CITY OF Billings

VISION STATEMENT:
"The Magic City: A diverse, welcoming community where people prosper and business succeeds."

CITY COUNCIL
REGULAR BUSINESS MEETING
AGENDA

COUNCIL CHAMBERS | July 26, 2021 | 5:30 P.M.

CALL TO ORDER: Mayor Cole

PLEDGE OF ALLEGIANCE: Mayor Cole

INVOCATION: Councilmember Neese

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

MINUTES:

- June 28, 2021
- July 12, 2021

COURTESIES:

PROCLAMATIONS:

COUNCIL REPORTS:

ADMINISTRATOR REPORTS - CHRIS KUKULSKI

PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Items: 1, 2, 6, and 7 ONLY. Speaker sign-in required. (Comments are limited to three (3) minutes or as set by the Mayor. Please sign the roster at the cart located at the back of the Council chambers or at the podium. 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. **Amendment No. 27, Airport West Hangar Development,** Professional Engineering Services Agreement, Morrison-Maierle, Inc.; $121,144.

   C. **2021 Justice Assistance Grant (JAG) Application,** Memorandum of Understanding (MOU) with Yellowstone County, and award to the City of Billings Police Department; $105,725.

   D. **Recommendation of approval** of the 5th Avenue North Corridor Feasibility Study to the Policy Coordinating Committee (PCC).

   E. **Donations** from various donors to the Billings Police Department; $26,500.

   F. **Donation** from Billings TrailNet as a match for the BUILD Grant to help construct the Skyline Trail; $85,000.

G. **Donation** from Yellowstone County DUI Task Force for the Billings Police Department to fund overtime shifts for special DUI patrols; $4,000.

H. **Quit Claim Deed** for Tract 7 of COS 550 from Kurt Haeker.

I. **Final Plat** of Amended Lot 5, Block 1, Legacy Subdivision.

J. **Resolution** to repeal the City of Billings' declaration of emergency due to the COVID-19 pandemic.

K. **Second/Final Reading Ordinance expanding Ward I (Annexation 21-03):** a parcel located north of King Avenue East and east of Jackson Street, legally described as Tract B-2, of Amended Tract B of Certificate of Survey No. 2367 M, totaling approximately 3.574 gross and 3.522 net acres.

L. **Second//Final Reading Ordinance expanding Ward III (Annexation 21-04):** a parcel located south of the South Frontage Road and north of the City-County Drain, legally described as Fractions of Government Lots 2 and 3, Section 15, T.1S., R.26E., P.M.M., totally approximately 35.94 acres.

M. **Second/Final Reading Ordinance expanding Ward III (Annexation 21-05):** a parcel located at 6014 South Billings Boulevard; legally described as a tract of land situated in the SE 1/4 of Section 17, and the NW1/4 and the SW 1/4 of Section 16, T.1S., R.26E, P.M.M. totally approximately 22.90 gross acres.

N. **Second/Final Reading Ordinance expanding the boundaries** of the South Billings Boulevard Urban Renewal District (SBBURD) and adopt a modified Urban Renewal Plan.

O. **Bills for the Weeks of:**

1. June 21, 2021
2. June 28, 2021

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. **LETTER OF SUPPORT** for Low-Income Housing Tax Credits for the proposed Tapestry Apartments. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

   - *Presented by: Chris Kukulski, City Administrator and Eric Basye, Executive Director of Community Leadership & Development, Inc. (CLDI)*

   Recommended Motion: I move to approve the Mayor signing a letter of support on behalf of the Billings City Council for a Low-Income Housing Tax Credits application for the proposed Tapestry Apartments, as recommended by staff.

3. **PUBLIC HEARING AND SPECIAL REVIEW 990:** a special review to relocate an existing all-beverage liquor license to operate a bar and casino for Town Pump, Inc. in the Olympic Park Planned Development zone with underlying zoning of Community Commercial (PD-CC) on a 6.196 acre parcel of land described as Lots 1B-1 to Lots 1B-5, Block 20, Olympic Park Subdivision, generally located on the vacant property on the northeast corner of the intersection of King Avenue West and Shiloh Road. Billings 13 RE, LLC, owners; Performance Engineering, Scott Aspenlieder, P.E., agent. Zoning Commission recommends conditional approval and adoption of the findings of the 3 criteria. (Action: approval or disapproval of 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 and adopt the findings of the 3 criteria for Special Review 990, 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 FIRST READING ORDINANCE** amending Billings, Montana City Code (BMCC), Article 22-1000, Arterial Construction Fees. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

   - *Presented by: Jennifer Duray, Public Works Deputy Director*

   Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve and amend Billings, Montana City Code (BMCC), Article 22-1000, on first reading, as recommended by staff.

5. **PUBLIC HEARING AND SECOND/FINAL READING ORDINANCES FOR ZONE CHANGE 993:** a zone change from A - Agriculture to CX - Heavy Commercial generally located at 3508 South Frontage Road; a zone change from A - Agriculture to P2 - Public 2 generally located at 6014 South Billings Boulevard; and a zone change from RR1 - Rural Residential 1 to NX1 - Mixed Residential 1 and N2 - Mid-Century Neighborhood generally located on Jackson Street. Zoning Commission recommends approval and adoption of the 10 criteria. (Action: approval or disapproval of the Zoning Commission recommendation.) ** Quasi-Judicial*

   - *Presented by: Wyeth Friday, Planning Director*

   Recommended Motion: Having conducted two public hearings, considered written and spoken public testimony, I move to approve the second reading for Zone Change 993 and adopt the findings of the 10 criteria, a zone change from A - Agriculture to CX - Heavy Commercial generally located at 3508 South Frontage Road; a zone change from A - Agriculture to P2 - Public 2 generally located at 6014 South Billings Boulevard, as approved by the City Council on first reading July 12, 2021.

   Recommended Motion: Having conducted two public hearings, considered written and spoken public testimony, I move to approve the second reading for Zone Change 993 and adopt the findings of the 10 criteria, a zone change from RR1 - Rural Residential 1 to NX1 - Mixed Residential 1 and N2 - Mid-Century Neighborhood generally located on Jackson Street, as approved by the City Council on first reading July 12, 2021.

   ** 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.

6. **TAX INCREMENT FINANCE ASSISTANCE** from East Billings Urban Renewal District (EBURD) to Empire Entrepreneurs, for asbestos abatement, demolition and clean-up at 1403 1st Avenue North, f/k/a Lazy KT motel; up to $94,740. Billings Industrial Renewal District (BIRD) Board recommends approval. (Action: approval or disapproval of the BIRD Board recommendation.)

   - *Presented by: Wyeth Friday, Planning Director and Zack Terakedis, BIRD Director*

   Recommended Motion: I move to approve Tax Increment Finance Assistance from East Billings Urban Renewal District (EBURD) to Empire Entrepreneurs, for asbestos abatement, demolition and clean-up at 1403 1st Avenue North, f/k/a Lazy KT motel; up to $94,740, as recommended by the BIRD Board.

7. **TAX INCREMENT FINANCE ASSISTANCE** from Downtown Urban Renewal District to Billings Community Foundation for renovation at 404 North 30th Street; $181,774. Downtown Billings Partnership Board (DBP) recommends approval. (Action: approval or disapproval of DBP Board recommendation.)

   - *Presented by: Wyeth Friday, Planning Director and Mehmet Casey, DBA Development Director*

   Recommended Motion: I move to approve Tax Increment Finance Assistance from Downtown Urban Renewal District to Billings Community Foundation for renovation at 404 North 30th Street; in the amount of $181,774, as recommended by DBP Board.

PUBLIC COMMENT on "NON-AGENDA ITEMS". Speaker Sign-in required. (*Restricted to ONLY items not on this printed agenda. Comments are limited to 3 minutes or as set by the Mayor. Please sign the roster at the cart located at the back of the Council chambers or at the podium.)*

COUNCIL INITIATIVES:

ADJOURN:

Council Chambers are readily accessible to individuals with physical disabilities.

For more information or to make requests for special arrangements, please contact the City Clerk's Office at 657-8210 or e-mail bohlmand@billingsmt.gov, 72 hours prior to the meeting date.

City Council Regular

Date:	07/26/2021
Title:	Approval of Amendment 27 with Morrison-Maierle, Inc. for Engineering Services for the Airport's West Hangar Development
Presented by:	Shane Ketterling, Assistant Director of Aviation and Transit
Department:	Airport
Presentation:	No

RECOMMENDATION

Staff recommends the City Council approve Amendment 27 with Morrison-Maierle, Inc. for the Engineering services associated with the design, survey and construction administration of the Airports West Hangar Development in the amount of $121,144.

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

On April 10, 2017, the City Council approved a five-year contract with Morrison-Maierle to provide the project design, construction administration, survey work, construction inspection and oversight, and project closeout for the Aviation and Transit Department for all civil engineering work required during the five-year term. This base contract with Morrison-Maierle is amended each time a new project is undertaken, and Amendment 27, for $122,144, includes the services listed above.

This project will continue the development of a new area for the construction of larger aircraft hangars on the west end of the Airport. Land at the Airport for future growth and expansion is limited due to the existing buildings and infrastructure, the large airfield consisting of many runways and taxiways, cargo ramps, safety clearances for commercial aircraft required by the Federal Aviation Administration, and many geographical issues such as elevation changes, the Rimrocks to the south and the ravines to the north, etc. The few locations remaining that have room for development must be maximized and utilized to their full potential. The Airport regularly receives inquiries asking whether there are hangars for rent or land available to build on. Although the Airport does not currently own any hangars that are available for rent, a section of land on the west end is available for large commercial aircraft hangars. In 2016, the Airport constructed a taxilane and ramp area for this future development. The original work established hangar sites that could handle a 100-foot depth on the west side of the taxilane and 80-foot depth on the east. During that project, utilities were installed to accommodate the west side hangars, but the east side is still in need of this infrastructure. Recently, there has been a lot of interest from companies/individuals wanting to build larger 80' x 80' hangars on the east side of this newer taxilane and Morrison-Maierle would assist the Airport with completing the development of this area. Design work would include: survey work in order to calculate finish floor elevation for taxilane grades; utility improvements to include water, sewer and storm; construction of an access road; installation of a new chain link security fence and gate, and other miscellaneous work as needed. This construction project is anticipated to take place in the Spring of 2022 and estimated to cost approximately $500,000. The scope of work and associated engineering fees have been negotiated by staff and are acceptable for this engineering work.

ALTERNATIVES

City Council may:

- Approve Amendment 27 for the engineering services with Morrison-Maierle; or
- Decline to approve Amendment 27 with Morrison-Maierle and advise staff on how to proceed.

FISCAL EFFECTS

Staff recommends the City Council approve Amendment 27 with Morrison-Maierle for the amount of $121,144, to include the engineering services required for the Airport's West Hangar Development. The funding to pay for these fees is available in the Airport's Capital Account.

City Council Regular

Date:	07/26/2021
Title:	2021 JAG Application and Acceptance of Award in the Amount of $105,725
Presented by:	Jamie Wegner
Department:	Police
Presentation:	No

RECOMMENDATION

Staff recommends that the City Council approve the 2021 JAG application submission in the amount of $105,725; accept the grant award; approve the MOU with Yellowstone County and authorize the Mayor to sign the award documents when they are received.

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

The City has been notified that funding is available for the 2021 Justice Assistance (JAG) Grant. This $105,725 is a joint application between the Billings Police Department (BPD) and the Yellowstone County Sheriff's Office (YCSO), with the BPD acting as the grant administrator. The YCSO will use its $17,331 allocation of grant funds to purchase equipment and supplies for their helicopter, and rescue equipment for patrol division deputies. The YCSO plans to purchase helicopter search lights, 4 helicopter headsets, life vests, rescue sticks, night vision battery pack, fire extinguisher, water rescue throw bags, aviation uniform supplies and modifications to the helicopter transport car. The BPD plans to use its $88,394 to purchase interior patrol SUV equipment, patrol rifle ammunition, Point Blank Vests, TASER training cartridges, uniforms, and promotional items.

The attached Memorandum of Understanding (MOU) is part of the application submittal.

ALTERNATIVES

City Council may:

- Approve the 2021 JAG application submission in the amount of $105,725; accept the grant award; approve the MOU with Yellowstone County and authorize the Mayor to sign the award documents when they are received; or,
- Not Approve the 2021 JAG application submission in the amount of $105,725; accept the grant award; approve the MOU with Yellowstone County and authorize the Mayor to sign the award documents when they are received and provide further direction to staff.

FISCAL EFFECTS

There will be no cost to the City as no match is required.

Attachments

JAG MOU

THE STATE OF MONTANA, COUNTY OF YELLOWSTONE
MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF BILLINGS, AND YELLOWSTONE COUNTY
2021 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD
$105,725 #2020-H8017-MT-DJ

This Memorandum of Understanding (MOU) is made and entered into this ____ day of _____, 2021, between the City of Billings (CITY) acting through its Mayor, and Yellowstone County (COUNTY) acting through its Chairman of the Board of County Commissioners.

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party, and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interest of both parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this Agreement; and

WHEREAS, the City agrees to provide the County $17,331.00 from the JAG award.

WHEREAS, the CITY and the COUNTY will file a joint application with the CITY serving as applicant/fiscal agent for the JAG funds.

WHEREAS, the CITY and the COUNTY believe it to be in their best interests and the best interests of both of them to reallocate the JAG funds in this matter so as to continue to qualify for future JAG awards and in order to maximize the benefit from this 2021 JAG award.

NOW THEREFORE, the CITY and COUNTY agree as follows:

1.The purpose of this MOU is to provide a binding promise by the City of Billings to share the proceeds of a $105,725.00 JAG award with the County of Yellowstone.

2.This MOU shall commence on the date the Justice Assistance Grant (JAG) is funded by the U.S. Department of Justice, and the funds are received by the City, and it shall terminate on September 30, 2024 unless the parties mutually agree, in writing, to an earlier termination date. This cooperative undertaking shall be financed exclusively from the JAG proceeds. CITY agrees to pay the COUNTY a total of $17,331.00 of JAG funds. The COUNTY agrees to use $17,331.00 for the program between the date of this agreement and September 30, 2024, the last day on which these funds may be spent, according the terms of the JAG.

3.Nothing in the performance of this MOU shall impose any liability for claims against the CITY or COUNTY. Each party to this agreement will be responsible for its own actions in providing services under this MOU and will save the other party harmless from and defend and indemnify them for any claims that arise due to or on account of any activities that are funded in whole or in part by JAG proceeds, and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party. The parties to this MOU do not intend for any third party to obtain a right by virtue of this MOU. No separate legal entity shall be created by this contract. The accounting for funds received by each of the local governing bodies shall be done by the City of Billings Finance Department and the County of Yellowstone Sheriff's Office, respectively. The City of Billings Financial Services Manager shall administer the disbursement of JAG proceeds in cooperation with the County of Yellowstone Sheriff's Office. No personnel costs will be funded from these proceeds by either party so neither party will be required to file reports or make payments of retirement system contributions pursuant to §19-2-506, MCA.

4.In the event that any payment that is expected to be made pursuant to this JAG is not received by the City of Billings, or in the event that either party violates the terms of this MOU either party may terminate this agreement by giving written notice to the mayor (for notice to the City) or to the commission chair (for notice to

the County) of the manner in which the other party has violated the provisions hereof. If a party so notified does not remedy the default within fifteen (15) days of receipt of the notice of the violation, then the party giving notice of the violation is released and discharged from any further obligation under this MOU and the MOU is of no further legal effect.

By entering into the MOU, the parties do not intend to create any obligations express or implied other than those set out herein; further, this MOU shall not create any rights in any party not a signatory hereto.

City of Billings, Montana

_____
/s/ William A. Cole, Mayor

County of Yellowstone

_____
/s/ Denis Pitman, Chairman
Yellowstone County Commissioners

APPROVED AS TO FORM:

_____
/s/ Gina Dahl
City Attorney's Office

_____
/s/ Scott Twito
Yellowstone County Attorney's Office

City Council Regular

Date:	07/26/2021
Title:	5th Avenue North Corridor Feasibility Study
Presented by:	Lora Mattox
Department:	Planning & Community Services
Presentation:	No

RECOMMENDATION

Staff recommends that the City Council forward a recommendation of approval of the 5th Avenue North Corridor Feasibility Study to the Policy Coordinating Committee (PCC). The PCC is scheduled to take final action on the study at its August 17, 2021, meeting.

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

The goal of the 5th Avenue North Corridor Feasibility Study is to analyze opportunities to develop transportation connections to, from, and within the corridor for non-traditional and non-motorized facilities and identify connectivity opportunities to the existing transportation system in the area. The study was developed with assistance of a Project Oversight Committee (POC). The committee included representatives from Planning, City Engineering, County Public Works, MET Transit, local and state Montana Department of Transportation (MDT) staff, Billings Industrial Revitalization District (BIRD), Schnitzer Steel, East Billings Urban Renewal District (EBURD), Downtown Billings Alliance (DBA), Billings TrailNet, YMCA, and the Federal Highway Administration (FHWA). In addition to regular meetings of the POC, two public meetings and outreach to property owners were held as well as emailed updates to the City Council and Board of County Commissioners. More on stakeholder and public involvement meetings and opportunities are outlined further in this memo.

The goal of the study was to analyze and develop the following information:

· Provide a comprehensive analysis of the opportunities to develop transportation connections to, from and within the corridor for multi-modal uses;
· Identify connective opportunities to the existing transportation system;
· Incorporate, as appropriate, elements from adopted plans and studies;
· Provide broad opportunities for community involvement to help inform the study;
· Develop a vision for the corridor that incorporates transportation elements and considers adjacent land uses; and
· Develop implementation priorities, including phasing and funding opportunities.

<u>Feasibility Criteria</u> -- The following discussion provides the feasibility criteria used to develop the study. The criteria included:

· Railroad agreement and support -- it was essential that the study include how a transportation corridor may amicably co-exist with existing rail operations;
· Property owner agreement and support -- success of the corridor will only be achieved if property owners understand and support potential changes in land uses and ensure that respect will be given with current land uses;
· Right-of-way availability -- the east and west ends of the 5th Corridor are very different and have to be treated separately while keeping a cohesive corridor. The portion west of North 27th Street has been reclaimed by private owners and wayfinding and creative routes will have to be explored, the section east of North 27th Street is primarily right-of-way for Montana Rail Link, any proposed improvements will need cooperation from the rail company;
· Public support -- development of this corridor will require securing public support, public and private funding will be the best way to promote a successful corridor;
· Safety -- safety of a continuous corridor for all users is a desire of the numerous stakeholder groups who participated in the study;
· Costs -- because of the magnitude of the corridor and its differences, it will likely be developed in phases with a variety of funding sources. It was important to identify and understand potential costs of improvements, this not only allows for future planning, but provides the information needed to apply for grant funds;
· Phasing -- to accommodate rail operations, the improvements will need to be phased as opportunity arises.

The study determined that the 5th Avenue North corridor can be completed over time to create a multitude of high-amenity non-motorized connections. The study includes implementation recommendations and strategies for the identified visionary concepts. It also provides pilot project suggestions, phasing priorities and potential funding sources.

STAKEHOLDERS

Sanderson Stewart and City staff met with a variety of key stakeholders. The intent of these meetings was to understand the opportunities for development, potential obstacles, and issue in the redevelopment of the corridor. Five meetings were held with landowners, developers, social service providers, adjoining neighborhoods, and transportation advocacy groups. A full list of the agencies and property owners are listed on page 18 of the study. In conformance with the Yellowstone County Board of Planning Participation Plan, a robust public participation process was developed. Because this study took place during the height of the pandemic, public events and meetings were held virtually. A website was developed to provide information and a platform for the public to provide feedback. Two virtual open houses were held, the first in the fall of 2020 to introduce the study to the public and solicit public opinion. Comments solicited during this meeting were used to develop a corridor vision, goals, and improvements. Virtual open house number two was held in February 2021 to present the draft corridor study and solicit comments.

Prior to PCC action on this item, the City Council, Yellowstone County Board of Planning and the Board of County Commissioners will all take action at a regularly scheduled public meeting.

ALTERNATIVES

City Council may:

- Recommend approval of the 5th Avenue North Corridor Feasibility Study to the Policy Coordinating Committee, or;
- Recommend disapproval of the 5th Avenue North Corridor Feasibility Study to the Policy Coordinating Committee. The significant community involvement and support for the 5th Avenue Corridor Feasibility Study as non-traditional motorized and non-motorized corridor connecting to the existing transportation system in the area and enhancing the surrounding community would be lost opportunities if the City Council did not support this study as the outcome of the feasibility study provides guidance for next steps if the City Council were to secure grants or budget funds for implementation.

FISCAL EFFECTS

The contract for the 5th Avenue North Corridor Feasibility Study was budgeted at $97,000. The majority of the funding is through the MPO's Federal PL (planning) funds. PL funds for this project required 13.42% local match, which was provided through the Planning Division's FY21 Budget utilizing its County-Wide Planning Mill Levy revenues. Implementing projects identified in the study are not included in this budget.

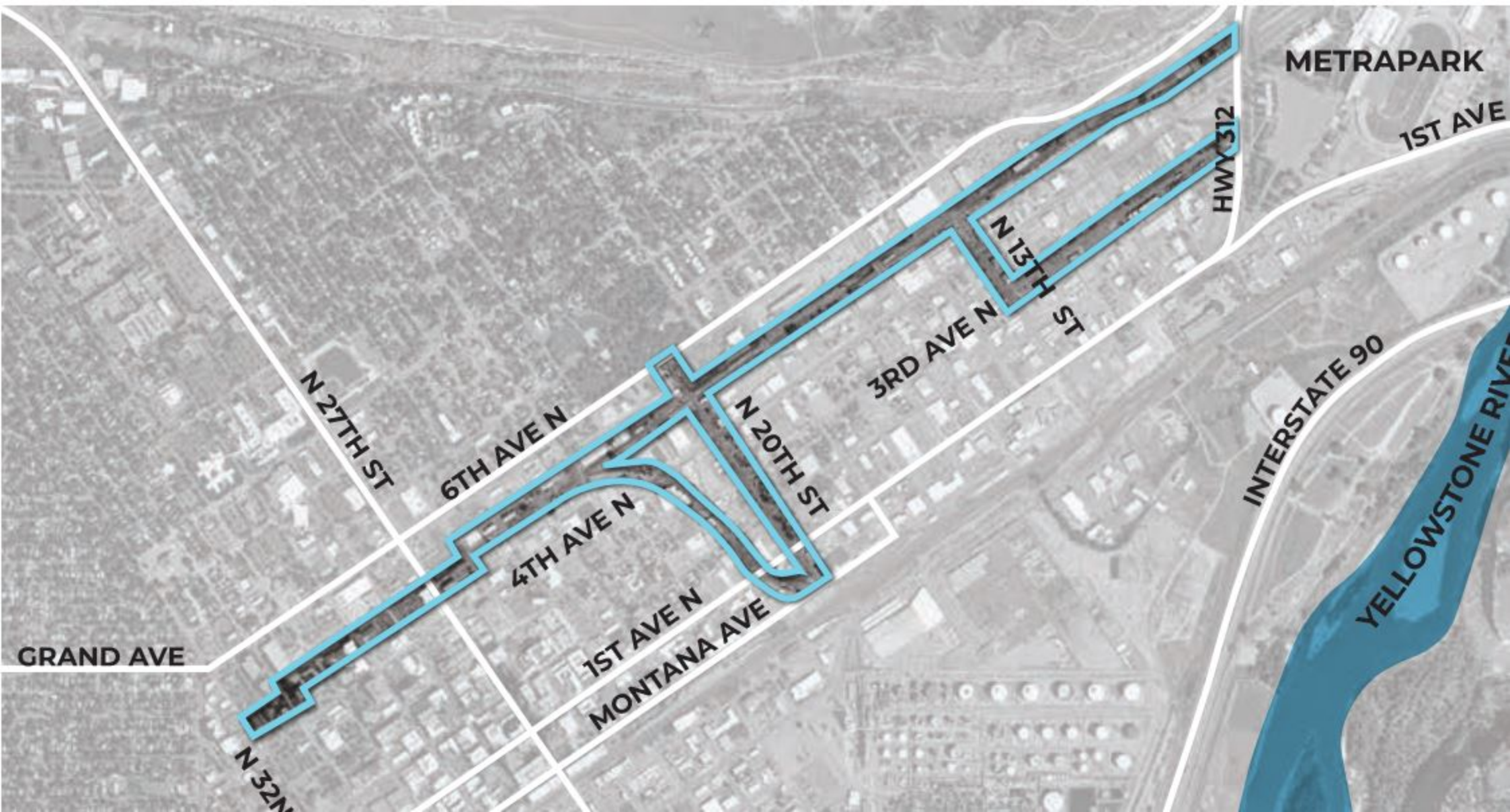
Adoption of this study does not program funds to be expended. Prioritizing project identified in this plan would be part of the City's CIP process.

SUMMARY

The 5th Avenue North Corridor Feasibility Study outlines the possibility of using the corridor as a transportation connection in the downtown. The study through review of previous planning documents, existing conditions and assessment of feasibility criteria envisions a non-traditional motorized and non-motorized corridor connecting to the existing transportation system in the area and enhancing the surrounding community. Through further development of projects and public/private funding opportunities, the corridor could become a reality.

Attachments

Study Area
5th Ave North Feasibility Study


METRAPARK
1ST AVE
HWY 312
N 13TH ST
3RD AVE N
N 27TH ST
6TH AVE N
N 20TH ST
INTERSTATE 90
YELLOWSTONE RIVE
4TH AVE N
1ST AVE N
MONTANA AVE
GRAND AVE
N 32N

5th AVENUE NORTH CORRIDOR FEASIBILITY STUDY

BILLINGS - YELLOWSTONE COUNTY MPO
METROPOLITAN PLANNING ORGANIZATION

SANDERSON STEWART

ARCHITECTS

Acknowledgements

This feasibility study was made possible through funding by the Billings Area Metropolitan Planning Organization.

Many thanks to all the community members, steering committee, key stakeholders, and staff who contributed to the development of this study.

Project Oversight Committee

Scott Walker, City/County Planning

Lora Mattox, City/County Planning

Wyeth Friday, City/County Planning

Elyse Monat, City/County Planning

Rusty Logan, MET Transit

Erin Claunch, City Public Works

Kurtis Schnieber, Montana Department of Transportation

Zack Terakedis, Billings Industrial Revitalization District (BIRD)

James Chandler, Downtown Billings Association

Patrick Klugman, Big Sky Economic Development

Katie Potts, Montana Department of Transportation

Parker Osterloh, Montana Department of Transportation

Mike Black, Yellowstone County Public Works

Consultant Team

Sanderson Stewart

Michael Sanderson

Lauren Waterton

Eären Hummel

Chris Naumann

Collaborative Design

Jeff Kanning

Stakeholder Group Participants

Anna O'Donnell, Bicycle & Pedestrian Advisory Committee

Tom Rupsis, Billings Parks, Recreation & Cemetery Board

Craig VanNice, Billings Public Schools

Kristi Drake, Billings TrailNet

Kim Kaiser, Billings YMCA

Matt McDonnell, BIRD Board Chair

Kathy Aragon, Community Advocate

Marcee Farrar-Neary, Community Crisis Center

Brad Sperry, Cushing Terrell/YMCA Board Chair

Alan Woodmansey, FHWA

Jed Barton, LIFTT

Barbara Mettler, Mental Health Center

Tim Goodridge, MetraPark

Nick Bailey, Montana Rail Link

Joe Gentri, Montana Rail Link

Ross Lane, Montana Rail Link

Claire Oakley, Riverstone Health

Pat Ryan, Ryan Restaurant Corp

David Trost, St. John's United

Craig Barthel, St. Vincent de Paul

Rob, St. Vincent de Paul Guest

Shane, St. Vincent de Paul Guest

David Ellis, Schnitzer Steel

Erika Willis, Tumbleweed

Joel Long, United Properties, Inc.

Danna Newell, United Properties, Inc.

John Greenberger, Yellowstone Art Museum

Table of Contents

PREFACE 7
- Project Vision 7
- Project Goals 7

INTRODUCTION 9
- Purpose of the Study 9
- Study Area Description 9

BACKGROUND 11
- Relevant Planning Documents 11
- Why this Corridor 15
- Feasibility Criteria 15

PROJECT PROCESS 17
- Analysis 17
- Stakeholder Meetings 18
- Project Oversight Committee 21
- Public Participation 21
- Recommendations 22

EXISTING CONDITIONS 23
- Corridor Alignment 23
- Rail Use 23
- Adjacent Land Use 24
- Social Conditions 25
- Green Space 25
- Multi-Modal Transportation 26
- Street Network 27
- Inventory of Intersections 28
- Corridor Character 29

ASSESSMENT OF FEASIBILITY CRITERIA 31
- Railroad Agreement and Support 31
- Property Owner Agreement and Support 31
- Right-of-Way Availability 32
- Public Support 32
- Safety 32
- Costs 33
- Phasing 34
- Summary 34

CORRIDOR VISION 35
- Corridor Vision 35
- Corridor Goals 36

OPPORTUNITIES 37
Corridor Character 37
Corridor Transportation Improvements 39
Overall Vision Exhibit 39
Corridor Placemaking Elements 39
Linear Park Exhibit 43
Wye Junction North Exhibit 47
Wye Junction South Exhibit 49
Rail Trail Exhibit 53
Gateway Hub Exhibit 57
Transportation 58
Adjacent Land Redevelopment 61
FROM FEASIBILITY TO FRUITION 63
IMPLEMENTATION 63
Linear Park 64
Wye Junction 64
Rail Trail 65
Gateway Hub 65
PILOT PROJECTS AND PHASING PRIORITIES 66
NEXT STEPS 67
Appendix A: Case Studies 69
Appendix B: Inventory of Intersections 75
Appendix C: Potential Funding Sources 77
City of Billings Funds 77
Targeted Assessments 77
Nonprofit Grant Funding 78
Public Grant Funding 78
Other Funding Sources 79

PREFACE

Project Vision

Envision the 5th Avenue North corridor as a non-traditional motorized and non-motorized corridor connecting to the existing transportation system in the area and enhancing the surrounding community.

Project Goals

- Provide a comprehensive analysis of the opportunities to develop transportation connections to, from and within the corridor for multi-modal uses
- Identify connective opportunities to the existing transportation system
- Incorporate, as appropriate, elements from adopted plans and studies
- Provide broad opportunities for community involvement to help inform the study
- Develop a vision for the corridor that incorporates transportation elements and considers adjacent land uses
- Develop implementation priorities, including phasing and funding opportunities

Concept of 5th Avenue North at North 20th Street.

