_____
Notary Public for the State of Montana
Residing at _____
My Commission Expires _____

CITY OF BILLINGS, MONTANA

By _____
Mayor

Its _____
City Clerk

STATE OF MONTANA )
: ss.
County of Yellowstone )

On this _____ day of _____, 1999, before me, a Notary Public for the State of Montana, personally appeared _____ and _____, known to me to be the Mayor and City Clerk, respectfully, of the City of Billings, Montana, and acknowledged to me that they executed the same on behalf of the City of Billings.

_____
Notary Public for the State of Montana
Residing at _____
My Commission Expires _____

**REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS**

**Billings, Montana**

**Friday, August 24, 2001**

The meeting was called to order at 10:00 a.m.

PRESENT - Commissioners Reno, Chairman, Ziegler, and Kennedy; Board Clerk, Tammy Dexter; Clerk and Recorder, Tony Nave.

PLEDGE TO THE FLAG - Held.

**ADD-ON REQUEST - COMMISSIONERS** - TO REGULAR AGENDA - Letter to John Althof, Montana Department of Transportation re: Closure of Railroad Crossings in Huntley Experiment Station. Commissioner Kennedy MOVED to add this item to the Agenda. Commissioner Reno seconded the motion. Unanimous.

Commissioner Reno noted that item #3a. - Court Services - Federal Appropriation Grant Application had been removed from the Agenda. This item will be on the August 28, 2001 Agenda.

**10:00 A.M. - PUBLIC HEARING - Closing Assets and Liabilities of Human Services Fund to the General Fund.** Now was the time, date, and place for the above public hearing. Commissioner Reno called on Scott Turner, Finance Director. Mr. Turner informed the Board that the 2001 legislature passed Senate Bill 339 effective July 1, 2001. Mr. Turner explained that this bill transfers all counties public assistance programs and administration to the State of Montana. Mr. Turner noted that fund 2120 (Human Services Fund) had a fairly sizeable reserve, and became available at the discretion of the Board of County Commissioners. Mr. Turner reminded the Board that the General Fund was going to be one-time appropriated with $1,000,000 of these assets in the FY02 County's Health Insurance Fund. Mr. Turner noted that $50,000 of the Human Services Capital Improvement Funds would be designated to Riverside Cemetery, and $24,000 of the Capital Improvement Funds would be designated as a reserve for possible leasehold improvements, and the balance of the Human Services Capital Improvement Funds would be designated for projects by the Board of County Commissioners. Commissioner Kennedy noted that the County only owes state expenses from FY01.

Commissioner Reno opened the public hearing and called for proponents and/or opponents. None. Commissioner Reno closed the public hearing. Commissioner Kennedy MOVED to execute Resolution #01-65 (Closing Assets and Liabilities of Human Services Fund (2120) to the General Fund). Commissioner Ziegler seconded the motion. Unanimous.

**ADD-ON ITEM - COMMISSIONERS** - Letter to John Althoff, Montana Department of Transportation re: Closing Railroad Crossings at Huntley Experiment Station. Commissioner Reno read the letter aloud for the record. Commissioner Kennedy noted that after visiting with users of Osborn Park, a Huntley Experiment Station employee, and Huntley Museum Board members, they were very adamant that these railroad crossings were needed and should not be closed. Commissioner Ziegler asked if the letter was appropriate, or if a public hearing should be held regarding the issue. John Ostlund, County Road Superintendent, was present and stated that he agreed with the people from Huntley - these should remain open. Commissioner Kennedy MOVED to execute the above letter to John Althof, Montana Department of Transportation. Commissioner Ziegler seconded the motion. Unanimous.

**10:15 A.M. - FINAL BUDGET HEARING - Adoption of FY02 Budget.** Now was the time, date, and place for the above public hearing. Commissioner Reno called on Scott Turner, Finance Director. Mr. Turner informed the Board that many pieces of new legislature had some major impacts on county budgets. Mr. Turner stated that the State had taken some revenue resources away from local governments. Mr. Turner noted that there was a 3% inflationary growth factor that the State would be assuming. Mr. Turner reminded the Board that 3.3 mills was given to the County Attorney's budget last year, and they were now separated from the General Fund; they are now the Public Safety County Attorney Fund. Mr. Turner stated there was an increase of 5.1 mills county-wide. Mr. Turner noted that $1,000,000 would be transferred into the County's Health Insurance Fund as a one-time bonus (from closing the Human Services Fund). Mr. Turner stated there were nine (9) new FTE positions, mostly for the County Attorney's Office and the Detention Facility. Mr. Turner went briefly went over the Detention Facility expenses. Mr. Turner reminded the Board that the Youth Services Center had $89,000 reallocated to bring their staff up to comparability of employees doing similar jobs at better pay. Mr. Turner noted that, overall, the budget was balanced. Mr. Turner alerted the Board that next year could be a little different with union contracts, higher costs of utilities, and health insurance, just to name a few.

Commissioner Reno opened the public hearing and called for proponents and/or opponents. **Joe White** 1403 1st Avenue North, recommended that the Board hire an executive assistant to carry out orders for the Board. Commissioner Reno closed the public hearing. Commissioner Ziegler MOVED to approve the FY02 Yellowstone County Budget. Commissioner Kennedy seconded the motion. Unanimous.

**COMMISSIONERS** - A.) Public Board Discussion - Decision on Zone Change #543 - Cherry Creek Development. This item was brought back to the Board due to a misunderstood motion at the original public hearing. This was a zone change request from Agricultural-Open Space to Residential Manufactured Home and Public on property generally located south of Wicks Lane and east of Bitterroot Drive. Commissioner Kennedy MOVED to deny Zone Change #543. Commissioner Ziegler seconded, noting that

5-24-01

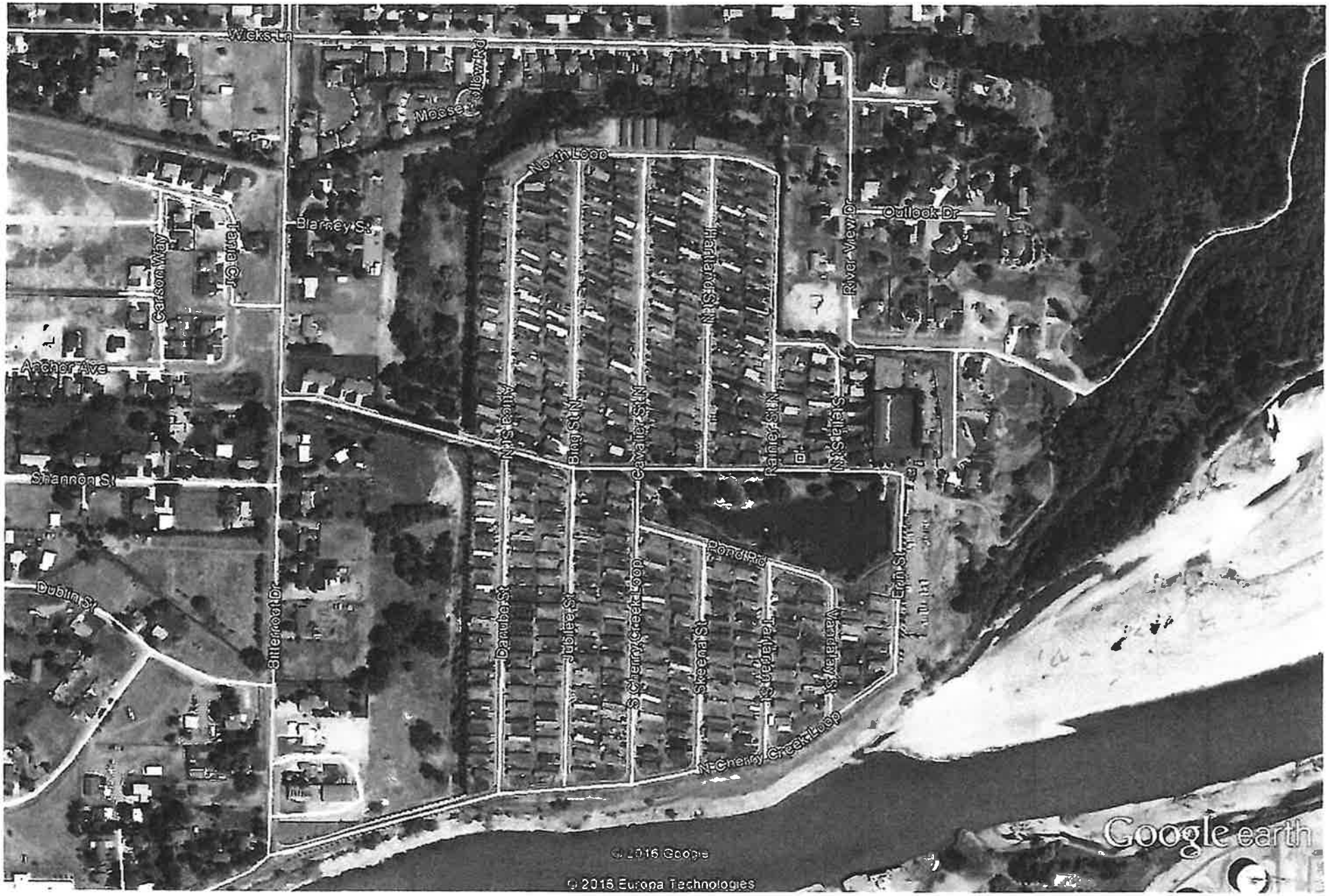
he was only seconding the motion to open the floor for discussion. Commissioner Kennedy noted that he was basing his motion on the recommendation of the Planning staff and Zoning Commission, along with the 12 criteria required for a zone change. Commissioner Kennedy went over the 12 criteria and gave reasons for each: 1) Is the new zoning designed in accordance with the Comprehensive Plan? The new zoning may not protect against the encroachment of incompatible or unrelated uses. The new zoning may not prevent establishment of new uses that conflict with adjacent or nearby existing uses. The new zoning does not capitalize on using existing public sewage service; 2) Is the new zoning designed to lessen congestion in the streets? The portion of the property included in this zone change is zoned Agricultural-Open Space, and would allow 1 dwelling unit per 10 acres, for a maximum density of 8 dwelling units. It should be noted that any change to a different residential classification will allow for more dwelling units and in turn create more traffic than the existing agricultural zoning. The proposed change to Residential Manufactured Home will substantially increase traffic on the surrounding street network. The maximum potential density for this development is 597 manufactured homes. Nothing has been submitted with this application that would limit the number of allowed manufactured homes other than the 6,000 square feet per unit requirement. A Traffic Accessibility Study was previously completed for this property; however, the current proposal is substantially different than the previous proposal; 3) Will the new zoning secure safety from fire, panic, and other dangers? Applicable codes will look at this. This property is currently located in the Billings Urban Fire Service Area. At the time of subdivision submittal, the Fire Department will examine hydrant location and the widths of the interior streets; 4) Will the new zoning promote health and general welfare? Applicable codes will look at this. At the time of subdivision submittal, the C/C Health Department, along with the Department of Environmental Quality, will review the proposed sewage disposal system; 5) Will the new zoning provide adequate light and air? Applicable codes should assure this; 6) Will the new zoning prevent overcrowding of land? Applicable codes should assure this. The Zoning Regulations require a minimum of 6,000 square feet of lot area per dwelling unit the RMH zone; 7) Will the new zoning avoid undue concentration of population? Applicable codes should assure this. The property will be subject to the minimum lot area requirements found in the Zoning Regulations; 8) Will the new zoning facilitate the adequate provisions of transportation, water, sewerage, schools, parks, fire, police, and other public requirements? Transportation: Approval of this zone change would cause significant increases in the amount of traffic on the surrounding street network; Water and sewerage: This property can be served by the Heights Water District and is currently proposed to have some type of on-site sewage treatment. The effects of this on-site treatment may be much more deleterious to the surrounding environment, especially the Yellowstone River, than connecting to City sanitary sewer service; Schools: This development will cause an increase in the number of children attending the surrounding schools. In addition, the closest elementary school, Beartooth Elementary, was closed by the School Board for the upcoming 2001-2002 school year; Parks: This property will be required to provide parkland dedication and/or cash-in-lieu at the time that the property is subdivided or reviewed for a manufactured home court; Fire and police: Any significant residential development on this property will cause an increase in the need for both of these services. The property is currently within the Billings Urban Fire Service Area and would get primary law enforcement from the County Sheriff; 9) Does the new zoning give reasonable consideration to the character of the district? The subject property has Residential-9,600, Residential 7,000, and Public Zoning surrounding it, with most of this development consisting of larger lot single family development. The Public zoning is an appropriate district in the area proposed; 10) Does the new zoning give consideration to peculiar suitability of the property for particular uses? The zone change as proposed does try to take advantage of the potential unsuitability of the site for structures on permanent foundations. In addition, the area proposed as Public would provide an area for a future trail corridor along the Yellowstone River; 11) Was the new zoning adopted with a view to conserving the value of buildings? The new zoning may adversely affect the value of adjacent buildings and properties; 12) Will the new zoning encourage the most appropriate uses of land throughout such county or municipal areas? No, for reasons mentioned previously. Commissioner Ziegler noted that staff contends that a project of this size produces a huge impact on the County, when annexation from the City could be obtained. Commissioner Ziegler noted that the applicant did apply for annexation, but was rejected; the argument was also presented that the City was not gaining any tax benefits to address these alleged impacts. Commissioner Ziegler stated that 6 of the 12 criteria have the same connotation that the "applicable codes should assure this." Commissioner Ziegler stated that he felt the main discussion was with condition #8 which addresses transportation, water, sewer, schools, parks, fire, and police. Commissioner Ziegler stated that if that is all the Board has to stand on, since the Board was unable to place conditions on the zone change, he would stand not in support of denial, but in proceeding with approval. Commissioner Ziegler addressed the 12 criteria noting that the criteria for approval would be almost the same, except on #2 - the size of the units was discussed, and access off of Bitterroot Drive was discussed, which was designated as a principal arterial street; #3 - applicable codes; #4 - applicable codes; #5 - applicable codes; #6 - applicable codes; #7 - applicable codes; #8 - discussed on July 3, 2001 at great length; #9, #10, #11 - same responses that Commissioner Kennedy read aloud; #12 - yes, for reasons mentioned previously. Commissioner Reno stated that the developer had controlled the destiny of the 300' surrounding this potential development. Commissioner Reno stated that the notice needed to be for 300' adjacent landowners, "didn't say 301, didn't say 1/2 a mile, it says 300'." Commissioner Reno stated that he would like to know the impact this would have on properties outside the 300'. Commissioner Reno stated that item #1 primarily talks about adjacent land values; the developer controls the adjacent land values with earlier actions the Board had taken approving R-9,600. Commissioner Reno addressed #2. Commissioner Reno stated that there was a city councilman who stated in the *Billings Gazette* that the city needed more high density housing, and building it on a high arterial street like Wicks, seemed like the best place for it. Commissioner Reno noted that items #3, #4, and #5 the Zoning Board had no problems with; #6, #7, #8 - transportation had been addressed. Commissioner Reno noted again that the city councilman would like to have Wicks as a higher volume street. Commissioner Reno noted that the Board does not condition water and sewer - the State of Montana does that. Commissioner Reno stated that the schools were looking for students - Beartooth Elementary was closed due to lack of students. Commissioner Reno noted there was no issue with park or fire. Commissioner Reno addressed #9 - "I would like to vote against this, but can't. I don't know how many uses you have for an abandoned gravel pit." Commissioner Reno stated that it seemed reasonable to have affordable housing, somewhat out of view, in an abandoned gravel pit. Commissioner Reno stated, "as such, I cannot support the motion to deny." Commissioner Reno

called for the vote on the motion to deny Zone Change #543. Commissioner Kennedy voted yes. Commissioners Reno and Ziegler voted no. Commissioner Ziegler MOVED to approve Zone Change #543 (Resolution of Intent to Approve #01-70). Commissioner Reno seconded the motion. Commissioner Reno called for the vote. Commissioners Ziegler and Reno voted yes. Commissioner Kennedy voted no. Motion duly carried. Commissioner Kennedy noted that what happened today was completely different from July 3, 2001. Mark English stated that the Board decided to approve the zone change, and it was fine that they changed their decision. Mr. English informed the Board that they would need to provide a written order of why they approved the zone change, and the County Attorney's Office would help them prepare that document. Commissioner Ziegler MOVED to execute a written order stating why the Board reversed their previous decision, and was now approving Zone Change #543. Commissioner Reno seconded the motion. Commissioner Reno called for the vote. Commissioners Ziegler and Reno voted yes. Commissioner Kennedy voted no. Motion duly carried. B.) Resolution Recognizing Big Sky Economic Development Authority as Lead Organization for Economic Development throughout Yellowstone County. Commissioner Ziegler MOVED to execute Resolution #01-66. Commissioner Kennedy seconded the motion. Unanimous.