INTRODUCTION

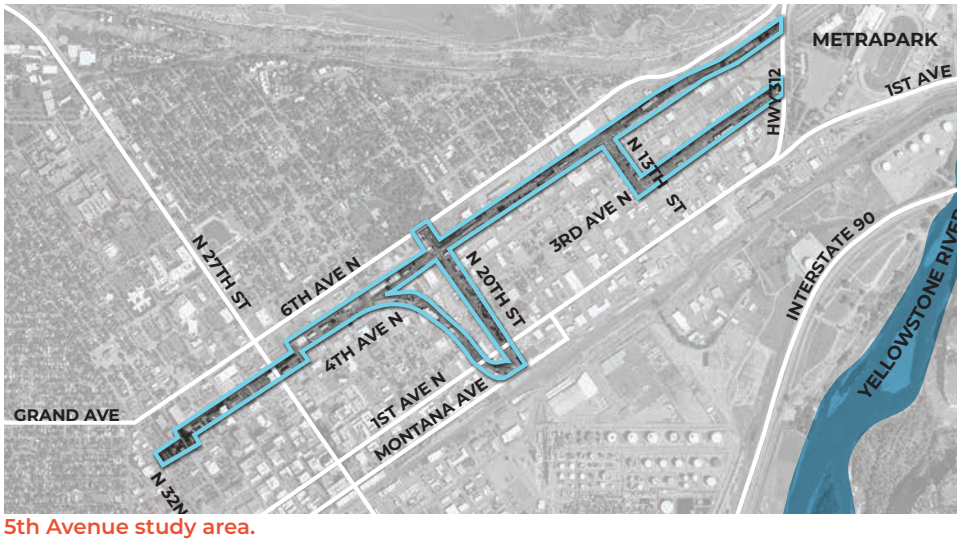
Purpose of the Study

The purpose of the 5th Avenue North Corridor Feasibility Study (the Study) is to investigate the feasibility of creating a non-traditional motorized and non-motorized transportation corridor within the 5th Avenue North alignment through Downtown Billings and the East Billings Urban Renewal District. This document outlines the analyses and conclusions of the planning effort which was initiated in June 2020 by the Billings Metropolitan Planning Organization. The Study reflects a comprehensive effort in which the consultants, Sanderson Stewart and Collaborative Design Architects, worked closely with the City of Billings, and additional stakeholders to evaluate opportunities within the corridor. The Study provides a broad framework for furthering the community building potential within the corridor and includes recommendations for designing and implementing corridor improvements.

Study Area Description

The study area (shown below outlined in blue) is the 5th Avenue North railroad corridor, bounded by Main Street/Highway 312 on the east, North 32nd Street on the west, 4th Avenue North to the south, and 6th Avenue North to the north. The Study also includes the north-south spur connecting this corridor to the main rail line adjacent to Montana Avenue. The Study includes the corridor alignment and properties adjacent to the corridor.

A rail spur running north from the Montana Rail Link (MRL) Main Line to the 5th Avenue North corridor services properties along the eastern portion of 5th Avenue North. The active spur occupies approximately 75 percent of the overall corridor within the study area. The activeley used railroad is located within the existing right-of-way owned by BNSF Railway Co. and leased by MRL. Portions of the corridor no longer have active railroad right-of-way. Over the years, the right-of-way has been deeded back to the adjacent properties.



5th Avenue study area.

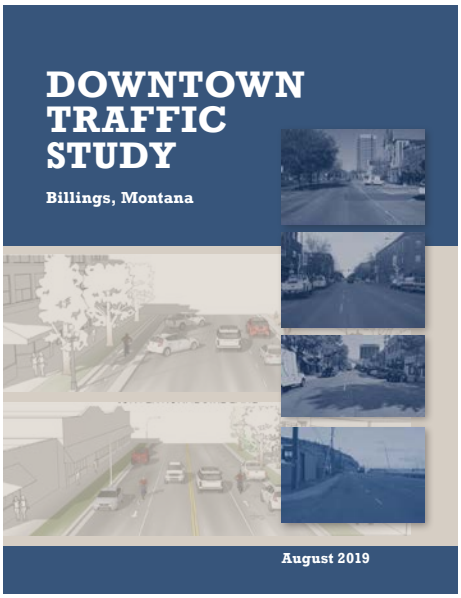
BACKGROUND

Relevant Planning Documents

The completed analysis and proposed recommendations of this Study align with the community's shared vision and established priorities articulated in numerous existing plans.

2020 Billings Area Wayfinding Signage Plan

The 2020 Wayfinding Signage Plan identifies several general benefits of wayfinding that directly correlate to the goals of the 5th Avenue North Corridor Study. Most notably, the Wayfinding Plan states, "Moving forward, wayfinding elements should be considered part of the complete implementation of any future bikeways".



2019 Downtown Traffic Study

The 2019 Downtown Traffic Study (supplemented by the 2021 Alternative Prioritization & Public Preference Plan) investigated issues related to the transportation network and identified alternatives to enhance that network. According to the traffic study, the Project Advisory Committee identified several actions that could improve downtown transportation. One of those actions includes using the 5th Avenue North corridor as a green space for pedestrian and bicycle facilities. This action would help improve the connectivity to and from downtown.

2015-2019 Billings City Council Strategic Plan

It is critical that all sub-area plans and secondary studies support the City's Strategic Plan. Several of the City Council strategies and objectives would be bolstered by the 5th Avenue North Corridor Study.

- Strategy 3: Transportation - Objective 1: Improve transportation in Billings - Action 2: Continue adding to the City's network of trails and sidewalks to improve pedestrian access.
- Strategy 4: Sustainable Economic Development - Objective 5: Enhance economic growth by ensuring infrastructure availability - Action 4: Continue to develop the transportation system to accommodate both commercial and commuter needs.
- Strategy 7: Quality of Life - Objective 2: Plan for adequate parks, open space and trails infrastructure city wide - Objective 6: Promote, encourage and develop city wide landscaping and tree planting to make the community more attractive.

2018 Billings Urban Area Long Range Transportation Plan

The Transportation Plan does not include any specific recommendations for 5th Avenue North but does identify the need to add bike and pedestrian facilities.

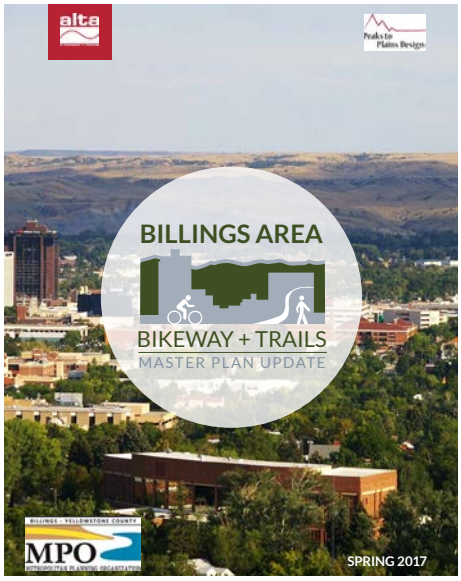
- Pedestrians and Bicyclists – Create a transportation system that supports the practical and efficient use of active transportation such as walking and bicycling. Objectives: Increase number of shared-use trail miles by 10% between 2018 and 2023; Incorporate bicycle or pedestrian facilities on 75% of projects between 2018 and 2023.

2018 Billings Urban Area Long Range Transportation

2017 Billings Area Bikeway and Trails Master Plan

The 5th Avenue North Corridor Study aligns with the Bikeway and Trails Plan which recommends developing more off-street multi-use trails and shows 5th Avenue as a visionary long range bikeway. Multi-modal improvements to 5th Avenue North would support several general recommendations of the Bikeway and Trails Plan:

- Provide a bicycle, pedestrian, and trail network that is safe and attractive and meets the needs of all ages and abilities.
- Providing adequate, and a variety of bikeway connections to downtown can positively impact daily bicycle use in the City. Bikeway facilities that provide direct or secondary connectivity to downtown will qualify for this criterion.



2016 City of Billings Growth Policy

The Growth Policy provides the high-level framework that all other plans and studies must support. The 5th Avenue North Study aligns with several of the defined growth guidelines established in 2016.

Essential Investments: relating public and private expenditures to public values

- The safety of all users and the connectivity of the transportation system are important criteria to consider in roadway designs and transportation plans.
- Planning and construction of safe and affordable interconnected sidewalks and trails are important to the economy and livability of Billings.

Place Making: enhance, maintain, preserve, and improve existing public places

- The history and heritage of Billings are cornerstones of our community.
- Encouraging the installation of art in public spaces enhances the places and showcases the talents and diversity of the community.

Community Fabric: attractive, aesthetically pleasing, uniquely Billings

- Developed landscape areas in commercial areas encourage more pedestrian activity and vibrant commercial activity.

Mobility and Access: choices in places where goods and services are accessible to all

- Connecting people to places with transportation choices is vital to the well-being of Billings' residents, businesses and visitors.
- Safe and accessible transportation systems benefit everyone's quality of life.

2009 East Billings Urban Renewal District Master Plan

The East Billings Urban Renewal District Master Plan (EBURD) articulates a vision for the urban renewal area, which includes a portion of the 5th Avenue North corridor.

The following guiding principles from the Master Plan are relevant to the 5th Avenue North Study:

- Industrial Uses: Ensure existing industrial uses can continue to operate as desired.
- Edges: Integrate the edges of the District with the North Park Neighborhood, the Downtown Core, the Medical Corridor, and the University.
- Transportation: Provide a variety of transportation connections and choices throughout the District and surrounding areas.
- Trees & Open Space: Improve the natural beauty of the District by reintroducing trees and environmental features.
- River Connections: Extend non-motorized connections from the Billings Core to MetraPark, the Yellowstone River, and the Heights.

Additionally, the goals and objectives outlined in the 5th Avenue North Study would address the bicycle and pedestrian deficiencies identified in the EBURD Master Plan.

- "The EBURD has numerous limitations with respect to its bicycle and pedestrian environment. Currently, the district has a poor environment for pedestrians and bicyclists. There are no established bikeways through the district. There is no established pedestrian link between the CBD (Central Business District) and MetraPark."

2013 Exposition Gateway Plan and Hospitality Corridor Study

The eastern portion of the 5th Avenue North corridor includes the Exposition Gateway District and the Hospitality Corridor. The Exposition Gateway and Hospitality Corridor documents identify several opportunities that align with the Study including:

- The confluence of transportation corridors and eventual reuse of rail corridor offers visibility and access to the greater metropolitan area.
- Provide safe and comfortable travel for a variety of modes, vehicle and non-vehicle, supporting the City's overall vision of revitalizing the Exposition Gateway District and better connecting with MetraPark.

Why this Corridor

"Having access to strong mobility options equates to having access to opportunities like employment and education, which is critical for individual, economic, social and community success."

– Active Transportation Transforms America, Rails to Trails

The 5th Avenue North corridor presents a rare opportunity for the community to create a shared-use mobility route through the heart of Billings. Because of its historic use as a railroad spur, this corridor has been set aside from the traditional street grid of downtown and East Billings. This creates a chance to enhance the transportation network by adding a unique multi-modal element that does not exist.

The railroad is still in use within this corridor and this use will continue as long as there are customers and adjacent properties in need of rail access. In coordination with Montana Rail Link and other adjoining properties, the 5th Avenue North corridor provides an opportunity to incorporate multi-modal transportation facilities that are compatible alongside the existing rail line and transform the corridor into a safe, vibrant public space.

With portions of the corridor underutilized, there is an opportunity for revitalization of the corridor and adjacent properties. The case studies located in Appendix A demonstrate the opportunity other communities have leveraged underutilized property into community assets. These types of projects are often catalyst projects that cause a corresponding and complementary development reaction on surrounding properties.

Feasibility Criteria

"Multimodal Streets and Connectivity: downtown Billings will be viewed as a safe, attractive, and connected environment, which encourages downtown visitors and residents to walk and cycle between destinations to support increased multi-modal activity and communication within this unique economic and cultural asset."

– One of Four Transformational Initiatives from the Downtown Billings Strategic Plan

This section describes the criteria used to evaluate the feasibility of transforming the 5th Avenue North corridor. Railroad use, adjacent land uses and available right-of-way were evaluated within the corridor as the primary feasibility criteria. Below is a summary of each item identified as key component in determining feasibility.

Railroad agreement and support

Because a portion of the corridor is currently used as part of the Montana Rail Link service to local businesses, it is essential that the feasibility study include how a transportation corridor may amicably co-exist with the existing rail operations.

Property owner agreement and support

The ultimate success of the corridor will be achieved if improvements support and enhance the existing land uses along the right-of-way. Understanding the potential changes in land uses and respecting current activities of adjacent properties are critical to determining the feasibility of the corridor transformation.

Right-of-way availability

What remains of the 5th Avenue North corridor is primarily right-of-way owned or leased by Montana Rail Link. In the section that is no longer used by the railroad, the right-of-way has been returned to the adjoining property owners. To construct transportation improvements within the entire corridor, easements or right-of-way will need to be acquired, as well as agreements made to use any portion of the railroad right-of-way.

Public support

The development of this corridor will require securing considerable public support. Public funding and community support for improving the corridor will be vital to leverage additional funding, win the necessary approvals, and act as a catalyst for private investment.

Safety

The feasibility of transforming the 5th Avenue North corridor will require the creation of a safe, continuous corridor for a variety of users. Input from numerous stakeholder groups identified improving safety as a top priority for the project.

Costs

While the corridor will likely be developed in phases and with a variety of funding sources, it is important to identify and understand potential total costs of the proposed improvements. Even at this conceptual level, the feasibility study provides an analysis of estimated implementation costs to provide a sense of the required funding.

Phasing

Due to the continued railroad operations, the corridor vision will need be completed in phases to accommodate the multiple, differing uses over time. Phased improvements along the active rail line will need to physically begin and end at points that such as intersections to discourage trespassing along unimproved portions of the corridor. The corridor should be evaluated with an understanding of how it can be strategically improved to best function for existing and future uses.

PROJECT PROCESS

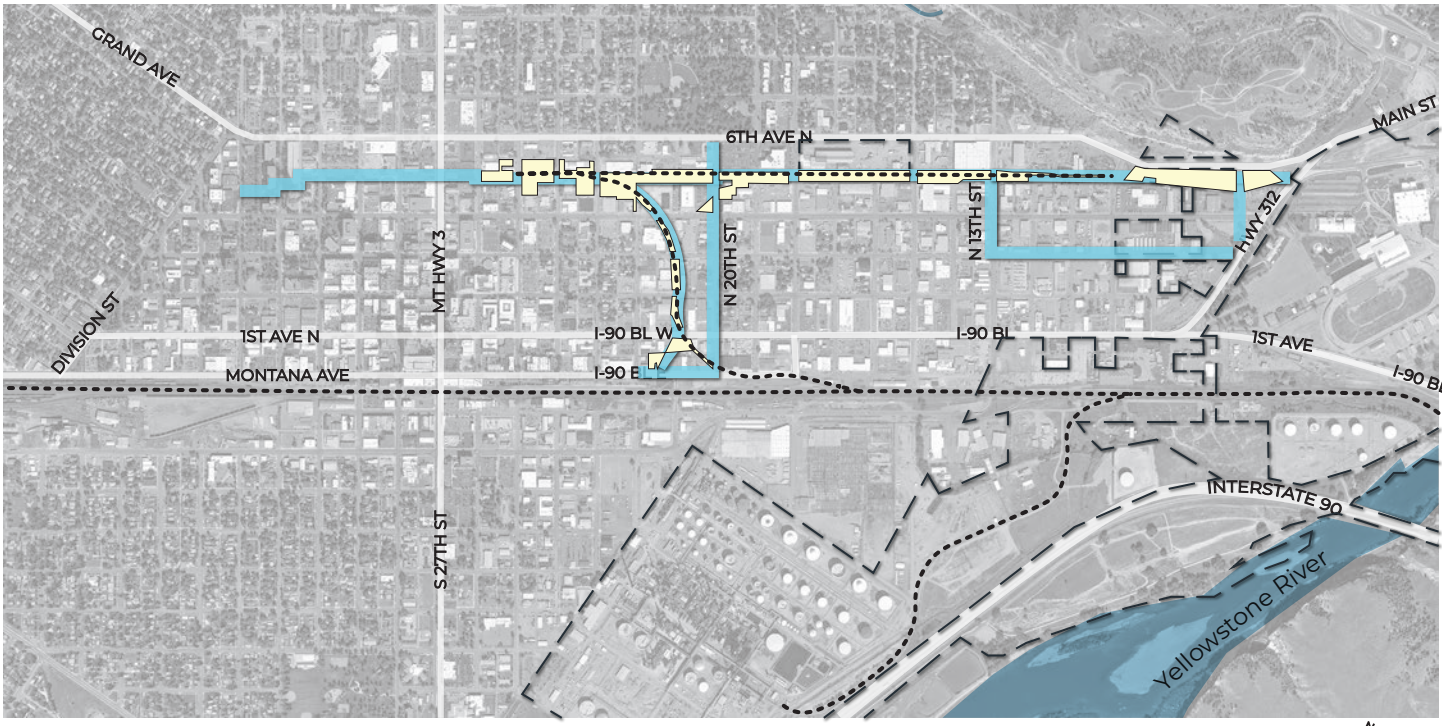
Evaluation of the feasibility for the 5th Avenue North corridor included technical analysis, stakeholder engagement, steering committee meetings, and public participation and input. A summary of the project process is described below.

Analysis

Right-of-Way Analysis

The first step was to determine the location and use of existing right-of-way. Using available cadastral and property record information, as well as information from Montana Rail Link, the right-of-way locations are noted throughout the study. The width of the right-of-way varies from approximately 20 feet to over 60 feet. Facilities within the right-of-way include railroad tracks and storage buildings. Some of the buildings are leased to adjoining landowners, which contributes to the irregularity of the right-of-way width.

Within the western portion of the corridor from North 26th Street to North 32nd Street, the right-of-way no longer exists. Over time, as railroad use diminished, it was deeded to the adjacent properties. A walking tour of the corridor indicated that physical space exists to use the former alignment as a potential transportation corridor. Property owner cooperation and involvement would be required to complete this portion of the corridor.



LEGEND

- Study Area
- City Limits
- Active Montana Rail Link
- Railroad Right-of-Way

NTS

Railroad Use

With an understanding of the right-of-way, the next step of the process explored the frequency of train access on the corridor, and locations of businesses requiring rail service. There are currently four businesses within the corridor that have a service agreement with Montana Rail Link, although only two of those businesses currently request service for rail cars. When a rail car is delivered to a business, trains use the tracks from Montana Avenue and then turn north to the corridor at North 23rd Street. Train cars are then moved along the corridor to the business requesting service. Train cars are requested approximately 10 times per week. Because this is an active rail line, frequency of use and locations along the corridor may change as new businesses request service or existing customers discontinue rail service.

Coordination with Other Planning Projects

Based on the economic development projections and scenarios, the consultant team, City staff, and stakeholders suggested elements for the physical improvement of the corridor including land use, stormwater, and transportation. This vision lays out options for achieving the land use goals, addressing the rail traffic requirements, and enhancing pedestrian and bicycle facilities.

Stakeholder Meetings

Early in the process, the consultant team and City staff met with the key stakeholders. The intent of these meetings was to understand the opportunities for development of the corridor, potential obstacles, and issues for additional exploration. Five meetings were held with landowners, developers, service providers, adjoining neighborhoods, and transportation advocacy groups to provide information and offer ideas for the corridor. Social Services representatives and several homeless residents, which are traditionally underrepresented groups in public processes, participated in the stakeholder meetings. Four key themes emerged from stakeholder meetings: Active Transportation, Economic Development, Public Safety, and Placemaking. These themes were used to develop the vision and opportunities for the corridor.

Agencies Represented:

Billings Industrial Revitalization District

Bicycle and Pedestrian Advisory Committee

Billings Police Department

Billings TrailNet

City of Billings Public Works and Planning & Community Development Departments

Community Crisis Center

Downtown Billings Association

LIFFT

Mental Health Center

MET Transit

Parks, Recreation & Cemetery Board

Riverstone Health

St. Vincent de Paul

Tumbleweed

Property Owners:

Billings Public Schools

Montana Rail Link

Ryan Restaurant Corporation

St. John's United,

United Properties

Yellowstone Art Museum

YMCA

Active Transportation

Active transportation, the non-motorized movement of people most commonly walking and bicycling, emerged as a common theme with all groups.

Key points:

- Portions of the corridor are already used as an active pedestrian transportation corridor. This includes the west end between the YMCA, First Interstate Bank Building, and the Lincoln Center. It also includes east of North 27th Street where many people use it informally to connect to social services in the area.
- Formalizing those routes and connections would be beneficial to facilitating connectivity, improving safety, and increasing biking and walking options. More opportunities to safely bike and walk could reduce vehicle traffic.
- It would be a community benefit to safely walk or bike from the MetraPark to downtown after an event to extend the evening.
- Use of the corridor for public transit was viewed as not viable due to the limited availability of usable right-of-way and lack of activity generated by transit. However, transit is an important function within the area and can serve the corridor via parallel routes and key intersections with 5th Avenue North.
- A dedicated corridor to biking and walking would increase accessibility and use by a broad spectrum of residents.

Economic Development

The transformation of the corridor to a safe, attractive, and active transportation corridor has a symbiotic relationship with economic development.

Key points:

- The improvement of the 5th Avenue North corridor would provide the community a reason to come downtown and stay downtown.
- Connections to the medical corridor and Montana State University – Billings would enhance downtown and reduce car trips.
- This is an opportunity to create an identifiable district by connecting these areas of the city. This corridor can be a significant destination, like the San Antonio River Walk.
- Start small. Identify some target project pieces and start connecting nodes of activity. A phased approach would make it more feasible rather than trying to develop the corridor as one action.

Public Safety

Concerns about existing and potential public safety were identified during all stakeholder meetings.

Key points:

- MRL expressed concern about incorporating a trail along an active rail line without sufficient buffers and barriers.
- One stakeholder discussion included representatives from local social service agencies and two clients of St. Vincent de Paul who are currently homeless. They shared their experiences related to safety, homelessness, and ways in which the 5th Avenue North Corridor could be developed to serve the needs of homeless people.
- Because homeless people often need to carry all their belongings with them, the threat of crime increases. In other communities, providing storage for homeless people has resulted in a reduction of crime.
- There is already concern about crime and safety in the area so people may be reluctant to use the corridor unless properly designed and built.
- Lighting was identified as an important public safety improvement and necessary for the enhancement of the corridor.
- The corridor should be visible at all intersections to increase safety while crossing streets. North 27th Street was identified as a particular challenge for pedestrians and bicyclists.

Placemaking

Stakeholders expressed optimism that the 5th Avenue Corridor could be a transformational project for Billings.

Key points:

- Several groups identified the San Antonio River Walk as an inspirational project that this corridor could replicate.
- There is a desire to build a community asset that is beautiful and that draws people to and from downtown.
- Improvements that would make it inviting to all include adding public restrooms, green space, and areas to gather.
- Designing for all, including the homeless, will create a welcoming and inclusive public amenity.
- Using the rail corridor would allow Billings to tell its history as a railroad town.

> **"Let's create our own green-belt style cultural "Rail-Walk" - telling our history of culture, trade, commerce, agriculture and industry. These could be built as small parklets along the tracks that support different displays--sculptural, interactive, and educational art. These then become nodes for additional development: food truck hubs, housing neighborhoods, adventure playgrounds, venues for small productions."**
>
> ***– Public Comment***

Project Oversight Committee

The Project Oversight Committee (POC) was tasked with providing in-depth review and feedback on the study as it progressed. The Committee consisted of staff members from the City of Billings and Yellowstone County, elected and appointed officials, and community members. POC meetings were held monthly to discuss the direction of the planning study from June 2020 and until February 2021. The first meeting included a walking tour of the corridor, while the remaining meetings were held virtually due to the COVID-19 pandemic. The POC provided input on the project vision and goals, corridor character, and improvement opportunities.

Public Participation

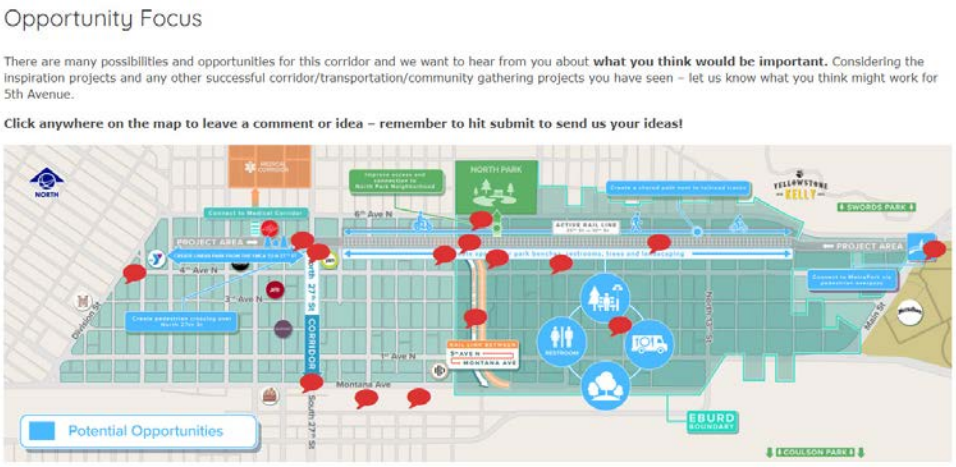
In conformance with the Yellowstone County Board of Planning Participation Plan, a thorough public participation process was conducted. Because of concerns with public events during the COVID-19 pandemic, all meetings and activities were held virtually. For the duration of the project, a website provided information to and a feedback platform for the public.

The following public engagement meetings were conducted and planned as part of the feasibility study process:

Virtual Open Houses

Virtual open house No. 1 was held in the fall of 2020 to introduce the corridor planning study to the public. A virtual open house also solicited public opinion regarding the opportunities for multi-modal transportation and public improvements. The comments provided during the open house were reviewed by the POC and used to develop the corridor vision, goals, and improvements.

Virtual Open House No. 2 will be held in February 2021 to present the draft corridor study and solicit public feedback.



Approval Process

The approval process will include the following dates for review and approval of the 5th Avenue North Feasibility Study and will be completed prior to issuing final study document.

Reviewer	Presentation	Action
Technical Advisory Committee	TBD	TBD
Yellowstone County Planning Board	TBD	TBD
Billings City Council	TBD	TBD
Yellowstone County Commission	TBD	TBD
Policy Coordinating Committee	TBD	TBD

Recommendations

Based upon the vision and goals of the project, corridor analysis, and public engagement, a set of recommendations was developed to improve the corridor and anticipate future issues and opportunities. These recommendations provide a thoughtful framework including the necessary information to make future decisions about specific improvements, project phasing, and potential costs.

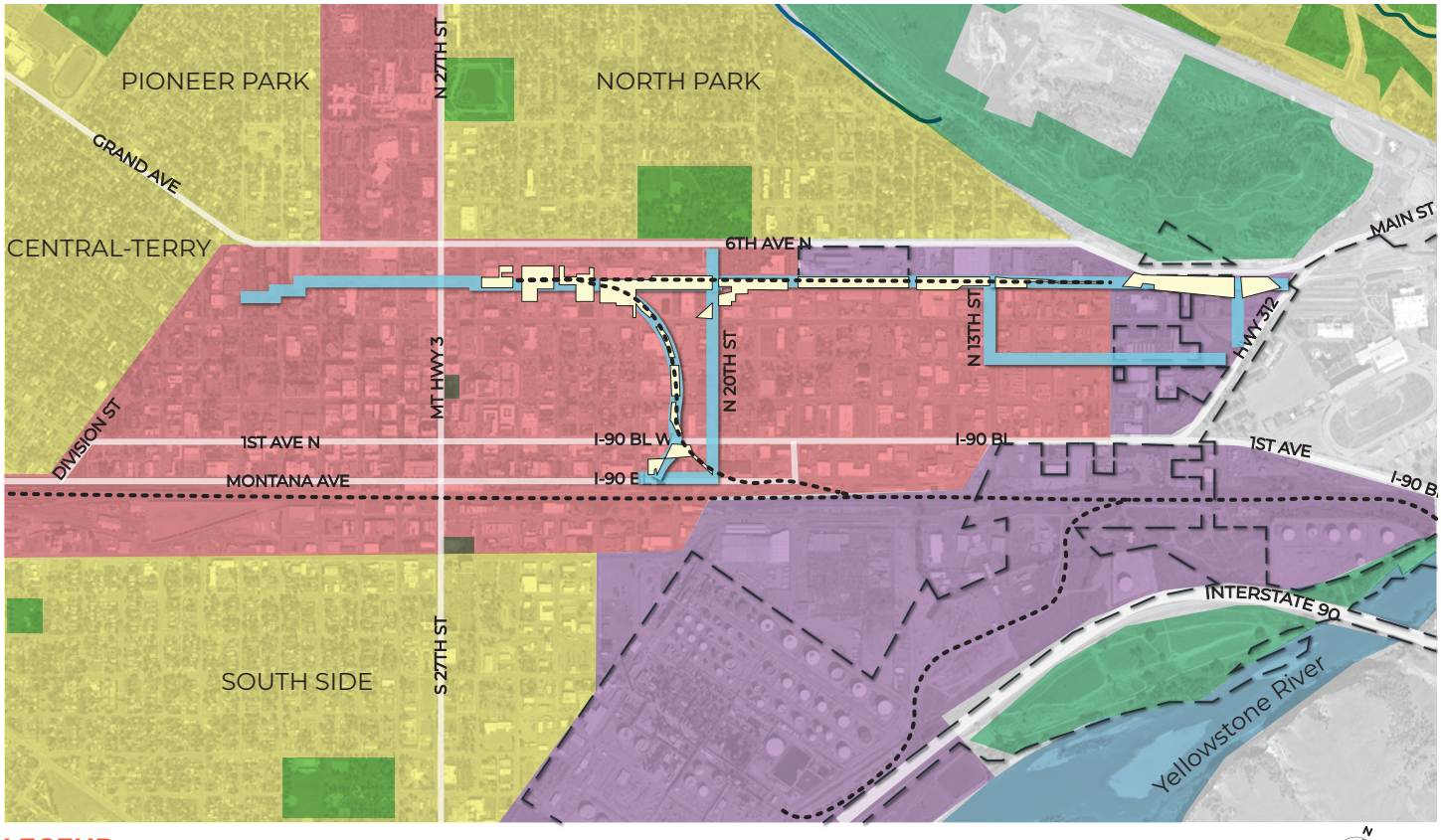
EXISTING CONDITIONS

Corridor Alignment

5th Avenue North is a non-motorized corridor integrated into the existing street grid for the downtown and East Billings business districts. For nearly two miles, it lies parallel between 4th Avenue North and 6th Avenue North running from North 32nd Street to Main Street/Highway 312. The eastern portion of the corridor is within Montana Rail Link right-of-way. The western portion, between North 32nd Street and North 26th Street, no longer has designated right-of-way. Over the years, this right-of-way has been deeded back to the adjacent landowners.

Rail Use

The corridor is used to service several businesses via rail cars. The portion of the corridor that is actively used by trains includes the 14 blocks between North 24th Street and North 10th Street. It also includes the five-block north-south spur from 5th Avenue North to the Montana Rail Link main line adjacent to Montana Avenue. Presently, there are two industrial businesses that order cars from Montana Rail Link with service several times a week.



LEGEND

- Project Area
- City Limits
- Active Montana Rail Link
- Railroad Right-of-Way
- Residential
- Commercial
- Industrial
- Parks & Open Space

NTS

Adjacent Land Use

There are a wide variety of land uses adjacent to the 5th Avenue North Corridor. The western end of the corridor is anchored by the YMCA. Continuing east, the corridor is bound by multi-story office buildings, landscaped plazas, and surface and structured parking lots. Moving to the east, the corridor continues through a series of surface parking lots until it reaches North 25th Street. Buildings that accompany those parking lots include public facilities, institutions, and a variety of commercial uses (the Lincoln Center, Billings Public Library, and the Billings Gazette). Between North 25th Street and Main Street/Highway 312, the uses are predominately industrial and warehousing, except for a cluster of office buildings at the corridor's intersection with North 20th Street, such as First Interstate Bank and Federal Building.

LEGEND

- Project Area
- City Limits
- Active Montana Rail Link
- Railroad Right-of-Way

1. YMCA
2. St Vincent Healthcare
3. Billings Clinic Hospital
4. Billings Public Library
5. Yellowstone Art Museum
6. MET Transit Transfer Station
7. Historic Train Depot
8. Billings Community Center
9. Metrapark
10. City Hall, County Courthouse
11. Lincoln Center
12. Alberta Bair Theatre
13. Western Heritage Center
14. Moss Mansion Historic House
15. Babcock Theatre

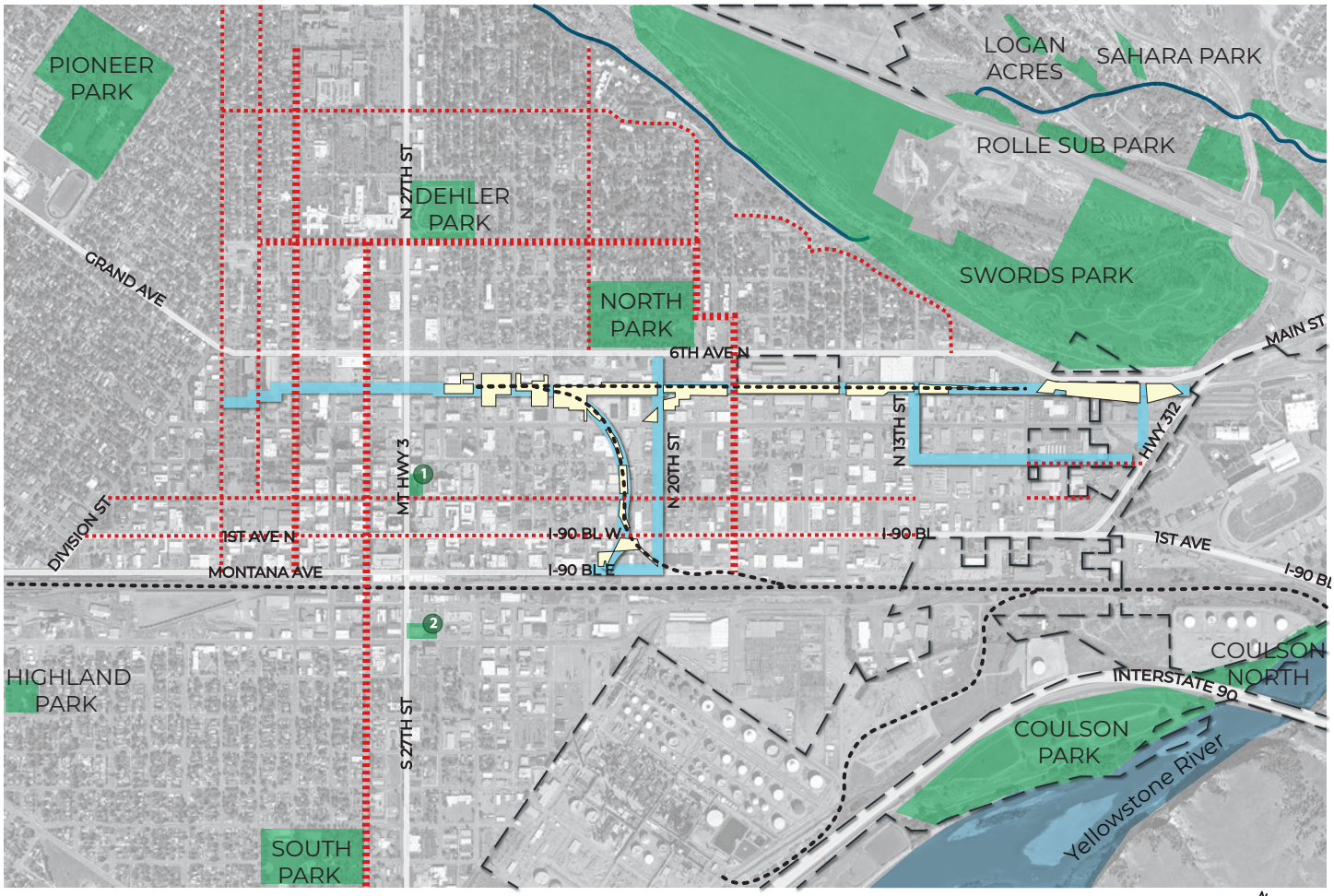
NTS

Social Conditions

In addition to the commercial uses of 5th Avenue, some community members use the corridor as a direct east-west route of travel connecting various destinations. Some of the area's homeless population have used the area for temporary camps. Stakeholders indicated that the homeless are a diverse group with differing needs and encouraged the proposed improvements of the corridor to take these members of the community into consideration.

Green Space

Green space refers to parks or naturally enhanced areas within an urban environment. There are limited areas of green space within and immediately adjacent to the corridor. North Park and Swords Park are the only two parks near the 5th Avenue project area.



LEGEND

- Project Area
- City Limits
- Active Montana Rail Link
- Railroad Right-of-Way
- Primary Bikeway
- Secondary Bikeway
- 1 County Courthouse Park
- 2 Downtown Skatepark

NTS

Multi-Modal Transportation

The existing transportation network serves the adjoining neighborhoods and districts, but also provides connectivity between eastern Billings and rest of the city. In doing so, streets adjacent to the corridor carry significant vehicle traffic volumes that are not conducive to safe, efficient pedestrian and bicycle travel. Creating a dedicated multi-modal shared-use transportation route along 5th Avenue North would result in more equitable options for a wide variety of residents.

Transit Routes

The area is well served by the Metropolitan Transit system (MET) with the Downtown Transit Station located on North 25th Street between 2nd and 3rd Avenues North. Of the 13 routes using this station, six cross 5th Avenue North allowing for multiple connection points between the corridor and the bus system. These bus routes travel in all four directions, enhancing the opportunity to connect more geographical areas to the corridor via public transit.

Bicycle Infrastructure

Existing and proposed bike routes cross the 5th Avenue North corridor in multiple locations. These designated bike facilities include buffered bike lanes, shared use paths, and bikeways. With six proposed routes crossing 5th Avenue North, there is the opportunity to extend and expand the bicycle network east and west by improving the corridor as a protected, high-amenity bike facility.

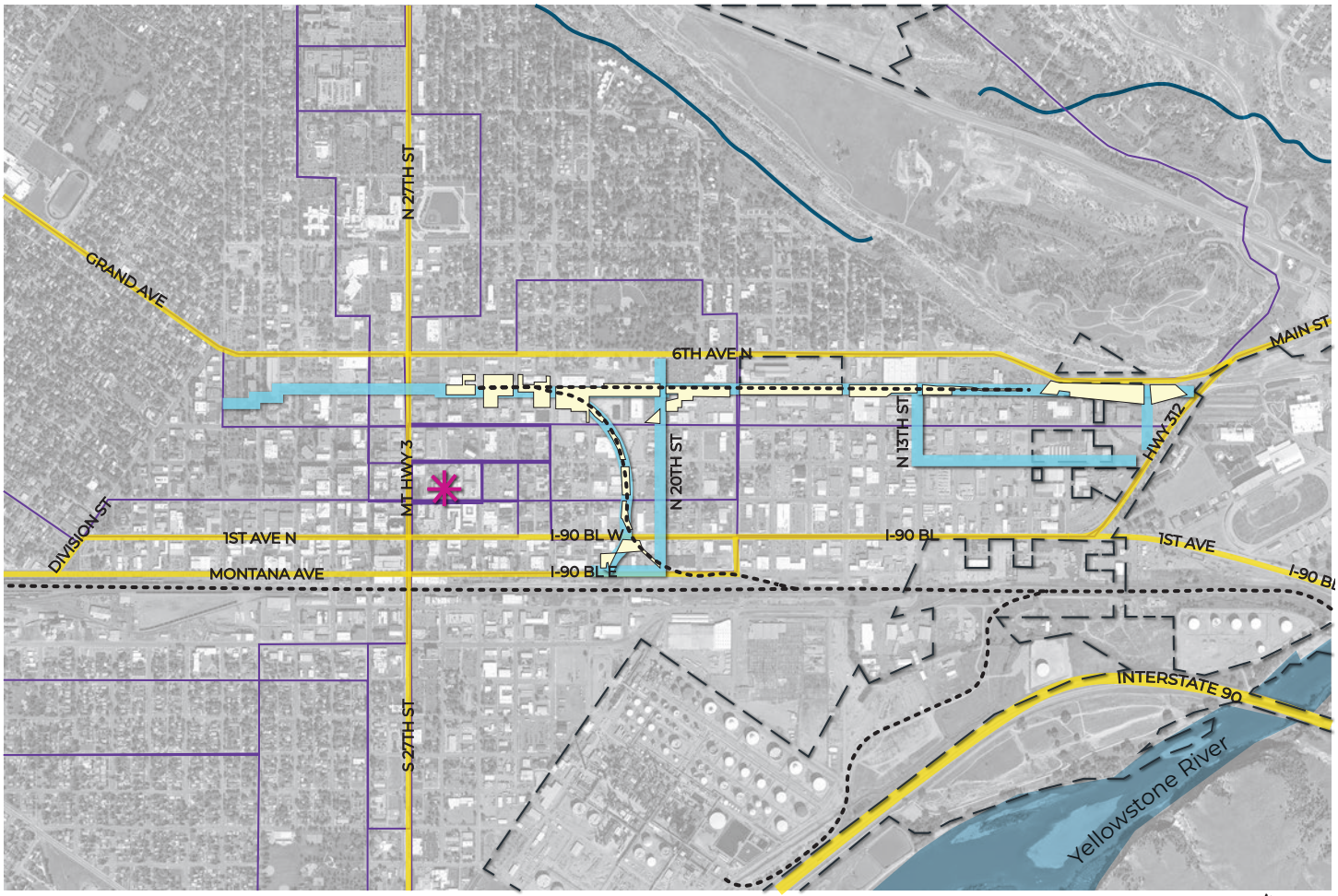
Pedestrian Infrastructure

All the adjacent parallel and cross streets in the project area have at least partial sidewalks. They are in varying condition in terms of size and maintenance. Very few of the sidewalks include desirable amenities such as trees, benches, trash and recycling receptacles, or pedestrian-scale lighting. There is a pedestrian crosswalk signal at 6th Avenue North between North 20th and North 21st Streets. This provides a critical safe crossing between the East Billings area and the North Park neighborhood. A pedestrian activated crosswalk signal also provides a safe crossing at the intersection of 4th Avenue North and North 20th Street.

Street Network

The street network in the project area consists of arterials, collectors, and local streets ranging from two lanes to six lanes wide. They are a mix of one-way and two-way streets. The recently completed Downtown Traffic Study presented recommendations to convert some one-way streets to two-way. A few currently include bike lanes while others are identified in the Billings Bikeway and Trails Plan as future bike facilities. On the eastern end, several north-south streets terminate at the corridor impeding connectivity. Some of this is due to the rail spur from Montana Avenue.

It is important to note that Montana Avenue, 1st Avenue North, and North 27th Street are classified as National Highway System routes. North 30th Street, North 13th Street, 4th Avenue North, and 6th Avenue North are designated as Montana Department of Transportation Urban Routes.



LEGEND

- Project Area
- City Limits
- Active Montana Rail Link
- Railroad Right-of-Way
- Major Roadways
- Bus Routes
- MET Transit Transfer Station

NTS

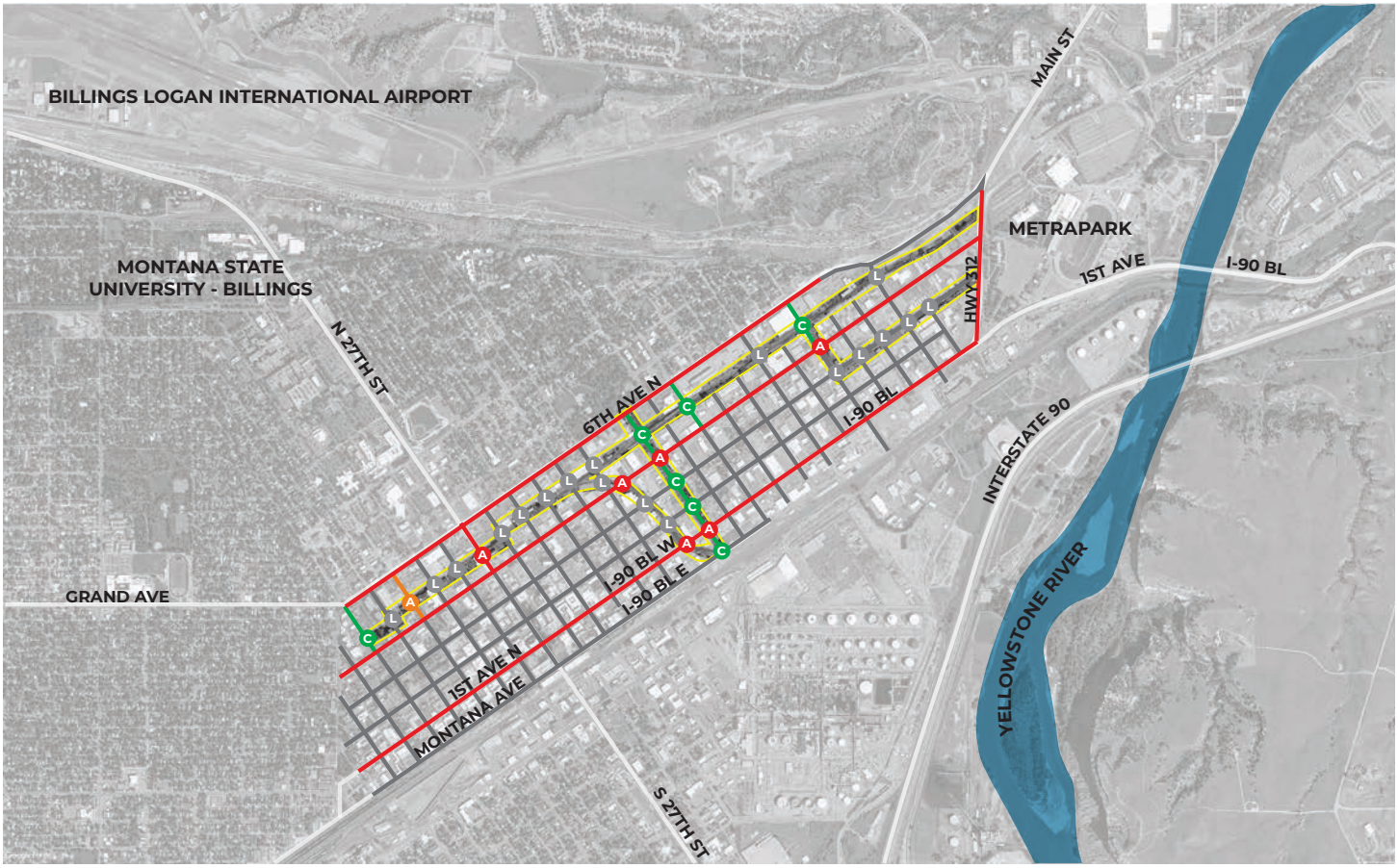
Inventory of Intersections

Cross street intersections interrupt the continuity of the corridor. Understanding the current conditions of those intersections helps to determine the feasibility of creating a continuous transportation facility for the 5th Avenue North corridor. Some of the intersections present challenges to pedestrian and bicyclist safety, while others create important connectivity with other transportation modes. The intersections are grouped into two categories. 1) Arterials and Collectors and 2) Local Streets. These designations influence the design and traffic volumes and therefore will influence the appropriate intersection and crossing type with any multi-modal improvements proposed for the corridor.

Appendix B provides an inventory of the existing conditions for each intersection and how each relates to the 5th Avenue North corridor.

"North 27th Street between Montana Ave and 6th Ave North had the highest crash rate in the City of Billings from 2013-2017. The intersection of North 27th Street and 6th Avenue North was the 7th worst intersection for crashes during that same period."

Source: 2020 Billings Urban Area Transportation Plan



ROAD CLASSIFICATION LEGEND

- Major Arterial
- Minor Arterial
- Collector
- Local

N NTS

Corridor Character

The diversity of character and uses distinguishes the corridor from any other piece of the street grid in Billings. Due to the variety of adjacent uses (office space, cultural institutions, light industrial, warehousing, and a regional recycling center), it is difficult to summarize the character of the entire corridor as anything other than unique.

The western edge of the corridor, where the railroad right-of-way no longer exists, there are plazas and open space associated with adjacent office buildings providing some activated common-area outdoor places. Given the proximity to several social service agencies, parts of 5th Avenue North are actively used as direct pedestrian connections to those services. Further east, where there are fewer office buildings and lighter pedestrian use, neglected sections of the corridor are littered with debris and subject to higher rates of crime and vandalism.

The existing negative characteristics present challenges to the perceived feasibility, but those same challenges are the very reason to envision transforming 5th Avenue North into a safe park-like shared-use corridor to better serve the adjacent properties and the Billing community. To this end, the feasibility study proposes a cohesive community-envisioned concept to improve the overall character and function of 5th Avenue North that honors its heritage, current uses, and future evolution.

All photos on this page show existing conditions along 5th Avenue North in Billings

ASSESSMENT OF FEASIBILITY CRITERIA

This section describes the evaluation of the established criteria to determine the feasibility of improving the 5th Avenue North corridor. Right-of-way availability, active railroad use, and safety were considered. Qualitative assessments including public support, community needs, and property owner interest were also evaluated. Results of these assessments formed the foundation to develop a vision for the corridor.

Railroad Agreement and Support

Montana Rail Link has an obligation to serve customers with rail service for as long as that need exists. Therefore, because a portion of the corridor is actively used to service local businesses, it is essential that the feasibility study include how enhancing the transportation corridor can co-exist with the existing rail operations.

The consultant team met with Montana Rail Link representatives to discuss the project opportunities and constraints. While approval for any use of the MRL right-of-way will require design plans beyond the scope of this feasibility study, a phased approach to the development of a multi-use path adjacent to or within the right-of-way was not outright rejected. Beyond this study, the next step in assessing the development of the corridor will be to complete design plans to a level that can be reviewed by MRL and subsequently BNSF Railway Co. It is anticipated that a 30% complete design would be the minimum to initiate additional discussions, with final approval by BNSF not occurring until nearly 100% design completion.

Property Owner Agreement and Support

In addition to MRL and BSNF support, implementing the proposed improvements along the 5th Avenue North corridor will require significant support from the adjacent business and property owners. Understanding the needs and securing the support of the adjacent properties is critical to determining the feasibility of the corridor improvements.

During the project process, the consultant team and representatives from the POC met with property owners along the corridor. Many view the opportunity to construct a non-traditional transportation corridor as a catalyst for redevelopment within the downtown and EBURD areas. As there is no designated right-of-way for 5th Avenue North west of North 26th Street, coordination with property owners in this section will be integral for the completion of the corridor.

Right-of-Way Availability

The right-of-way varies in width, which will influence the ultimate design of the corridor. In analyzing the availability and dimensions of the right-of-way, the design approach will need to respond to the varying opportunities and constraints. In some locations, easements may need to be secured. In locations with active rail use, safety buffers will need to be implemented which may require additional easements. In the overall analysis of the right-of-way, it has been determined that the corridor can be significantly improved with support from MRL and certain adjacent property owners.

Public Support

Throughout the public outreach, including the virtual open house in the fall, the overall response has been very supportive of the project. The community views 5th Avenue North as an opportunity to create a unique amenity that can be a showcase improvement project and enduring public asset for Billings. The vision created within this document is the result of resounding public support and constructive input. 5th Avenue North is an opportunity to build a multi-faceted coalition of public and private partners to bring the community's vision to fruition.

Safety

Throughout discussions with stakeholders, safety was a common theme. The downtown and EBURD areas currently have higher rates of crime than other locations within the City. According to the Billings Police Interactive Crime Stats Report (link), the downtown and East Billings neighborhoods reported nearly 17,000 calls for service between January and September 2020.

Balancing the needs to provide a welcoming and safe place for all with the development of adjacent land uses will be important for the design of the corridor. Improving the safety for the corridor and the adjacent neighborhoods will take a coordinated effort between public agencies, social service agencies, and property owners. To that end, implementing transportation and placemaking improvements will be important aspects to increasing overall safety.

Another safety consideration is the many intersection crossings within the 2-mile corridor. Two-thirds of these intersections are local streets with little traffic. However, the intersections of busy and multiple lane streets, such as North 27th Street, pose a significant safety challenge for bicyclists and pedestrians. Designing a safe multi-modal corridor must include consideration of improving this intersection.

"Cities can foster the development of safer conditions for all road users through planning that prioritizes mass transport, pedestrians, and bicyclists."

– Cities Safer by Design, World Resources Institute

Costs

While the corridor will likely be improved in phases over time using a variety of funding sources, it is important to identify and understand the potential project costs up front. While this feasibility study is conceptual only, it provides preliminary cost estimates for the major components of the proposed improvements.

The cost estimates do not include the purchase of any right-of-way and assumes that any improvement of the corridor on private property would be completed in coordination with the current owner or future redevelopment.

ESTIMATED IMPLEMENTATION COSTS			
	Item	**Total**	**Notes**
	Demolition & Reconstruction	$ 316,800.00	Average of 40' width of demoltion; 2 mile of trail length
	Trail	$ 407,000.00	12' wide asphalt
	Site Amenities	$ 164,400.00	Trash/recycling receptacles; benchs; bike racks; dog waste bag dispensers; planter pots
	Site Lighting	$ 1,020,000.00	Pedestrain scale pole lights; light bollards; electrical connection
	Railroad Barrier Fence	$ 528,000.00	Metal barrier fence; 4' height
	Pilot Project Activity Spur	$ 750,000.00	Plaza, site furnishing, plantings, specialty lighting
	Intersection - Local	$ 110,880.00	12 intersections; accessible ramp with truncated dome pavers, removable bollards, painted crosswalk
	Intersection - Collector & Minor Arterial	$ 301,480.00	5 intersections; accessible ramp with truncated dome pavers; removable bollards; enhanced concrete paver crosswalk
	Intersection - N 27th St.	$ 802,176.00	Traffic signal, pedestrian signals, electric service; removable and fixed bollards; median refuge; enhanced concrete paver crosswalk with concrete banding
	Signage and Wayfinding	$ 63,000.00	5th Ave N Corridor (East-West) Gateway kiosks, street/trail intersection signs, secondary access & trail etiquette signs, destination/decision signs
	Signage and Wayfinding	$ 20,000.00	3rd Ave N, N 13th St, and N 20th St (North-South) Gateway kiosks, street/trail intersection signs, secondary access & trail etiquette signs, destination/decision signs
	Landscaping	$ 50,000.00	Trees, seeding, shrub beds
	SUB TOTAL	$ 4,533,736.00	
	Public Art	$ 45,337.36	
	Design Contingency	$ 906,747.20	
	Construction Contingency	$ 453,373.60	
	TOTAL	$ 5,939,194.16	

NOTE: Opinion of probable cost does not include environmental remediation

Phasing

Because the railroad will continue to operate for as long as there are customers needing rail service, the corridor will need to be completed in phases. Phased improvements along the active rail line will need to physically begin and end at points that such as intersections to discourage trespassing along unimproved portions of the corridor. The evaluation of feasibility includes opportunities to implement the improvements over time, while providing a consistent and cohesive design. Phasing also facilitates gaining additional public support in response to initial pilot improvements. The phasing will also need to be responsive to redevelopment opportunities as they arise, as opportunities will likely not be sequential or contiguous along the corridor. Putting forth a complete and comprehensive vision will help facilitate the strategic, phased implementation of the project.

Summary

The feasibility study evaluated the reasonable ability to provide a continuous east-west multi-modal route along 5th Avenue North between the YMCA and MetraPark with connections south to Montana Avenue. It has been determined that the 5th Avenue North corridor can be completed over time to create a multitude of high-amenity non-motorized connections. Alternate routes from North 13th Street east to Main Street and MetraPark were also identified to connect the eastern portion of the corridor while the recycling hub is still operational with active rail use.

In response to the varying existing conditions and uses along 5th Avenue North, the proposed improvements identified in the vision below are a coordinated kit of parts. This allows for flexibility and adaptation as the implementation is phased and adjacent land uses change over time.

CORRIDOR VISION

A bold vision is required to realize the full potential of the 5th Avenue North Corridor to be a safe, amenity-rich community asset.

Throughout the feasibility analysis, many ideas were presented and evaluated that would transform this corridor into a high-value community asset. These ideas represent opportunities to improve transportation access, interact with adjoining properties, and create a unique inclusive public space.

As demonstrated in the case studies presented in Appendix A, communities that embrace a bold vision for the transformation of public places benefit immensely from the improvements for decades. These types of projects become the catalyst for revitalization of private property while providing safe, attractive, and functional public space for the entire community.

The vision and concepts proposed in this study articulate ways that the 5th Avenue North Corridor can be a transformational catalytic project for Billings. Most importantly, the corridor vision and concepts are community driven by the project oversight committee, business and property stakeholders, community organizations, and the people of Billings.

Corridor Vision

> **"We can create a gathering spot for things like festivals and outdoor markets that would be a centerpiece for Billings."**
>
> ***- Public Comment***

Guided by the established project vision and community input, the 5th Avenue North Corridor will be a safe, attractive, and accessible transportation corridor acting as a catalyst for revitalization and economic prosperity while invoking community pride and ownership.

It will provide an inviting, convenient, and safe way of travel for all ages and abilities, provide convenient access to transit, and create new connections to local destinations. A dedicated space to non-motorized travel will provide opportunities for pedestrians and bicycles through creative trail design, attractive public spaces, landscape, signage, art, and other site amenities.

Corridor Goals

The 5th Avenue North Corridor study provides a vision for the corridor by considering physical design elements, existing conditions, potential land use, and future traffic demand. The following goals are established to help achieve the project vision.

Connect the Community through a Multi-Use Transportation Corridor

- Enhance the physical and visual connections of 5th Avenue North to streets, bike routes, the bus transfer station, neighborhoods, downtown, and MetraPark by creating an attractive, safe multi-use transportation corridor.

Create a Transformational and Inviting Public Space

- Transform the railroad corridor into a vibrant travel route that welcomes users with an inviting and safe experience that is enlivened by well-designed placemaking.

Increase Corridor Visibility

- Increase the visibility of the 5th Avenue North corridor at street crossings and access points through placemaking, wayfinding signage, and public artwork.

Create an Atmosphere of Safety

- Prevent problems and encourage safe behavior by improving street connections, signage, and lighting to create a public space that is inclusive and inviting to a wide variety of users.

Leverage Community Partnerships

- Leverage existing partnerships between the City, businesses, and property owners to enhance, maintain, and manage the corridor by developing engaging public and private spaces that encourage the use of the corridor.

"Would love a green space here to bike/run to the Metra, hook up to the rest of our trail system, or attend events at Metra Park (and not have to drive!). More housing/density along here could also support food trucks, pop up craft fairs, and other inviting activities along this trail. Even farmers markets on different nights of the week! So much potential."

– Public Comment

OPPORTUNITIES

> **"Prioritize the connectivity of this project to surrounding neighborhoods and provide an alternative for pedestrians."**
>
> ***– Public Comment***

Building off the vision and goals, the project consultants developed a schematic corridor alignment and evaluated the opportunities that could arise from corridor development. These opportunities relate to the corridor itself, the overall transportation system, placemaking, and associated redevelopment opportunities along the alignment.

All the corridor goals stated above represent a unique opportunity for Billings to create a community asset that is accessible, equitable, and inclusive for everyone. The goals could be summarized as "leverage partnerships to connect the community by creating an inviting public space that is visible and safe". The 5th Avenue North corridor could, and should, become a place that people can travel, recreate, and find respite regardless of the race, age, ability, and socio-economic status.