**CLAIMS** - None were presented.

**CONSENT AGENDA - 1. COMMISSIONERS** - A.) Beartooth RC & D - Agreement - Participation in Beartooth RC & D Economic Development District. Yellowstone County is assessed a base feel of $1,250 plus $0.1107 cents per capita (based on the 1990 census population of 127,258) for a total assessment of $15,337; B.) Letter to Montana Migrant Council re: Appointment of County Auditor, Susan Lupo, as County Representative on Billings Community Housing Resource Board; C.) Amusement Gaming Application & Permit - Alkali Creek PTA; **2. PURCHASING** - Bridge Department - Request to Expend - New Forklift in the amount of $40,932.00; **3. COURT SERVICES** - A.) Federal Appropriation Grant Application - REMOVED; B.) Agreement with Justice System Assessment & Training. The purpose of this contract was to purchase the services of approximately 20 hours of training in assessment tools including, but not limited to Risk Assessment for Training and the Substance Use Survey. The financial consideration of the contract was $4,100, payable upon completion of training and upon receipt of an invoice submitted by JSAT. The contract shall be effective August 1, 2001 and end September 30, 2001; **4. WEED DEPARTMENT** - FY02 Special County Weed District/Reservation Grant Agreement - Purchase of Four-Wheeler ($6,200.00); **5. DES/GSA** - Montana Disaster & Emergency Services Division - Payroll Authorization Forms; **6. FINANCE** - A.) Bond Resolution #01-67 - R.S.I.D. #679/679M - 69th Street West &Yellowstone Place; B.) Bond for Lost Warrant - HAD Management (Michelle L. Fisher); **7. HUMAN RESOURCES** - Personnel Action Report: **WESTERN HERITAGE CENTER** - RESIGNATION - Wanda Bronson, Office Manager; **FILE ITEMS - 1. YELLOWSTONE COUNTY TRAFFIC SAFETY** - FY02 Plan & Budget; **2. CITY OF LAUREL** - Notice re: Expansion of Special Improvement Lighting District #2. Commissioner Kennedy MOVED to execute and file all items on the Consent Agenda, with #3a removed. Commissioner Ziegler seconded the motion. Unanimous.

The meeting was adjourned at 11:04 a.m. by Commissioner Reno.




Google earth

feet 2000

meters 900

353 TOTAL

# CHERRY CREEK DEVELOPMENT
# 12 CONSIDERATIONS AND RESPONSES

1. IS THE NEW ZONING DESIGNED IN ACCORDANCE WITH THE COMPREHENSIVE PLAN?

Yes. This development will protect against encroachment of incompatible or unrelated land uses by allowing orderly and rational residential development during the various stages of economic and residential growth cycles. This development will help provide greatly needed housing for moderate income people, as well as provide infill.

The zoning will retain and improve the existing residential neighborhood by permitting orderly development that will enhance the area. The proposed buffer area will assure green open space between adjacent developments and this one. The new zoning will assure compatible housing to surrounding owners. Zoned as it is now, the surrounding owners are not assured of compatible housing; more particular, they are not even assured residential use.

Furthermore, this planned manufactured housing development, in an area that is buffered by open land to the north and west, and bordered by the river on the south and east, is in accordance with the comprehensive plan. This planned development zoning will provide the most benefit to all members of the community, by providing needed spaces for manufactured homes in an area that can be served by public utilities. This is private property and is not there for the adjoining property owners exclusive recreational enjoyment and use. However, with the proposed plan development, the community, as a whole, can gain from the benefits.

The following pages of the Yellowstone County Comprehensive Plan seem to concur with points regarding this property and its particular use.

A. Page B-13: States there is a need for this type of housing as over half of the census work in the retail trade and service industries and their wages are below the county average of $16,187.00 per year.

B. Page C-1: Encourages adequate housing supply for all income levels and new housing construction in ALL neighborhoods.

C. Page C-2: Refers to Mixed Housing Development Policy, encourages a variety of housing types and/or styles within proposed housing developments. Alternative housing types should be available within the county. Strategy is to inventory Residential Manufactured Housing (RMH) zoning districts in the City to

ESTABLISH THE AVAILABILITY of lots for manufactured housing as well as the suitability of the sites for residential development. This is done by and coordinated by the Planning Department, City, County Zoning Commissions and elected officials.

D. Page C-9: "Court rental spaces in 1987 were approximately $130/month". Today, rents are as high as $275/month. For retired persons on fixed income, this is becoming a large burden. State statutes recommend that a comprehensive plan include setting forth development, improvements and extensions of areas to be set aside for use as trailer court and sites for mobile or manufactured homes.

E. Page C-16: Needs assessment by household type shows a trend toward smaller household, single person and non-family householders.

F. Page H-2: Capitalize on existing public water supply systems. Strategy encourage new development within areas already provided with public water systems by stimulating developer interest with benefits analysis and by creating an incentive system. The City and County should explore the possibility of a relaxed SID policy for infill areas with less than 50 percent development.

G. Page H-14: Contamination of drinking water by underground sewage systems is of serious concern to Yellowstone County, therefore, the intent is to be in complete compliance with State and County sanitary regulations. It should be noted that wells that do not meet state standards also contribute to the contamination.

H. Page H-15: The formation of the Billings Heights Water District was in large part due to the widespread contamination of drinking wells by septic systems. This development intends to utilize Heights Water District.

I. Page I-1: Policy to protect the County agriculture industry from encroaching land uses which are not compatible with agriculture. Strategy - Promote the use of cluster development, throughout the Planned Development process, which will concentrate residential areas and maintain open space.

J. Page K-39: Infill development, one of the most strategic ways to limit urban sprawl is to identify and utilize existing vacant land within areas already developed and served with adequate roads and public facilities.

2. IS THE NEW ZONING DESIGNED TO LESSEN CONGESTION ON THE STREETS?

Any residential development will increase traffic to some extent. This property has two major arterial streets that are designed to carry and will carry the traffic flow on Bitterroot Drive and Wicks Lane.

Scott Walker, the transportation planner of Yellowstone County, has confirmed that Bitterroot Drive at the present time could easily handle another 1,500 trips each way and Wicks Lane can take an extra 1,500 trips to the west.

This proposed development area is included in the Transportation Study of 1990 and the recent update. The travel demand forecast for Heights area is to "grow a little faster than average". In addition, capacities according to the comprehensive plan (Software of 1985) showed a two-lane urban street capacity of 6,000 to 8,000 average daily trips.

The City of Billings Met Transit System runs directly west of the development, which may be a benefit for the City of Billings by filling partially full buses. There is also STI, special transportation to assist elderly and handicapped citizens who cannot use other public transportation. In addition, the development will give consideration to running daily van shuttle to shopping malls, courthouse, etc.

As development progresses in the general area and new links to major highways redirect traffic flows on Main Street, congestive traffic areas will be identified and the necessary steps will be implemented to reduce congestion.

The comprehensive plan (Page K-25) states that the journey to work as compared to other larger communities, Billings still has relatively moderate traffic congestion and commuter time.

Please refer to the Traffic Accessibility Study on this project for additional information.

3. WILL THE NEW ZONING SECURE SAFETY FROM FIRE, PANIC, AND OTHER DANGERS?

Yes, the new zoning will require that the development be constructed according to the State of Montana requirements and those requirements will assure that all safety issues are taken into account. The development of this property may even reduce the fire possibility by reducing the large number of dried weed areas and replacing with green grass and landscaping and by bringing the availability of water within the property boundaries. The residents along Bitterroot Drive may benefit also by being able to connect to Heights Water District.

Fire hydrants will be installed as required. Any other dangers will be identified and protected by following all applicable codes and laws.

4. WILL THE NEW ZONING PROMOTE HEALTH AND GENERAL WELFARE?

Yes. This zoning will promote health and general welfare of the residents and community. Providing public sewer and water service to the development will better benefit the community. This development will take nothing from the surrounding owners and will offer the benefit of improved services to their property, thereby increasing their property values. It will promote the health of the surrounding property owners. This development will not effect groundwater of the surrounding owners. The comprehensive plan states, in general, groundwater is plentiful and close to the surface. This is evident at the property site. Webster's Dictionary describes *health* as the overall condition of an organism, *general* as involving the whole, and *welfare* as an organized effort to improve the circumstances of disadvantaged.

5. WILL THE NEW ZONING PROVIDE ADEQUATE LIGHT AND AIR?

Yes. There is currently adequate light and air and the proposed development density with the use of land buffers and open space will not detract from either issue.

6. WILL THE NEW ZONING PREVENT OVERCROWDING OF LAND?

Yes, by providing the proposed buffer area and the use of the lands for public benefit along the Yellowstone River corridor. The development will provide a certain amount of land that will never be developed but set aside for the enjoyment of the public forever. The surrounding neighbors have requested a zoning of 9600, which would allow around 475 residences on the 105 acres. Our proposal is designed as a cluster development that allows for plenty of open space and is in agreement with the comprehensive plan and only plans for approximately 300 households.

7. WILL THE NEW ZONING AVOID UNDUE CONCENTRATION OF POPULATION?

Yes, the area is presently underdeveloped for the City services that are being provided. With other residential zoning on this property and public facilities, the population concentrations could potentially be as high as 760 households. However, this planned development zone request with the proposed buffer area will limit the number of households and assure undue concentrations of population.

8. WILL THE NEW ZONING FACILITATE THE ADEQUATE PROVISIONS OF TRANSPORTATION, WATER, SEWERAGE, SCHOOLS, PARKS, FIRE, POLICE, AND OTHER PUBLIC REQUIREMENTS?

Transportation: Wicks Lane and Bitterroot Drive are already designated as major arterial streets. Improvements required to these existing streets will be as required and needed to develop the area. The planned development number of residences will be less than the City residential zone 9600 would allow.

Water: Plans are to have municipal water service provided by Billings Heights Water District to the development. Comprehensive Plan H-15 states City of Billings can easily serve 168,000 and could serve as many as 250,000 households if necessary by the year 2000.

Sewerage: Sewer service will be provided by City of Billings.

Schools: Impact on the schools should be minimal and very well may help the schools financially. Manufactured home facilities today are seeing much higher percentages of young married couples and older retired persons. Beartooth Elementary School, when built, was designed to hold an additional 200 students than are attending at present. Castle Rock Middle School and Skyview High School also were both designed to hold more students than are attending today. The planned development anticipates that a large segment of residents will be households without children.

Park: There will be an on-site park provided. It will be built and maintained by the development.

Fire: Fire hydrants will be installed per fire district designation. There should be no significant impact to the local department.

Police: This development will not have a significant impact on the existing law enforcement. Street lights will be installed and a local security firm will be hired to make nightly rounds. This will help curb crime and vandalism. Increased tax revenues generated by this development will help to offset any increased costs to the local infrastructure and service agencies.

9. DOES THE NEW ZONING GIVE REASONABLE CONSIDERATION TO THE CHARACTER OF THE DISTRICT?

There has been considerable thought given to the character of the district and the existing neighborhood. The character of the district is partly County and partly City of Billings. There is the rural surrounding along Bitterroot Drive directly west of the proposed development due to the one acre lots. There is more of an urban surrounding along

Wicks Lane as the homes have been built on 10,000 square foot lots. We have worked with the surrounding neighbors for well over a year, and have presented many different proposals. The surrounding neighbors have not been open to any changes or suggestions presented. Stating they will only agree with 9600 zoning in this area. However, this zoning allows for over 475 units and creates a new set of disagreements for everyone involved. The development of this parcel as proposed, limits the population density, proposes a cluster development and maintains the character of the residential district by providing an open space buffer. The buffer should greatly improve and increase the value of all bordering properties and the community as a whole.

10. DOES THE NEW ZONING GIVE CONSIDERATION TO PECULIAR SUITABILITY OF THE PROPERTY FOR PARTICULAR USES?

This property is currently zoned agricultural and it is not suitable for any type of agricultural use. The proposed zone change is highly suitable for a cluster development. There is plenty of room to allow for a buffered zone away from neighboring areas. According to the comprehensive plan, it is in the best interest of any community to be connected to municipal services, which the parcel of land can provide. In addition, the benefit this parcel of land can provide back to the community as a whole is abundant. The need for manufactured home spaces is so great, it is imperative that provisions be made available for the residents of the community.

11. WAS THE NEW ZONING ADOPTED WITH A VIEW TO CONSERVING THE VALUE OF BUILDING?

Yes, this is one reason the planned development has designated the proposed buffer area. The area will enhance and increase the value of the buildings and homes adjacent to it and offer beautiful open space. Additional buffers, such as a fence, are planned along the western portion of property.

12. WILL THE NEW ZONING ENCOURAGE THE MOST APPROPRIATE USE OF LAND THOUGHOUT SUCH COUNTY OR MUNICIPAL AREAS?

Yes. This planned development allowing residential manufactured housing is the most appropriate use of this land. Other residential zoning allows for stick-built construction on basements, which cannot be used on this land. In addition, the property overlooks the river facing a refinery, therefore, high-end residential housing is probably not a workable plan. This development may even help direct development away from good agricultural land, which the comprehensive plan seeks to protect. The zone change will slow urban sprawl of small acreage's out in the County, the only remaining place where HUD approved manufactured homes can be placed. HUD is a federal housing code and cannot be discriminated against. Yellowstone County with more population than any

other county has the least HUD housing of any other County in Montana. There is an intense need for this type zoning in Yellowstone County.

# ENVIRONMENTAL ASSESSMENT FOR CHERRY CREEK MANUFACTURED HOME PARK

— Bibliography

Total Acreage : 105 acres
Buffer Area : 46.6 acres
RMH : 58.4 acres

A. CURRENT LAND USE:

Vacant. This property is currently zoned Agricultural Open. Due to the fact that this property is next to the City of Billings within the 4½ mile jurisdiction and in the comprehensive plan. There are certain restrictions on this property that make it of no use for agricultural purposes.

B. ENVIRONMENTAL AND EFFECT ON THE NATURAL ENVIRONMENT:

1. Surface Water: The particular area where the manufactured home park is proposed was a mined gravel pit. The material removed from the existing terrain during the mining process varies from 14 feet to 24 feet deep. The surface water that is flowing on-site is seepage from the existing banks. We plan to collect such water in pipe and ditches and divert it to the large holding pond along with stormwater. There is an irrigation ditch on the northwest corner of the site. All water in and around the proposed manufactured home park site was created when the site was mined. This pond was an old sand washing pit. We plan to improve flowing water by diverting it around project and adding irrigation water to it during the summer. We also plan to upgrade and make the old sand washing pond larger and appropriately landscape the area. Of course any and all work will be done according to Sate of Montana Environmental Quality Specifications.

2. Groundwater: The area of the proposed manufactured home park has been mined out and there is no gravel or sand to classify a water aquifer. The complete site is setting on a sandstone layer at varying depths of 10 feet to 30 feet. At present there is some water that sets on the sandstone and gradually flows toward the Yellowstone River. The majority of the surface water is picked up with drain ditches and collected in two ponds and eventually runs into the river. There is a potable water aquifer at a depth of 100 feet to 250 feet through the sandstone layer. Any development to the site will not impact this aquifer.

3. Geology-Soils-Slopes:

   a. Rock falls or slides: The south side edge of the property has a steep sandstone cliff that could be a hazard. This area will be fenced to eliminate injury from a fall.

   b. Slides - land, mud, snow: None.

   c. High water table: Ponds will be constructed as to eliminate any problems. River water is one-fourth mile away and situated on a lower tier that is 30 plus feet lower than development.

   d. Unstable and expansive soils: The site proposed as the manufactured home park is the upper terrace which has been mined for gravel and reclaimed. The areas that were not mined according to the soil survey of Yellowstone County is dominated by Keiser Silty Clay Loam and Bew Clay. These soils are among the best in Yellowstone County in terms of SCS capability classification. The lower terrace (part of the proposed buffer area/green space) along the river is comprised of Haverson/Hysham Loams. No material on-site fits as unstable or expansive soil.

   e. Excessive slope: The site proposed for the manufactured home park is a fairly flat piece of property that is gently sloping within a range of 0-7 percent. The transition slope between the upper terrace and lower terrace ranges from abrupt to easily negotiable, with most of it falling into the 7-10 percent range. The lower terrace is relatively level again.

4. Vegetation: The upper terrace has been mined and reclaimed and has a mixture of smaller cottonwood trees, willows, same grasses and weeds. The lower terrace has a mixture of old growth cottonwoods and willows. The slopes and river bottom is grassed in with native grasses along with small trees and willows.

5. Wildlife: There are no known key wildlife areas on the property and no endangered species. The known wildlife on the property are white tailed deer, beaver, and squirrel.