Charlotte Rail Trail, Charlotte, North Carolina

Charlotte Rail Trail, Charlotte, North Carolina

Indianapolis Cultural Trail
credit: Lavengood Photography

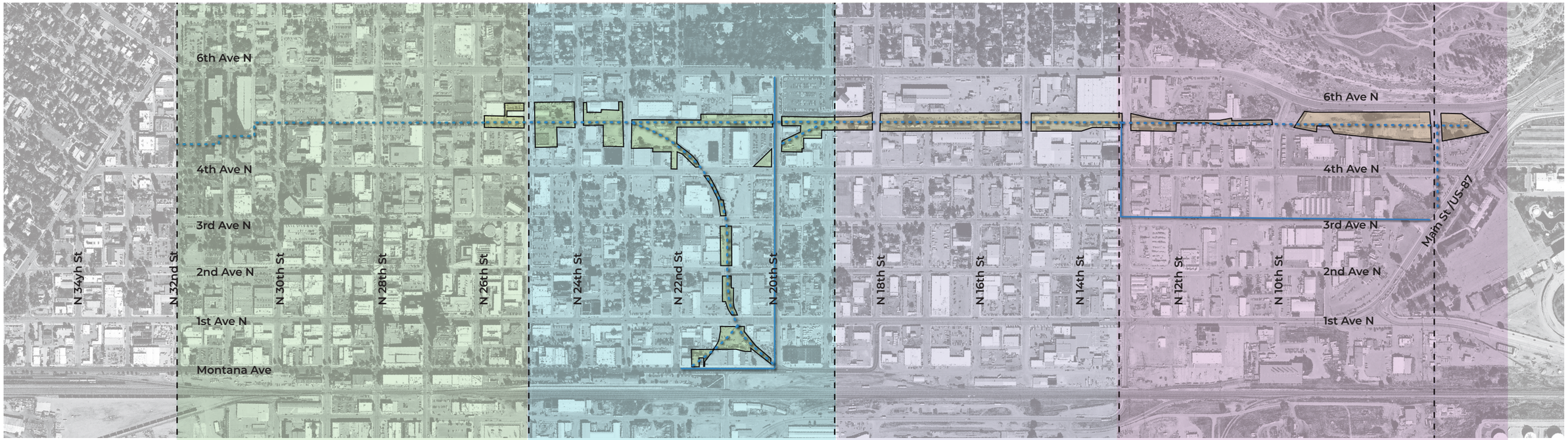
Corridor Character

The analysis of the existing conditions along 5th Avenue North identified widely diverse characteristics of the corridor. The opportunities to improve and enhance the corridor should reflect and celebrate that diversity. There are four sections that generally have different characteristics from one another. Each distinct section should have a unique but complementary approach to the specific improvements proposed. One way to ensure cohesion of the corridor is to create a common theme of design elements and allow flexibility as when and how those elements can be completed. This will enable phasing of the corridor to occur as conditions change and opportunities arise. Yet, creating that common theme ensures that each element is working towards completion of the corridor.

The idea of development of the corridor into an identifiable destination in Billings has been evolving through the community. Incorporating public comments, stakeholder meetings, and the Project Oversight Committee, a theme arose to identity this corridor as the 5th Avenue Rail Trail. Retaining 5th Avenue in the name securely holds the location in geographical context. Rail reminds the community of the use – past and present – of the corridor. Trail presents the opportunity for the future use.

Throughout the rest of this Study, there are images that reflect the Rail Trail theme. Through development of a visionary concept design, these ideas can be further established and incorporated throughout the length of the corridor.

As the vision for 5th Avenue North is refined, section boundaries may need to be adjusted. The character areas proposed below are a starting point for further exploration and design.



Corridor Transportation Improvements

Crosswalk

Marked crosswalk to designate pedestrian / bicycle right-of-way at street crossing

Entry Monument

Gateway monument to provide a clear and grand image on entry points to the corridor

Wayfinding Signage

Signage to encourage visitation, provide clear directions, and reflects the character of the corridor

Shared Street

Street shared between vehicles and bicycles with bicycle lane markings and sidewalk improvements

Corridor Placemaking Elements

Pedestrian Lighting

Pedestrian scale llghting along the corridor and at entry points to increase user safety and visibility within the corridor

Site Furnishing

Benches, planters, trash receptacles, bicycle parking that reflects the character of the corridor and creates places for people

Trees and Landscape

Trees to provide shade and planting to provide interest and act as a buffer from the railroad tracks or street

Pocket Park

Small activity spaces at entry points where people can gather, where additional amenities can be provided, and provide a sense of place

Public Art

Murals and sculptures that reflect the character of the corridor

Overall Vision Exhibit

Linear Park

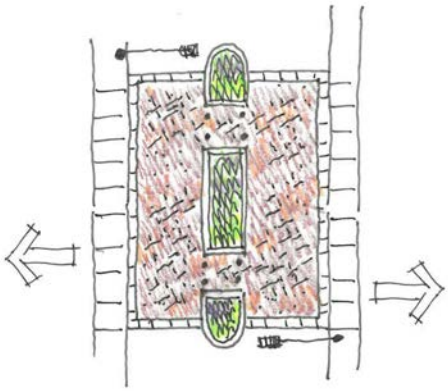
The section of the 5th Avenue North vision from the YMCA to North 25th Street offers an opportunity to use existing plazas and landscaping to extend the corridor into the central business district as an urban linear park. This area lacks cohesive park and open spaces, and the Linear Park would provide a connected multi-use route and green space to enhance the public realm.

As the right-of-way has been deeded back to adjacent properties, implementation of the Linear Park improvements through this section would require cooperation and participation by adjacent property owners. The Linear Park will require community collaboration to incorporate the recommended corridor improvements with future private redevelopment.

Highlights of the Linear Park section include providing a safe and accessible route for students who attend youth and after-school programs at the YMCA by reducing interaction with busy vehicular streets.

Additionally, the Linear Park would support and enhance amenities such as the Billings Public Library, the Lincoln Center, and the Yellowstone Art Museum. It could be used as a public space for outdoor gatherings, markets, and special events.

Linear Park
An area of civic and office buildings interlaced with parking lots. Without any of the 5th Avenue North right-of-way remaining, the corridor would be meander through existing development, creating opportunities for plazas and pockets of amenities. Corridor should be designed to add green space and gathering spots as amenities for nearby residents and downtown workers.



Conceptual intersection crossing at North 27th Street and 5th Avenue North

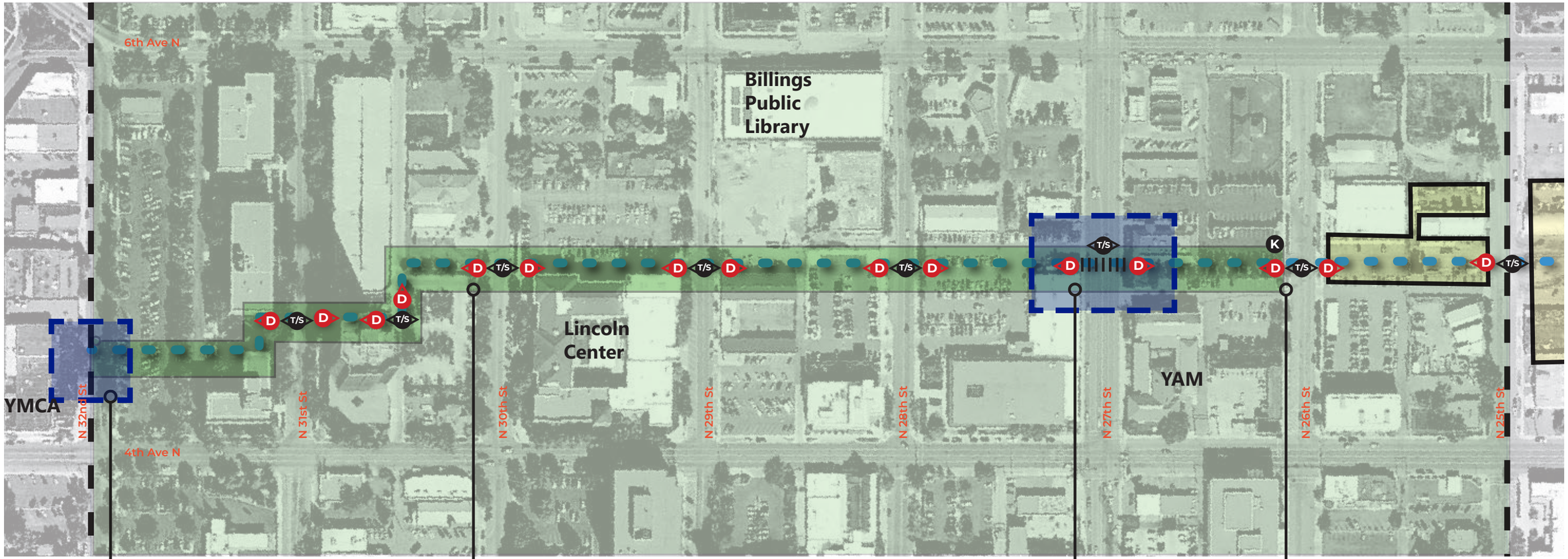
There are seven cross streets within this section that would require creation of intersections with 5th Avenue North. All City streets are designated in the Billings Urban Area Long-Range Transportation Plan as local, collector, and arterial streets based on the intended balance between prioritizing local access versus efficient mobility. Intersection design will vary due to traffic volumes, speed, and street width of those cross streets. Below are examples of intersections of pedestrian streets with different street conditions.

Given the high traffic volume and street width, the intersection with North 27th Street will require special consideration. Classified as a Major Arterial and a Montana Department of Transportation (MDT) Urban Route, North 27th Street is a primary route through downtown Billings, providing direct connectivity between I-90 and both Highway 3 and Billings Logan Airport. According to nationally accepted resources such as the Guide for Improving Safety at Uncontrolled Crossing Locations (FHWA, 2018) and the Urban Street Design Guide (NACTO, 2013), best practices for pedestrian and bicycle crossings of multi-lane urban arterials include:

- Crosswalk visibility enhancements (high-visibility markings, lighting improvements, curb extensions, advanced signing)
- Raised crosswalk
- Pedestrian refuge island (with offset crosswalk alignments where applicable)
- Road diet (reduction in lanes)
- Actuated pedestrian signal systems (Rectangular Rapid Flash Beacon or Pedestrian Hybrid Beacon)

Designing a safe intersection and meeting the goal to increase the corridor visibility creates a distinct opportunity at this focal point of the corridor.

Dequindre Cut, Detroit, Michigan
credit: Smith Group JJR



Transformation Public Space - create public space where none currently exists.

Activity Hub: flexible event space, increased green spaces, public-private collaboration

Partnership - Collaboration to create trail connecting civic and cultural uses

Corridor Visibility -High visibility crossing N 27th St with at-grade crossing the full width of corridor, with traffic signal and median refuge

Safety - Enhance intersections to provide safe crossing

WAYFINDING ELEMENTS LEGEND

- DECISION SIGN
- TRAIL / STREET INTERSECTION SIGN
- INFORMATION KIOSK
- SHARED USE PATH (separated from active railroad line with approved barrier)

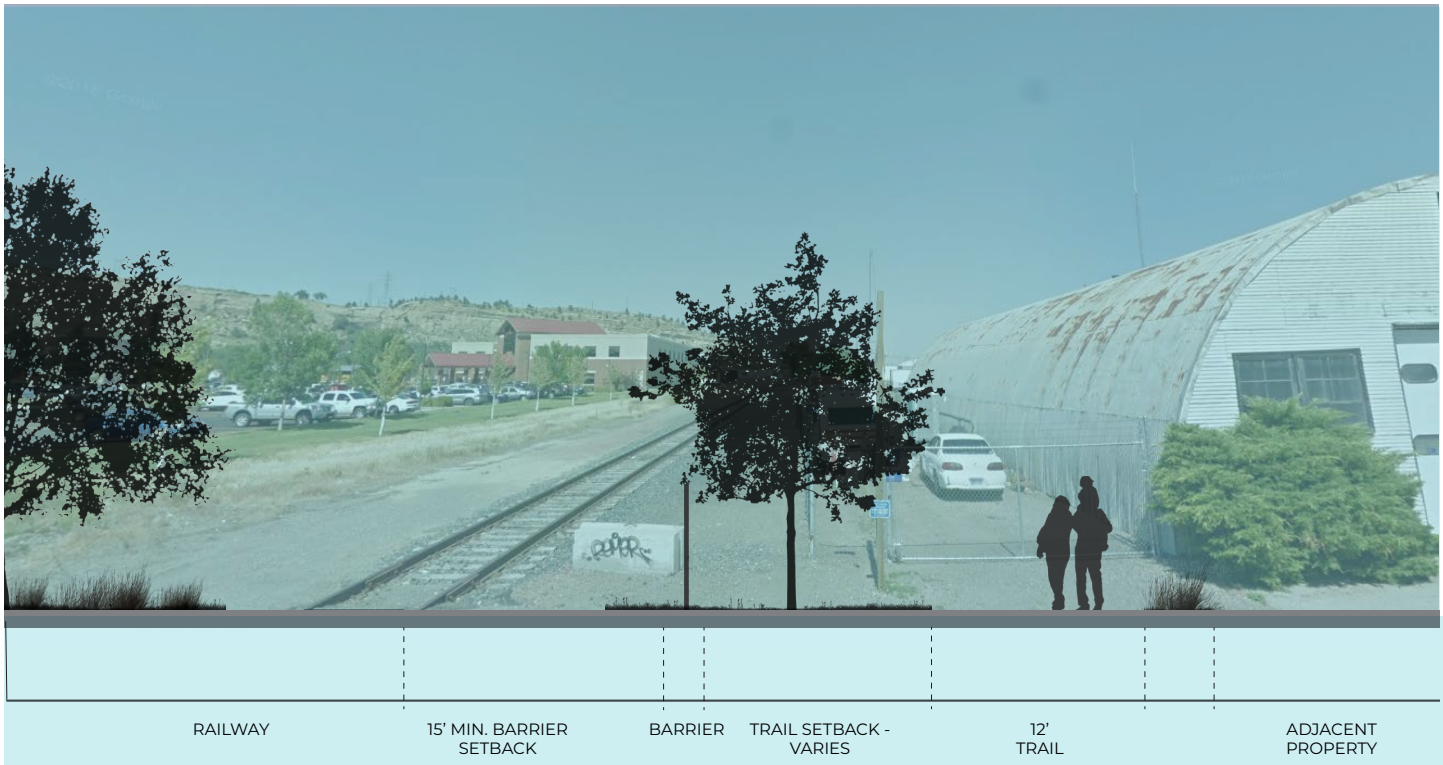
Linear Park Exhibit

Wye Junction

The section between North 25th Street and North 20th Street is a transition between the urban central business district and the industrial section to the east. The railroad right-of-way begins here and provides increased opportunities for plazas and activity areas. The area includes a mix of adjacent land uses. This section includes a significant concentration of professional offices, including the Federal Building and the First Interstate Bank Operations Center.

As Billings looks to expand and improve transportation networks, the Wye Junction area provides critical connectivity between downtown, the North Park neighborhood, Montana Avenue, the EBURD, and MetraPark.

In railroad structures, and rail terminology, a wye (like the 'Y' glyph) is a triangular joining arrangement of three rail lines with a railroad switch (set of points) at each corner connecting to each incoming line.



Wye Junction
The zone is a transition from downtown to the industrial area and serves as a connection to Montana Avenue and the North Park neighborhood. With several large office buildings, this zone serves as a potential pilot project area for corridor improvements. Improvements including trail development, activity nodes and wayfinding would be valuable amenities.

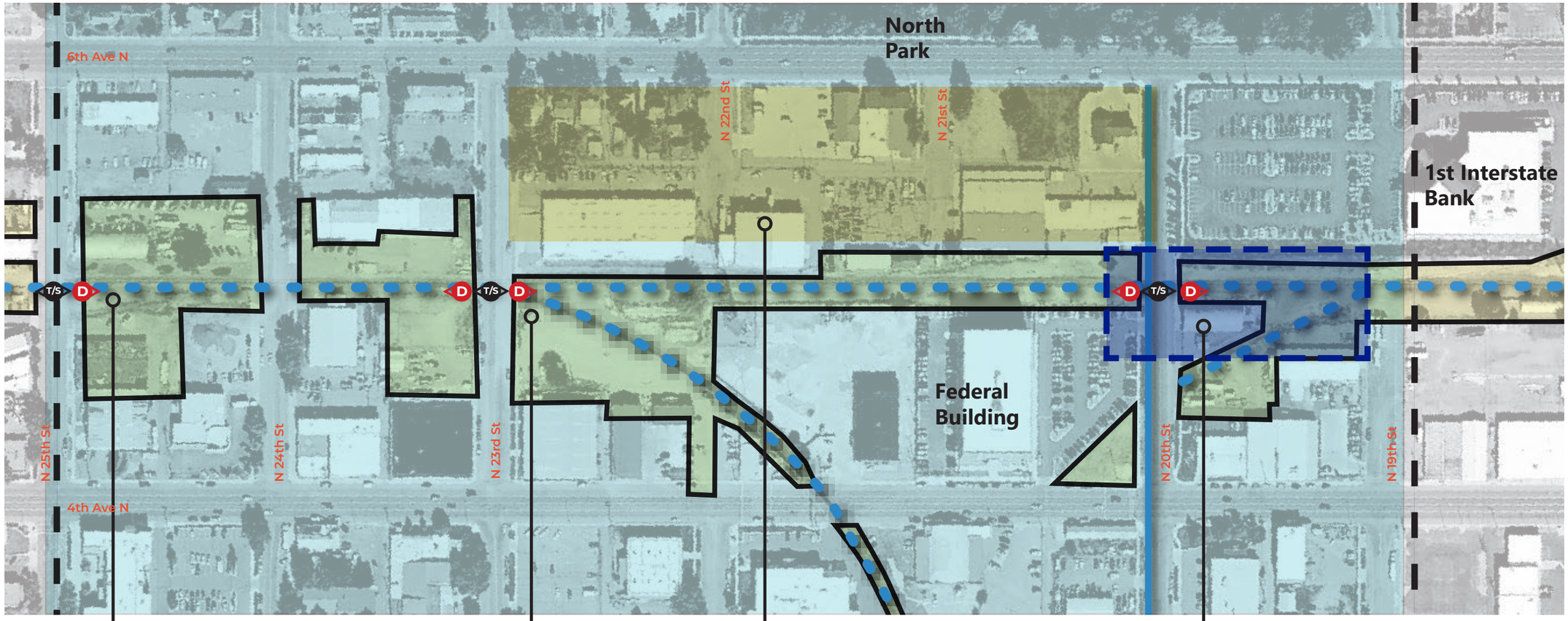
A re-envisioned 5th Avenue North would create a dedicated multi-modal transportation corridor, connecting employment, social services, entertainment, and housing.

The focal point of Wye Junction would be an activity node near the North 20th Street intersection anchored by the Federal Building and the First Interstate Bank Operations Center. This node could incorporate green space, public art, and a food truck plaza. Additionally, just one block north, a pedestrian signal crossing 6th Avenue North to the North Park Neighborhood would allow residents to safely access and utilize the 5th Avenue North corridor. The proposed 6th Avenue North pedestrian signal crossing at North 20th Street would compliment the existing one at 4th Avenue North, providing safe access from both the north and south.

The Wye Junction section also connects south to Montana Avenue via the rail spur right-of-way and adjacent streets. From north to south, this route would create multi-modal connectivity between the North Park Neighborhood, North Park, the 5th Ave North Corridor, and Montana Avenue.

North 20th Street can serve as the north-south connection until such time that the current active rail spur can be converted to a shared-use path. As an interim solution, North 20th Street is the logical direct connection between the North Park Neighborhood and Montana Avenue that will allow safe travel across 6th Avenue North and 4th Avenue North utilizing the existing signalized pedestrian crosswalks

There is also opportunity to connect to transit routes that currently cross the 5th Avenue North Corridor. According to the US Department of Transportation, public transportation ridership can increase by 16 percent when walking and bicycling access is improved.



Multi-Modal – Increase connectivity with transit opportunities

Corridor Visibility – Wayfinding and other common elements can highlight the connection between 5th Avenue North and Montana Avenue

Safety – With active railroad use, look for opportunities to expand amenities with adjacent property owners

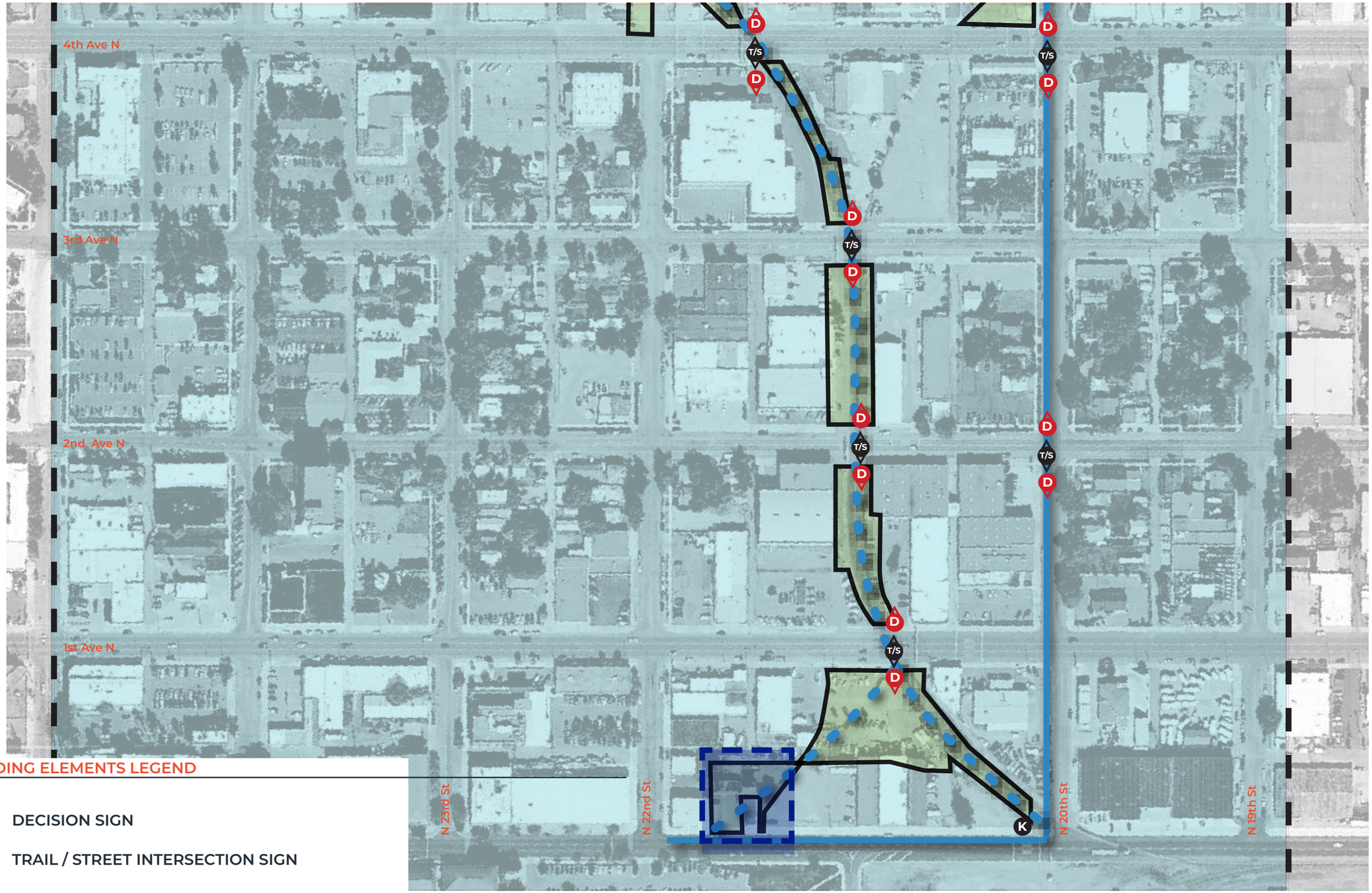
Transformational Public Space - Employment Activity Hub: build off the private investment occurring in this area by activating public space with increased green space, food truck plaza, and public art

Partnerships – Seek spaces for food trucks and other amenities for nearby office workers

WAYFINDING ELEMENTS LEGEND

- DECISION SIGN
- TRAIL / STREET INTERSECTION SIGN
- INFORMATION KIOSK
- SHARED USE PATH (separated from active railroad line with approved barrier)

Wye Junction North Exhibit



WAYFINDING ELEMENTS LEGEND

- DECISION SIGN
- TRAIL / STREET INTERSECTION SIGN
- INFORMATION KIOSK
- SHARED USE PATH (separated from active railroad line with approved barrier)

Wye Junction South Exhibit

The BeltLine, Atlanta, Georgia

"The Atlanta BeltLine project is converting 22 miles of disused railway beds surrounding the city into a biking and pedestrian loop. A Georgia Tech graduate student submitted the idea for the BeltLine to city officials in 2001. This idea turned into a grassroots campaign of local citizens and civic leaders dedicated to the BeltLine's integrated approach to transportation, land use, greenspace, and sustainable growth. Construction began in 2006, and the city expects to complete the $4.8 billion project by 2030. It will connect 45 neighborhoods – cutting across socioeconomic and racial lines – while promoting urban revitalization and a healthier lifestyle for all residents."

Source: Case Study of the Atlanta BeltLine

The BeltLine in Atlanta, Georgia
credit: Christopher T. Martin

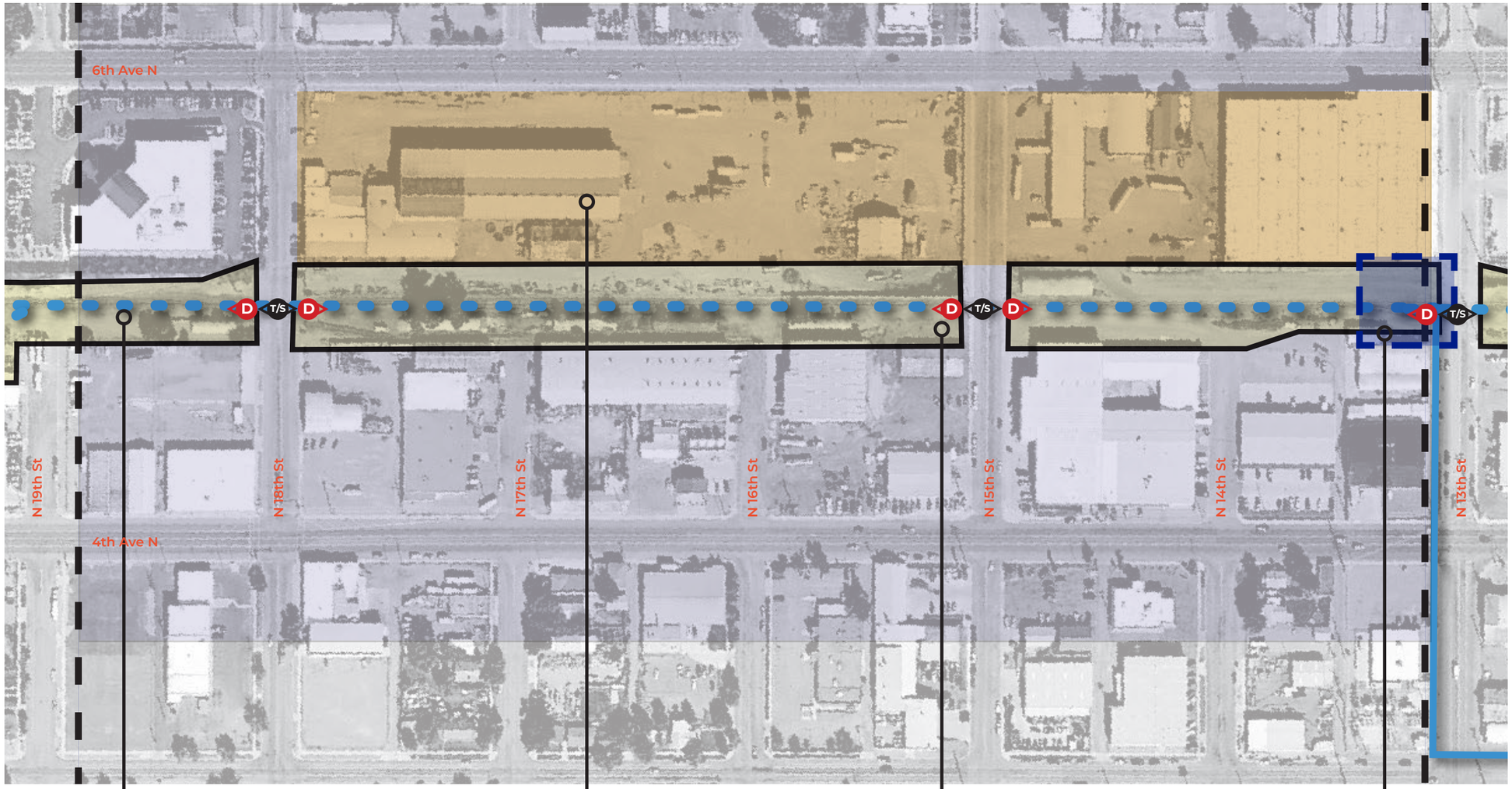
Rail Trail

East of the Wye Junction section, the railroad use increases and the right-of-way narrows. Therefore, the Rail Trail section is envisioned as a straight multi-modal shared-use trail without the potential for activity hubs. This section has fewer intersections than those to the west, allowing for longer uninterrupted stretches of the trail for improved mobility efficiencies.

Assessment of the existing right-of-way established there is ample room for a 12-foot multi-use trail and a buffer zone to limit conflict with rail activity. In addition to the buffer zone, safety should be enhanced through the Rail Trail with additional lighting elements.

If land and business use along the Rail Trail change, opportunities to create amenity nodes on adjacent property could be explored. This section of the corridor has larger properties, particularly on the north side, which would enable greater opportunity for partnerships if and when property redevelops. This could include providing easements for trail use and public spaces.

Rail Trail
The right-of-way narrows through this zone, creating fewer opportunities for activity hubs. This section provides opportunity for a multi-use trail with limited intersections. This zone has some larger properties that could partner to complete the corridor as part of redevelopment projects.



Multi-Modal – Increase connectivity with transit opportunities

Safety – With active railroad use, look for opportunities to expand amenities with adjacent property owners

Corridor Visibility – Wayfinding and other common elements can highlight the connection between 5th Avenue North and Montana Avenue

Transformational Public Space - Employment Activity Hub: build off the private investment occurring in this area by activating public space with increased green space, food truck plaza, and public art

Partnerships – Seek spaces for food trucks and other amenities for nearby office workers

WAYFINDING ELEMENTS LEGEND

- DECISION SIGN
- TRAIL / STREET INTERSECTION SIGN
- INFORMATION KIOSK
- SHARED USE PATH (separated from active railroad line with approved barrier)

Rail Trail Exhibit

Gateway Hub

This zone has active rail use and limited right-of-way. It provides opportunity to connect with the activities of MetraPark as well as connection to the Swords Park trails. While the railroad use remains active, an alternate route using 3rd Avenue North could provide these needed connections.

Gateway Hub

The final section of the corridor is located between North 13th Street and MetraPark. Between North 13th Street and North 10th Street, the right-of-way becomes too narrow to continue the buffered shared-use trail. An alternative alignment would be to detour the shared-use trail south along North 13th Street to continue east on 3rd Avenue North. This alignment would ultimately connect to the proposed pedestrian overpass across Main Street to MetraPark.