6. Historical Features: There are no historic, archeological or cultural sites, structures or objects on the site.

7. Visual Impact: The area of the proposed manufactured home park is located on the upper terrace, however, it is approximately 20 plus feet lower than both roadways (Bitterroot Drive and Wicks Lane) and other bordering properties. In addition, the distance between bordering properties and the development is

approximately 300 feet and will have a landscaped buffer. With the proposed development setting lower and encircled with a green space buffer, the site will be virtually unseen from Bitterroot Drive and Wicks Lane. The buffer area will also be landscaped with trees in conjunction with other bordering property enhancements.

C. COMMUNITY IMPACT AND CRITERIA FOR PUBLIC INTEREST:

1. Effects on Agriculture:

a. The effects on agriculture have already occurred during the period the property was mined for gravel. The property cannot be used for agricultural purposes. The proposed residential use will protect other parcels of good agricultural land from being used for manufactured home parks.

b. There is no productivity of the land.

c. The property was purchased for development.

d. The surrounding properties are currently used for residential housing.

2. Effects on Local Services and the Public Health and Safety:

a. Water:

1. Water for fire and domestic uses will come from the Billings Heights Water District.

2. The proposed manufactured home park, when complete, will require 100,000 gallons of water for day to day domestic use (estimated at 330 gal per household). With an 8-inch existing water main at Wicks and Duran, this development can be looped in with an 8-inch water main that would conservatively be able to provide 1,000,000 plus gallons of water per day.

3. The Billings Heights Water District meets all State Department of Health and Environmental Sciences for quality, quantity and construction.

4. N/A.

5. N/A.

6. N/A.

7. N/A.

8. N/A.

9. The development will be privately owned and will be maintained as such.

b. Sewage Disposal:

1. It is the intent of the owners to connect to City of Billings sewer system. A lift station will need to be installed. All proposed new development will be per Department of Health and Environmental Sciences.

2. N/A.

3. The manufactured unit has not been determined yet.

4. N/A.

5. N/A.

6. The system will be installed on Phase I of the project and it will be financed with a construction loan.

7. As the proposed development will be privately owned, the proper qualified person will be retained to maintain the system.

c. Solid Waste Disposal:

1. Solid waste collection will be collected by City of Billings.

2. N/A.

3. N/A.

4. N/A.

5. The proposed disposal method meets Department of Health and Environmental Sciences.

d. Roads:

1. New roads within the development will be built and maintained for private use.

2. Necessary improvements or deletions will be done when such problems are identified and will be included in the Development Agreement.

3. Dust will be controlled by paved streets, a green space buffer surrounding the development and by the development landscaping of trees and grasses.

4. An approved storm drain system will be installed to eliminate erosion and water pollution. Street maintenance will be provided by the owner of the development.

5. When fully developed and operating at a 90 percent fill ratio the estimated traffic flow will be:

   a. 90 percent = 270 households

   b. On any day 20 percent will not leave their home = 54.

   c. On any day 55 percent of households will leave with home and return once = 148 or 297 trips.

   d. On any day 25 percent of households will leave and return twice = 67 or 135 trips.

   e. On any day 25 percent of households will receive at least one visitor = 67 or 135 trips.

Traffic Impacts?

Our estimated traffic flow is 567 trips per 24-hour period.

6. The present traffic flow on Bitterroot Drive is 1,600 vehicles per day. Terry Smith, Traffic Engineer for the City of Billings said this roadway can handle another 6,400 vehicular trips a day with no changes. Wicks Lane directly west of Bitterroot Drive has a traffic count of 1,600 at present. This street can also handle substantially more traffic.

7. The development will have two main egress roadways, one at Bitterroot Drive and Erin Street and the other at the end of Yellowstone River Road where it transcends to Bitterroot Drive. Both of these egress locations will handle the anticipated traffic and will be constructed for safe travel.

e. Utilities:

1. The plat has not been submitted, but we have spoken with all utilities.

2. Natural gas will be supplied by MDU. Electricity supplied by MPC. Telephone will be supplied by USWEST. All utilities are readily available.

3. All utilities will be placed in a common trench and will be placed per each phase of construction.

f. Emergency Services:

1. Fire protection. As this development is in the jurisdiction of City of Billings, the project will require placement of fire hydrants and the City of Billings will provide fire protection.

2. Police protection will be provided by the City of Billings. We will also implement a neighborhood watch program and employ the services of a private security patrol.

3. Ambulance Service will be provided by all ambulance service available and provided in the City of Billings.

4. Medical Services will be available the same as anyone else in the City of Billings.

5. Fire, police, ambulance and medical services can all be handled with the present personnel and facilities.

6. N/A.

7. The additional taxes paid by this development will serve to offset additional costs.

g. Schools:

1. The available educational facilities are Beartooth Elementary, Castle Rock Middle School, and Skyview High School which at present can accept another 128, 58, and 65 students, respectively. The superintendents office stated they were not at capacity.

2. Our estimate of school children from this development based on past experience associated with manufactured housing. All figures are based on full capacity. Past experience has shown that 7 out of 10 households will not have any children.

| | |
|---|---|
| Elementary: | 60 students |
| Middle School: | 30 students |
| High School: | 30 students |

h. Land Use:

1. All project development will be discussed with all departments and all work will be done to meet any and all land use regulations and all comprehensive requirements.

2. The property does not border any public lands, however, majority of property will be used for recreation.

3. Development will have no effects on adjacent land uses.

4. There is one concrete structure that will be removed as it may be considered a safety hazard.

5. There is no on-site or off-site uses that create a nuisance.

i. Housing:

1. This development will be designed for a maximum of 300 single family residences. The units will be manufactured homes.

2. The development is not planned specifically for second homes, but the development will have in place a care-taking facility for vacationing residents.

3. With the necessary department approvals, State approvals and preliminary plat approval we anticipate starting construction spring

of 2000. It is our estimate that Phase I homes will be placed by the end of 2001. We anticipate Phase II to be 90 percent filled by the end of 2003.

4. The density of the manufactured home portion only will be 8,600 square feet per household.

j. Parks and Recreation Facilities:

The development will have the buffer area surrounding it. The river bottom will be included in this area. We also propose to have some ground set aside for a park and recreation facility. This facility would include a picnic area, horseshoe, basketball, and community hall. A trail system will be designed so they can be used and utilized as nature trails for the residents within the development.

k. Effects on Taxation:

1. Prior land assessments were on 189.15 acres in Yellowstone County and 6.55 acres in the City of Billings.

2. The annual tax revenue prior to development is a combined assessment of $4,670.09. Based on County Assessor input and the review of other similar properties, we estimate when the property is fully developed and all homes are placed on property, that Yellowstone County will receive approximately $405,000.00 tax revenue per year. This would amount to 8,762 percent more than what the property is contributing at the present time. In addition, according to the Montana Board of Housing and research done by MSU-B this development will contribute another $1.1 million in taxes and fees to the community.

3. The only proposed special assessment planned is street lighting for the development.

l. Effects on wildlife, wildlife habitat and areas of rare endangered or unique plan species:

The development will not have an adverse effect on wildlife and wildlife habitat. The measures that will be taken do not disturb and preserve lush areas of trees, brush, willows, and grasses will be left intact . Within and near the development and the buffer area we will plant trees, shrubs, and grasses therefore adding to the pleasant environment.

## Cherry Creek Headlines

-15-year-old charged with negligent homicide in teen's accidental gun death in Billings' Heights

-Saturday night fire guts Heights home as firefighters battle dry hydrants

-5-year-old boy riding a bicycle injured in Heights accident

-City Council puts off action on irksome mobile home park

-Heights developers seek annexation again

-Commissioners vote no on Heights project

-Mobile home plan lacks supporters

-Cherry Creek lots filling after years of controversy

-Boy accused of planning school massacre held without bail

-Man who forced way on Billings school bus arrested

-Developers, city again in dispute 9/15/2009

-Poisoning likely at Cherry Creek

-Water main work to resume on Heights mobile home park; Developers follow court ruling on water main extension

-Teen shooting suspect held on charges of assault with a weapon, endangerment

-Cherry Creek mobile home expansion denied

-Trailer home fire causes $20,000 in damage

-Man pleads not guilty in Cherry Creek subdivision shooting that injured a pregnant woman.

-Billings Fire Department calls in extra crews after back-to-back structure fires in the Heights

-Man served 216 days in jail for shooting at man who owed him $100

## Cherry Creek Homes accused of charging undisclosed, illegal fees

Local residents have brought a class-action suit against Cherry Creek Development after a similar lawsuit found in part that Cherry Creek was incorrectly charging late fees.

Adam and Breea Somers are suing Cherry Creek Development and RJC Investment after the companies failed to disclose finance fees.

Cherry Creek is a mobile home park in the Billings Heights with 362 trailer lot spaces.

The class action suit follows a favorable ruling earlier this year for another couple living in the mobile home park. Stevee Mallas and Jacob Tallbull sued after Cherry Creek posted a delinquency notice on their mobile home. Cherry Creek was acting as an agent of RJC Investment, according to the lawsuit.

Mallas and Tallbull paid a $3,512 down payment on a mobile home. The couple financed the additional $40,388 needed to purchase the mobile home, according to the suit. They began making monthly payments toward the principal in 2010.

Cherry Creek's contract with the couple violated multiple consumer protections of the Montana Retail Installment Sales Act, the Mallas and Tallbull lawsuit alleged. The contract did not state how much the finance charge would be over the life of the contract, according to the lawsuit. The contract also stated the couple would be charged $50 if payments were five or more days late.

Yellowstone County District Court Judge Russell Fagg entered judgement on the nondisclosure of the finance charge and the legality of the late fees. Because the contract did not disclose the finance charge and because late fees can only be evaluated by a creditor after a payment is 10 days late, Fagg ruled Cherry Creek and RJC are barred from collecting any "finance, delinquency or collection charge on the contract."

In his judgement, Fagg found the Cherry Creek contracts violated at least four parts of the Montana Retail Installment Sales Act.

The same attorney who represented Mallas and Tallbull, Michael Eakin, was hired to represent the Somerses in their class action suit. The Somerses' lawsuit seeks to prevent Cherry Creek from collecting finance charges against mobile home residents who have similar contracts and illegal late fees.

The Somerses justified the class action suit by noting that many of the tenants of the mobile park cannot afford legal representation for their claims.

Eakin declined to comment on the Mallas and Tallbull suit, which is ongoing. He also declined to comment on the class action lawsuit, which will go before Yellowstone County District Court Judge Gregory Todd. Cherry Creek has not yet issued a response to the class action.

Cherry Creek resident Maria Kraftenberg said she has lived at the mobile home park for less than a year. Over the past few months, the park's management has changed and last month residents received new rules about maintenance of the area, Kraftenberg said. The park now has a curfew and rules about how many people can live in each trailer, Kraftenberg said.

September 1, 2020

TO: Members of the City of Billings Zoning Commission

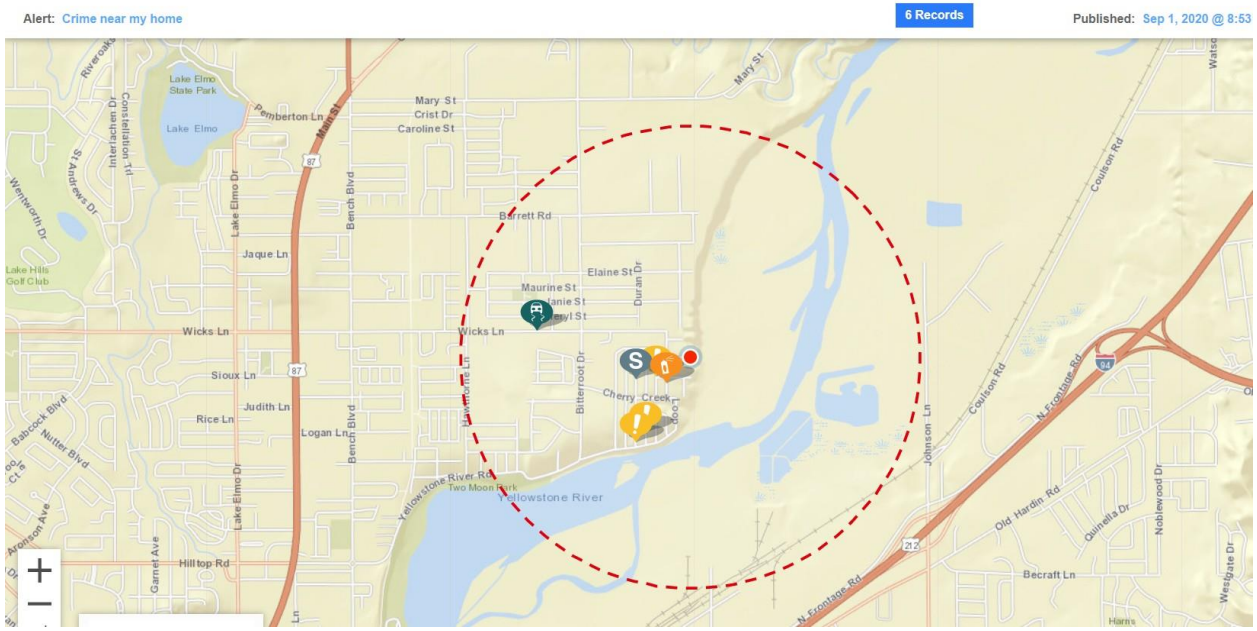
FROM: Pam Ellis

# CRIME AND CHERRY CREEK

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

Public health and public safety will be promoted by the proposed zoning. The additional dwelling units will help increase the number of rate payers to the city utility systems and increase the taxable value of the property.

BELOW IS A PICTURE OF POLICE CALLS AT CHERRY CREEK 8/31/2020. We have had as many as 15 police calls in one day within the last 2 months; there have been 0 days that have no police calls to Cherry Creek.



## Disturbing the Peace

**Disturbance**

0 BLK LAPIN ST | 8/31/2020 @ 12:36 PM
Billings Police

## Disturbing the Peace

**Disturbance**

0 BLK RAINIER ST | 8/30/2020 @ 8:39 PM
Billings Police

## Disturbing the Peace

**Disturbance**

0 BLK SKEENA ST | 8/30/2020 @ 12:22 PM
Billings Police

## Vandalism

**Vandalism**

0 BLK STELLA ST | 8/29/2020 @ 10:01 PM
Billings Police

Sex Crimes

**Sex Offense**

0 BLK CAVALIER ST | 8/28/2020 @ 8:32 PM
Billings Police

## Billings Police Department: Heights TF Area Crime Stats: August 2019-July 2020

**Heights TF/Cherry Creek Calls for Service: August 2019 - July 2020**

*Cherry Creek %: what percentage of total Heights calls occurred in Cherry Creek*

| | Aug-19 | Sep-19 | Oct-19 | Nov-19 | Dec-19 | Jan-20 | Feb-20 | Mar-20 | Apr-20 | May-20 | Jun-20 | Jul-20 | **Total** |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Heights TF | 282 | 207 | 258 | 215 | 249 | 251 | 251 | 216 | 224 | 236 | 261 | 243 | 2,893 |
| Cherry Creek | 9 | 11 | 10 | 10 | 8 | 13 | 14 | 18 | 10 | 15 | 17 | 11 | 146 |
| Cherry Creek % | 3.19 | 5.31 | 3.88 | 4.65 | 3.21 | 5.18 | 5.58 | 8.33 | 4.46 | 6.36 | 6.51 | 4.53 | 5.05 |

*Cherry Creek %: what percentage of total Heights reports occurred in Cherry Creek*

** Heights TF data is for all of Heights, including Cherry Creek*

*Bobbi Johnson | Crime Analyst | 08.14.2020*

**Is there census data for how many people in the HTF area vs how many live in Cherry Creek?**

Johnson, Bobbi

Aug 19, 2020, 9:02 AM (13 days ago)

to me

Last year, I estimated the population of each task force using the Census block groups data.
However, Census boundaries do not match the Heights (or any task force area) exactly, so it is a ballpark estimate at best.

The number I use for the Heights population is 28,426.
Below is the caveat I put in the task force report concerning this number.

I don't have a population for Cherry Creek.
It is within block group 3, which includes other areas beyond Cherry Creek. However the population estimate could be close as the other area doesn't seem to include a lot of housing.
You can see the block group area in the attached pic.
According to the Census 2017 5-year population estimate, this block group (block group 3, geoid: 301110007023) had a population of 2,734.
But again, you have to take this number with a grain of salt.

Hope this helps.
Let me know if you have any other questions,

***Bobbi Johnson***
*Crime Analyst*
*Billings Police*
*406.657.8455*

**Cherry Creek % of Heights Population = 2734/28,426 or 10%**

Schools and Parks: Schools and parks should not be affected by the proposed zoning.

There are no accessible parks for children living in the current Cherry Creek Mobile Home Park.

# Billings mobile home owner picking up pieces after fire

## Park-owned hydrants went dry as fire burned

By: Zoe Zandora

*Posted at 6:27 PM, Oct 28, 2019* https://www.ktvq.com/news/local-news/billings-mobile-home-owner-picking-up-pieces-after-fire

*and last updated 2:17 PM, Oct 29, 2019*

BILLINGS — It was an emotional day for Chad Morrison as he walked through the ashes left behind of his belongings lost in a weekend fire at his Billings Heights mobile home.