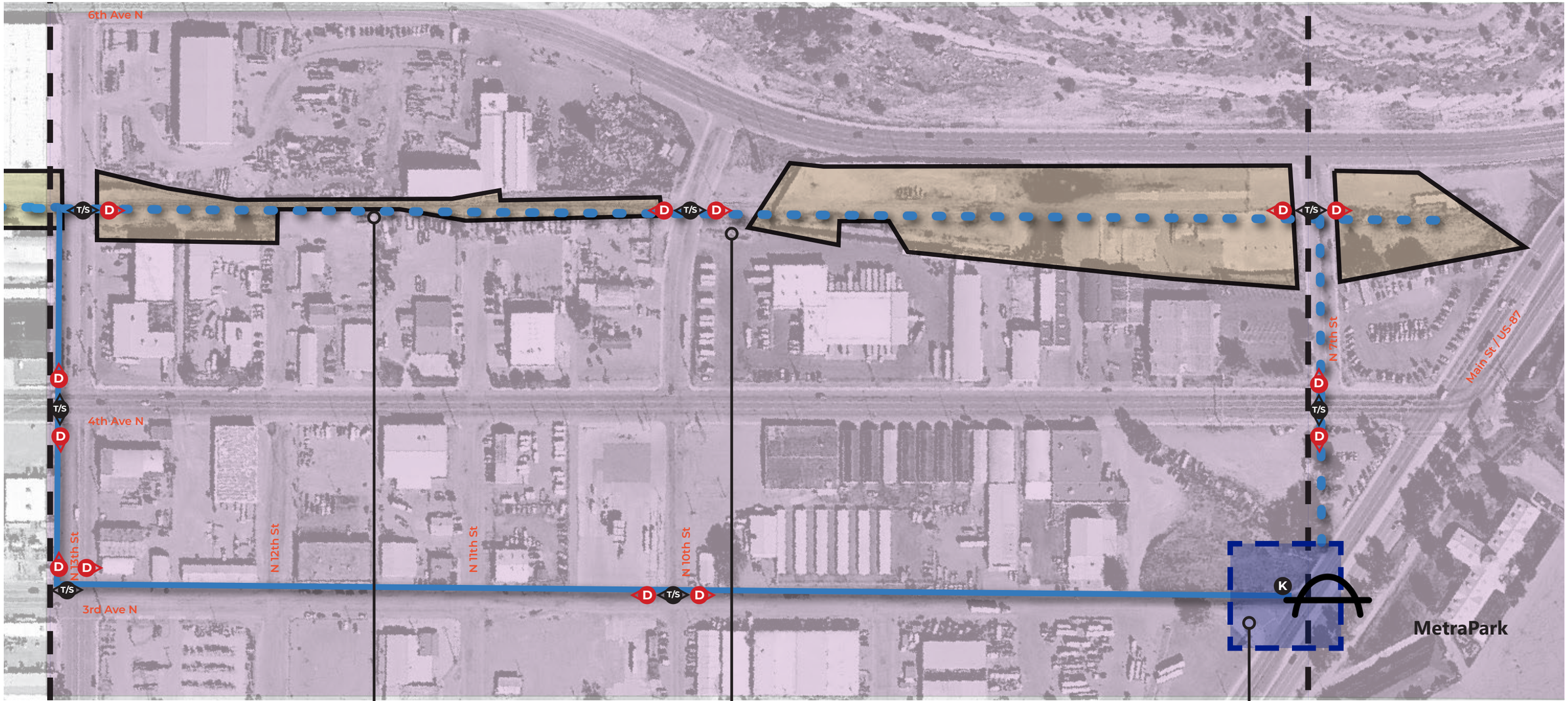
There should be a committed effort to extend the corridor within the 5th Avenue North alignment east of North 13th Street in conjunction with future property redevelopment. If right-of-way or easements can be secured, opportunities such as those envisioned in the Wye Junction can also be created here. Green spaces, nodes and activity centers should be considered to enhance the area, providing amenities for the nearby users of MetraPark.

This zone should also be focused on connecting bike and pedestrian facilities to Swords Park and The Heights.

As an interim solution, the existing facilities along 3rd Avenue North, which includes an existing bike lanes, can provide a connection to MetraPark. In this case, coordinated signage and other amenities should be used to build and create a cohesive corridor.

This section is called Gateway Hub in recognition of the area's current identification as the Recycling Hub and the adjacent Exposition Gateway. As these areas continue to be developed and evolve, the Gateway Hub will serve as gateway to and from MetraPark and a hub of complimentary amenities to the Exposition Gateway and its proposed hospitality corridor.

The Rail Park, Philadelphia, Pennsylvania



Multi-Modal – Increase connectivity with transit opportunities

Corridor Visibility – Wayfinding and other common elements can highlight the connection between 5th Avenue North and Montana Avenue

Transformational Public Space - Employment Activity Hub: build off the private investment occurring in this area by activating public space with increased green space, food truck plaza, and public art

Partnerships – Seek spaces for food trucks and other amenities for nearby office workers

WAYFINDING ELEMENTS LEGEND

- DECISION SIGN
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- SHARED USE PATH (separated from active railroad line with approved barrier)

Gateway Hub Exhibit

Transportation

The primary purpose of the 5th Avenue North Corridor Feasibility Study is to identify opportunities to create new multi-modal transportation facilities and connectivity with the existing network.

Access

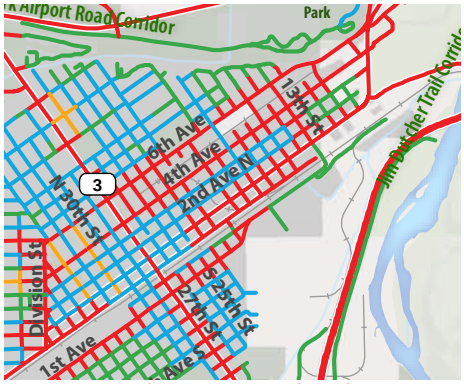
Implementing complementary transportation facilities along 5th Avenue North would create a 2-mile stretch of east-west multi-modal access that does not currently exist. Establishing access between the downtown central business district, the EBURD, and MetraPark is a community goal reiterated in numerous Billings plans, including the 2017 Billings Area Bikeway and Trails Master Plan, 2013 Exposition Gateway Plan and Hospitality Corridor Study, and the 2009 East Billings Urban Renew District Master Plan.

Connectivity

In addition to increasing access to downtown and MetraPark, upgrading 5th Avenue North as a multi-modal corridor would dramatically improve connectivity with numerous north-south transportation facilities. The proposed shared-use corridor would intersect with over 15 streets many of which are established bike routes and pedestrian ways. A highly connected transportation system, particularly for multi-modal uses such as biking and walking, dramatically increases efficiency, route options, and correspondingly, utilization.

Safety

The 2017 Billings Area Bikeway and Trails Master Plan (the Plan) includes an analysis of the level of traffic stress for bicyclists. The Plan assigned the highest level of traffic stress to 4th Avenue North and 6th Avenue North. It also designates every cross street between North 13th Street and North 27th Street at the highest traffic stress level. The Plan establishes that high traffic stress streets are only appropriate for “strong and fearless” cyclists, thus excluding most people. The Plan states an equitable transportation network “should provide direct routes between origins and destinations that do not include links that exceed one’s tolerance for traffic stress.”



Level of Traffic Stress for Bicyclists, 2017 Billings Area Bikeway and Trails Master Plan

The 2017 Billings Area Bikeway and Trails Master Plan provides this explanation of the stress level designations:

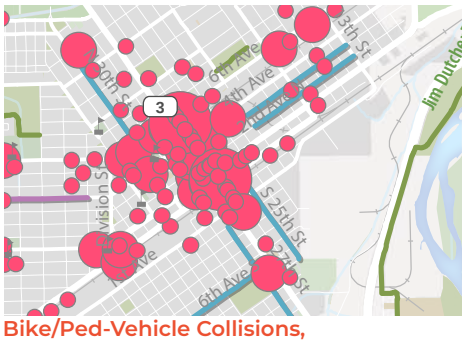
"The methods used for the Level of Traffic Stress Analysis were adapted from the 2012 Mineta Transportation Institute (MTI) Report 11-19: Low-Stress Bicycling and Network Connectivity. The approach outlined in the MTI report uses the following variables to classify roadways:

Posted speed limit

The number (and width) of travel lanes

The presence of bicycle lanes

LTS 4 [denoted in red on the corresponding map] is assigned to segments that are only acceptable to "strong and fearless" bicyclists, who will tolerate riding on roadways with higher motorized traffic volumes and speeds. Sometimes, even the presence of a dedicated bicycle lane is not sufficient to make a high-speed and volume roadway comfortable to a significant portion of the population."



Bike/Ped-Vehicle Collisions, 2017 Billings Area Bikeway and Trails Master Plan

High amounts of traffic stress directly correlate to vehicle collisions with pedestrians and bicyclists. The 2017 Billings Area Bikeway and Trails Master Plan illustrates the high number of collisions occurring within the 5th Avenue North corridor project area. These collisions are a direct result of inadequate safe pedestrian and bike facilities.

Converting 5th Avenue North to a low-stress multi-modal corridor connecting nearby destinations would benefit bicyclists and pedestrians. The east-west pedestrian experience along 4th Avenue North and 6th Avenue North - high-speed one-way four-lane thoroughfares with marginal sidewalks and little to no traffic calming amenities - leave much to be desired. A quiet, attractive, and safe 5th Avenue North multi-modal corridor would be a significant improvement for both pedestrians and bicyclists.

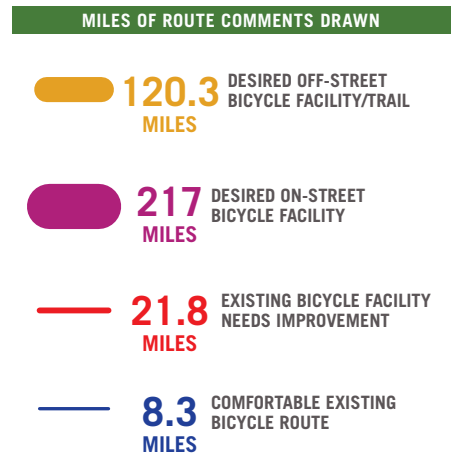
Trails Master Plan Survey Responses, 2017 Billings Area Bikeway and Trails Master Plan

Demand

All the relevant planning documents referenced in the Background section of this study prioritize access, connectivity, improved bicycle and pedestrian facilities, multi-modal transportation, and mobility safety. The emphasis placed on these community benefits indicate a high level of demand for the type of improvements proposed for the 5th Avenue North corridor.

The 2017 Billings Area Bikeway and Trails Master Plan received 650 individual interactions using an online public input map. The mapping input indicated that only 8 miles of "comfortable" bike routes currently exist in the entire city. Resident input indicated the demand for 120.3 miles of new desired off-street bike facilities and 217 miles of new desired on-street bike facilities.

The 2018 Billings Urban Area Long Range Transportation Plan established a goal of "increasing the number of shared-use trail miles by 10% between 2018 and 2023". These metrics begin to quantify a high demand for additional multi-modal facilities.



Trails Master Plan public input

Placemaking

The 5th Avenue North corridor provides a unique opportunity to incorporate a variety of placemaking strategies to enhance the multi-modal transportation function of the corridor while celebrating its history and current industrial character.

Placemaking incorporates landscaping, hardscaping, lighting, public art, and amenities such as wayfinding, seating, trash receptacles, etc. Where more right-of-way is available, and by collaborating with adjacent property owners, pocket parks could be built to provide small spaces with high concentrations of public amenities. All these placemaking elements not only make the public realm more attractive and user-friendly, but they also increase safety and positively impact property values.

What is Placemaking?

A hands-on approach for improving a neighborhood, city, or region, by inspiring people to collectively reimagine and reinvent public spaces as the heart of every community.

A collaborative process by which we can shape our public realm in order to maximize shared values and to strengthen the connection between people and the places they share.

A tool to facilitate creative patterns of use, paying particular attention to the physical, cultural, and social identities that define a place and support its ongoing evolution.

Source: Project for Public Spaces

The Rail Park, Philadelphia, Pennsylvania

An on-street parklet, Oslo, Norway

Wayfinding is a key component of placemaking and particularly important for the 5th Avenue North Corridor to provide guidance along, to, and from this long transportation corridor. Using the standards and typologies identified in the 2020 Billings Wayfinding Plan, a signage plan should be developed for 5th Avenue North and installed as the other improvements are implemented. The wayfinding system would also need to be extended along North 20th Street as the north-south connection in Wye Junction and down North 13th Street and along 3rd Avenue North in the Gateway Hub.

The 5th Avenue North Corridor has a rich history and diverse mix of uses today that provide an authentic framework to inspire placemaking design and implementation. The primary themes for the placemaking vision are the railroad and the recycling industry.

Why is Wayfinding Important?

The 2020 Billings Area Wayfinding Signage Plan outlines the numerous benefits of comprehensive wayfinding system:

Orients and guides locals and visitors from place to place with minimal stress

Identifies best routes to destinations

Creates a recognizable brand and identity for the jurisdiction and/or active transportation network

Overcomes barriers to entry, such as negative perceptions of connectivity, safety, the time it takes to travel by bicycle, and overall convenience

Improves safety by increasing the visibility of pedestrians and bicyclists and heightening the awareness of motor vehicle drivers

Normalizes walking and bicycling as legitimate modes of transportation

By incorporating railroad and recycling themes into the placemaking elements, the improvements will be uniquely Billings—familiar and comfortable to residents and interesting to visitors. It is recommended that, when feasible, placemaking amenities such as seating, signage, and public art should be designed and created locally. This would allow Billings artisans and fabricators to capture a unique community 'look and feel' and supports the local economy.

Public art is also a placemaking strategy that can transform underutilized public spaces into vibrant community assets. Collaborating with local art institutions (Yellowstone Art Museum), schools, and artists, to develop a public art plan for 5th Avenue North would engage a diverse group of residents to design and create a shared vision for beautifying and activating the corridor.

Adjacent Land Redevelopment

See Appendix A for several inspiring case studies of redevelopment adjacent to railroad corridors.

Implementation of the vision of the 5th Avenue North corridor will be directly tied to redevelopment and improvements of adjacent properties. The creation of new and safe public open space, such as the 5th Avenue North corridor, can generate positive momentum that leads to private investment in a neighborhood. Also, private redevelopment can lead to opportunities to complete and enhance the corridor. These activities will need to go hand-in-hand.

Much of the land adjacent to the corridor, particularly between 26th Street and Main Street/Hwy 312, is underused. Over half of properties have an assessed land value greater than the assessed building improvements value. This indicates an under-investment in the area and suggests many opportunities for higher and better uses in the future.

FROM FEASIBILITY TO FRUITION

Taking the 5th Avenue North corridor from current conditions to the envisioned multi-modal transportation facility will take preparation and partnerships. The intent of this Study is to evaluate the feasibility of creating a multimodal corridor. That realization will require private investment and strategic public infrastructure investments. This is especially important as the city does not own any corridor property and therefore is reliant on cooperation and collaboration with property owners to realize the vision for this area. The following information details the necessary actions and steps to work towards project completion.

IMPLEMENTATION

Implementation requires proactive planning to ensure success. Visionary concepts do not become reality by accident or luck. Every project needs a group of leaders and champions to carry the vision forward to completion. Just as the steering committee shepherded this study forward, implementation is dependent on a group of community leaders dedicated to improving the 5th Avenue North corridor.

Planning for implementation also needs to consider how the improved corridor is going to be managed and maintained. Use of right-of-way will require an agreement between Montana Rail Link, BNSF and the City of Billings. Such agreements would need to include provisions for managing and maintaining the public improvements. Forming a community non-profit, Friends of 5th Avenue North, could be a third-party partner.

To fully implement the corridor vision, the community must be committed and prepared to take advantage of two critical types of implementation opportunities. The first is the acquisition of the railroad right-of-way at such time that its use for rail service is discontinued. What makes the 5th Avenue North corridor so unique is the fact that it is neither a traditional street nor is it typically developed with buildings and parking lots. Therefore, if given the chance, the City of Billings should acquire the right-of-way rather than it being deeded back to the adjacent private properties. The second type of critical opportunity will arise when private properties adjacent to the corridor are redeveloped. The City and champions of the 5th Avenue North vision will need to work with developers to ensure the corridor's public access and amenities are incorporated into the design, construction, and operation of new developments. This can be done in mutually beneficial ways discussed more in the public private partnership section of Appendix C, which also outlines potential funding sources for ROW acquisition.

Beyond taking advantage of those two critical opportunities, each of the defined character areas would require different implementation strategies to successfully improve the corridor.

What Are Public Private Partnerships?

Public Private Partnerships, commonly referred to as P3 or PPP, are a powerful tool that has been used across the country to bring high-impact community projects to fruition by combining the respective strengths of the public and private sectors.

Community improvements can be made beyond the scope of one private development project using P3.

Cities do not have enough funding to finance all the needed public improvements and P3 provide a means to invest public funds and leverage private resources.

Linear Park

The railroad right-of-way terminates just past North 25th Street. The extension of the corridor further to the west will require vision, patience, and collaboration. For example, by partnering with The Yellowstone Art Museum, the corridor could be extended to North 27th Street by making use of the existing open spaces adjacent to the Vault and YAM buildings and parking lots. One idea would be to create a slightly elevated walkway over the stormwater detention swale. This would create a safe, tree lined path for pedestrian and bicyclists while preserving the stormwater function.

Continuing further west would require creating a safe crossing where the corridor would cross North 27th Street. Further implementation will require working with the existing property owners, many of which are community-minded, such as the Billings Gazette, Stockman Bank, the Billings Public Library, and the Lincoln Center. There may be creative ways using 'tactical urbanism' strategies to safely extend the corridor along the edges of those buildings and the associated parking lots. In addition to exploring ways to traverse this stretch today, a bold concept design should be formulated that would incorporate the complete 5th Avenue North shared-use corridor between North 27th Street and North 32nd Street at such time that one of more of those properties are redeveloped. This area would be ideal to utilize public private partnerships when the opportunities arise.

Wye Junction

The entire 5th Avenue North corridor through Wye Junction has ample railroad right-of-way and implementing the full complement of improvements will be dependent on collaborating with Montana Rail Link. Wye Junction is the most complicated and perhaps most important area of the four corridor sections because it includes the potential for a critical north-south connection from the North Park neighborhood to Montana Avenue. Therefore, implementation of this north-south connection will need to be phased over time. The exiting rail spurs arcing between Montana Avenue and the 5th Avenue North corridor do not have enough right-of-way to co-locate a shared use path with the rail lines. Therefore, the recommended first phase implementation would be to use North 20th Street as the north-south connection. This initial connection could be made by sampling using the 5th Ave North corridor wayfinding elements to guide users north and south along North 20th Street. This part of the wayfinding system would be anchored with a gateway monument at the intersection of Montana Avenue and North 20th Street.

In preparation for full north-south implementation along rail spur, a visionary concept design should be created. In the future, if the rail use along either spur is discontinued, the City of Billings should be prepared to acquire the railroad right-of-way to extend the shared-use path and placemaking improvements between 5th Avenue North and Montana Avenue.

What is Tactical Urbanism?

Tactical Urbanism is all about action. Also known as DIY Urbanism, Planning-by-Doing, Urban Acupuncture, or Urban Prototyping, this approach refers to a city, organizational, and/or citizen-led approach to neighborhood building using short-term, low-cost, and scalable interventions to catalyze long-term change.

Source: Tactical Urbanism Guide

Tactical urbanism crosswalk project across Main Street in Price, Utah

Tactical urbanism wayfinding signs in Ottawa, Canada

Rail Trail

The implementation through the Rail Trail section is the most straight forward of the four character areas. In this section, 5th Ave North is a clearly defined and consistent corridor between North 19th and North 13th Streets. The entire length runs through a wide railroad right-of-way that would accommodate the proposed landscaped shared-use path. Complete implementation will require collaborating with Montana Rail Link to agree on the access and recommended improvements.

Gateway Hub

Implementation of the shared-use trail and placemaking improvements along the 5th Avenue North corridor through the Gateway Hub will require temporarily utilizing the existing street and sidewalk network. Initially, the shared-use path will need to transition from the 5th Avenue North corridor and turn south down North 13th Street. The route could then continue east along 3rd Avenue North until it reaches Main Street. Wayfinding signage would identify this meandering route.

Like the implementation strategies recommended for the Wye Junction north-south connection, a visionary concept design should be developed illustrating the extension of the 5th Avenue North corridor improvements. The complete implementation would be possible at such time that the adjacent land use along the corridor between North 13th Street and Main Street changes. The City of Billings should be prepared to acquire the right-of-way through this section and collaborate with future redevelopment projects to extend the full slate of shared-use path and placemaking improvements.

Pop-up protected bike lane on Telegraph Avenue in Oakland, California

PILOT PROJECTS AND PHASING PRIORITIES

The 5th Avenue North Corridor feasibility study proposes an ambitious vision for enhancing the corridor that will need to be implemented in phases over time. Thoughtful consideration will need to be given to the prioritization of the potential implementation phases. Phasing may be influenced as adjacent properties are redevelopment. As private property may redevelop, an opportunity to implement corridor improvements is created. The vision created in the Study acknowledges the need to be flexible and provide a theme for common elements so that parts may be built over time.

Below is a phasing plan utilizing the proposed Corridor Character Areas. The phase order is based on a variety of factors including current use, available right-of-way, and potential private partners.

- Phase One—Wye Junction
- Phase Two—Rail Trail
- Phase Three—Linear Park
- Phase Four—Gateway Hub

Phase One implementation in the Wye Junction area would serve as a pilot project showcasing all the improvement elements. This initial phase would extend between North 26th and North 18th Streets, respectively anchored by the Yellowstone Art Museum Visible Vault and the First Interstate Bank Operations Center. This section would also incorporate direct connectivity to North Park via North 20th Street with the installation of complimentary wayfinding signage.

The Linear Park area would provide another opportunity to pilot some improvements using temporary tactical urbanism installations discussed below.

These initial improvements and temporary installations would give the community a chance to guide the vision into reality and experience the benefits of improving the corridor. A successful initial phase and tactical installations would create excitement and momentum to pursue subsequent phases.

NEXT STEPS

According to the findings in the study, there are two initial steps that the City could take to continue moving forward with the process of building a multi-modal transportation corridor.

The first step is for the City to request professional design services to finalize the corridor vision and develop design plans for the entire corridor.

The second step would be to continue discussions with Montana Rail Link to develop an agreement for use of the right-of-way.

Beyond these initial steps, subsequent activities include:

- Public Review and Design Concept
- Phasing Priorities and Funding Identification
- Design and Build Pilot Project
- Final Design Documents for Phase One
- Management and Maintenance Structure
- Construction
- Ribbon Cutting

Appendix A: Case Studies

5th AVENUE NORTH CORRIDOR FEASIBILITY STUDY

Railroad Adjacent Redevelopment Case Studies

SANDERSON STEWART

Enduring Community Design

1. Sioux Falls, South Dakota Railyard

The City of Sioux Falls, SD purchased an existing railroad yard, approximately 10.25 acres in size, adjacent to their downtown for the purposes of redevelopment.

Plans for the area include:

- a new / reestablished / continued street grid organizing new mixed-use development
- a framework for multi-modal transportation
- Potential development yields

◊ Rail operations were relocated after City purchase

◊ Property was purchased using Federal funds

Similar to 5th Avenue North:

» Plan area is adjacent to downtown

» Redevelopment will be adjacent to active rail

» Reuse of rail area to spur adjacent land use changes

» Reestablishment of public ROW as a plan goal

» Managing land use change and transition

» Industrial uses remain in area

» Vision will be accomplished through development on public and private property

Image Source: City of Sioux Falls Railyard Redevelopment Plan, RDG Planning & Design

2. Atlanta Belt Line

Image Source: Georgia State Signal, Google Images

The Atlanta Belt Line is an ambitious trails, open space, parks and redevelopment proposal that utilizes several segments of abandoned, underutilized, and very active railroad right of way that encircle the City of Atlanta.

Similar to 5th Avenue North:

» Transportation and trails component

» Managing land use change and transition component

» Diversity of available right of way width, but often narrow

» Adjacent to active rail operations

- Right of way width varies considerable throughout the project, necessitating many different design approaches to providing bicycle and pedestrian facilities, from grade separated trails to on-street paths.
- While emphasis is on trails, land use change is addressed through the designation of activity nodes that are near the system and primed for change. Many areas have been transitioning away from industrial uses for some time.
- Extensive effort has gone into integrating and aligning the beltline plan with other plans. Including transit and transportation and parks and open space.
- Funding sources include local government, foundation and philanthropic and the use of Tax Allocation Districts, which is similar to a TIF district.

3. Kalispell Core Area Plan

Image Source: Kalispell Core Area and Glacier Rail Park Roadmap to Redevelopment, Council of Development Finance Agencies

The City of Kalispell Core Area Plan calls for the removal of a rail line and related industries located just north of their historic downtown and the redevelopment of the surrounding land, 44 acres of vacant, blighted, and brownfield property.

Similar to 5th Avenue North:

» Study area is adjacent to downtown

» Land use in study area is in transition from industrial to residential and commercial

» Reuse of rail area to spur adjacent land use changes

» Active rail line serving existing customers

» Railroad ROW is linear in nature

- At the time of the planning effort, the rail line was active. The plan created a process for moving rail served industries to a new location, allowing for the line's abandonment. The last rail car left in December 2019, seven years after the plan was done.
- Plan calls for a linear greenway and trail that supports existing and future development
- Key component is the establishment of new public crossing of the rail line area.
- Project is funded by a TIGER grant, federal rail loan, TIF funds and an EPA Brownfields grant. These funds will support the relocation of existing businesses, purchase and removal of railroad tracks, assessment and demolition of adjacent sites, and construction of the trail and amenities.

Image Source: City of Kalispell, Montana Core Area Plan, CTA Architects Engineers

4. Montana Rail Link Park - Missoula

The City of Missoula purchased a 12 acre parcel from the Montana Rail Link RR in order to complete a missing segment of trail and construct a park.

- The purchase was funded through the 1995 Open Space Purchase Bond. The development of the park is funded using TIF funds.
- Park contains an open play field as well as children's playground and dog park. The Bitterroot Trail, which parallels an active rail line, runs along side the park.

Similar to 5th Avenue North:
» Adjacent to active rail line
» Reuse of previously occupied property

Image Source: Google Maps

Appendix B: Inventory of Intersections

Inventory of Intersections

Street	City Functional Classification	One-way or Two-way	Road Width (ft)	Number of Drive Lanes	Speed Limit	Traffic count	Sidewalk	Bike Facility	Transit Route
N 32nd St	Major Collector	One-Way[S]	50[1]	2	25	7776[1]	Yes	No	Yes
N 31st St	Local	One-Way[N]	50[1]	2	25	-	Yes	No	No
N 30th St	Minor Arterial	One-Way[S]	50[1]	2	25	3380[1]	Yes	No	No
N 29th St	Local	One-Way[N]	50[1]	2	25	3279[2]	Yes	No	No
N Broadway	Local	Two-Way	47[2]	2	25	3632[2]	Yes	No	Yes
N 27th St	Principal Arterial	Two-Way	66	6	25	18728[2]	Yes	No	Yes
N 26th St	Local	One-Way[S]	50[1]	2	25	-	Yes	No	No
N 25th St	Local	One-Way[N]	50[1]	2	25	486[2]	Yes	No	Yes
N 24th St	Local	Two-Way	48[2]	2	25	1152[2]	Yes	No	Yes
N 23rd St	Local	Two-Way	48[2]	2	25	965[2]	Yes	No	Yes
N 20th St	Collector	Two-Way	48[2]	2	25	1071[2]	Partial	No	No
N 18th St	Collector	Two-Way	48[2]	2	25	2006[2]	Partial	No	Yes
N 15th St	Local	Two-Way	46[2]	2	25	590[2]	Yes	No	No
N 13th St	Collector	Two-Way	46[2]	2	25	2121[2]	Yes	No	No
N 10th St	Local	Two-Way	46[2]	2	25	747[2]	Yes	No	No
N 7th St	Local	Two-Way	46[2]	2	25	-	Yes	No	No
Main St/Hwy 312	Principal Arterial	Two-Way	~110[3]	8	35	40164[2]	Yes	No	Yes

One-Way or Two-Way:

(N) - Northbound
(S) – Southbound

Road Width:

(1) Data sourced from Billings Downtown Traffic Report
(2) Data measured in field
(3) Average width between 4th and 6th measured from google earth aerial

Traffic Count:

(1) 2020 – MDT ms2 Data
(2) 2019 – MDT ms2 Data/City of Billings ArcGIS
(3) 2017 - Billings Downtown Traffic Study Report

Sidewalk:

Yes – Sidewalk is present on both sides of road
Partial – Sidewalk is only on one side of road or not for entire road length
No – No sidewalk present

Appendix C: Potential Funding Sources

Phasing the implementation also allows for securing funding overtime. Just like the implementation vision includes various components— a shared-use path, public art, placemaking amenities—the necessary funding will need to come from a variety of sources. Ultimately, the financing package will be a kit of parts potentially including transportation funds, public art grants, park and recreation funds, and private contributions. Sources may include local, state and federal government, urban renewal districts, non-profit organizations, private foundations and corporations, and charitable citizens.

City of Billings Funds

The City uses funding mechanisms for a variety of government services. Some of these funding mechanisms could be used for actions identified within this Study. However, it should be noted that any mechanism included here does not imply the funding is available. This list is intended to identify potential sources of funding.

- General Funds
- General Obligation Bonds

Targeted Assessments

Targeted assessments are collected and expended within a specific geographic area of the community.

- There are two Tax Increment Financing (TIF) districts within the Study area: East Billings Urban Renewal District and the Downtown Urban Renewal District. Tax revenue collected within the district is commonly invested in public infrastructure projects that stimulate private development, such as street improvements and placemaking enhancements.
- Business Improvement Districts collect funds from a special assessment on commercial properties within the district area. The funds are used for special projects that benefit the property owners within the district. Examples of business improvement district expenditures include maintenance and beautification programs.
- Special Improvement Districts can be established to assess properties for funds that target a specific purpose. Examples include infrastructure improvements and maintenance of infrastructure.

Nonprofit Grant Funding

- Humanities Montana provides funding for public programs in the humanities, including events, lectures, conferences, oral histories, and workshops. These grants provide opportunities for community exploration of topics ranging from significance of historical events, cultural understanding, and interaction between scholars and the public.
- The National Endowment for the Arts awards cost/share matching grants to nonprofit organizations for a wide variety of arts projects across the country. The NEA "Challenge America" and "Grants for Arts Projects" are frequently awarded to community-driven public art projects.

Public Grant Funding

- Community Development Block Grant (CDBG) is a federally funded program that provides assistance to communities for projects such as public facilities, economic development, and planning grants.
- Transportation Alternatives Program (TA Program) is a federal program to assist local governments in developing transportation alternatives, including on- and off-road pedestrian and bicycle facilities, infrastructure projects that improve access to public transportations, recreational trail improvements, and safe routes to school projects.
- The Better Utilizing Investments to Leverage Development, or BUILD, Transportation Discretionary Grant program is a federal program that funds the building and repairing of critical pieces of road, rail, transit, and port facilities. It includes funding for multi-modal, multi-jurisdictional projects that are more difficult to support through traditional DOT programs.
- Montana Tourism Grants are available to assist communities in digital development, tourism infrastructure, event paid media advertising, and trade show assistance. The grant process is on a first come-first serve basis, starting July 1st. Preference is given to projects that are identified as key tourism projects in a community master planning process, undertaken with other programs within the Montana Department of Commerce (i.e. Main Street Program), which complement, enhance, and incorporate design elements of the Montana Brand. A matching fund is required.
- Environmental Protection Agency's Brownfields Program provides grants and technical assistance to communities to assess, clean up, and reuse brownfields. The EPA specifically recognizes underutilized or abandoned railroad right-of-way as a type of brownfield. Grants for technical assistance are also available. Grants are typically awarded annually, with deadlines in December of each year.
- Department of Natural Resources and Conservation (DNRC)

administers a wide range of grants and loans. Urban and Community Forestry Grants are available to help support Urban Forestry projects. Grants range from $2,000 to $10,000.

- The Montana Arts Council provide grants through the Cultural and Aesthetic Project Grants program. The program is funded biannually, with a match required. Examples of government sponsors are county art or historical museums, public libraries, public educational institutions or school districts, state agencies, city arts commissions, parks and recreation departments, and tribal cultural or educational committees.
- Montana State Parks administers the Recreational Trails Program (RTP), a federally funded grants program that supports Montana's trails. The RTP funds come from the Federal Highway Trust Fund. RTP applicants can include federal, tribal, state, county or city agencies, private associations, and clubs. Urban trail development projects are eligible to apply.

Other Funding Sources

There is a wide variety of other funding sources that could be pursued to compliment municipal, assessment, and grant funding. Urban routes, such as North 27th Street, are eligible for funding from Montana Department of Transportation for access and safety improvements. Several of Montana's larger corporations make annual donations to community causes and projects. Utilizing popular crowdfunding platforms provide individual residents and small businesses a way to make donations to community enhancement projects. Developers often contribute to high-amenity public improvements near new projects to enhance the neighborhood where they are investing. Public-private partnerships (P3) are one way to cooperatively design, build, and maintain a community benefit project such as the 5th Avenue North corridor improvements.

City Council Regular
Date: 07/26/2021
Title: Acceptance of Donations over $500 from Various Donors
Presented by: Rich St. John, Police Chief
Department: Police
Presentation: No

RECOMMENDATION

Staff recommends that City Council accept a donation from various donors totaling $26,500.

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

Council policy requires that any donation greater than $500 must be approved by the City Council. Various donors wish to donate the Billings Police Department totaling $24,500 to be used as needed. Donors are listed below:

Donor	Amount
Vemco Inc	2,500.00
Northwest Pipe Fittings, Inc.	10,000.00
Industrial Sales and Service	5,000.00
Western Security Bank	2,500.00
Thermax Insulation LLC	1,000.00
Star Service, Inc	1,000.00
Dick Anderson Construction, Inc.	2,500.00
	$ 24,500.00

Additionally, a $2,000 donation was made from the Anne and Bill Cole Fund to be used to support the Crime Stoppers fund. A check will be written to that fund at First Interstate Bank.

ALTERNATIVES

City Council may:

- Approve the various donations to the Billings Police Department totaling $26,500 or;
- Disapprove the various donations to the Billings Police Department totaling $26,500 and provide further direction to staff.

FISCAL EFFECTS

There is no impact to the General Fund.

Date:	07/26/2021
Title:	Acceptance of $85,000 donation from Billings TrailNet as match for BUILD Grant
Presented by:	Scott Walker
Department:	Planning & Community Services
Presentation:	No

RECOMMENDATION

Staff recommends that Council accepts the $85,000 donation from Billings TrailNet as a match for the BUILD Grant.

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

The City of Billings applied for and was awarded a BUILD (Better Utilizing Investment to Leverage Development) grant for $11.6 million. The grant will fund the construction of the Inner Belt Loop and the Skyline Trail. The Skyline Trail will connect the Swords Park Trail at its current terminus to the current terminus of the trail just east of Zimmerman Park. As part of the local match for the successful BUILD Grant applicationb the City, local non-profit, Billings TrailNet, committed an $85,000 match to the Skyline Trail project. Billings TrailNet is now formally making the donation to the City.

ALTERNATIVES

City Council may:

- Accept, or
- Not Accept

the $85,000 donation from Billings TrailNet. Accepting the $85,000 donation will allow the City of Billings to fully construct the Skyline Trail. Not accepting the donation means that there will be a budget shortfall when constructing the Skyline Trail. In addition, this donation was specified in the BUILD grant application as a funding source. Not accepting the donation would be a deviation from the approved application.

FISCAL EFFECTS

If Council accepts the donation, it will be placed in a trails account in the General Fund to help fund construction of the Skyline Trail.

City Council Regular

Date:	07/26/2021
Title:	Acceptance of Donation from the DUI Task Force in the Amount of $4,000
Presented by:	Jamie Wegner
Department:	Police
Presentation:	No

RECOMMENDATION

Staff recommends that City Council approve the donation from the Yellowstone County DUI Task Force in the amount of $4,000 to fund overtime shifts for special DUI patrols.

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

The Yellowstone County DUI Task Force wishes to donate $4,000 to the Billings Police Department (BPD) to fund overtime for special DUI shifts during peak DUI hours. Council policy requires that any donation greater than $500 must be approved by the City Council. City Council is being asked to accept a donation in the amount of $4,000 from the Yellowstone County DUI Task Force.

ALTERNATIVES

City Council may:

- Approve the $4,000 donation from the Yellowstone County DUI Task Force; or,
- Not Approve the $4,000 donation which will result in the Billings Police Department not running the special DUI patrols, event patrols, and compliance checks.

FISCAL EFFECTS

There is not impact to the General Fund as no match is required.

City Council Regular

Date: 07/26/2021
Title: Acceptance of Quit Claim Deed from Kurt Haeker
Presented by: Debi Meling
Department: Public Works
Presentation: No

RECOMMENDATION

Staff recommends the City Council accept the quit claim deed for Tract 7, COS 550 from Kurt Haeker.

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

Tract 7 of COS 550 recorded under Document No. 500842 is a 10-foot wide strip of land created in 1952, currently owned by Mr. Haeker. This strip of land has functioned as an alley for over 50 years and has therefore created a prescriptive easement for public use. The tract is located between 15th Street West and 16th Street West, north of Burlington Avenue. The tract area is about 0.12 acres. This parcel is unbuildable in the current state. Accepting the deed will clean up property ownership along this alley, allowing a consistent, City-owned alley.

ALTERNATIVES

City Council may:

- Approve and accept the quit claim deed or,
- Not approve and not accept the quit claim deed.

FISCAL EFFECTS

Tract 7 of COS 550 is being deeded to the City by Mr. Haeker at no cost to the City.

Attachments

Property Exhibit
Background Information and Deed

City of Billings

Quit Claim Deed
COS 550, Tract 7

Billings ADMINISTRATION

The parcel data mapped hereon does not constitute a legal survey. Inaccuracies exist with both the mapped data and the Montana Department of Revenue CAMA data; when seeking the definitive description of real property, consult the deed recorded at the Yellowstone County court house.

Legend

- Arterial Street
- Collector Street
- Residential Street
- Area of Interest
- Tax Parcel

N
W E
S

Scale = 1:1,700
Feet
0 125 250

Document Path: \\pwu-w12k07\GIS_Files\Mapping_Projects\Projects\CityAdministration\2021\RFI_0663_Parcel_Map_D01310 [illegible] Date: 7/8/2021

CITY OF
Billings

P.O. Box 1178
Billings, MT 59103
P 406.657.8433
F 406.657.8390

October 12, 2020

Mr. Kurt Haeker
Montana Assets L.L.C.
3340 46th Street West
Billings, MT 59106

Re: Request for City to purchase land

Dear Mr. Haeker:

Thank you for your recent proposal inviting the City to purchase COS 550, Tract 7, Tax ID: D01310. In referring the matter to the City Engineer, it is her position that the City has established a prescriptive easement over Tract 7 as public alley right-of-way pursuant to the City's established definite course - continuously and uninterruptedly - as a public alley for over fifty years. In agreement, the City Attorney opines the City has established an easement for use of this Tract as public alley right-of-way by operation of law as an implied easement from existing use, or by prescription established by the City's definite course of continued and uninterrupted use as public alley right-of-way well over the five years required by Sec. 70-19-404, MCA.

Because the City Engineer advises me the established prescriptive easement over Tract 7 for use as public alley right-of-way is sufficient to meet the needs of the City, I respectfully decline your offer to purchase this land on behalf of the City, at this time. However, should you desire to gratuitously quitclaim deed this Tract to the City, I would be glad to tender your charitable proffer to City Council.

Thank you very much for your time and inquiry.

Sincerely,

Chris A. Kukulski
City Administrator

Montana Assets L.L.C.
3340 46th Street West
Billings, Montana 59106
Cell 406-633-0186 kth@bresnan.net

6/29/2021

Chris A. Kukulski
City Administrator
P.0. Box 1178
Billings MT 59103

Dear Chris

See the letter you sent me. I am taking your suggestion and deeding this to the city.
See the attached quit claim deed.
I lost some money but that happens. However it will be cleared up now and no one will buy the taxes again.

Cordially,

Montana Assets LLC

By Kurt
Kurt Haeker
Manager

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

QUITCLAIM DEED

FOR VALUABLE CONSIDERATION, Kurt Haeker of 3340 46th Street West. Billings, MT 59106 does hereby convey, release, remise and forever quitclaim unto the City of Billings, of P.O Box 1178, Billings, Montana 59103 and assigns, all of the right, title and interest of Kurt Haeker to the following described premises, in Yellowstone County Montana to-wit.

Section 5, Township 1 South, Range 26 East, Certificate of Survey 550, Parcel 7 East 371.66 Feet 3713 Square Feet (03) Yellowstone County, Montana

TO HAVE AND TO HOLD unto the Grantee, and their successors and assigns, forever.

Dated this Date 6/30/2021

Kurt Haeker

Kurt Haeker
State of Montana
County of Yellowstone

On this June 30, 2021 before me, a Notary Public in and for the State of Montana personally appeared Kurt Haeker known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

SHERRY HAFFEY NOTARIAL SEAL STATE OF MONTANA

SHERRY HAFFEY
NOTARY PUBLIC for the
State of Montana
Residing at Billings, Montana
My Commission Expires
May 18, 2025

Printed name: Sherry Haffey
Notary Public for the State of Montana
Residing at Billings
My Commission Expires 5-18-2025

City Council Regular

Date:	07/26/2021
Title:	Amended Lot 5, Block 1, Legacy Subdivision - Final plat
Presented by:	Monica Plecker
Department:	Planning & Community Services
Presentation:	No

RECOMMENDATION

Staff recommends the City Council approve the final plat and SIA of Amended Lot 5, Block 1, Legacy Subdivision.

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

On July 6, 2021, WWC Engineering applied for final minor plat approval for Amended Lot 5, Block 1, Legacy Subdivision. The proposed subdivision creates 2 lots for residential development. The subject property is generally located on the southwest corner of the intersection of Dovetail Avenue and 52nd Street West. The property is zoned Suburban Neighborhood 3 (N3). The land is currently a single large lot within Legacy Subdivision.

ALTERNATIVES

The City Council may approve, conditionally approve or disapprove the final plat of Amended Lot 5, Block 1, Legacy Subdivision. 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.

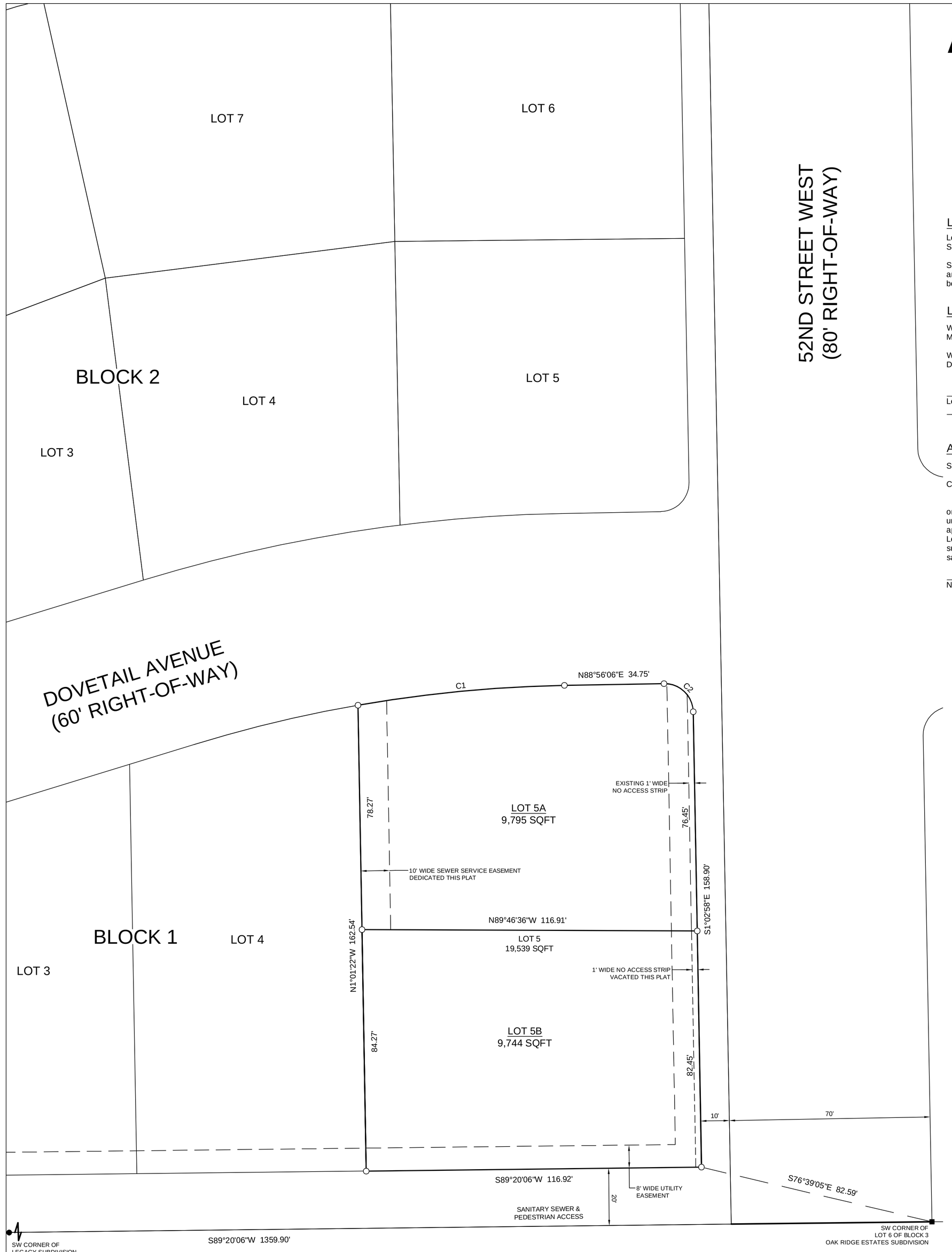
Staff finds the final plat meets the criteria outlined in 76-3-611 above.

FISCAL EFFECTS

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

Attachments

Final Plat
SIA
Conditions of Approval



AMENDED LOT 5, BLOCK 1, LEGACY SUBDIVISION

OF LOT 5 OF BLOCK 1 OF LEGACY SUBDIVISION
WITHIN NW1/4 OF SECTION 4, T01S, R25E, P.M.M.
CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA

PREPARED FOR: LEGACY LLC
DATE SURVEYED: JUNE 2020
PREPARED BY: WWC ENGINEERING

LEGAL DESCRIPTION

Lot 5 of Block 1 of Legacy Subdivision, Document No. 3371148, within NW1/4 of Section 4, T01S, R25E, P.M.M., City of Billings, Yellowstone County, Montana.

Said tract of land contains a gross and net area of 19,539 square feet, more or less, and is subject to any easements, reservations, or other encumbrances that have been legally acquired.

LANDOWNERS CERTIFICATE

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 also hereby certify that this division is not subject to review by Montana Department of Environmental Quality pursuant to ARM 17.36.605(2)(b).

_____ _____
Legacy LLC
_____, Member Representative

ACKNOWLEDGEMENT

State of _____)
) :SS
County of _____)

on this _____ day of _____ , 2021, before me, the undersigned a notary public for the State of _____ , personally appeared _____, a Member Representative for Legacy LLC, 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 _____

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 LOT 5, BLOCK 1, LEGACY SUBDIVISION 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 ENGINEER'S OFFICE

I hereby certify that I have examined the annexed plat and find that it conforms with Section 76-4-125(1)(d) MCA, removing sanitary restrictions since the 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 CITY ATTORNEY

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

Dated this _____ day of _____ , 2021

_____
Reviewed by

CERTIFICATE OF EXAMINING LAND SURVEYOR

Reviewed for errors and omissions in calculations and drafting this _____ day of _____ , 2021, 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 76-3-611(1)(b), 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 June 2020, a survey was performed under his supervision of a tract of land to be known as AMENDED LOT 5, BLOCK 1, LEGACY SUBDIVISION, 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

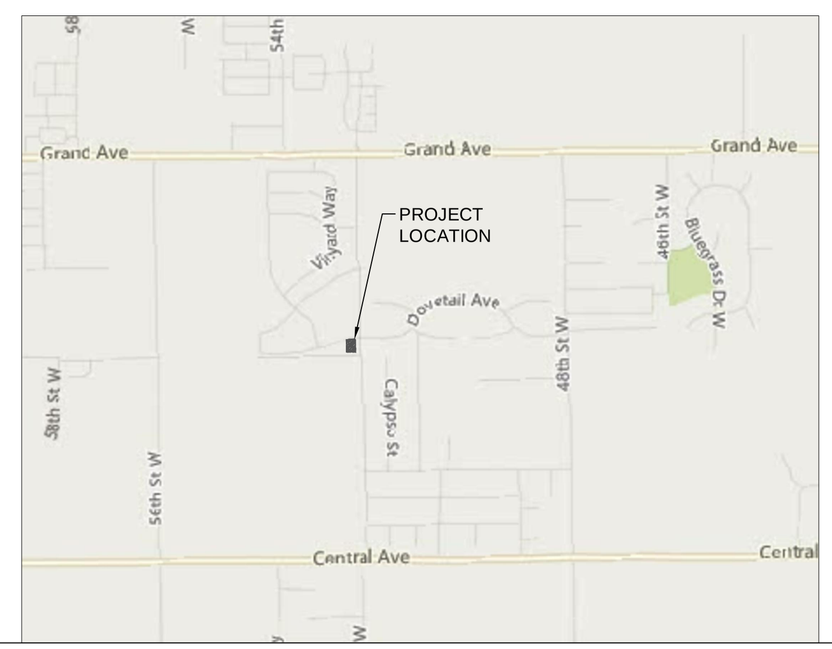
Doucument No. _____

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C1	72.38'	470.06'	8°49'21"	S84°31'25"W	72.31'
C2	15.71'	10.00'	90°00'57"	S46°03'26"E	14.14'

NOTES
1. *BASIS OF BEARING: NAD83(2011) MONTANA STATE PLANE COORDINATE SYSTEM, GRID*
2. *DISTANCES: GROUND, INTERNATIONAL FOOT*

VICINITY MAP

NOT TO SCALE



LEGEND

- SET ½" REBAR W/ PURPLE PLASTIC CAP (BRUCKNER 63052LS)
- FOUND ALUMINUM CAP (SANDERSON STEWART)
- FOUND 5/8" REBAR
- FOUND 1/2" REBAR
- ADJACENT PROPERTY BOUNDARY
- AMENDED PLAT BOUNDARY
- EXISTING 1' NO ACCESS EASEMENT VACATED THIS PLAT
- 1' NO ACCESS EASEMENT DEDICATED THIS PLAT
- EXISTING UTILITY EASEMENT

QRTR.	SEC.	TWP.	RGE.
☒	4	01S	25E

AMENDED PLAT

JOB#: 2020-308

REVISIONS	
Date	By

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

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

PLOT STYLE: WWC COLOR.stb
04/15/2020 11x17 Inches R:\BillingsJ\LAND_DEVELOPMENT\2020\08 Legacy Subdivision Lot Split – Lot 5, Block 1\DCAD\Sheets\Legacy Subdivision-Exhibit.dwg

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

Amended Lot 5, Block 1, Legacy Subdivision
Table of Contents
CITY OF BILLINGS

I. VARIANCES 2
II. PROPERTY CONDITIONS AND INFORMATION FOR LOT PURCHASERS 2
III. TRANSPORTATION 3
Streets 3
Sidewalks 3
Street Lighting 4
Traffic Control Devices 4
Access 4
Billings Area Bikeway and Trails Master Plan (BABTMP) 4
Public Transit 4
IV. EMERGENCY SERVICE 4
V. STORM DRAINAGE 5
VI. UTILITIES 5
Water 6
Sanitary Sewer 6
Power, Telephone, Gas, and Cable Television 6
VII. PARKS/OPEN SPACE 6
VIII. IRRIGATION 6
IX. SOILS/GEOTECHNICAL STUDY 6
XI. FINANCIAL GUARANTEES 7
XII. LEGAL PROVISIONS APPLYING TO SUBDIVIDER 7

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

Amended Lot 5, Block 1, Legacy Subdivision

This agreement is made and entered into this _____day of___, 2021, by and between Legacy LLC whose address for the purpose of this agreement is **P.O. Box 470; Hays, Montana 595270**, 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 Lot 5, Block 1, Legacy Subdivision; and

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

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

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

I. VARIANCES

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. If sidewalk is not constructed within 5 years, the City has the right to construct the sidewalk and assess the property owners.

B. 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 Legacy Subdivision, prepared by Rimrock Engineering, Inc. (February 22, 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.

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. 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 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.

E. 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.

F. 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 width of 60 feet for Dovetail Avenue and 80 feet for 52nd Street West have already been dedicated in previous filings.
- The Owner shall construct public streets, and curb & gutter within the Subdivision. Dovetail Avenue fronting lots within the Subdivision shall be constructed as 40' back of curb to back of curb and 52nd Street West fronting lots within the Subdivision shall be constructed as 32' back of curb to edge of pavement. 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 10-foot boulevard planting strip between the sidewalk and the curb along 52nd Street West frontage of those lots included in the subdivision. Sidewalks shall be 5-foot wide with a 5-foot boulevard planting strip between the sidewalk and the curb along Dovetail Avenue frontage of those lots included in the subdivision.

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 Grand Avenue and Shiloh Road.

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 Legacy 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 Private Contract P-752. The construction costs have been funded through the Private Contract P-752 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 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 City of Billings Public Works Department, Fire Department and the Montana Department of Environmental Quality.

Water

The Private Contract P-752 will install new 12-inch water main along the length of 52nd Street West and new 8-inch main along the length of Dovetail Avenue through the subdivision. New water services will be installed for all lots in the subdivision.

Sanitary Sewer

The Private Contract P-752 will install new 8" sanitary sewer main along the length of Dovetail Avenue. New sewer services will also be installed for all lots in the subdivision. A 10' wide sewer service easement along the west line of Lot 5A will be dedicated for the benefit of Lot 5B.

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 Legacy Subdivision, prepared by Rimrock Engineering, Inc. (February 22, 2019), the subsurface profile generally consists of varying layers of medium stiff to stiff lean clay and sandy silt and loose silty and clayey sand soils. Groundwater was encountered approximate depths ranging from 13 to 15.5 feet while drilling or for the short duration the borings were allowed to remain open. Clay and silt soils are typically poor materials.

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 Private Contract P-752. 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.

XII. LEGAL PROVISIONS APPLYING TO SUBDIVIDER

A. Subdivider agrees to guarantee all public improvements for a period of two years 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"

Legacy, LLC

By: _____

Title: Manager

STATE OF MONTANA)
: ss
County of Yellowstone)

On this 15 day of July, 2021, before me, a Notary Public in and for the State of Montana, personally appeared Doug Wild, a Member Representative for Legacy, LLC, known to me to be the person who executed the foregoing instrument and acknowledged to me that he/she executed the same.

AARON M. REDLAND
NOTARY PUBLIC for the
State of Montana
Residing at Billings,
Montana
My Commission Expires
December 20, 2024

Aaron M Redland
Notary Public in and for the State of Montana
Printed Name: Aaron M Redland
Residing at: Billings, MT
My commission expires: Dec. 20, 2024

This agreement is hereby approved and accepted by the City of Billings, this _____day of _____, 2021.

"CITY"
CITY OF BILLINGS
MONTANA

By: _____
Mayor

Attest: _____
City Clerk

STATE OF MONTANA)
: ss
County of Yellowstone)

On this____ day of _____, 2021, 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 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 Lot 5, Block 1, Legacy Subdivision

Signed and dated this 1 day of July, 2021.

Legacy, LLC
By: _____
Title: Manager

STATE OF MONTANA)
: ss
County of Yellowstone)

On this 15 day of JULY, 2021, before me, a Notary Public in and for the State of Montana, personally appeared DOUG WILD, Member Representative for Legacy, LLC, 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.

AARON REDLAND
Notary Public in and for the State of Montana
Printed name: AARON M REDLAND
Residing at: BILLINGS, MT
My commission expires: DEC. 20, 2024

AARON M. REDLAND NOTARIAL SEAL STATE OF MONTANA

AARON M. REDLAND
NOTARY PUBLIC for the
State of Montana
Residing at Billings,
Montana
My Commission Expires
December 20, 2024

CITY OF
Billings
MAYOR'S OFFICE

Bill Cole, Mayor
P.O. Box 1178
Billings, MT 59103
P 406.657.8296
F 406.657.8390

April 12, 2021

Legacy, LLC
Doug Wild
P.O. Box 470
Hays, MT 59527

Dear Applicant:

On April 12, 2021, the Billings City Council conditionally approved the preliminary plat of Amended Lot 5, Block 1, Legacy Subdivision, subject to the following conditions of approval:

1. Access to the lots will be provided from 52nd Street West, subject to approval by the City Engineering Division.

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: WWC Engineering

City Council Regular

Date:	07/26/2021
Title:	Resolution to repeal the City of Billings' declaration of emergency
Presented by:	Gina Dahl
Department:	Legal
Presentation:	No

RECOMMENDATION

Council directed staff to prepare a resolution to repeal the City of Billings' declaration of emergency due to the COVID-19 pandemic.

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

On March 16, 2020, City Council passed Resolution 20-10856 declaring a state of emergency due to the worldwide outbreak of COVID-19 and the resulting threat posed to the health and welfare to the community of Billings. This resolution was a joint resolution with Yellowstone County.

On June 30, 2021, the Governor issued Executive Order 10-2021, which rescinded the emergency order for Montana based on the state's vaccine distribution plan and the decline of COVID-19-related hospitalizations. The Governor stated in his order that "conditions no longer warrant the continuation of the state of emergency."

It does not appear that rescinding the local declaration will affect any grant applications or affect any federal funding opportunities because it is generally a declaration made at the state level that would have such an impact. Therefore, there is no fiscal reason to maintain the local declaration of a state of emergency.

ALTERNATIVES

City Council may:

- Approve; or,
- Not Approve

FISCAL EFFECTS

The local declaration does not impact any funding decisions, the operative declaration that generally affects federal funding decisions is made at the state level.

Attachments

Joint Yellowstone County / City of Billings Emergency Declaration
Resolution 20-10863 Confirming Mayors Directive Re BLS to ALS Responses
Resolution to repeal emergency declaration

Return To:
Board Clerk

MC 3914534
03/18/2020 09:48 AM Pages: 1 of 4 Fees: 0.00
Jeff Martin Clerk & Recorder, Yellowstone MT

Joint Yellowstone County and City of Billings Emergency Declaration

Resolution No. 20-31

CITY OF BILLINGS RESOLUTION NO. 20-10856

WHEREAS, the World Health Organization has declared the worldwide outbreak of COVID-19 Novel Coronavirus a pandemic;

WHEREAS, on January 31, 2020, United States Health and Human Services Secretary Alex M. Azar declared a public health emergency for the entire United States to aid the nation's healthcare community in responding to COVID-19;

WHEREAS, as of March 10, 2020, the United States Centers for Disease Control and Prevention (CDC) indicates there are over 125,000 confirmed cases of COVID-19 worldwide with over 900 confirmed cases in the United States;

WHEREAS, the Montana Department of Health and Human Services (DPHHS) recognizes COVID-19 as a threat to the residents of Montana;

WHEREAS, although there are presently confirmed cases in Montana, and the Montana DPHHS, local health departments, health and medical departments and local jurisdictions have activated response plans and protocols to combat the virus in Montana;

WHEREAS, local officials are working to identify, contact, and test individuals in the State of Montana who have been potentially exposed to COVID-19 in coordination with the CDC;

WHEREAS, proactively implementing mitigation measures to slow the spread of the virus is in the best interests of the City of Billings and Yellowstone County and its people;

WHEREAS, on March 12, 2020, Governor Bullock declared a state of emergency for Montana as defined in §§10-3-103 and 10-3-302, MCA.

MC 3914534
03/18/2020 09:48 AM Pages: 2 of 4 Fees: 0.00
Jeff Martin Clerk & Recorder, Yellowstone MT

WHEREAS, Section 10-3-103(4) MCA defines "disaster" as the occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural or artificial cause;

WHEREAS, Section 10-3-103(8) MCA defines "emergency" as the imminent threat of a disaster causing immediate peril to life or property that timely action may avert or minimize;

WHEREAS, The Mayor of the City of Billings has the authority to enter into this Joint Declaration under Section 2-903, Billings Montana City Code; and,

WHEREAS, Yellowstone County and the City of Billings are addressing the threat that COVID-19 poses to the health and welfare of its residents and visitors;

WHEREAS, on March 15, 2020, Governor Bullock ordered closed all K-12 schools for a period of two (2) weeks;

NOW, THEREFORE, BE IT RESOLVED pursuant to Title 10, Chapter 3, Part 4, MCA, the Yellowstone County Commission and the Billings City Council declare that an emergency for Yellowstone County and the City of Billings is posed.

IN ADDITION, by this declaration we direct the implementation of the Comprehensive Emergency Management Plan and authorize all necessary County and/or City agencies, including but not limited to the Yellowstone County Emergency Operations Center, to take appropriate action to assist the County and City and individuals in containing, preparing for, responding to and recovering from this disaster emergency, to protect County and local property, and to provide such other assistance as is necessary to protect the public health, welfare, and safety. Included is necessary testing, equipment such as Personal Protective Equipment (PPE) and other materials and supplies deemed necessary to assist with finding, preventing and combatting the virus.