"I tried to see if there was anything I could do. I tried a fire extinguisher. I couldn't do nothing. I had to back off," he said Monday.

An accidental fire destroyed Morrison's mobile home Saturday evening, and two malfunctioning fire hydrants didn't help.

Those hydrants are private property that is the responsibility of the owners of the mobile home park, Cherry Creek Homes.

"The owner and his wife, they- bless their heart- they brought by two gift cards. One for Ginger and one for myself. And their exact statement was they are going to make this right," Morrison said.

While battling the fire, the Billings Fire Department had trouble using two fire hydrants that seemed to be malfunctioning. That struggle didn't necessarily slow firefighters' ability to combat the fire, but it could have

hindered the mop up, according to Billings Fire Marshal Michael E. Spini.

These hydrants are on private property, which means it is Cherry Creek's responsibility. So what happened? Why didn't the hydrants work?

"The hydrants didn't work due to an underground gate valve being partially closed," Cherry Creek homes owner Jock Clause said.

But how that happened- he doesn't know.

"First thing Sunday morning, Jock and family members were down here checking all of the hydrants cause it was completely unknown. Nobody knew. So they came down and made sure everything was up to par and going. So everything is charged and working the way they should," Morrison said.

Clause says the last time they checked the valves was back in 2018. The valve was open and all pipes were tested and charged fully, ready to use.

The fire caused an estimated $35,000 in property and content damages. Yet Morrison says he has no ill will against the property owners.

Adding that they are going to make it right, he said, "I can't thank them enough. They are such wonderful people."

# Fire marshal: Heights mobile home fire was caused by gas fireplace valve

Mike Kordenbrock Oct 27, 2019 https://billingsgazette.com/news/local/fire-marshal-heights-mobile-home-fire-was-caused-by-gas-fireplace-valve/article_3437b8a0-8e79-57a3-918e-2c153974aab0.html

A fire that burned through a mobile home in the Billings Heights Saturday night was caused by the failure of a valve on a gas fireplace, according to the Billings Fire Department.

"A gas valve failed in a natural gas fireplace in the home and ignited the wood paneling on the wall behind the fireplace," Assistant Fire Marshal Bill Tatum said by email Sunday.

There were no people inside when the fire began, but multiple pets inside the home died. The fire took place at around 7:36 p.m. on the 30 block of Lapin Street. The firefighting effort was complicated by dry hydrants in the area that forced the fire department to rely on water tenders to supply hoses with water.

"The fire gutted the back end of the mobile home and spread throughout the rest of the structure," a BFD press release said.

It was initially unclear what caused the fire. The fire department had planned to return to the scene of the fire Sunday and continue investigating during daylight hours but the investigation eventually concluded that the fire was accidental.

Neither the property nor its contents were insured. The property and content loss is estimated to be $35,000, according to the fire department.

# Billings fire department says hydrants are functioning again in Heights mobile home park

Mike Kordenbrock Oct 29, 2019 https://billingsgazette.com/news/local/billings-fire-department-says-hydrants-are-functioning-again-in-heights-mobile-home-park/article_dec4c6fe-e4b5-5a0a-bcd4-7934de00f83f.html

Chad Morrison and Stacy Foley share the story of the fire that destroyed a mobile home and killed the pets inside on Lapin Street Saturday night. The pets included a pug dog named Rick, a Pomeranian named Fred, four ferrets, an Guinea pig and fish. Many of the pets were owned by Ginger Avery, the resident of the mobile home. Morrison said a faulty gas fireplace valve caused the fire. He praised the owners of the mobile home park for their promise to help with the uninsured home. "They're fantastic people," Morrison said. A Billings Fire Department fire marshal was testing fire hydrants in the area after it was reported firefighters were unable to get water from the closest hydrant during the fire.
LARRY MAYER, Billings Gazette

A valve that was shut off resulted in multiple fire hydrants not functioning Saturday night during a house fire in the Cherry Creek Homes mobile home park, according to the Billings Fire Department.

The lack of water supply to the hydrants was discovered as firefighters worked to extinguish **a fire that burned through a mobile home**, destroying the interior and killing multiple pets.

The battalion chief on scene Saturday night, Darrek Mitchell, had said during the fire response that the blaze was knocked down before the hydrant issue was discovered, but that the fire rekindled as firefighters tested a second nearby hydrant that also wasn't functioning.

Engine tanks and tender trucks, which carry their own limited supply of water, were used to contain the fire.

Testing done Monday morning determined the switched off valve affected only Lapin Street, Fire Marshal Mike Spini said. After the valve, opened the hydrants again were functional, Spini said.

The water lines, valves and other infrastructure in Cherry Creek are privately owned by the mobile home park.

"They're responsible for maintaining them," Spini said. "They don't know how it got shut off."

Spini said the issue appeared accidental and that following the testing the fire department has no other immediate plans related to the issue.

Water is supplied to Cherry Creek from the Billings Heights Water District.

The fire department's investigation determined the fire Saturday night was accidental and caused by a gas valve that failed in a natural gas fire place. The wood paneling behind the fireplace ignited, causing the fire to spread.

The owner of the mobile home that burned, Chad Morrison, remained emotional Monday morning, crying at times as he described his situation. Neither the mobile home nor its contents were insured.

For the past several years Morrison had lived with Ginger Avery at 32 Lapin St. where they had numerous pets including a pug named Rick, a Pomeranian named Fred, four ferrets, a guinea pig and a fish. Many of the pets belonged to Avery. All died as a result of the fire.

Morrison had recently been in the process of moving next door. Avery said that ownership of the mobile home would have been transferred to her soon, but all that has been put on hold because of the fire.

He was not home when the fire happened and Avery was out of town, Morrison said. The fire department estimated the value of the property and contents lost at $35,000.

Morrison said he does maintenance work at the mobile home park. He said he knows that the hydrant issue has led to criticism of the Cherry Creek owners, Jock and Kathy Clause. He defended them and said knowing how hard this has hit him they've offered to help him out going forward.

"They're good people," he said.

Morrison said he has a place to stay and is now focused on trying to help out Avery. The public can donate to help both people at the Cherry Creek front office. Dawna Webster, a front office assistant, said the most pressing issue right now is that Avery needs a place to stay as things continue to be sorted out after the fire. The fire destroyed most of her possessions.

"People know that bad things happen to good people, and we have a really large community here," Webster said of why she was organizing the donation drive. "Trying to take care of people within our community is really important to us."

Morrison was working Monday to board up windows. He said it's unclear what, if anything, can be saved from the burned out trailer.

# Cherry Creek Homes accused of charging undisclosed, illegal fees

By ASHLEY NERBOVIG Nov 8, 2016 https://billingsgazette.com/news/state-and-regional/crime-and-courts/cherry-creek-homes-accused-of-charging-undisclosed-illegal-fees/article_ca93c4ea-e1c6-58c3-9bbf-9df686ecc7a5.html

Two local residents have brought a class-action suit against Cherry Creek Development after a similar lawsuit found in part that Cherry Creek was incorrectly charging late fees.

Adam and Breea Somers are suing Cherry Creek Development and RJC Investment after the companies failed to disclose finance fees.

Cherry Creek is a mobile home park in the Billings Heights with 362 trailer lot spaces.

The class action suit follows a favorable ruling earlier this year for another couple living in the mobile home park. Stevee Mallas and Jacob Tallbull sued after Cherry Creek posted a delinquency notice on their mobile home. Cherry Creek was acting as an agent of RJC Investment, according to the lawsuit.

Mallas and Tallbull paid a $3,512 down payment on a mobile home. The couple financed the additional $40,388 needed to purchase the mobile home, according to the suit. They began making monthly payments toward the principal in 2010.

Cherry Creek's contract with the couple violated multiple consumer protections of the Montana Retail Installment Sales Act, the Mallas and Tallbull lawsuit alleged. The contract did not state how much the finance charge would be over the life of the contract, according to the lawsuit. The contract also stated the couple would be charged $50 if payments were five or more days late.

Yellowstone County District Court Judge Russell Fagg entered judgement on the nondisclosure of the finance charge and the legality of the late fees. Because the contract did not disclose the finance

charge and because late fees can only be evaluated by a creditor after a payment is 10 days late, Fagg ruled Cherry Creek and RJC are barred from collecting any "finance, delinquency or collection charge on the contract."

In his judgement, Fagg found the Cherry Creek contracts violated at least four parts of the Montana Retail Installment Sales Act.

The same attorney who represented Mallas and Tallbull, Michael Eakin, was hired to represent the Somerses in their class action suit. The Somerses' lawsuit seeks to prevent Cherry Creek from collecting finance charges against mobile home residents who have similar contracts and illegal late fees.

The Somerses justified the class action suit by noting that many of the tenants of the mobile park cannot afford legal representation for their claims.

Eakin declined to comment on the Mallas and Tallbull suit, which is ongoing. He also declined to comment on the class action lawsuit, which will go before Yellowstone County District Court Judge Gregory Todd. Cherry Creek has not yet issued a response to the class action.

Cherry Creek resident Maria Kraftenberg said she has lived at the mobile home park for less than a year. Over the past few months, the park's management has changed and last month residents received new rules about maintenance of the area, Kraftenberg said. The park now has a curfew and rules about how many people can live in each trailer, Kraftenberg said.

Cherry Creek applied to expand the subdivision by 80 mobile homes **earlier this year**, but the Yellowstone County Zoning Commission denied the zoning change request.

Cherry Creek did not respond to requests for comment.

# 15-year-old girl pronounced dead after shooting in Billings Heights

Montana Standard | 2019-05-12
https://mtstandard.com/news/state-and-regional/year-old-girl-pronounced-dead-after-shooting-in-billings-heights/article_0964456f-cbdd-5d0c-9f84-3b550a447d36.html

The Billings Police Department responded to a shooting in a trailer park in the Billings Heights that left one teen dead on Saturday night.

A 15-year-old girl was pronounced dead on scene by law enforcement. The shooting occurred on 12 Stella Street in the Cherry Creek Estates trailer park in the Heights around 7:30 p.m. Saturday, according to BPD Sgt. Nate West.

The girl had a single gunshot wound when officers arrived, West said. No suspects were taken into custody. No other injuries were reported and no one was taken to a hospital, he said.

Police are treating the incident as a "suspicious shooting," but there is currently no threat to public safety, West said.

A detective unit was on scene investigating the incident, he said.

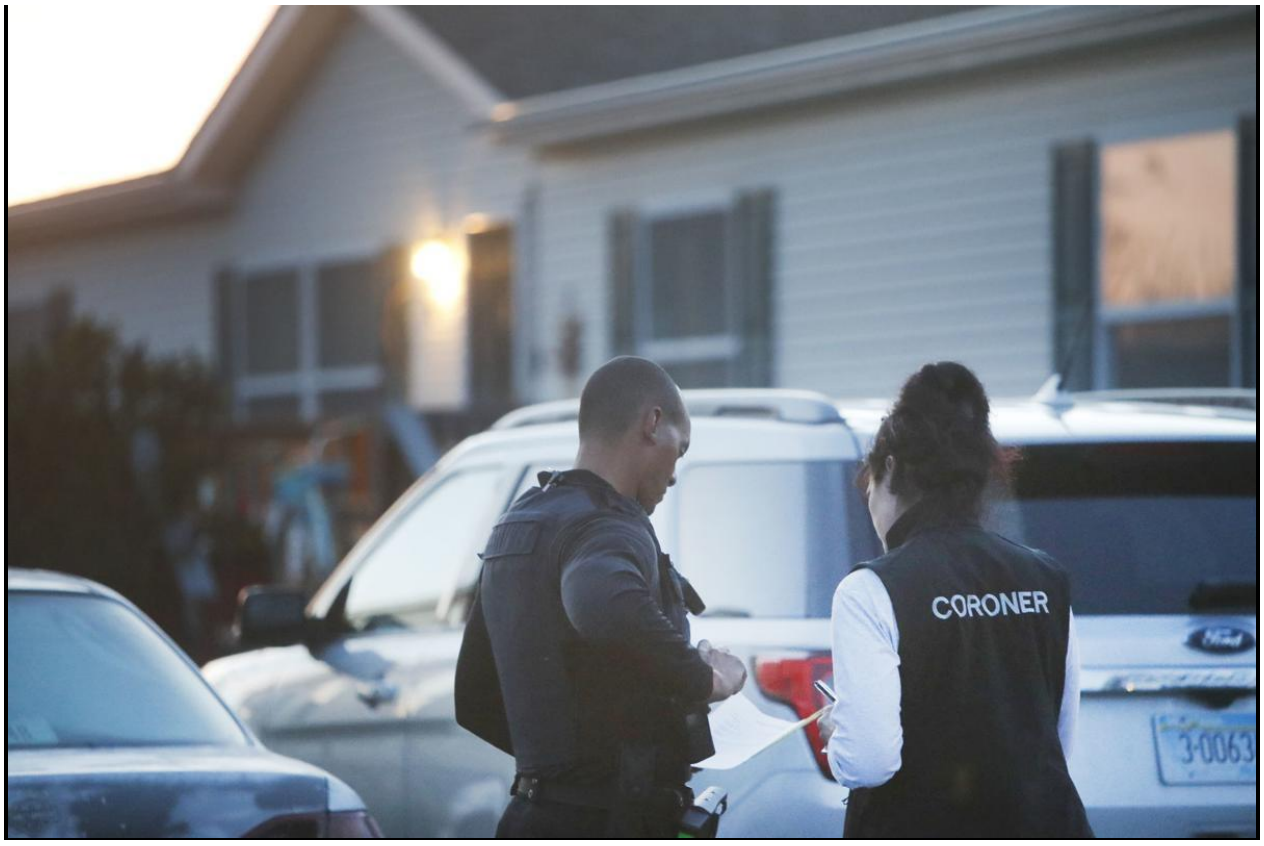
A coroner's unit was also on scene as of 8:45 p.m.

The Billings police and American Medical Response responded to the incident.

An investigation is ongoing.

# Teen killed in Billings shooting identified; police still investigating

Mike Kordenbrock May 14, 2019 https://billingsgazette.com/news/local/teen-killed-in-billings-shooting-identified-police-still-investigating/article_c5a958be-7ab7-5dc3-b43e-1e0547ebe7a8.html




The Billings Police Department responds to a reported shooting in a mobile home park in the Billings Heights that left one teen dead on Saturday night.
BETHANY BAKER, Billings Gazette

The 15-year-old girl killed Saturday night by a single gunshot wound was identified Tuesday morning by the Yellowstone County Coroner's Office as Tionna Rowland of Billings.

The Billings Police Department has continued investigating Rowland's death after she was fatally shot at around 7:30 p.m. at an address on Stella Street, a part of the Cherry Creek Estates mobile home park in the Heights.

"The investigation is ongoing, and there have been no charges or arrests made," BPD Lt. Brandon Wooley said in an email to The Gazette early Monday evening, in which he referred to Rowland's death as a tragedy. "There is still more to be done before we can come to conclusions regarding the nature of death."

In a press release sent out on Tuesday afternoon Wooley said no further details could be released due to "the on-going nature of the investigation and the involvement of juveniles."

Saturday night, BPD Sgt. Nate West had said there was no current threat to public safety and that detectives were on scene. No other injuries were reported, he said.

Rowland was a freshman at Skyview High School. School District 2 Superintendent Greg Upham said the district had activated its crisis team of counselors to provide support to Skyview, Medicine Crow Middle School and if needed, Beartooth Elementary.

Upham said the crisis team is made up of counselors at other SD2 locations who can mobilize to deal with tragedies affecting students. Bringing the crisis team to a school allows counselors already in place to continue their normal work duties, while the crisis team handles additional students' needs as the circumstances may warrant.

"We strive in tragedies obviously to support our students, staff and any adults that need help," Upham said. "But at the same time we

want to keep our operations as normal as possible just for the stability of all students."

# Low-key council meeting likely

MATT HAGENGRUBEROf The Gazette Staff  Oct 21, 2007

https://billingsgazette.com/news/local/low-key-council-meeting-likely/article_7b113d1d-eb1e-592e-b27b-9ac194b8d9c3.html

Bucking a recent trend, tonight's City Council meeting may not run until early Tuesday morning, but the council still has a bevy of issues before it. Some are routine and some may draw discussion, but none should be as controversial as recent changes to the city's electronic sign ordinance.

First up, the council will consider a request from the developers of the Cherry Creek mobile home park in the Heights to allow for a planned expansion. The first phase of the mobile home park began after council approval in 2003. The city stipulated then that a second phase could be developed once the first phase was built and reviewed by the city.

That review is done, and the council must decide how many homes will be allowed in the second phase. In the agreement between the city and the developers, Roy and Jock Clause, the park can expand to include another 174 homes if it has met all of the conditions set in 2003. If the conditions aren't all met, the city can limit the new expansion to as few as 111 new homes.

City staff reviewed the agreement and found that the first phase of the park mostly met the conditions. But for phase two, city planners recommend that all required improvements, like utilities, landscaping and streets, be completed or guaranteed before the city issues any building permits. Also, the park must add a few trees to lots in the first phase, resolve a few code violations and adjust how much money it will contribute for building intersections near the park.

Then, the council will consider expanding the boundaries of the Downtown Business Improvement District to include the future site of the Stockman Bank building at the corner of Fourth Avenue North and North 28th Street.

In late August, Stockman Bank asked the council to expand the district to include its property. Assistant City Administrator Bruce McCandless said the move is minor but another step toward a new downtown bank.

"This shows that Stockman's commitment to downtown is real and it's strong," said Greg Krueger of the Downtown Billings Partnership.

The district is a group of business owners who pay Downtown Billings Partnership workers to keep sidewalks clean and promote downtown Billings. BID workers are known for their distinctive purple shirts.

The council will also consider a zone change on 400 acres recently annexed by the city along Roundup Road past the Billings Heights. The developer of the land, Gary Oakland, wants to build up to 1,200 single-family homes on lots averaging 8,200 square feet.

Oakland is asking the city to rezone the land from Residential 9600 to Residential 7000, which means smaller lots and more affordable housing, he said. The subdivision would have 10 to 12 phases, each with 75 to 100 homes, built over 10 to 15 years.

The development would be built using a design concept called coving, in which the streets and lots are curvy and include more open space. Oakland's subdivision plan includes 36 acres of parks.

Although on the agenda, the council will not vote on an agreement with the Lockwood Sewer and Water District to provide wastewater

treatment to the district. The council is expected to table the issue until Nov. 13 after it decided last week to allow city staff to add more stringent language and safeguards to the agreement.

# City Council puts off action on irksome mobile home park

MATT HAGENGRUBER Of The Gazette Staff Oct 22, 2007
https://billingsgazette.com/news/local/city-council-puts-off-action-on-irksome-mobile-home-park/article_c3ce9fd2-81e0-5627-a0cc-24f8afbc9096.html

The City Council on Monday night delayed action on expanding a mobile home park in the Heights, but council members couldn't hide their displeasure with the park or its developer for not following city guidelines.

The developers of the Cherry Creek Estates mobile home park want to go ahead with a planned expansion of the park. Under a 2003 development agreement, a future City Council could limit the expansion to 111 new homes only if the park failed to meet certain development conditions.

Council members, angry at their seeming inability to cancel the project outright, voted 9-1 to revisit the issue on Nov. 26. In that time, they have asked City Attorney Brent Brooks to see if the city could back out of the agreement.

In the 2003 agreement, the park could add another 174 homes if it met all of the conditions from the city, which include one tree per lot, a fence surrounding the park and traffic limits.

If not all the conditions were met, the city could limit the expansion to 111 new homes. City staff said the park had numerous violations, including many junk cars in yards. Opposition to the expansion grew quickly.

"I don't want to approve this," Mayor Ron Tussing said. "I'd understand if there was one problem, but the fence, traffic, code enforcement. What other choice do we have? The only thing we can do is scratch off a few units from (the developer's) proposal."

Several council members said they want to stop the expansion entirely and questioned how the city could accept an agreement where it can't stop development.

Ward 2 Councilman Larry Brewster said the developers, Roy and Jock Clause, would probably sue the city if the expansion is stopped. The developers didn't attend the meeting.

In other business, the council adopted zoning changes for a proposed 400-acre subdivision along Roundup Road in the Heights.

Developer Gary Oakland wants to build up to 1,200 homes on the site and asked the city to change the zoning from Residential 9600 to Residential 7000, which allows for smaller lots. A 100-foot buffer strip along the northeastern edge of the property would stay at Residential 9600 zoning to please neighboring homeowners, who worried that their 15,000-square-foot lots would sit awkwardly with the newer 8,200-square-foot lots. Several homeowners came to the meeting and persuaded the council to change the eastern edge of the buffer to 200 feet.

Near the end of the meeting, council members got into a heated debate over the firefighters' lawsuit and how the city plans to pay the firefighters.

In 2000, 116 current and former firefighters sued the city, claiming that they had been underpaid. The city recently lost that lawsuit and could have to pay more than $4 million to the firefighters. A more definitive sum will probably be announced at a Nov. 1 hearing.

Tussing said he thinks the city has done a poor job in explaining that it won't pay for the lawsuit using money from the public safety mill levy that began in 2004.

The city plans to pay for the lawsuit by making cuts to the Fire Department, including rescinding seven job offers. Firefighters have criticized that decision.

Ward 3 Councilman Vince Ruegamer said the city will pay the firefighters and that it's "none of their damn business" where the money comes from.

The council also passed several minor budget amendments, expanded the Downtown Business Improvement District to include Stockman Bank property and delayed action on an agreement with the Lockwood Water and Sewer District until Nov. 13.

# Mobile-home park developer fears city's mind is made up

## Owner says violations noted by city will be, or have been, cleared up

MATT HAGENGRUBER Of The Gazette Staff Nov 23, 2007
https://billingsgazette.com/news/local/mobile-home-park-developer-fears-citys-mind-is-made-up/article_b9c410a2-dbb1-512c-94b9-ff75dc9d9ffc.html

The developer of a Heights mobile-home park under review by the Billings City Council said his park has complied with conditions set by the city, but council members are still trying to thwart expansion plans.

In 2003, Jock Clause and his father, Roy, built the first phase of Cherry Creek Estates. The pair now wants to build a second phase according to a development agreement with the city signed in April 2003. The park is located at Wicks Lane and Bitterroot Drive.

In the development agreement, the Clauses could develop 189 lots in the first phase and another 174 in the second phase, for a total of 363.

But if the City Council determined that the developers didn't comply with all requirements, the council could limit the second phase to as few as 111 lots. At a council meeting Oct. 22, several council members expressed anger with the development and said conditions hadn't been met.

The council is expected to decide the issue at its Monday night meeting, and Jock Clause is worried that council members have made up their minds to limit the park's expansion.

"We have approval for 363 lots, and it was just a formality to go before the City Council for this," he said. "We feel we've complied with everything they've asked. But only being able to build 300 lots won't work for us."

At the Oct. 22 council meeting, council members realized that they were mostly forced to stick with the 2003 agreement. Several asked if the agreement could be canceled entirely, but City Attorney Brent Brooks told the council to act cautiously to avoid legal trouble. Jock Clause said legal action is a last resort.

"We'll look at our options. We may have to seek a neutral party to make a decision," he said. "But we don't want to go there. It's a waste of money."

At the Oct. 22 meeting, Heights Councilwoman Joy Stevens asked Brooks to clarify language in the development agreement saying that the agreement could be declared "obsolete" by the council, and whether that meant the council could stop the expansion entirely. At a planning session Monday night, Brooks told council members that the city thinks violations can be mitigated, so stopping the expansion is unlikely. Limiting the expansion is more realistic, he said.

City planning officials told council members at the Oct. 22 meeting that the development had several violations, including an insufficient number of trees, junk cars in yards, gaps in a required fence, an emergency access gate that was open and being used by construction trucks, and 27 percent more car traffic than expected. Officials also pointed to a swale on the edge of the property that filled with water.

A month later, Jock Clause said all of those violations have been fixed or that Cherry Creek has financially guaranteed that they will be fixed.

Each lot is required to have one tree, and Clause said they can't be planted until spring.

The park will probably contribute more money to have several nearby intersections improved, and Clause told the city he'd fix gaps in the wooden fence. The emergency gate now has a chain holding it closed, and water from the swale will be pumped back into one of two storm water ponds.

The park sits on a reclaimed gravel pit and overlooks the Yellowstone River. Across the river sits the ExxonMobil refinery. The entire development is about 80 acres, and each phase covers about half of that area. Some minor construction has already begun on the second phase, and about 50 lots sit empty in the first phase. The park has a new community center, overlooking a pond, that is used for meetings, weddings and other events.

Clause said most construction of the second phase will begin in the spring, and he expects it to be filled with mobile homes within three to four years.

The development has caused some controversy since it was first planned, but Jock Clause said he's pushing for full development because manufactured homes are affordable homes, and demand will be rising.

"There's nothing wrong with this project," he said. "They want affordable housing; that's what we're providing there now. I think (the council) has some people out there putting pressure on them" against the project.

# Businesses on council agenda

MATT HAGENGRUBEROf The Gazette Staff Nov 25, 2007
https://billingsgazette.com/news/local/businesses-on-council-agenda/article_6a4621c1-84aa-594c-9ff1-3e72da00906a.html

The City Council faces a relatively light agenda for tonight's meeting. The most contentious issue may be approving the second phase of the Cherry Creek Estates mobile home park.

The council will likely pass numerous plats, subdivision changes and minor annexations in its consent agenda before taking up a few other issues: the Cherry Creek plan, a public hearing for the South Billings Boulevard urban renewal plan and a public hearing on allowing small retail businesses in residential neighborhoods.

Citizens will have an opportunity to comment on an urban renewal plan for a large area in south Billings. If approved, a tax increment finance district would be created in early 2008, which would allow infrastructure improvements in the area over the next 15 years. The district includes the site of the planned Cabela's store.

Also, the council will hold a public hearing and take up a zone change that would allow small retail businesses in residential neighborhoods. The city's zoning commission voted 4-0 this month to approve the zone change.

The change would allow for bakeries, restaurants, laundries and small grocers up to 3,000 square feet, but not gas stations. City officials said the change keeps neighborhoods diverse and decreases traffic, since people can walk to nearby businesses instead of driving.

No special review is needed for businesses in neighborhoods already zoned for high-density residential complexes, like apartments. Special review is needed, however, for businesses in lower-density neighborhoods. Current businesses would be exempt until they remodel or make major changes.

# Cherry Creek expansion OK'd

MATT HAGENGRUBER Of The Gazette Staff Nov 26, 2007
https://billingsgazette.com/news/local/cherry-creek-expansion-okd/article_2b36bb0a-c00a-5a9b-acbc-7a9cb2c6688e.html

The City Council gave reluctant approval Monday night to a second phase at Cherry Creek Estates mobile home park in the Heights, assuming the developers bring the first phase into compliance.

The park's developers, Roy and Jock Clause, want to add 174 lots to the 189 built in the first phase, for a total of 363. According to the development agreement signed in 2003, the city couldn't prevent the second phase; it could only limit it to 111 lots if it determined that the park wasn't in compliance with the agreement.

Saying the park wasn't in compliance in several areas, the council voted 10-1 to limit the development to 300 lots. The council's motion stated that the second phase can't be built until the first phase is brought into compliance.

"The threat of not having additional units approved is the only way to ensure compliance," Councilman Larry Brewster said. "They could have had all these things up to snuff before they applied (for the

second phase). They could have been in compliance, and they were not."

City planning staff told the council that the park was required to have one tree per lot, and it was missing 58 trees. The city also found gaps in a fence surrounding the park, an extra storm water retention pond, an unsecured emergency access gate and 27 percent more traffic than expected.

City staff and Jock Clause said most of the problems are already fixed and that the remaining problems will be fixed by spring. Frustrated after the meeting, Clause said his development was based on 363 lots. Having just 300 lots makes things much more difficult financially.

"We financially cannot comply with the conditions with only 300 units," he said. "We bent over backward for these people."

In other business, the council:

n Voted 11-0 to create a South Billings Boulevard urban renewal district. A few people spoke for the plan and a few spoke against it, expressing concern that their taxes would rise if the district is created. Several council members assured them that their taxes would not increase any more than if the district didn't exist.

Council members said the taxes from any new businesses or improvements in the district stay in the district and will be used mostly for infrastructure improvements, including streets or sewer lines.

The district would run generally from State Avenue and Laurel Road on the north to south of the interstate in some places and from Mullowney Lane on the west to Washington Street on the east.

On an 8-3 vote, the council added language to the plan that allows the city to use its power of eminent domain to facilitate infrastructure improvements in some cases. The original plan didn't allow for the use of eminent domain in the district. That power allows the city to acquire private property for public uses. City officials said eminent domain is rarely used.

n Tabled until March an ordinance that would have allowed small retail businesses in residential neighborhoods. Concerned about tattoo parlors and alcohol sales, the council sent the ordinance back to city staff for more clarification on what types of businesses would be allowed.

City planner Nicole Cromwell said the new rules would diversify neighborhoods and prevent divisions between neighborhoods and business districts. But Ward 1 Councilman Jim Ronquillo said the era of small-time groceries in his neighborhood is over.

"There used to be 10 of those mom-and-pop stores. How many are left today? Not a one," he said.

# Developers fight for water in court

ED KEMMICK Of The Gazette Staff Mar 8, 2004 https://billingsgazette.com/news/local/developers-fight-for-water-in-court/article_9f2e02b8-781a-5464-b245-358defadfc45.html

The owners of a mobile home park under construction in the Heights are in a courtroom battle with the County Water District of Billings Heights over water connections to the site.

In late February, the water district obtained a temporary injunction barring Cherry Creek Development from hooking up any more mobile homes to its water distribution system, and now it is seeking a permanent injunction until the case can be settled in court. District Judge Gregory Todd issued the temporary order on Feb. 13, and on Friday attorneys for both sides submitted briefs arguing their positions.

The Cherry Creek Estates Subdivision, an 81-acre site just south of Wicks Lane and east of Bitterroot Drive, is being developed by Roy and Jock Clause, who entered into an agreement with the water district last April. The district agreed to provide water service and the Clauses agreed to install a water main to serve the subdivision.

The water district contends that the Clauses have put in a water main from Shannon Street to Erin Lane, but have not completed the larger portion of what is called the Bitterroot main extension, from Erin to Wicks Lane.

The water district, represented by Kristin Omvig of the Crowley law firm, said the Clauses have been aware since at least April 16, 2003, that they needed to complete the water line extension all the way to Wicks before the district would allow them to hook up to its system.

Even though the extension wasn't completed, the district says, one of its employees noticed in mid-December that a mobile home was parked in the Cherry Creek Estates Subdivision, and the resident of the home confirmed that it had water service.

The employee, Gary Crick, said he checked the main valve going into the subdivision and noticed that the top of the valve box had been broken off, and the box had been filled with gravel and dirt. He said he dug down to the valve and saw that it had been turned on.

"The valve appeared to have been tampered with because the District did not open the valve and has never authorized or approved water service to the Subdivision," the water district said in court documents.

The district learned that an additional mobile home was being moved into the subdivision on Feb. 6, and another on Feb. 12. The next day, Judge Todd issued the temporary order barring the Clauses from "any further placement of mobile homes within the Cherry Creek Subdivision and connection of such mobile homes to the District's water system."

As of Feb. 25, Crick said, eight mobile homes - five double-wides and three singles - had been moved into the subdivision.

The Clauses' attorney, Bruce Fain, said the judge's order didn't prohibit placing any more mobile homes on the site. He said it only barred the Clauses from moving any homes there and hooking them up to the water district's lines.

As for the larger issue, the Clauses said in papers filed Friday that the agreement between the district and the Clauses says nothing about the water main from Erin to Wicks, and any requirements added afterward, whether in letters or verbally, have no legal standing.

Entities like the water district "can't simply issue unwritten and un-memorialized imperial decrees," the Clauses said.

In its court briefs, the district noted that William Enright, an engineer with Morrison, Maierle Inc., testified that without the Bitterroot main extension, if there was a main break on Wicks near Walter Road, water pressure in some of the district's lines would drop below 20 pounds per square inch. Below that pressure level, he said, non-potable water could back up and contaminate the entire water system, which services more than 10,000 clients.

The Clauses argued that Enright based his comments on guidelines established by the state Department of Environmental Quality, and yet the "requirement makes no reference whatsoever to a water main break, which certainly would have been included if it was to be analyzed." They also say the DEQ approved their plans for the subdivision.

The Clauses' brief says "possible injury to the District, predicated upon its Doomsday scenario, is not as certain as the damage that will happen to the Defendants if they are not permitted to continue with their project."

They suggested that the best way to handle the dispute would be for the water district to pay for extending the water main to Wicks and then to sue the Clauses for breach of contract. They also asked the judge to deny the restraining order or, if he does grant it, to require the water district to post a bond large enough to protect the Clauses if they are unable to repay $2 million in loans on the project.

The Clauses have been working for six or seven years to develop the mobile home park, often against the opposition of a group of

neighbors who organized under the name United Residents of East Billings.

After the land was annexed by the city, the City Council voted last spring to allow development on the former gravel pit. The Clauses were to develop up to 160 sites during Phase 1 of the project, and then, if the development won the approval of the council, up to more than 300 in a second phase.