MC 3914534
03/18/2020 09:48 AM Pages: 3 of 4 Fees: 0.00
Jeff Martin Clerk & Recorder, Yellowstone MT

BE IT FURTHER RESOLVED that copies of this resolution will be filed with the Yellowstone County Clerk and Recorder.

PASSED AND ADOPTED this 16th day of March 2020.

BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA

Denis Pitman, Chairman

ATTEST:

Donald W. Jones, Member

Jeff Martin, Clerk and Recorder

John Ostlund, Member

STATE OF MONTANA)
:
County of Yellowstone)

On the 16th day of March, 2020, before me, a Notary Public in and for the State of Montana, personally appeared Denis Pitman, Chairman, Donald W. Jones, John Ostlund and Jeff Martin know to me to be the Board of County Commissioners and the Clerk and Recorder of Yellowstone County, Montana, and who signed the foregoing instrument and who acknowledged to me that they executed the same.

WITNESS my hand and seal the day and year hereinabove written.

TERI REITZ NOTARIAL SEAL STATE OF MONTANA

TERI REITZ
NOTARY PUBLIC for the
State of Montana
Residing at Billings, Montana
My Commission Expires
February 27, 2022

MC 3914534
03/18/2020 09:48 AM Pages: 4 of 4 Fees: 0.00
Jeff Martin Clerk & Recorder, Yellowstone MT

CITY OF BILLINGS:

BY: William A Cole
William A. Cole, Mayor

ATTEST:

CITY OF BILLINGS * YELLOWSTONE COUNTY, MONTANA * SEAL

BY: Denise R. Bohlman
Denise R. Bohlman, City Clerk

CERTIFICATE

STATE OF MONTANA } SS
County of Yellowstone }

I hereby certify that this sheet, and all sheets identified by impression of my Official Seal, are each and all true and correct copies of originals filed in my office on 3/18/2020 at 9:48 o'clock A M, under Document Number 3914534.

IN TESTIMONY WHEREOF, I have here unto set my hand and affixed my seal of Office 3/18/2020.

JEFF MARTIN
County Clerk & Recorder

By: JMC
Deputy

RESOLUTION 20-10863

A RESOLUTION CONFIRMING THE MAYOR'S DIRECTIVE UNDER SECTIONS 2-903(2) AND 2-905, BMCC, TO ALLOW BASIC LIFE SUPPORT LEVEL RESPONSE TO CERTAIN EMERGENCY MEDICAL CALLS BY AMERCIAN MEDICAL RESPONSE AS DIRECTED BY ITS MEDICAL CONTROL PHYSICIAN

WHEREAS, the COVID-19 nationwide emergency has placed an extraordinary and unprecedented demand upon the emergency medical system; and

WHEREAS, American Medical Response (AMR) is required to operate within the City of Billings under a 24 hour/7 day a week Advanced Life Support (ALS) license as required by Sections 15-703 (2) and (3), BMCC; and

WHEREAS in order to be more efficient in the resource allocation of emergency services and equipment during the COVID-19 emergency, in addition to its Advanced Life Support (ALS) services, AMR has requested that it be allowed to operate under a Basic Life Support (BLS) level in responding to certain specific emergency calls for service as supervised by its Medical Control physician, and

WHEREAS, the Mayor has agreed with such request and on April 4, 2020, issued a directive to authorize such responses under the emergency authority granted to the Mayor in Sections 2-903(2) and (3), BMCC, which has the effect of an ordinance under section 2-903(2), and

WHEREAS, Section 2-903(2) requires that the City Council later confirm the Mayor's emergency directive, and

WHEREAS, the City Council, during its April 13, 2020 Regular Business Meeting, approved an amendment to the language contained in the Mayor's emergency directive of April 4, 2020, and that amendment is reflected in this Resolution, see Exhibit A attached.

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

1. EMERGENCY DIRECTIVE CONFIRMED. The emergency directive from the Mayor to the City Administrator authorizing a temporary licensing authority to American Medical Response under Section 15-703(2) and (3), BMCC, to include Basic Life Support services along with and to supplement current Advanced Life Support services at the direction of and upon the supervision of its local Medical Control physician is hereby confirmed and approved by the City Council. Such sections shall read as follows:

   Sec. 15-703. - Criteria for license.

Any person desiring to obtain the license required by this article shall demonstrate the ability to meet the following requirements:

...

(2) *"During an emergency as declared by the Mayor that permits a Basic Life Support (BLS) response under specific circumstances as determined by the appropriate medical control physician, Basic Life Support response will be limited to low acuity call response codes known as Alpha and Bravo. This temporary change shall not reduce the response requirement to calls coded for ALS (Charlie, Delta and Echo). Therefore, ~~T~~the applicant must otherwise provide emergency medical services at the advanced life support level throughout the city, twenty-four (24) hours per day, seven (7) days per week..*

Except as provided in subsection (2), ~~T~~the applicant must have adequate personnel, vehicles, equipment and facilities to respond at the advanced life support level to emergency calls to all locations within the corporate limits of the city within eight (8) minutes or less on at least ninety (90) percent of such calls. The response time does not apply to calls that have been screened by 9-1-1 dispatch and are dispatched to an ambulance with the specific statement that it is "no code," mean not life threatening."

2. EFFECT AND DURATION OF CONFIRMATION. Pursuant to Section 2-908, BMCC, this confirmation shall act as a temporary emergency amendment to the emergency services licensing requirements at section 15-703(2) and (3), until such time as expiration of any declaration of emergency applicable to residents of the City of Billings or the majority vote of the city council terminating the emergency directive referenced in Paragraph 1, whichever occurs first.

PASSED AND ADOPTED by the City Council of the City of Billings, Montana, this 13th day of April, 2020.

CITY OF BILLINGS

By: William A. Cole
William A. Cole, Mayor

CITY OF BILLINGS * YELLOWSTONE COUNTY, MONTANA * SEAL

ATTEST:

By: Denise R. Bohlman
Denise R. Bohlman, City Clerk

Exhibit A

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

April 20, 2020

Chris Kukulski
City of Billings
210 N. 27th Street
Billings, MT 59101

Dear Mr. Kukulski:

This letter amends the emergency directive included in my letter of April 4, 2020 relating to the level of emergency response described in Billings Montana City Code, Section 15-703(2) and (3).

Consistent with Section 2-903(2), BMCC, the City Council considered my April 4, 2020 directive at its regular business meeting held on April 13, 2020. More specifically, the council voted to confirm the temporary directive but with an amendment to the new language that was included in the original directive.

In accordance with the action taken by the City Council, Section 15-703(2) and (3), BMCC, are therefore hereby amended to provide as follows during the course of the current emergency.

Sec. 15-703. - Criteria for license.

Any person desiring to obtain the license required by this article shall demonstrate the ability to meet the following requirements:

. . . . .

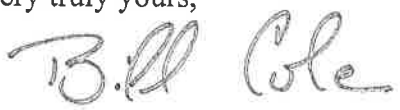
(2) During an emergency as declared by the Mayor that permits a Basic Life Support level of response under specific circumstances as determined by the appropriate medical control physician, Basic Life Support response will be limited to low acuity call response codes known as Alpha and Bravo. This temporary change shall not reduce the response requirement to calls coded for ALS (Charlie, Delta and Echo). Therefore, ~~T~~the applicant must otherwise provide emergency medical services at the advanced life support level throughout the city, twenty-four (24) hours per day, seven (7) days per week.

(3) Except as provided in subsection (2), ~~T~~the applicant must have adequate personnel, vehicles, equipment and facilities to respond at the advanced life support level to emergency calls to all locations within the corporate limits of the city within eight (8)

minutes or less on at least ninety (90) percent of such calls. The response time does not apply to calls that have been screened by 9-1-1 dispatch and are dispatched to an ambulance with the specific statement that it is "no code," mean not life threatening.

Please contact me if you have any questions.

Very truly yours,



William A. Cole, Mayor
City of Billings

cc: Rocco Roncarati, Regional Director, American Medical Response
Bill Rash, Chief, Billings Fire Department
Kevin Iffland, Assistant City Administrator
Brent Brooks, Billings City Attorney

RESOLUTION NO. 21-__

A RESOLUTION REPEALING RESOLUTION 20-10856 THAT DECLARED A STATE OF EMERGENCY IN THE CITY OF BILLINGS.

WHEREAS, on March 16, 2020, the City of Billings and Yellowstone County jointly declared a state of local disaster emergency due to the imminent threat of widespread loss of life resulting from worldwide outbreak of COVID-19;

WHEREAS, the Billings City Council wishes to repeal Resolution 20-10856 and any subsequent orders related to Resolution 20-10856 including, but not limited to, Resolution 20-10863.

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

1. Resolution 20-10856, and any related orders or directives, including but not limited to Resolution 20-10863, are hereby repealed.

2. Copies of this Resolution will be filed with the Yellowstone County Clerk and Recorder, the Billings City Clerk, and the Yellowstone County/City of Billings Disaster and Emergency Services Coordinator.

APPROVED AND PASSED by the Billings City Council this _____ day of _____,

2021.

CITY OF BILLINGS

By_____
William A. Cole, Mayor

ATTEST:

_____
Denise Bohlman, City Clerk

City Council Regular

Date:	07/26/2021
Title:	Ward Boundary Expansion Ordinance Second Reading - Annexation 21-03
Presented by:	Monica Plecker
Department:	Planning & Community Services
Presentation:	No

RECOMMENDATION

Staff recommends the City Council approve this ordinance on second reading, adding recently annexed property to Ward I. The Council passed this ordinance on first reading at its meeting on July 12.

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

Jason D. Adkins submitted a petition to annex land using the provisions of Section 7-2-4600, MCA. The property is located on Jackson Street. The property is described Tract B-2, of Amended Tract B of Certificate of Survey No. 2367 M, recorded September 27, 2012, under Document No. 3640039, on file and of record in the Records of Yellowstone County. Including all adjacent rights-of-way of Jackson Street and King Avenue East. The property contains 3.574 gross and 3.522 net acres more or less.

Upon Council approval, this annexation requires a change in the boundaries of Ward I. Two readings are required for this action. The first reading and hearing was approved on July 12th. This is the second reading.

ALTERNATIVES

City Council may:

- Approve adding the subject property to Ward I, or;
- Disapprove adding the subject property to Ward I.

Disapproval will not modify the boundary of Ward I and will create a problem where property inside the City Limits is not within a City Ward.

FISCAL EFFECTS

This item has no impact on the Planning Division Budget.

Attachments

ORDINANCE NO. 21-_____

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

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

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

A tract of land situated in the SW 1/4 of Section 10, T.1S., R.26E, P.M.M., Yellowstone County, Montana, more particularly described as follows:

Tract B-2, of Amended Tract B of Certificate of Survey No. 2367 M, recorded September 27, 2012, under Document No. 3640039, on file and of record in the Records of Yellowstone County.

Including all adjacent rights-of-way of Jackson Street and King Avenue East.

Said tract of land containing 3.574 gross and 3.522 net acres more or less.

(#21-03) See Exhibit "A" Attached

CERTIFICATION. Pursuant to M.C.A. Section 13-3-103, the above change and alteration is hereby certified to the election administrator by the City Council, and the City Administrator or his designee is hereby directed to certify the changes and alterations and to deliver a map showing the boundaries of the ward, the streets, avenues and alleys by name and the ward by number, to the

election administrator not more than ten (10) days after the effective date of this ordinance.

3. REPEALER. All other ordinances, sections of the Billings Municipal Code and ordinances inconsistent herewith are hereby repealed.

PASSED by the City Council on the first reading this 12th day of July, 2021.

PASSED by the City Council on the second reading this 26th day of July, 2021.

THE CITY OF BILLINGS:

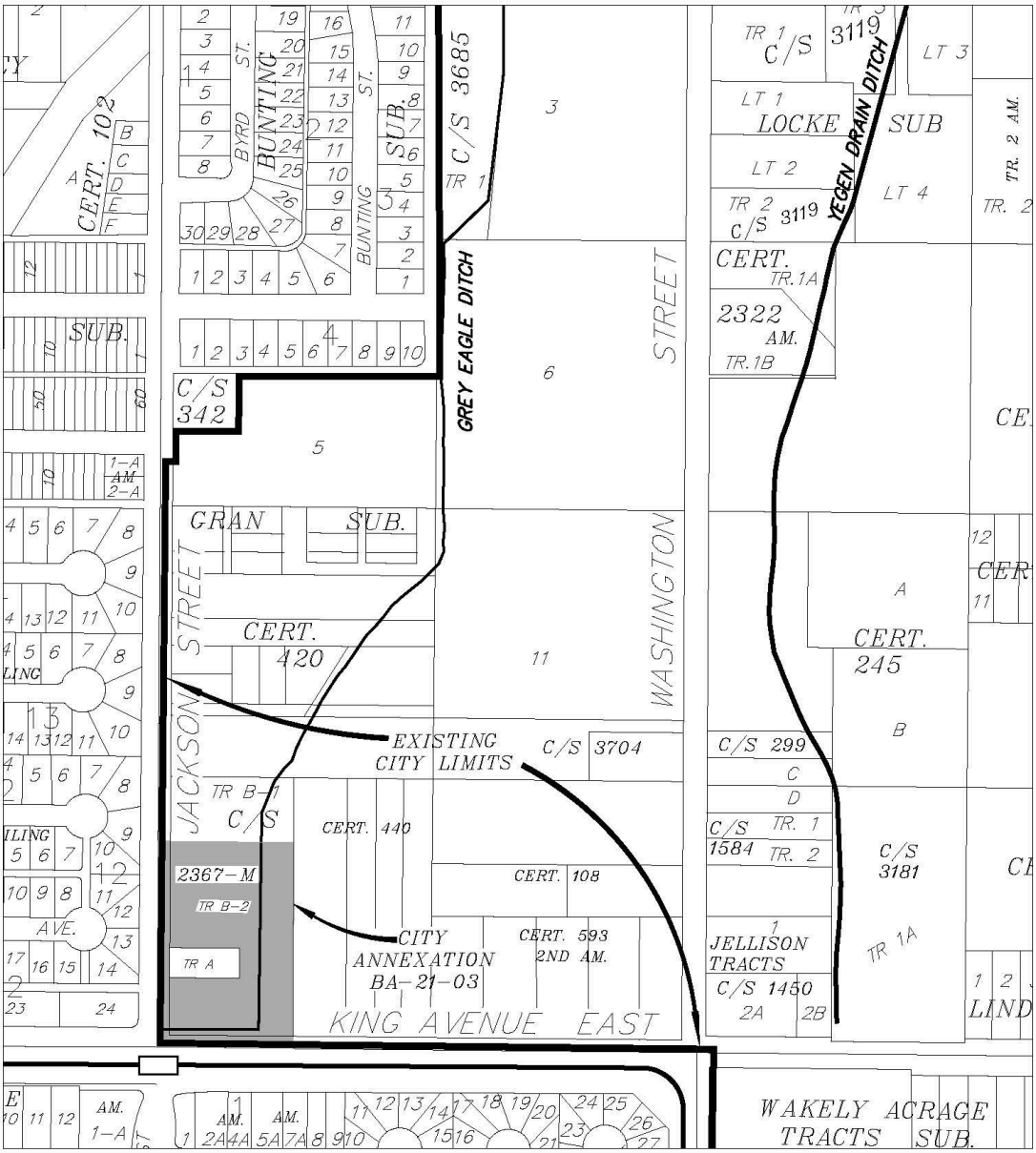
_____
William A. Cole, MAYOR

ATTEST:

BY: _____
Denise Bohlman, CITY CLERK

(#21-03)

EXHIBIT BA-21-03



City Council Regular

Date:	07/26/2021
Title:	Ward Boundary Expansion Ordinance Second Reading - Annexation 21-04
Presented by:	Monica Plecker
Department:	Planning & Community Services
Presentation:	No

RECOMMENDATION

Staff recommends the City Council approve this ordinance on second reading, adding recently annexed property to Ward III.

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

Torgerson's Real Estate Holdings, LLC. submitted a petition to annex land using the provisions of Section 7-2-4600, MCA. The property is located south of the South Frontage Road. The property is legally described as Fractions of Government Lots 2 and 3, Section 15, T.1S., R.26E., P.M.M., Yellowstone County, Montana, being unplatted. Said tract of land containing an area of 35.94 acres more or less.

Upon Council approval, this annexation requires a change in the boundaries of Ward III. Two readings are required for this action. Council approved the ordinance on first reading July 12, 2021, along with a public hearing, and the second reading is scheduled for tonight, July 26, 2021.

ALTERNATIVES

City Council may:

- Approve adding the subject property to Ward III, or;
- Disapprove adding the subject property to Ward III.

Disapproval will not modify the boundary of Ward III and will create a problem where property inside the City Limits is not within a City Ward.

FISCAL EFFECTS

This item has no impact on the Planning Division Budget.

Attachments

ORDINANCE NO. 21-_____

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

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

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

Tracts of land situated in the N1/2 of Section 15, T.1S., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as:

Fractions of Government Lots 2 and 3, Section 15, T.1S., R.26E., P.M.M., Yellowstone County, Montana, being unplatted land wholly surrounded on the West by Tract 5 (Washington Street Right-Of-Way) of Certificate of Survey 1121, Recorded June 18, 1969, under Document Number 843148, on the South by the Yellowstone River, on the East by the Yellowstone River and Tract 1 of Certificate of Survey Number 1591, Recorded August 20, 1976, under Document No. 1026729, Records of Yellowstone County, on the North by Tract 1 of Certificate of Survey Number 1596, Recorded September 16, 1976, under Document No. 1029099, Records of Yellowstone County, and South Frontage Road Right-Of-Way.

Said tract of land containing an area of 35.94 acres more or less. (#21-04)

See Exhibit "A" Attached

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

3. REPEALER. All other ordinances, sections of the Billings Municipal Code and ordinances inconsistent herewith are hereby repealed.

PASSED by the City Council on the first reading this 12th day of July, 2021.

PASSED by the City Council on the second reading this 26th day of July, 2021.

THE CITY OF BILLINGS:

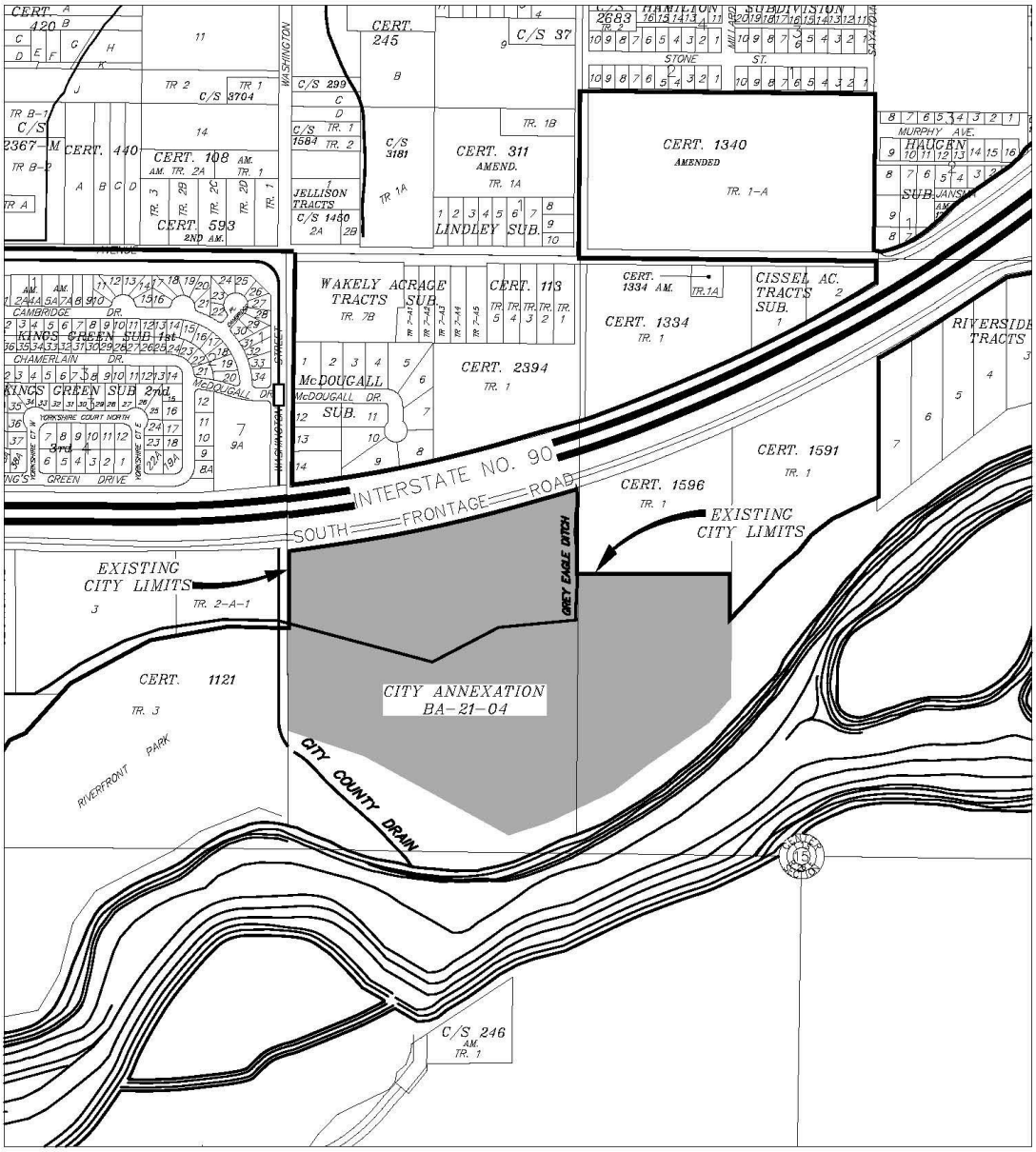
_____
William A. Cole, MAYOR

ATTEST:

BY: _____
Denise Bohlman, CITY CLERK

(#21-04)

EXHIBIT BA-21-04



City Council Regular

Date:	07/26/2021
Title:	Ward Boundary Expansion Ordinance Second Reading - Annexation 21-05
Presented by:	Monica Plecker
Department:	Planning & Community Services
Presentation:	No

RECOMMENDATION

Staff recommends the City Council approve this ordinance on second reading, adding recently annexed property to Ward III. The City Council conducted a public hearing and passed the first reading on July 12, 2021.

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

On May 10th the City Council was asked to begin the process to annex City owned property to enable future access to municipal services as the property is master planned for City operations expansion and to bring the property into the South Billings Urban Renewal District (SBBURD). State Law under 7-2-43 MCA provides municipalities the authority to annex contiguous land. The subject property is 22.90 gross acres of land owned by the City of Billings and located at 6014 South Billings Boulevard, directly south of the current Billings Operation Center, and contiguous to the City Limits. The property is legally described as a tract of land situated in the SE 1/4 of Section 17, and the NW1/4 and the SW 1/4 of Section 16, T.1S., R.26E, P.M.M., Yellowstone County, Montana, more particularly described as follows: Being the N1/2, N1/2, N1/2, SE1/4 of Section 17, T.1S., R.26E, P.M.M., Yellowstone County, Montana. Including all adjacent rights-of-way of Montana State Highway No. 416. Upon Council approval, this annexation requires a change in the boundaries of Ward III. Two readings are required for this action. The first reading of the ordinance and public hearing was held on July 12, 2021. This is the second reading.

ALTERNATIVES

City Council may:

- Approve adding the subject property to Ward III, or;
- Disapprove adding the subject property to Ward III. Disapproval will not modify the boundary of Ward III and will create a problem where property inside the City Limits is not within a City Ward.

FISCAL EFFECTS

This item has no impact on the Planning Division Budget.

Attachments

Draft Ordinance

ORDINANCE 21-_____

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

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

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

   A tract of land situated in the SE 1/4 of Section 17, and the NW1/4 and the SW 1/4 of Section 16, T.1S., R.26E, P.M.M., Yellowstone County, Montana, more particularly described as follows:

   Being the N1/2, N1/2, N1/2, SE1/4 of Section 17, T.1S., R.26E, P.M.M., Yellowstone County, Montana.

   Including all adjacent rights-of-way of Montana State Highway No. 416. Said annexation containing 22.900 gross and 19.923 net acres more or less.(#21-05) See Exhibit "A" Attached

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

3. REPEALER. All other ordinances, sections of the Billings Municipal Code and ordinances inconsistent herewith are hereby repealed.

PASSED by the City Council on the first reading this 12th day of July, 2021.

PASSED by the City Council on the second reading this 26th day of July, 2021.

CITY OF BILLINGS:

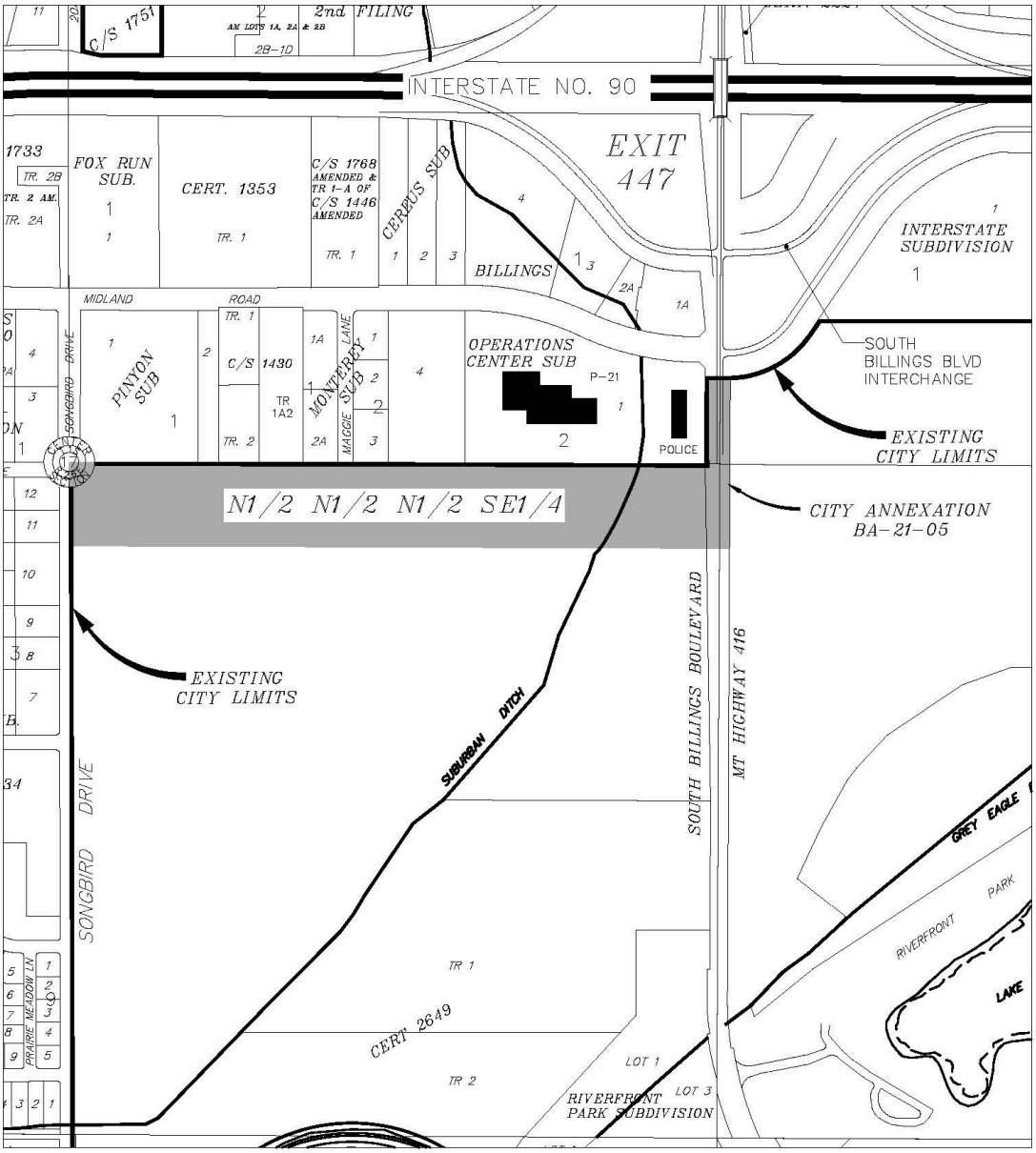
By: _____
William A. Cole, Mayor

ATTEST:

BY: _____
Denise Bohlman, City Clerk

(#21-05)

EXHIBIT BA-21-05



City Council Regular

Date:	07/26/2021
Title:	SBBURD - Second and Final Reading of Ordinance to Expand the District
Presented by:	Wyeth Friday
Department:	Planning & Community Services
Presentation:	No

RECOMMENDATION

The City Council at its meeting on July 12 conducted a public hearing and approved the ordinance on first reading to expand the boundary of the South Billings Boulevard Urban Renewal District (SBBURD) and adopt a modified Urban Renewal Plan, including a tax increment provision. Ordinances require two readings and so the Council is scheduled to complete 2nd reading of this ordinance at this meeting. The South Billings Urban Renewal Association and City staff recommends the City Council adopt on second reading the ordinance to expand the boundary of the South Billings Boulevard Urban Renewal District (SBBURD).

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

The existing South Billings Boulevard Urban Renewal District (SBBURD) boundary may be modified by ordinance in accordance with the procedure described in M.C.A. § 7-15-4221. The City Council at its meeting on July 12 conducted a public hearing and approved the ordinance on first reading to expand the boundary of the SBBURD and adopt a modified Urban Renewal Plan, including a tax increment provision. Ordinances require two readings and so the Council is scheduled to complete 2nd reading of this ordinance at this meeting.

City Council at its December 7, 2020 Work Session directed staff to move forward with the process to expand the SBBURD in 2021. The SBURA Board voted at its April 6 meeting to affirm its support for expansion of the SBBURD by the City. The City Council approved a resolution of intent to expand the District at its May 10 meeting as the first formal step for the City Council to move the process forward, and then approved first reading of the expansion ordinance at the July 12 meeting.

South Billings Urban Renewal Association Coordinator Jim Tevlin working with City staff in the past year and a half has been in contact with property owners and agents interested in having property included in the South Billings Boulevard Urban Renewal District. Several of these properties face significant hurdles to development with property conditions and cleanups, and public infrastructure needs that align with the goals and purpose of urban renewal efforts in South Billings. City staff also is proposing that recently purchased City property just south of the Billings Operation Center be included in the District expansion. The total acreage of all of the property under consideration is about 80 acres. Several of the properties to be included in the District expansion (See properties described below) had to be annexed into the City and zoned to city zoning districts prior to the Council formally expanding the SBBURD. These annexations and zone changes were approved by the Council at its meeting on July 12.