# Water main work to resume on Heights mobile home park; Developers follow court ruling on water main extension

ED KEMMICK Of The Gazette Staff  Mar 24, 2004

https://billingsgazette.com/news/local/water-main-work-to-resume-on-heights-mobile-home-park-developers-follow-court-ruling-on/article_d3513d54-7313-51d4-9905-91446e36ff3c.html

The developer of an 81-acre mobile home park in Billings Heights said Wednesday that construction should begin today on the final segment of a water main that will service his subdivision.

Roy Clause of Cherry Creek Development said he and his son, Jock Clause, will complete the project, estimated to cost $80,000, so they can continue filling up their mobile home park at Wicks Lane and Bitterroot Drive.

"You'd think that would satisfy everybody," Roy Clause said.

The Clauses' decision to proceed with the project came after a district judge ruled Monday in favor of the County Water District of Billings Heights in its lawsuit against the developers.

Judge Gregory Todd's order prohibited the Clauses from moving any more mobile homes onto their Cherry Creek Estates Subdivision and hooking them up to the district's water lines until the dispute was settled in court. Todd also turned down the Clauses' request to require the water district to post a bond large enough to cover their $2 million investment in the project.

The dispute arose over the Clauses' contention that they were not obligated, as part of their agreement to be serviced by the water district, to build a water main from Shannon Street to Wicks Lane along Bitterroot Drive.

They installed about 20 percent of that line, from Shannon to Erin Lane, but claimed that the agreement did not require them to complete the extension to Wicks. Todd ruled that the Clauses knew as early as April 16 last year that completion of the entire extension was a condition for being annexed into the Heights water district.

Todd said the Clauses never disputed that provision until Sept. 24, when they informed the water district board that the agreement mentioned no such obligation. Although the agreement didn't specially mention the extension, Todd ruled, the requirement was spelled out in many conversations and letters.

"The district was consistent and clear in what Cherry Creek was to do, including the building of the BME," or Bitterroot Main Extension, Todd said, and the Clauses' insistence that they didn't have to build it "refutes the plain language of the agreement."

The water district had argued that the Clauses' failure to put in the full extension would mean that in the event of a water line break, water pressure in some of the district's lines would drop below 20 pounds

per square inch. At that level, the district's engineer said, nonpotable water could back up and contaminate the entire water system.

"Not only the plaintiff, but the 10,000 other customers comprising the Billings Heights Water District, are likely to suffer irreparable harm if the defendants are not enjoined from further placement of the mobile homes within the subdivision prior to completion of the BME," Todd ruled.

In court documents filed earlier in the case, the water district said that even though the Clauses hadn't received permission to connect to its water system, a mobile home was moved into the subdivision in December, and a district employee was told by a resident of the home that it had water service. The employee then found that the main water valve going into the subdivision had been tampered with and turned on.

According to Roy Clause, the mobile home park is designed to accommodate 362 mobile homes - 192 in Phase 1 of the project and 170 homes in Phase 2.

September 1, 2020

TO: Members of the City of Billings Zoning Commission

FROM: Pam Ellis

RE: HISTORY OF CHERRY CREEK IN THE NEWS

Below are quotes from news articles about the development of the Cherry Creek Mobile Home Court arranged in chronological order. I have attached the complete articles in sets of articles that include all on a single topic.

# Developers fight for water in court

ED KEMMICK Of The Gazette Staff Mar 8, 2004 https://billingsgazette.com/news/local/developers-fight-for-water-in-court/article_9f2e02b8-781a-5464-b245-358defadfc45.html

The owners of a mobile home park under construction in the Heights are in a courtroom battle with the County Water District of Billings Heights over water connections to the site. ...

The water district, represented by Kristin Omvig of the Crowley law firm, said the Clauses have been aware since at least April 16, 2003, that they needed to complete the water line extension all the way to Wicks before the district would allow them to hook up to its system.

Even though the extension wasn't completed, the district says, one of its employees noticed in mid-December that a mobile home was parked in the Cherry Creek Estates Subdivision, and the resident of the home confirmed that it had water service. ...

In its court briefs, the district noted that William Enright, an engineer with Morrison, Maierle Inc., testified that without the Bitterroot main extension, if there was a main break on Wicks near Walter Road, water pressure in some of the district's lines would drop below 20 pounds per square inch. Below that pressure level, he said, non-potable water could back up and contaminate the entire water system, which services more than 10,000 clients.

# Water main work to resume on Heights mobile home park; Developers follow court ruling on water main extension

ED KEMMICK Of The Gazette Staff Mar 24, 2004

https://billingsgazette.com/news/local/water-main-work-to-resume-on-heights-mobile-home-park-developers-follow-court-ruling-on/article_d3513d54-7313-51d4-9905-91446e36ff3c.html

The Clauses' decision to proceed with the project came after a district judge ruled Monday in favor of the County Water District of Billings Heights in its lawsuit against the developers. ...

"The district was consistent and clear in what Cherry Creek was to do, including the building of the BME," or Bitterroot Main Extension, Todd said, and the Clauses' insistence that they didn't have to build it "refutes the plain language of the agreement."

# Low-key council meeting likely

MATT HAGENGRUBEROf The Gazette Staff Oct 21, 2007

https://billingsgazette.com/news/local/low-key-council-meeting-likely/article_7b113d1d-eb1e-592e-b27b-9ac194b8d9c3.html

In the agreement between the city and the developers, Roy and Jock Clause, the park can expand to include another 174 homes if it has met all of the conditions set in 2003. If the conditions aren't all met, the city can limit the new expansion to as few as 111 new homes.

City staff reviewed the agreement and found that the first phase of the park mostly met the conditions. But for phase two, city planners recommend that all required improvements, like utilities, landscaping and streets, be completed or guaranteed before the city issues any building permits. Also, the park must add a few trees to lots in the first phase, resolve a few code violations and adjust how much money it will contribute for building intersections near the park.

# City Council puts off action on irksome mobile home park

MATT HAGENGRUBER Of The Gazette Staff Oct 22, 2007
https://billingsgazette.com/news/local/city-council-puts-off-action-on-irksome-mobile-home-park/article_c3ce9fd2-81e0-5627-a0cc-24f8afbc9096.html

The City Council on Monday night delayed action on expanding a mobile home park in the Heights, but council members couldn't hide their displeasure with the park or its developer for not following city guidelines. ....

"I don't want to approve this," Mayor Ron Tussing said. "I'd understand if there was one problem, but the fence, traffic, code enforcement. What other choice do we have? The only thing we can do is scratch off a few units from (the developer's) proposal."

Several council members said they want to stop the expansion entirely and questioned how the city could accept an agreement where it can't stop development.

Ward 2 Councilman Larry Brewster said the developers, Roy and Jock Clause, would probably sue the city if the expansion is stopped. The developers didn't attend the meeting.

# Mobile-home park developer fears city's mind is made up

## Owner says violations noted by city will be, or have been, cleared up

MATT HAGENGRUBER Of The Gazette Staff Nov 23, 2007
https://billingsgazette.com/news/local/mobile-home-park-developer-fears-citys-mind-is-made-up/article_b9c410a2-dbb1-512c-94b9-ff75dc9d9ffc.html

At the Oct. 22 council meeting, council members realized that they were mostly forced to stick with the 2003 agreement. Several asked if the agreement could be canceled entirely, but City Attorney Brent Brooks told the council to act cautiously to avoid legal trouble. Jock Clause said legal action is a last resort.

"We'll look at our options. We may have to seek a neutral party to make a decision," he said. "But we don't want to go there. It's a waste of money."

At the Oct. 22 meeting, Heights Councilwoman Joy Stevens asked Brooks to clarify language in the development agreement saying that the agreement could be declared "obsolete" by the council, and whether that meant the council could stop the expansion entirely. At a planning session Monday night, Brooks told council members that the city thinks violations can be mitigated, so stopping the expansion is unlikely. Limiting the expansion is more realistic, he said.

City planning officials told council members at the Oct. 22 meeting that the development had several violations, including an insufficient number of trees, junk cars in yards, gaps in a required fence, an emergency access gate that was open and being used by construction trucks, and 27 percent more car traffic than expected. Officials also pointed to a swale on the edge of the property that filled with water.

A month later, Jock Clause said all of those violations have been fixed or that Cherry Creek has financially guaranteed that they will be fixed.

# Businesses on council agenda

MATT HAGENGRUBEROf The Gazette Staff Nov 25, 2007
https://billingsgazette.com/news/local/businesses-on-council-agenda/article_6a4621c1-84aa-594c-9ff1-3e72da00906a.html

The City Council faces a relatively light agenda for tonight's meeting. The most contentious issue may be approving the second phase of the Cherry Creek Estates mobile home park.

# Cherry Creek expansion OK'd

MATT HAGENGRUBER Of The Gazette Staff Nov 26, 2007
https://billingsgazette.com/news/local/cherry-creek-expansion-okd/article_2b36bb0a-c00a-5a9b-acbc-7a9cb2c6688e.html

The park's developers, Roy and Jock Clause, want to add 174 lots to the 189 built in the first phase, for a total of 363. According to the development agreement signed in 2003, the city couldn't prevent the second phase; it could only limit it to 111 lots if it determined that the park wasn't in compliance with the agreement.

Saying the park wasn't in compliance in several areas, the council voted 10-1 to limit the development to 300 lots. The council's motion stated that the second phase can't be built until the first phase is brought into compliance.

"The threat of not having additional units approved is the only way to ensure compliance," Councilman Larry Brewster said. "They could have had all these things up to snuff before they applied (for the second phase). They could have been in compliance, and they were not."

# City Council approves Heights mobile home court

MATT HAGENGRUBER Of The Gazette Staff Sep 22, 2009
https://billingsgazette.com/news/local/government-and-politics/city-council-approves-heights-mobile-home-court/article_f956a358-a73b-11de-b004-001cc4c03286.html

The council voted 7-2 - with council members Shoots Veis and Peggie Gaghen voting no - to approve the mobile home court, which is located near the Cherry Creek Estates mobile home court off of Bitterroot Drive.

Called Danube Court, the project angered council members last week when developers Roy and Jock Clause brought it before the council for approval.

In 2007, council members had restricted the second phase of the Cherry Creek Estates park because they said the developers hadn't followed the development agreement. Back then, the council had limited the Clauses to 111 lots in the second phase of Cherry Creek Estates, even though the Clauses wanted to build 174 lots.

The 62 lots in Danube Court are one less than the 63 lots that the council took away from Cherry Creek Estates. But the old development agreement didn't prevent the Clauses from subdividing their property again and building a new mobile home court, which they accomplished with Danube Court. ...

"I understand the heartburn that some of us are having, that there may have been some circumvention," Tussing said. "But they seem to have done it legally."

# 15-year-old girl pronounced dead after shooting in Billings Heights

Montana Standard | 2019-05-12
https://mtstandard.com/news/state-and-regional/year-old-girl-pronounced-dead-after-shooting-in-billings-heights/article_0964456f-cbdd-5d0c-9f84-3b550a447d36.html

A 15-year-old girl was pronounced dead on scene by law enforcement. The shooting occurred on 12 Stella Street in the Cherry Creek Estates trailer park in the Heights around 7:30 p.m. Saturday, according to BPD Sgt. Nate West.

# Teen killed in Billings shooting identified; police still investigating

Mike Kordenbrock May 14, 2019 https://billingsgazette.com/news/local/teen-killed-in-billings-shooting-identified-police-still-investigating/article_c5a958be-7ab7-5dc3-b43e-1e0547ebe7a8.html

# Cherry Creek Homes accused of charging undisclosed, illegal fees

By ASHLEY NERBOVIG Nov 8, 2016 https://billingsgazette.com/news/state-and-regional/crime-and-courts/cherry-creek-homes-accused-of-charging-undisclosed-illegal-fees/article_ca93c4ea-e1c6-58c3-9bbf-9df686ecc7a5.html

The class action suit follows a favorable ruling earlier this year for another couple living in the mobile home park. ...

Cherry Creek's contract with the couple violated multiple consumer protections of the Montana Retail Installment Sales Act, the Mallas and Tallbull lawsuit alleged. The contract did not state how much the finance charge would be over the life of the contract, according to the lawsuit. The contract also stated the couple would be charged $50 if payments were five or more days late. ...

Yellowstone County District Court Judge Russell Fagg entered judgement on the nondisclosure of the finance charge and the legality of the late fees. Because the contract did not disclose the finance charge and because late fees can only be evaluated by a creditor after a payment is 10 days late, Fagg ruled Cherry Creek and RJC are barred from collecting any "finance, delinquency or collection charge on the contract."

In his judgement, Fagg found the Cherry Creek contracts violated at least four parts of the Montana Retail Installment Sales Act.

# Billings mobile home owner picking up pieces after fire

Park-owned hydrants went dry as fire burned

By: Zoe Zandora

*Posted at 6:27 PM, Oct 28, 2019* https://www.ktvq.com/news/local-news/billings-mobile-home-owner-picking-up-pieces-after-fire

While battling the fire, the Billings Fire Department had trouble using two fire hydrants that seemed to be malfunctioning.

# Fire marshal: Heights mobile home fire was caused by gas fireplace valve

Mike Kordenbrock Oct 27, 2019 https://billingsgazette.com/news/local/fire-marshal-heights-mobile-home-fire-was-caused-by-gas-fireplace-valve/article_3437b8a0-8e79-57a3-918e-2c153974aab0.html

# Billings fire department says hydrants are functioning again in Heights mobile home park

Mike Kordenbrock Oct 29, 2019 https://billingsgazette.com/news/local/billings-fire-department-says-hydrants-are-functioning-again-in-heights-mobile-home-park/article_dec4c6fe-e4b5-5a0a-bcd4-7934de00f83f.html

A valve that was shut off resulted in multiple fire hydrants not functioning Saturday night during a house fire in the Cherry Creek Homes mobile home park, according to the Billings Fire Department.

The lack of water supply to the hydrants was discovered as firefighters worked to extinguish **a fire that burned through a mobile home**, destroying the interior and killing multiple pets. ...

Testing done Monday morning determined the switched off valve affected only Lapin Street, Fire Marshal Mike Spini said. After the valve, opened the hydrants again were functional, Spini said.

**ORDINANCE 20-_____**

**AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THE ZONE CLASSIFICATION ON 1.98 ACRES OF THE SOUTHERN PORTION OF Lot 2, BLOCK 1, CHERRY CREEK ESTATES SUBDIVISION BE AMENDED**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS THAT:**

***Section 1.*** **RECITALS.** *Title 76, Chapter 2, Part 3, MCA,* and *Sections 27-302 and 27-1502, BMCC,* provide for amendment to the City Zoning Map from time to time. The City Zoning Commission and staff have reviewed the proposed zoning for the real property hereinafter described. The Zoning Commission and staff have considered the ten (10) criteria required by Title 76, Chapter 2, Part 3, MCA. The recommendations of the Zoning Commission and staff have been submitted to the City Council, and the City Council, in due deliberation, has considered the ten (10) criteria required by state law.

***Section 2.*** **DESCRIPTION.** **1.98 ACRES OF THE SOUTHERN PORTION OF LOT 2, BLOCK 1, CHERRY CREEK ESTATES SUBDIVISION** is presently zoned **Public (P)** and is shown on the official zoning map within this zone.

***Section 3.*** **ZONE DISTRICT AMENDMENT.** The official zoning map is hereby amended and the zoning for **1.98 ACRES OF THE SOUTHERN PORTION OF LOT 2, BLOCK 1, CHERRY CREEK ESTATES SUBDIVISION,** is hereby changed from **PUBLIC (P)** to **Residential 8,000 (R-80)** and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining **Residential 8,000 (R-80)** as set out in the Billings, Montana City Code.

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

***Section 5.*** **REPEALER**. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

***Section 6.*** **SEVERABILITY**. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

PASSED by the City Council on first reading this 28th day of September, 2020.

PASSED, ADOPTED and APPROVED on second reading this 12th day of October, 2020.

CITY OF BILLINGS

BY:_____

William A. Cole, Mayor

Attest:

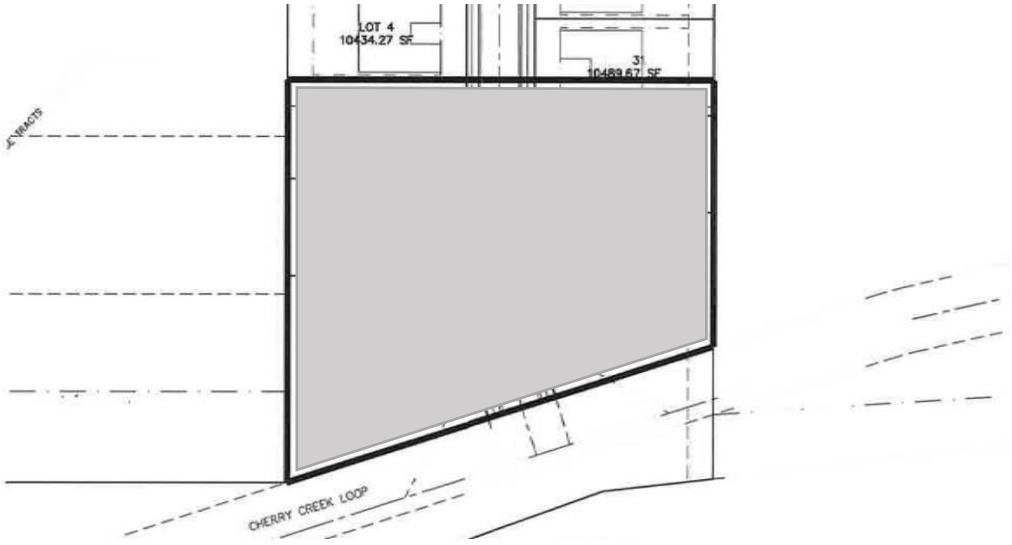
BY:_____

Denise R. Bohlman, City Clerk

Zone Change 983 – Cherry Creek Estates 1.98 acres of Lot 2, Block 1

Metes and Bounds Description

Starting at the southeast comer of Tract 4 of Barry Acreage Tracts Subdivision; thence N° 00'00"W a distance of 308 feet to a point; thence S90° 00'00"E a distance of 338.76 feet to a point; thence S0° 00'02"W a distance of 202.73 feet to a point; thence S72° 44'12"W for a distance of 354.73 feet to the point of beginning containing 1.986 acres or 86,505 square feet.



September 23, 2020

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

RE: City Zone Change 983 – Cherry Creek Loop – Public to R-80

To: City/County Planning Divisions, Board of Adjustment, Ms. Deines, Ms. Bohlman, and Ms. Cromwell,

As property owners on Bitterroot, our homes will be significantly impacted if the request for approval of changes to the City Zone Change "983 – Cherry Creek Loop from Public to R-80" is granted. We are signing this letter as a protest petition as owners within 150 feet of this zoning change request.

**1: 1123 Bitterroot Dr., Billings MT 59105** – Roger and Shelley Ostermiller

Signature: Roger Ostermiller: Roger Ostermiller Date: 9/23/2020

Signature: Shelley Ostermiller: Shelley Ostermiller Date: 9/23/2020

**2: 1155 Bitterroot Dr., Billings MT 59105** – Roger and Shelley Ostermiller

Signature: Roger Ostermiller: Roger Ostermiller Date: 9/23/2020

Signature: Shelley Ostermiller: Shelley Ostermiller Date: 9/23/2020

**3: 1205 Bitterroot Dr., Billings MT 59105** – David and Ginger Ostermiller

Signature: David Ostermiller: David A Ostermiller Date: 9-23-20

Signature: Ginger Ostermiller: Ginger L Ostermiller Date: 9.23.20

**4: 1225 Bitterroot Dr., Billings MT 59105** – Robert and Rebecca Muller

Signature: Robert Muller: Robert W Muller Date: 9/23/2020

Signature: Rebecca Muller: Rebecca L Muller Date: 9/23/2020

Thank you for your consideration in this protest petition request.

| Protest (Y/N) | TAX_ID | OwnerName | MailAddress1 | MailCity | MailState | MailZip | Property Owned | Street | StrtSuffix | ShortLegalDescription |
|---|---|---|---|---|---|---|---|---|---|---|
| | **D05388** | YELLOWSTONE COUNTY - Two Moon Park | PO BOX 35001 | BILLINGS | MT | 59107-5001 | | | | S23, T01 N, R26 E, FRAC SW4 & SE4 LTS 2 & 3 (YELLOWSTONE CO COULSON PARK) NOW TWO MOON PARK |
| | **C00213** | SHERNER, JONATHAN L | 1535 YELLOWSTONE RIVER RD | BILLINGS | MT | 59105-1833 | | | | CONNOLLY SUBD, S23, T01 N, R26 E, Lot 1 - 3 |
| | | SHERNER, TRACEY J | | | | | | | | |
| | **C00214** | SHERNER, JONATHAN L | 1535 YELLOWSTONE RIVER RD | BILLINGS | MT | 59105-1833 | 1535 | YELLOWSTONE RIVER | RD | CONNOLLY SUBD, S23, T01 N, R26 E, Lot 4 |
| | | SHERNER, TRACEY J | | | | | | | | |
| | **D05366** | ELLIS, ROBERT G | 1143 IRISTAN LN | BILLINGS | MT | 59105-1839 | 1143 | IRISTAN | LN | S23, T01 N, R26 E, C.O.S. 94, PARCEL 2A2, 2ND AMD |
| | | ELLIS, DELAINE | | | | | | | | |
| | **A31452** | MD CHERRY CREEK LLC 27.45% | 2801 N THANKSGIVING WAY STE 100 | LEHI | UT | 84043-5297 | | CHERRY CREEK | LOOP | CHERRY CREEK ESTATES SUB, S24, T01 N, R26 E, BLOCK 1, Lot 4, (04 AMD ) |
| | | Registered Agents Inc. | 1001 S. Main St. STE 500 | Kalispell | MT | 59901 | | | | |
| | | KFI BILLINGS LLC 72.55% | | | | | | | | |
| | | Corporation Service Company | 26 W Sixth Ave | Helena | MT | 59624 | | | | |
| **Yes** | **C00077** | MULLER, ROBERT W | 1225 BITTERROOT DR | BILLINGS | MT | 59105-1806 | 1225 | BITTERROOT | DR | BARRY ACREAGE TRACTS SUBD, S24, T01 N, R26 E, Lot 4B, AMND TR 4A |
| | | MULLER, REBECCA L | | | | | | | | |
| **Yes** | **C00077A** | OSTERMILLER, DAVID A | 1205 BITTERROOT DR | BILLINGS | MT | 59105-1806 | 1205 | BITTERROOT | DR | BARRY ACREAGE TRACTS SUBD, S24, T01 N, R26 E, Lot 4C, AMND TR 4A |
| | | OSTERMILLER, VIRGINIA LYNN | | | | | | | | |
| **Yes** | **C00077B** | OSTERMILLER, ROGER | 1155 BITTERROOT DR | BILLINGS | MT | 59105-1827 | 1155 | BITTERROOT | DR | BARRY ACREAGE TRACTS SUBD, S24, T01 N, R26 E, Lot 4D, AMND TR 4A |
| | | OSTERMILLER, SHELLEY | | | | | | | | |
| **Yes** | **C00077C** | OSTERMILLER, ROGER | 1155 BITTERROOT DR | BILLINGS | MT | 59105-1827 | 1155 | BITTERROOT | DR | BARRY ACREAGE TRACTS SUBD, S24, T01 N, R26 E, Lot 4E, AMND TR 4A |
| | | OSTERMILLER, SHELLEY | | | | | | | | |

**Nine parcels within 150 feet of Zone Change 983 subject property**
**3 properties must protest to be a "valid" protest against the zone change**
**Submitted petition is a valid protest**
**In order to approve the zone change, a 2/3 majority of the present and voting members of the City Council is required**
**If a full Council is sitting and hearing the zone change - 8 votes in favor of the zone change are required**

September 28, 2020

Mayor & City Council
Nicole Cromwell
2825 3rd Ave N, 4th Floor
Billings, MT 59101

Re: Zone Change 983

Dear Mayor & City Council:

I am the agent for the owner on this Zone Change request. We are asking for a delay on your vote until October 12, 2020.

We are asking for this delay to address the recent protest that was submitted on September 24, 2020.

I appreciate your time on this matter.

Sincerely,

Marshall Phil, PE
Blueline Engineering LLC
724 1st Avenue N
Billings, MT 59101
M 406-860-4617

**Regular** **4.**

**Regular City Council Meeting**

**Meeting Date:** 10/12/2020

**TITLE:** Resolution to Amend the City Limits of Annexation Map - Public Hearing

**PRESENTED BY:** Wyeth Friday

**Department:** Planning & Community Services **Division:** Planning

## RECOMMENDATION

City Council conduct a public hearing and adopt the Resolution to amend the Limits of Annexation Map as recommended by the City Annexation Committee.

## BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

To provide guidance on Annexation Policy and Map amendments, an Annexation Committee, consisting of representatives from Administration, Airport, Fire, Parks, Planning, Police, Public Works, and Transit advises the City Council. The Committee meets to review the Annexation Policy, discuss revisions to the map, and develop strategies for long-term growth management and service delivery. The Committee did not receive any requests from private property owners to amend the Annexation Map in fall 2019. However, the Committee is recommending four changes to the map based on staff knowledge of potential future development by property owners and infrastructure projects the City has included in its CIP or long range plans. The Committee is not recommending any changes to the Policy at this time. The Annexation Committee's recommendations were presented to the Council at its September 21 Work Session before bringing them forward for action at this meeting.

The City Council first adopted an Annexation Policy and accompanying Map 18 years ago in May 2002.The original adoption of the Policy was driven by annexations in the early 2000s of areas like Rehberg Ranch and Briarwood that were placing significant service demands on City services and the Council realized it needed a formal process and criteria to make future annexation decisions. To provide guidance on Annexation Policy and Map amendments, an Annexation Committee was formed to advise the City Council. The current adopted policy established two limits of annexation. The City Annexation Petition Area (Red) defines an area where annexation petitions may be supported in the short term. The Long Range Urban Planning Area (Orange) covers areas where City services may be extended but would require additional analysis and funding to support those services.

The City of Billings has annexed about 5 square miles since 2004 (38.65 to 43.97 sq. mi.) when the Policy and Limits of Annexation Map were further refined to be similar to what they are today. The community's growth over this period has challenged the City's ability to balance serving new areas and maintaining a high level of service to present citizens. Recent discussions and funding efforts centered on the need to increase public safety services has been a core part of these service issues. These challenges have meant the Committee continues to be cautious in recommending any expansion of the annexation areas. However, ensuring proper municipal infrastructure is positioned to serve City expansion long term is also a critical element in the community's sustainability.

**Orange Area Recommendations:**
The Annexation Committee is making two recommendations to City Council to expand the Long Range Urban Planning Area (See draft map attached). Both of these areas are being recommended due to future City initiated and State initiated infrastructure that is going to occur and influence these areas for urban development.

**West Billings Reservoir Area (1)** - The City of Billings has programmed the construction of a west end reservoir and water treatment plant into its adopted Capital Improvement Plan, and anticipates construction of these facilities in the next 4 years. The project is located in the former Knife River Gravel Mine south of the Shiloh Conservation Area, east of 48th Street West and in the area around Hesper Road. While the reservoir will provide significant additional drinking water storage for the City and the plant will add redundancy and improved capabilities to the City water system, this location means future municipal services will be available along this western edge of the current City Limits. While the City is not prepared to service some of this area right now, the Annexation Committee sees the need to expand the Long Range Urban Planning Area to encompass an area south, west and northwest of this project along the 48th Street West corridor in anticipation of future City development in this area. It is expected that if the Council amends the map to include this area for Long Range Urban Planning, City staff will continue to analyze the future service options as the reservoir and water plant project move ahead in 2021.

**East Heights Billings Bypass Area (2) -** The Montana Department of Transportation (MDT) is in the process of constructing the Billings Bypass between Johnson Lane in Lockwood and the Billings Heights area at Mary Street and Highway 312. The City of Billings and Yellowstone County have fully supported this project and committed locally allocated Federal transportation funds to complete it. This project will provide a major transportation corridor connecting both Lockwood and the

Billings Heights, but also I-90/I-94 and Highway 87 to northern Montana and Canada. When this project is completed, it will have a significant impact on the eastern portion of Billings Heights, much of which is still in the County and only some of which is in the City Annexation Petition Area. The Metropolitan Planning Organization (MPO) for Billings and the Urban Area of Yellowstone County has programmed a North Bypass Corridor Study to be completed in 2021 to address future access and development along the northern segment of the Bypass from where it crosses the Yellowstone River to where it intersects with highways 87 and 312. The Annexation Committee sees the need to include the entire east Billings Heights area in the Long Range Urban Planning Area now to anticipate both this upcoming study and the need to plan for development in the area that should be in the City with municipal services.

**Red Area Recommendations:** The Annexation Committee is making two recommendations to City Council to expand the City Annexation Petition Area (See draft map attached). Both of these areas are being recommended due to recent and future City infrastructure projects in the Adopted CIP and long-range infrastructure planning that will influence these areas for urban development.

**West Airport Highway 3 Area (3) -** Before the City was awarded a BUILD Grant in early September to construct the Inner Belt Loop and the Skyline Trail, there was already significant long-term planning and potential development activity along the Highway 3 Corridor west of the Airport. The City has limited water and sewer infrastructure in this vicinity but is planning for further service expansion. The Airport continues to monitor development impacts to its operations. Some rezoning in the County in the past 5 years in the area has led to initial development by Billings Flying Service north of Highway 3. The MPO's completion of the Highway 3 Corridor Study in 2015 laid out significant improvements to the road corridor and assessed future land use opportunities, as well as developed the Skyline Trail concept. Most recently, the adoption this summer of the Inner Belt Loop Corridor Study by the City and County also identified the future urban development potential for the area along Highway 3. While the area the Annexation Committee is recommending be included does not encompass all of the future development area, the Committee recognized the need to begin including this area so that new development in the short term will occur in the City on municipal services and send the message that this area should be served by the City. The City Annexation Committee members found that adding this area to the City Annexation Petition Area would not put a significant or immediate strain on City service delivery in this location and the benefits of having urban development in the City in this area versus rural County development outweighed any possible challenges.

**Grand and 62nd Street Area (4)** - This area has been a focus of internal staff discussion for a few years as the City Limits are just east of this intersection and north at the intersection of 62nd Street West and Rimrock Road. The City also completed a project a few years ago to extend water and sewer west along Grand to near the 60th Street West intersection. The long-term plan for this area is to eventually utilize 62nd Street West to loop utilities between Grand and Rimrock Road to better service the property within the current City Annexation Petition Area east of 62nd Street West between Rimrock Road and Grand Avenue. Having this area all within the City Annexation Petition Area east of 62nd Street West except for the northeast corner of the Grand Avenue and 62nd Street West intersection does not make sense form a long term municipal service standpoint. Further, the property owner at this northeast corner has expressed interest in the past year to annex and develop this location. The City Annexation Committee members found that adding this small area to the City Annexation Petition Area would not put a significant strain on City service delivery in this location and the benefits of having urban development in the City in this area versus rural County development outweighed any minimal service challenges.

## STAKEHOLDERS

Amendments to the City Limits of Annexation Map are completed through a public hearing and action on a resolution by the City Council. The public hearing was advertised as required. Staff also let several property owners or agents that have been in contact about their property in these amendment areas know these recommendations were going to the City Council. The general public also is able to participate in the process by providing comments to the staff or at the public hearing for this item at the City Council meeting. Staff had not received any comments on the map amendments at the time this memo was drafted.

## ALTERNATIVES

The City Council may:

- Amend the Limits of Annexation Map per the Annexation Committee's recommendations; or
- Not Amend the Limits of Annexation Map per the Annexation Committee's recommendations; or
- Make modifications to the Limits of Annexation Map different than the Annexation Committee's recommendations. If the Council decides to make other modifications not included in the the Annexation Committee's recommendations, staff will need to revise the resolution and map and bring the item back for action at a future Council meeting. The Annexation Committee will be bringing new recommendations to the Council in early 2021 after completing its winter review process, so the Council may find it useful to adopt these

current amendments now and have other map amendment ideas considered at that time.

## FISCAL EFFECTS

Making amendments to the City Limits of Annexation Map does not immediately impact the City budget. However, future annexations in the areas that are included in the City Annexation Petition Area will have both revenue and cost implications for City service delivery.

Future decisions in the CIP process about infrastructure projects also will have an impact on where the City invests in long-range City growth and expansion. There is a balance the City must achieve between efficient service delivery to existing City residents and future expansion to provide services for high quality urban development. Not identifying future areas of City expansion and making long-term investments can also have a significant cost as rural development occurs in places that interrupts future City expansion and makes future service delivery more complicated and costly.

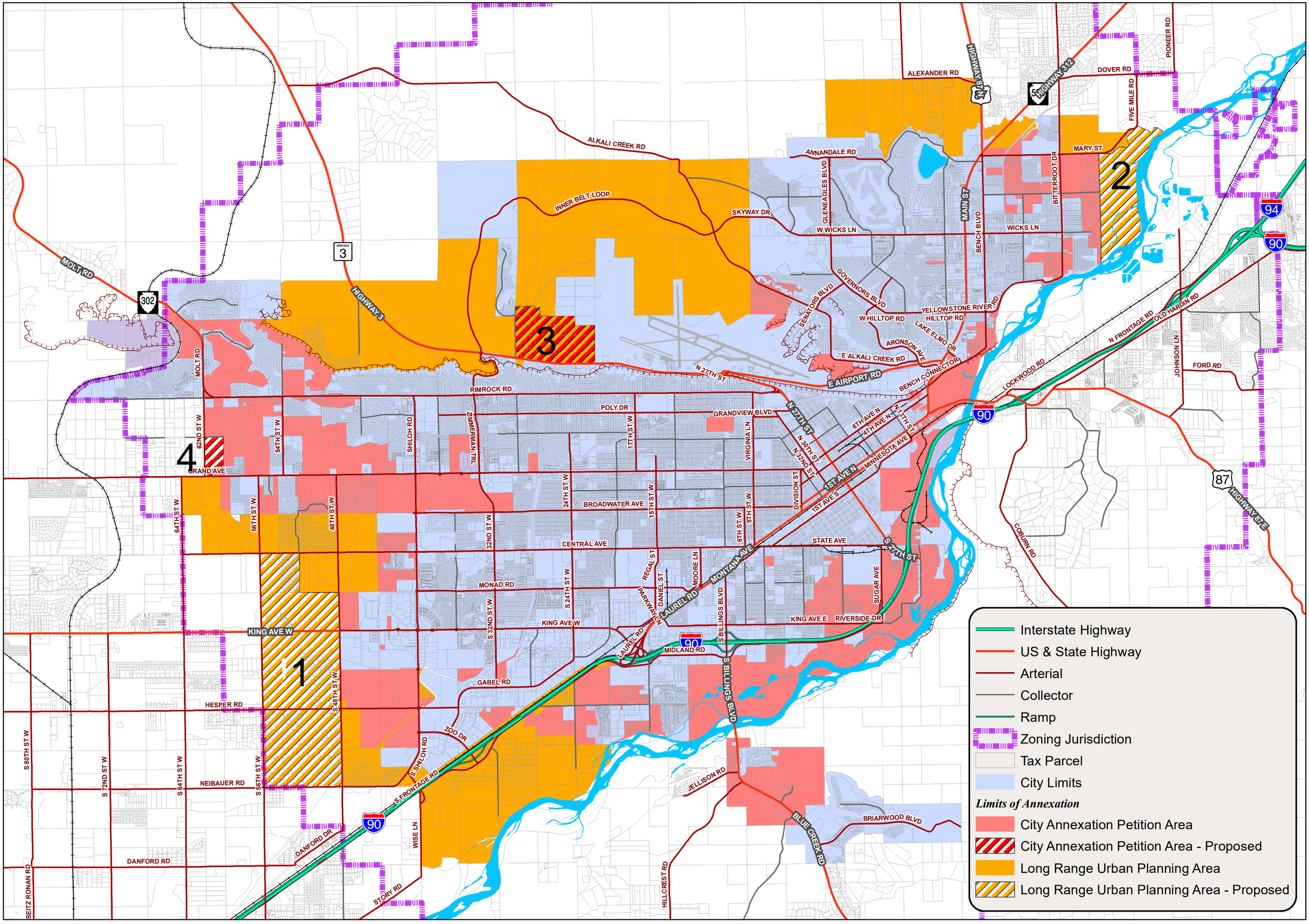
The Council would likely want to know specific cost estimates for future service delivery to the areas identified for the Annexation Petition Area (Red area). This is not possible at this time both because the specific development plans for these areas is not known and because the City has not completed a Cost of Service Study to help inform these situations. However, the Annexation Committee has been intentional about the two areas it has recommended for inclusion in the Annexation Petition Area this year to minimize short-term service impacts in anticipation of future service delivery analysis.

## Attachments

Draft Annexation Map with Amendments

Annexation Policy

Resolution to Amend Annexation Map




# Limits of Annexation Map

Revised June 18, 2020 (DRAFT ONLY)

Miles

0 0.5 1 2 3 4

Map Document: \\pwu-w12k07\GIS_Files\Mapping_Projects\Projects\Planning\2016\RFI_0097_LimitsofAnnexation\RFI_0097_LimitsOfAnnexation_17JUN20 (11x17).mxd
Date: 6/18/2020

RESOLUTION NO 17-10618

A RESOLUTION OF THE CITY OF BILLINGS, MONTANA PURSUANT TO ARTICLE II. CITY BOUNDARIES, MCA 7-1-114(1)(a); ANNEXATION PROCEDURES, MCA 7-2-4201 ET SEQ. AND SETTING FORTH AN ANNEXATION POLICY;

WHEREAS, the City Council adopted the City of Billings Annexation Policy by Resolution on November 22, 2004, further amended it by Resolution on April 10, 2006, May 23, 2011, and on May 23, 2016, and it is amended from time to time.

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

That the City Council now makes and adopts the following amendments to the Annexation Policy:

**ANNEXATION POLICY**
**Revised, May 8, 2017**

1. Statement of Intent
   The City of Billings intends to permit the annexation of land as to provide for orderly growth, adequate provision of municipal services, and equal benefits to both the annexed territory and existing City properties.

2. Policy Statement
   The City Council shall consider land annexations that adhere to the provisions specified in Montana Annexation Statutes (7-2-4201 through 7-2-4761, MCA) and the Billings Municipal City Code, Section 26-204 and Sections 20-301 through 305. The Council may approve, deny or conditionally approve petitions or initiatives for annexation based on the following criteria:

   - The area must be located within the Red Area of the Limits of Annexation as defined herein;
   - The City must be able provide adequate city services within a time period mutually agreed to by the property owners requesting annexation and the City;
   - Existing or proposed public improvements within the area to be annexed must meet City standards;
   - All property owners within the area to be annexed must sign a Waiver of Right to Protest the creation of Special Improvement Districts;
   - All residential property owners within the area to be annexed must create or join an existing park maintenance district;

- Residential densities planned for development within the area to be annexed must meet an overall average density of at least 4-7 dwelling units per acre as per the 2016 City of Billings Growth Policy; and
- The proposed land use within the area to be annexed must conform to the goals of the Adopted City of Billings Growth Policy.

3. Limits of Annexation Map (attached) - The City shall prepare a map showing limits of annexation for two time periods. The first time period shall be known as the City Annexation Petition Area (Red Area). The City will utilize its Five-Year Capital Improvements Plan and ongoing analysis of its ability to provide services when considering amendments to the Red Area. The second time period shall be called the Long Range Urban Planning Area (Orange Area) and shall be reviewed by the City for amendments based on its service master plans and ongoing analysis of its ability to provide services. In order for a property to be considered for annexation, it shall be located within the City Annexation Petition Area (Red Area) on the Limits of Annexation Map.

a. Map Amendments

A map amendment shall be prepared for Council consideration whenever the Capital Improvements Plan is revised. A map amendment may be initiated by City staff, or requested by a property owner, in preparation for a future annexation request. Unless a property may be considered under the criteria outlined in subsection 'b' below, a property may not request inclusion in the City Annexation Petition Area unless it has first been included in the Long Range Urban Planning Area.

For any map amendment involving addition of property to the Long Range Urban Planning Area, the property owner must submit a letter requesting inclusion of the property in the Long Range Urban Planning Area. For any map amendment involving the addition of property to the Red Area of the map, an Urban Planning Study shall be completed by the petitioner who requests the amendment. An Urban Planning Study shall evaluate how a development proposal will impact the following elements:

- Streets and transportation
- Traffic circulation and generation
- Storm sewers and storm water management
- Wastewater service
- Sanitation and solid waste management
- Water service
- Parks, recreation and public lands
- Public safety (police, fire and other emergency services)
- Public schools
- Projected and estimated population
- Soils, geology and topography
- Effects of urbanization on the existing environment
- Effects on agriculture
- Existing and potential land use
- Historic sites
- Development timetables

- Capital improvements
- Methods of funding for public improvements
- Other considerations

Map amendments will be recommended to City Council by a committee of representatives from City Administration, Public Works Department, Fire Department, Parks Department, Planning Division, Police Department, and MET Transit.

Rationale
When proposing amendments to the map, the committee shall consider and document for Council:

- distance from existing city services and response times;
- capacity and location of existing facilities and future upgrades or construction of new facilities;
- cost of city services;
- effect on existing residents; and
- conformance with all adopted plans including the Capital Improvements Plan, the Growth Policy, applicable area plans, the Billings Area Bikeway and Trails Master Plan, the most current Transportation Plan, the most current sewer, water and storm sewer plans, and other applicable adopted planning documents.

The Council will then determine at its discretion whether to approve appropriate Limits of Annexation consistent with the adopted Annexation Policy.

b. Consideration for property outside the Long Range Urban Planning Area being brought directly into the City Annexation Petition Area.

There may be circumstances when previous development and infrastructure improvements within the City have created situations where the City may choose to consider bringing a property outside of the Long Range Urban Planning Area directly into the City Annexation Petition Area. In this instance, the City Council will use all of the following criteria in guiding its decision:

- An Urban Planning Study as outlined in subsection 'a' above has been completed on the subject property and the City has performed long range service studies that include the property.
- City water and sewer lines are directly adjacent to the property and are sized appropriately to serve development on the property
- The property is directly adjacent to the City Limits
- The City property adjacent already is developed and designed to connect via roads to the property
- City services providers are able to serve the property while there is the potential for increases in response times for public safety services.

After review of all of these criteria, the City Council may consider adding the property into the Red City Annexation Petition Area. However, it remains the City Council's discretion as to whether to include any property in any Limits of Annexation area.

4. Obligation of City

The City may choose to annex any property in accordance with the provisions of the following state statutes:

- Annexations of Additions to Municipalities (7-2-4201 et. seq., MCA)
- Annexations of Contiguous Land (7-2-4301 et. seq., MCA)
- Annexations of Contiguous Government Land (7-2-4401 et. seq., MCA)
- Annexations of Wholly Surrounded Land (7-2-4501 et. seq., MCA)
- Annexation by Petition (7-2-4601 et. seq., MCA)
- Annexation with the Provision of Services (7-2-4701 et. seq., MCA)

The City may decide to condition the approval of the annexation in order to meet the criteria listed under the Policy Statement. The conditions of approval must be clearly stated in the resolution of annexation. In the case where the property to be annexed is not developed, the conditions of approval shall include a requirement for; a) a development agreement prior to the issuance of a building permit, or b) a subdivision improvements agreement at the time of final subdivision plat approval. In the event the property to be annexed is already developed and contains public improvements that are not constructed to city standards, the City shall require an annexation agreement. The agreement shall specify which public improvements are to be upgraded and/or installed to city standards, and a time period and mechanism to finance the construction and installation of those improvements. In any case, all public improvements, whether existing or proposed, shall meet city standards.

5. Obligation of Petitioner
   Petitions for annexation must comply with the provisions of Annexation by Petition (7-2-4601 et. seq., MCA) and Section 26-204 and Sections 20-301 through 305, BMCC. A fee, to be established by the City Administrator, must be paid at the time the petition is submitted. If the area to be annexed is not developed, petitioners are required to comply with the conditions of approval prior to the issuance of a building permit or at the time of final subdivision plat approval. If the area to be annexed is developed and requires the construction or installation of public improvements, the petitioner must enter into an annexation agreement prior to the City Council acting on the resolution of annexation.

APPROVED AND PASSED by the City Council of the City of Billings, this 8th day of May, 2017.

CITY OF BILLINGS * SEAL * YELLOWSTONE COUNTY, MONTANA

THE CITY OF BILLINGS:

BY: Thomas W. Hanel
Thomas W. Hanel Mayor

ATTEST:

BY: Denise R. Bohlman
Denise R. Bohlman City Clerk

RESOLUTION NO 20 -_____

A RESOLUTION OF THE CITY OF BILLINGS, MONTANA PURSUANT TO ARTICLE II. CITY BOUNDARIES, MCA 7-1-114(1)(a); ANNEXATION PROCEDURES, MCA 7-2-4201 ET SEQ. AND SETTING FORTH AN ANNEXATION POLICY;

WHEREAS, the City Council adopted the City of Billings Annexation Policy by Resolution on November 22, 2004, further amended it by Resolution on April 10, 2006, May 23, 2011, May 23, 2016, May 8, 2017, and on April 23, 2018, and it is amended from time to time.

WHEREAS, the Limits of Annexation Map was last amended by Resolution on April 23, 2018; and

WHEREAS, the Policy states that the Map shall be reviewed and or revised whenever the Capital Improvements Plan is revised; and

WHEREAS, the City Council approved the FY 2021-2025 Capital Improvements Plan on December 9 and December 16, 2019.

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

That the City Council now makes and adopts the following amendments to the Limits of Annexation Map:

**LIMITS OF ANNEXATION MAP**
**Revised, October 12, 2020**
**Shown as Exhibit A Attached**

APPROVED AND PASSED by the City Council of the City of Billings, this 12th day of October, 2020.

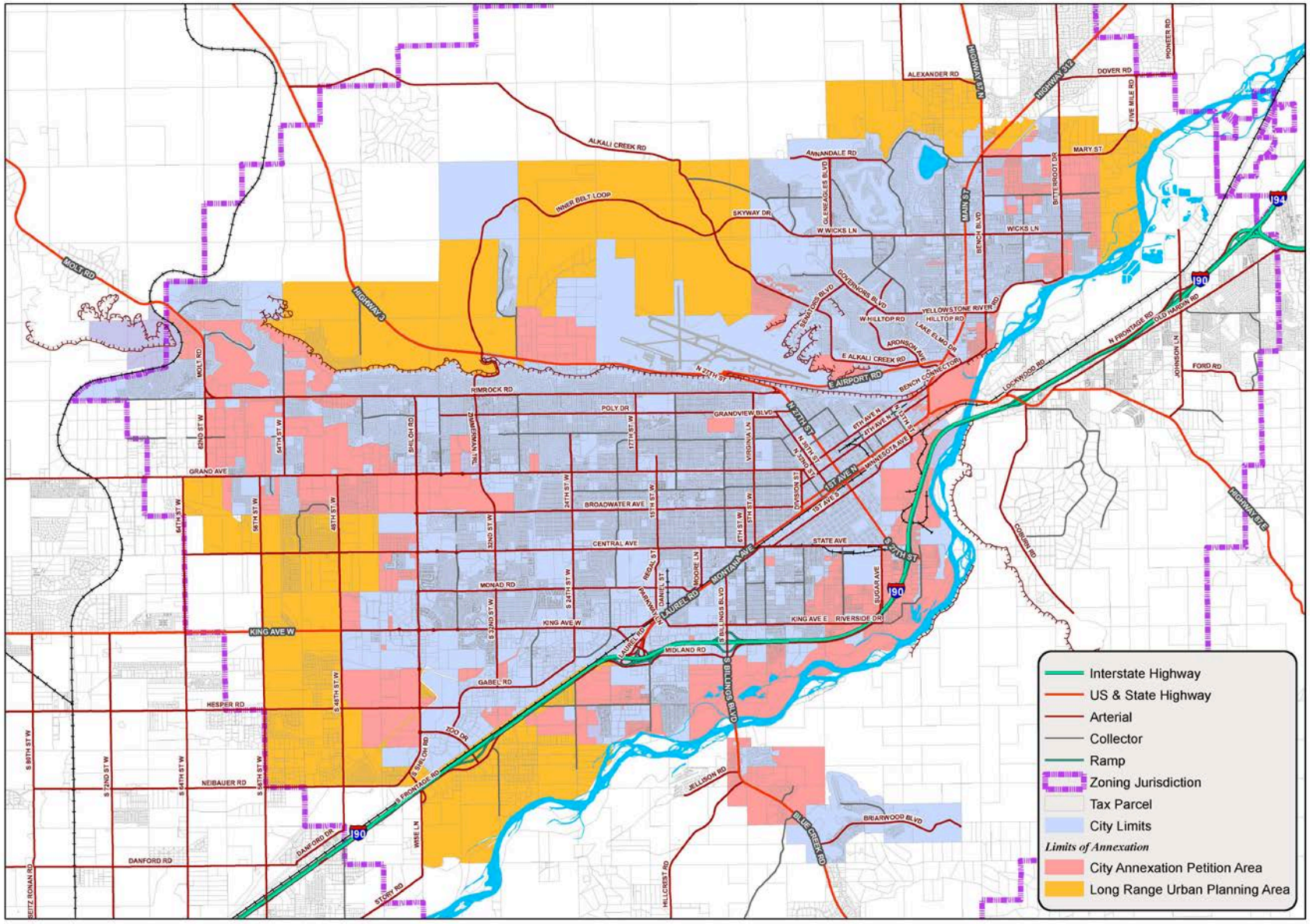
THE CITY OF BILLINGS:

BY:_____
William A. Cole, Mayor

ATTEST:

BY:_____
Denise Bohlman City Clerk

# Exhibit A


Interstate Highway
US & State Highway
Arterial
Collector
Ramp
Zoning Jurisdiction
Tax Parcel
City Limits
Limits of Annexation
City Annexation Petition Area
Long Range Urban Planning Area
Limits of Annexation Map
Revised October 12, 2020