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The District was formed and amended in 2008, and the Urban Renewal Plan for the District was amended in 2019. However, the District boundary has not been expanded since 2008. While expanding urban renewal districts is not common, it is a tool available to communities under the urban renewal laws, and Billings has most recently used the tool in the East Billings Urban Renewal District in 2015. The process mirrors the process to create a district, with Council taking action on a resolution of intent to expand the District, updated Urban Renewal Plan, notification of property owners that would be included in the expansion, Planning Board review of expansion, legal notice of public hearing, and final Council action to expand the District.

The following properties are proposed in the attached Ordinance to be included in the SBBURD expansion:

Adkins Property - Northeast corner of the intersection of Jackson Street and King Avenue East, about 4 acres, owned by Jason Adkins with an in-holding owned by Robert Ronshaugen. The in-holding property will not be annexed to the City or included in the District expansion at this time. Property has some possible characteristics of blight and also would involve frontage and infrastructure improvements along King Avenue East and Jackson Street to facilitate development.

Compton Property - 3218 South Frontage Road, about 17 acres, owned by KSKC Properties, LLC (Tim Compton). Property is former Knife River gravel pit that was remediated, annexed into the City and sold to KSKC Properties,

LLC in 2011. Property requires remediation work to develop due to the fill material on the site. Water and sewer infrastructure extensions and access are significant in this area, but improvements would benefit this and other properties in the area to access City services.

Torgerson (formerly Driscoll) Property - 3508 South Frontage Road, about 36 acres. Development would involve significant frontage and infrastructure improvements along the South Frontage Road.

Hogan Property - 3716 South Frontage Road, about 3.6 acres, owned by Evolution HC, LLC. Property was Annexed by the City Council in November 2020.

City Property - West of South Billings Boulevard and south of the Billings Operation Center on Midland Road, about 20 acres, owned by the City of Billings. The property is agricultural land and will be used to expand City services in connection with the Operations Center and other city services needs in the future. No master plan for future facilities has been developed at this time.

City staff find that several of these properties have qualifying conditions per MCA 7-15-4202 and 7-15-4206 (2), that all of them require public infrastructure improvements as identified in the 2008 and 2019 project and program recommendations of the adopted SBBURD Urban Renewal Plan, and that including some, or all, of these properties in the District would ensure development with municipal services and building to the infrastructure, site, land use and building requirements and standards of the City of Billings.

DETERMINATION OF BLIGHT

As described above, the proposed SBBURD Expansion area contains a number of underdeveloped properties and areas lacking complete infrastructure. The Council previously determined that the property included in the SBBURD was "blighted" in its adoption of Ordinance #08-5462 and Ordinance #08-5484 that (a) created the SBBURD and (b) adopted an urban renewal plan for the district. Deficiencies in public and private properties located in the district led to a determination of blight, as defined by state statute. As cited in the current Urban Renewal Plan, the area still meets several definitions of blight. Further details of the determinations summarized below are found in Section 5 of the SBBURD Plan Amendment attached to this memo: Deficient Structures - buildings, street infrastructure, water and sewer infrastructure, stormwater infrastructure; Deficient Land Use - surface storage lots, vacant lots; Protecting Public Health and Safety- conditions of blight, reduced "social capital" and community connectedness. The City desires to improve the quality of land use, city infrastructure and economic development potential of these properties by including them in the SBBURD to construct needed public infrastructure improvements, grow the tax base, increase the inventory of residential property, stimulate commercial development, and further implement the visions of the SBBURD Master Plan.

PROCEDURAL HISTORY

- On December 7, 2020, the Council heard a presentation on expansion of the SBBURD and directed staff to move the process forward in 2021.
- On April 6 the South Billings Urban Renewal Association (SBURA) affirmed its support of expansion of the SBBURD.
- On April 13, 2021, the Yellowstone County Board of Planning acted affirmatively on a recommendation to the City Council as to the SBBURD expansion's consistency with the 2016 City of Billings Growth Policy.
- On May 10, the City Council approved the Resolution of Intent to Modify the District, Declare Blight, and set a public hearing date for July 12.
- On July 12, the Council annexed and zoned several properties to be included in the District, conducted a public hearing and approved first reading on the ordinance to expand the SBBURD.
- The Council will conduct a second reading of the ordinance on July 26. The ordinance will take effect 30 days after second reading.

Conformance with the City of Billings 2016 Growth Policy is one requirement for expanding an urban renewal district. Growth Policy conformance is outlined in **Section 14 of the SBBURD Urban Renewal Plan Amendment** and **Section 10 SBBURD Expansion Summary Document,** both attached to this memo. Further, the Yellowstone County Board of Planning provided a recommendation to the City Council on the proposed SBBURD expansion's conformance with the 2016 Growth Policy (See attached Planning Board Letter).

STAKEHOLDERS

The owners of the properties to be included in the modified SBBURD area were officially notified via letter in accordance with 7-15-4215, MCA, of the public hearing on the modified SBBURD held on July 12. Notification of the public hearing by the City Council on July 12, also was properly advertised in the *Yellowstone County News.* All

noticing and hearing requirements have been met for this item.

ALTERNATIVES

City Council may:

- Approve the ordinance on second reading to expand the SBBURD; or
- Not approve the ordinance on second reading to expand the SBBURD. Council's actions on July 12 to annex property and zone it for inclusion in the SBBURD were all steps to complete this District expansion. Not approving the expansion on second reading would create confusion and potentially process issues for property owners and staff.

FISCAL EFFECTS

The exact financial impact of modifying the SBBURD is unknown. However, the 2020 taxable market value of the 4 private properties to be included in the modified SBBURD is approximately $22,500. The purpose of an urban renewal and tax increment district is for the public to invest in infrastructure and thereby encourage private investment that increases the taxable value. Without the public investment, it is assumed that the private investment would be delayed or would not occur on these properties, thus there is no "loss" of taxes from freezing the taxable value base because all taxing entities continue to collect taxes on the base value as it is today.

Attachments

SBBURD Expansion Summary Description
SBBURD Amendment Ordinance
SBBURD Urban Renewal Plan
Planning Board Growth Policy Conformance

SUMMARY DOCUMENT

2021 Expansion of the South Billings Boulevard Urban Renewal District & Amendment to the Urban Renewal Plan

South Billings Urban Renewal Association
Statement of Position

Presented to
City of Billings Planning & Community Services Department

South Billings Urban Renewal Association (SBURA)
PO Box 21271
Billings, MT 59104

Consultant: James Tevlin
Email: jtev1960@gmail.com

Section 1 – Introduction

On May 12, 2008, the City of Billings (i.e., "the City") adopted Ordinance 08-5462 creating the South Billings Boulevard Urban Renewal District (SBBURD) and established a tax increment finance district (i.e., "the District"). Concurrently, the City adopted an Urban Renewal Plan and established the boundaries of the District.

On December 8, 2008, the City adopted Ordinance 08-5484, which expanded the District to its current boundaries (see Appendix I).

On July 22, 2019, the City adopted Ordinance 19-5725, that modified the Urban Renewal Plan for purposes of identifying future projects/programs, ensuring the City has the option to bond future projects and updating the 2008 Plan to reflect the 2019 amendment process.

In summer 2020, City staff in coordination with the South Billings Urban Renewal Association and its consultant, began discussion of expanding the District Boundary to include additional properties. The proposed expansion as brought to the City Council at a December 2020 Work Session for review and discussion. The Council at that meeting directed staff to move the process to expand the District forward in 2021. The properties proposed for expansion, as discussed below, have growth opportunities, consistent with the District's Master and Urban Renewal Plans, that will result in favorable economic development, public infrastructure and amenities.

Section 2 – Background

In 2008, the Billings City Council established an urban renewal area (subsequently known as the South Billings Boulevard Urban Renewal District) by resolution declaring the area contains structures and property that are:

- in a state of substantial deterioration,
- are obsolete or defective,
- pose unsanitary or unsafe conditions,
- are vacant and unused,
- have inappropriate uses.

Additionally, the Council believed the condition of the area:

- substantially impairs the sound functioning of the South Billings Boulevard area and its environs,
- is conducive to juvenile delinquency and crime,
- poses the threat of vandalism or mischief and fire and loss,

- constitutes an economic and social liability,
- and is a menace to the public health, safety and welfare of the residents of the City.

The Council also considered urban renewal opportunities in the District consisting of:

- the acquisition of certain vacant or blighted properties,
- demolishing the blighted structures thereon,
- improving such properties with landscaping, utilities and other similar improvements,
- assembling and making such properties so improved available for private redevelopment in accordance with Montana Code Annotated, Title 7, Chapter 15, Parts 42 and 43, as amended.

The Council currently has a Memorandum of Understanding between the City of Billings and the South Billings Urban Renewal Association (SBURA) that designates the SBURA as the advisory group tasked with managing the District's redevelopment efforts.

Section 3 – Summary of Urban Renewal Efforts

Since the District's inception, the Council has invested the incremental growth in tax revenues over and above the base year value in over $20 million in redevelopment projects. Listed below are the most noteworthy investments from January 1, 2013 to December 31, 2020 (in thousands):

1. Newman Lane	$ 207
2. Midland Rd	3,109
3. TIF Master Plan	276
4. Sewer Phase I&II	2,470
5. Calhoun Lane	2,222
6. Amend Park Land	943
7. Optimist Park Improvements	380
8. Orchard Lane	3,897
9. Elementary school/ Boys & Girls Club	201
10. King Ave East	2,394
11. Amend Park Field Turf	1,565
12. Business development	766
13. Police Evidence Center	919
	$19,349

The base year taxable value of $7,046,472 has increased approximately 35% to $12,284,446 (as of 2020). The annual tax increment has grown to approximately $3.6 million as of 2020. When the District sunsets in 2040, its taxable value will increase

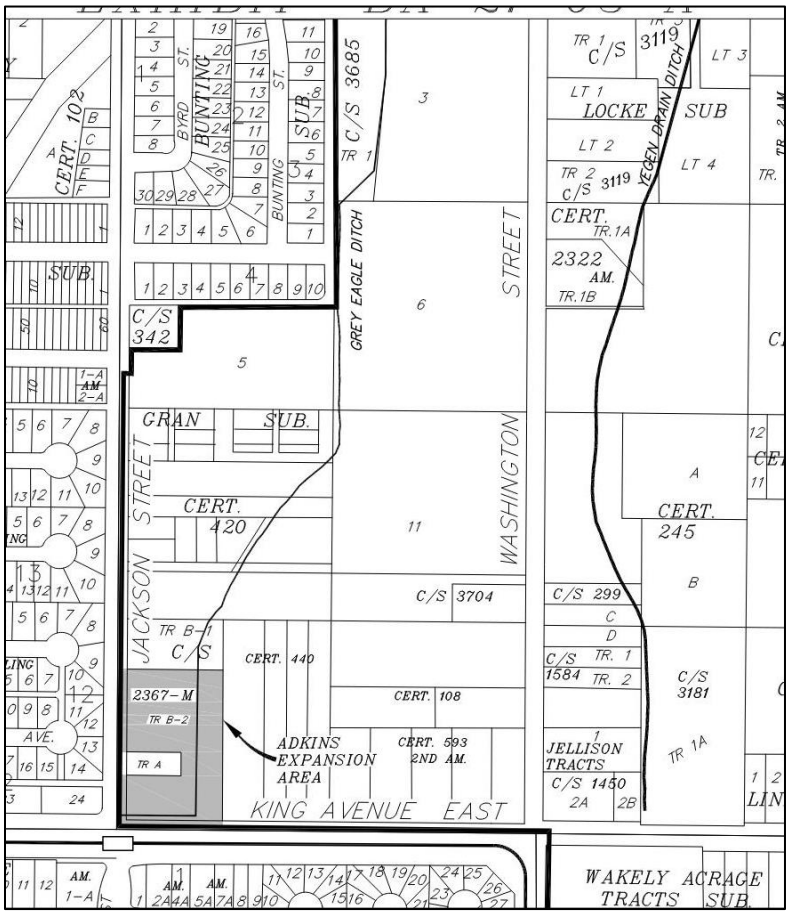
(assuming a 2% annual growth rate) to approximately $17.9 million, thus returning to the City about $7.5 million annually in deferred tax revenue.

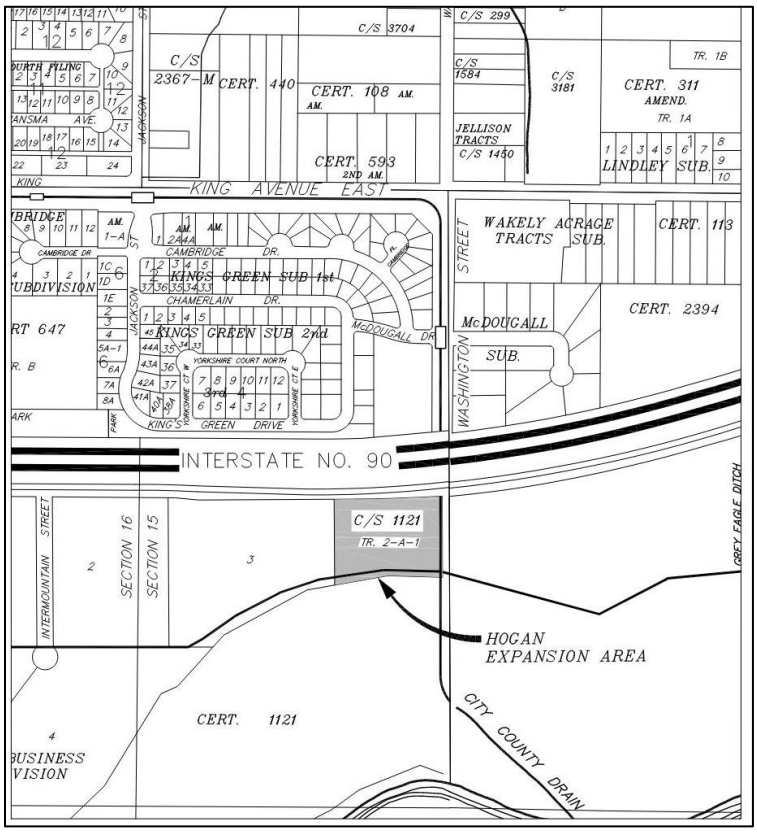
Most of the infrastructure projects (i.e., roads & sewers) identified in the District's Urban Renewal and Master Plans have been accomplished or will likely be accomplished in the next few years. The afore-mentioned master plans also emphasize the establishment and/or redevelopment of neighborhoods. Consequently, the SBURA seeks to invest tax increment funds to help facilitate the creation of attractive neighborhoods through the elimination of blight and the development of affordable housing opportunities across a wide range of socio-economic groups. The SBURA also recognizes that there are promising opportunities for commercial investment along the I-90 corridor. Lastly, the Amend Park area has the potential to become the focal point for athletics in the greater Billings area through the development of recreational facilities and team sports venues.

Section 4 - Properties to be Annexed to the SBBURD

There are five properties identified for inclusion in the District. Four of these properties are privately owned. The City of Billings owns the other property.

The Exhibits below identify the location of the five properties.

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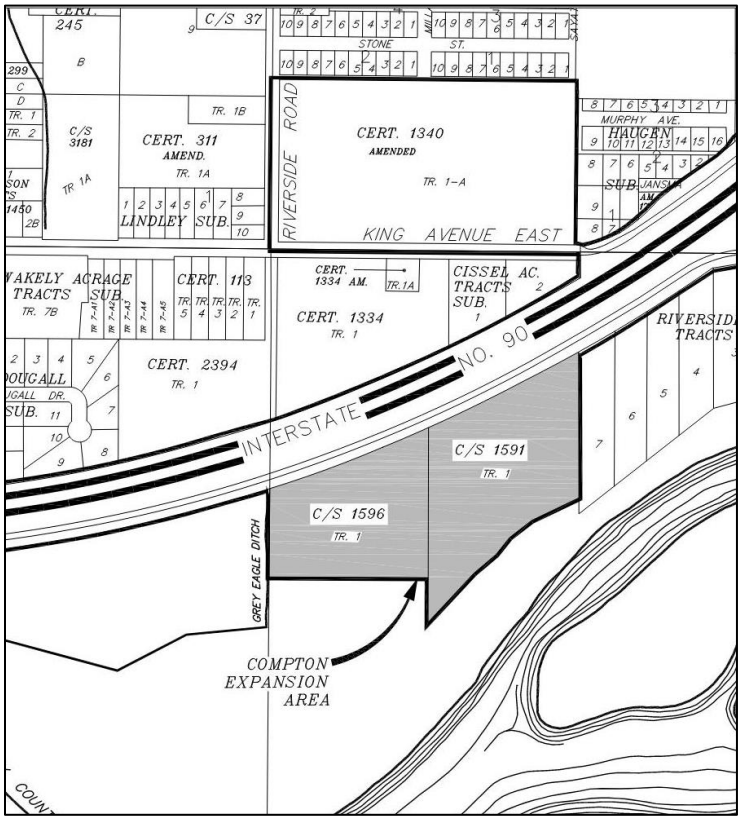
AM.
CERT. 593
2ND AM.
KING AVENUE EAST
C/S 299
C/S 1584
C/S 3181
JELLISON TRACTS
C/S 1450
TR. 1B
CERT. 311
AMEND.
TR. 1A
LINDLEY SUB.
WAKELY ACRAGE TRACTS SUB.
CERT. 113
KINGS GREEN SUB 1st
KINGS GREEN SUB 2nd
CHAMERLAIN DR.
CAMBRIDGE DR.
YORKSHIRE COURT NORTH
KING'S GREEN DRIVE
McDOUGALL SUB.
CERT. 2394
INTERSTATE NO. 90
C/S 1121
TR. 2-A-1
SECTION 16
SECTION 15
INTERMOUNTAIN STREET
GREY EAGLE DITCH
HOGAN EXPANSION AREA
CERT. 1121
CITY COUNTY DRAIN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AMENDED
TR. 1-A
HAUGEN SUB.
MURPHY AVE.
C/S 3181
CERT. 311
AMEND.
TR. 1A
LINDLEY SUB.
KING AVENUE EAST
WAKELY ACRAGE TRACTS SUB.
TR. 7B
CERT. 113
CERT. 1334 AM.
CERT. 1334
TR. 1
CISSEL AC. TRACTS SUB.
CERT. 2394
TR. 1
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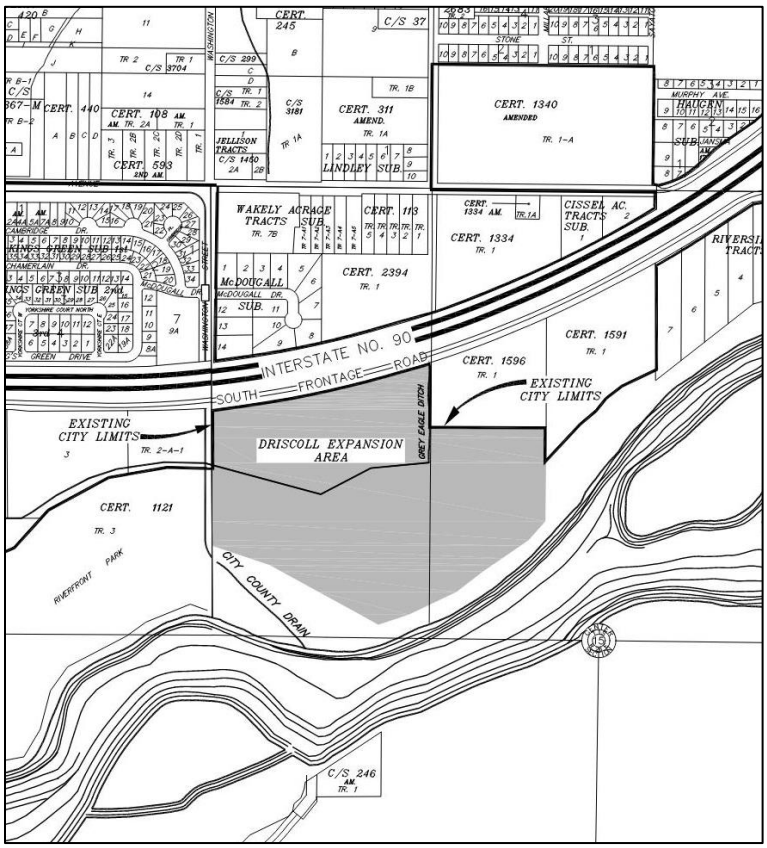
C/S 1591
TR. 1
C/S 1596
TR. 1
GREY EAGLE DITCH
COMPTON EXPANSION AREA


INTERSTATE NO. 90
SOUTH FRONTAGE ROAD
EXISTING CITY LIMITS
DRISCOLL EXPANSION AREA
EXISTING CITY LIMITS
GREY EAGLE DITCH
CITY COUNTY DRAIN
RIVERFRONT PARK
CERT. 1121
CERT. 1596
CERT. 1591
CERT. 1334
CERT. 2394
CERT. 311 AMEND.
CERT. 1340 AMENDED
CERT. 108 AM.
CERT. 593 2ND AM.
CERT. 440
CERT. 245
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WAKELY ACRAGE TRACTS
McDOUGALL SUB.
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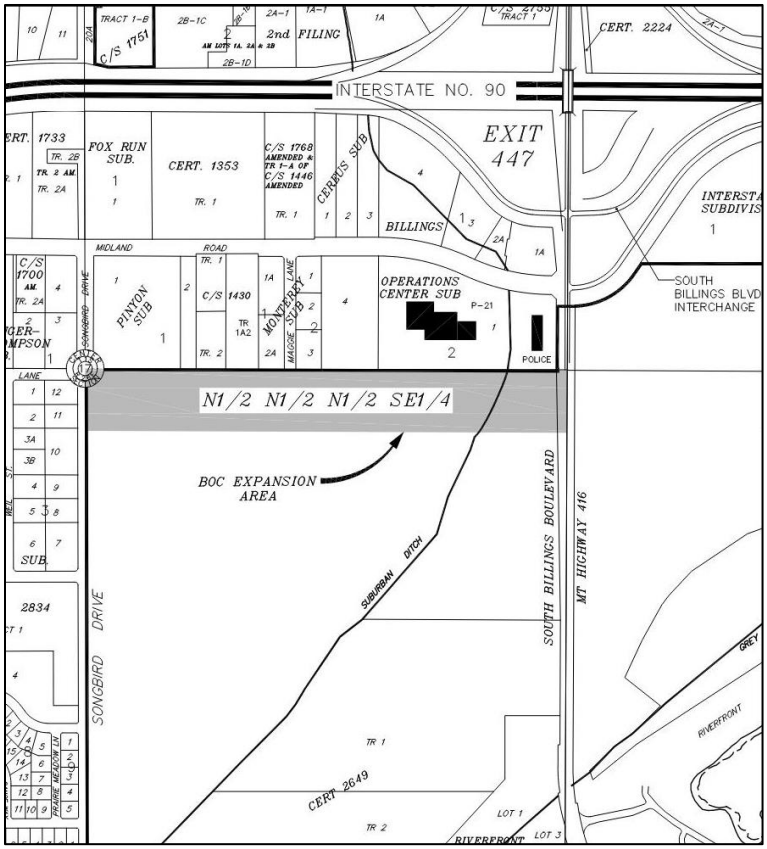


Section 5 – Defining the District's Boundaries

The current District contains blight as defined in Montana Code Annotated Title 7, Chapter 15, Parts 42 & 43 and as recognized by Council in Ordinances 08-5462 and 08-5484. While not every property in the District contains blight, a District may not be formed in a "checkerboard" pattern and be defined only on a parcel-by-parcel basis. Revitalization is best achieved when a continuity of properties allows for a seamless investment in infrastructure. Accordingly, the District contains properties within the City of Billings that, when viewed as a whole, logically define an urban renewal area.

The annexation into the City of Billings of the properties located along South Frontage Rd creates an opportunity to add three contiguous properties to the District. The property on the northeast intersection of King Ave East and Jackson St. is likely the first in a series of developments spurred by the improvements to King Ave East. What makes the inclusion of these properties into the District compelling is that, given a measure of public assistance, they have very promising opportunities for development.

The City-owned property south of the City's Operation Center is a logical extension to the current District in that area.

Section 6 Summary of Blight Findings

Montana Code Annotated Title 7, Chapter 15, Parts 42 and 43 provides the authority to declare the existence of blighted areas and to target them for improvements. "Blighted are" is defined in Section 7-15-4206(2) MCA as follows:

> *[A]n area that is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime; substantially impairs or arrests the sound growth of the city or its environs; retards the provision of housing accommodations; or constitutes an economic or social liability or is detrimental or constitutes a menace to the public health, safety, welfare, and morals in its present condition and use by reason of:*
>
> *a) the substantial physical dilapidation; deterioration; defective construction, material, and arrangement; or age obsolescence of buildings or improvements, whether residential or non-residential;*
>
> *b) inadequate provision for ventilation, light, proper sanitary facilities, or open spaces as determined by competent appraisers on the basis of examination of the building standards of the municipality;*
>
> *c) inappropriate or mixed uses of land or buildings;*
>
> *d) high density of population and overcrowding;*
>
> *e) defective or inadequate street layout;*
>
> *f) faulty lot layout in relation to size, adequacy, accessibility, or usefulness;*
>
> *g) excessive land coverage;*
>
> *h) unsanitary or unsafe conditions;*
>
> *i) deterioration of site;*
>
> *j) diversity of ownership;*
>
> *k) tax or special assessment delinquency exceeding the fair value of the land;*
>
> *l) defective or unusual conditions of title;*
>
> *m) improper subdivision or obsolete platting;*
>
> *n) the existence of conditions that endanger life or property by fire or other causes; or*
>
> *o) any combination of the factors listed in the subsection (2).*

As discussed earlier, not every parcel in the District is blighted, making it essential to view the District as a whole to achieve the revitalization described in its Urban Renewal and Master Plans. Notwithstanding, the parcels of land proposed for addition to the District have characteristics of blight that conform to Montana code.

Note the following issues present on the three parcels on South Frontage Rd:

- City water services are incomplete. Billings Public Works would need to install a trunk line to provide water for a large portion of these properties.

- One of the parcels contains a former gravel mine. While the former mine owners backfilled the property in accordance with the Montana Department of Environmental Quality standards, the resulting soil is not compact enough to support buildings and roadways. Consequently, a costly procedure known as "geomeshing" would be necessary as part of building and road construction.

- There are abandoned vehicles and concrete riprap that would require removal. Additionally, the areas adjacent to the Yellowstone River would require stabilization.

- Inclusion of all of these properties on the Frontage Road would provide continuity should the City add infrastructure in the form of utility extensions, curb, gutter, sidewalks, trails etc.

Note the following issues present on the property on the northeast intersection of Jackson St. and King Ave East:

- There is a concrete ditch running along the subject property that is unsightly and tends to collect trash. The ditch also accumulates water that is a safety hazard to the children that play on or near it.

- The property surrounds a small inholding. The owner is deceased. The current occupant's residence is dilapidated with junked cars being stored onsite.

Taken as a whole, the subject properties would be commonsense additions to the District. Had these properties been within the City limits at the District's inception, it is likely they would have been included within the District's original boundaries. These properties already have drawn interest from developers who are attracted by the possibility of receiving tax increment finance assistance to help mitigate development challenges and to install public improvements.

Section 7 – The Site and Its Relationship to the City

The District is in the south-center region of the City of Billings. Bordered by Interstate I-90, the main railroad line and principal transportation routes, it is an area where economic development opportunities are numerous. In addition, numerous service,

commercial, industrial, parks and recreation and housing choices are located within the District.

Section 8- Description of the District Boundary

ADKINS EXPANSION AREA TRACT B-2 ONLY

Legal Description of Property

A tract of land situated in the SW 1/4 of Section 10, T.1S., R.26E, P.M.M., Yellowstone County, Montana, more particularly described as follows:

Tract B-2, of Amended Tract B of Certificate of Survey No. 2367 M, recorded September 27, 2012, under Document No. 3640039, on file and of record in the Records of Yellowstone County.

Said tract of land containing an area of 3.522 acres more or less.

HOGAN EXPANSION AREA

Legal Description of Property

Tract of land situated in the NW1/4 of Section 15, T.1S., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as:
Being Tract 2-A-1 of Amended Tracts 2-A And 2-B, of Amended Tract 2 Certificate of Survey No. 1121, Recorded January 14th, 2008, under Document Number 3451343, on file and of record in the office of the Yellowstone County Clerk & Recorder.

Said tract of land containing an area of 3.673 acres more or less.

TORGERSON EXPANSION AREA

Legal Description of Property

Tracts of land situated in the N1/2 of Section 15, T.1S., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as: Fractions of Government Lots 2 and 3, Section 15, T.1S., R.26E., P.M.M., Yellowstone County, Montana, being unplatted land wholly surrounded on the West by Tract 5 (Washington Street Right-Of-Way) of Certificate of Survey 1121, Recorded June 18, 1969, under Document Number 843148, on the South by the Yellowstone River, on the East by the Yellowstone River and Tract 1 of Certificate of Survey Number 1591, Recorded August 20, 1976, under Document No. 1026729, Records of Yellowstone County, on the North by Tract 1 of Certificate of Survey Number 1596, Recorded September 16, 1976, under Document No. 1029099, Records of Yellowstone County, and South Frontage Road Right-Of-Way.

Said tract of land containing an area of 35.94 acres more or less.

COMPTON EXPANSION AREA

Legal Description of Property

Tracts of land situated in the N1/2 of Section 15, T.1S., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as:

Tract 1 of Certificate of Survey Number 1591, Recorded August 20, 1976, under Document No. 1026729, Records of Yellowstone County;

Tract 1 of Certificate of Survey Number 1596, Recorded September 16, 1976, under Document No. 1029099, Records of Yellowstone County.

Said tracts of land containing an area of 16.937 acres more or less.

BOC EXPANSION AREA

Legal Description of Property

A tract of land situated in the SE 1/4 of Section 17, T.1S., R.26E, P.M.M., Yellowstone County, Montana, more particularly described as follows: Being the N1/2, N1/2, N1/2, SE1/4 of Section 17, T.1S., R.26E, P.M.M., Yellowstone County, Montana.

Said tract of land containing an area of 20.000 acres more or less.

Section 9 – Property Developers

Private investment and public-private partnerships through the implementation of the Urban Renewal and Master Plans will help spur new development and revitalization. Improvements in infrastructure will complete and connect City utilities in the area, spur investments in commercial businesses, workforce housing and public recreational facilities.

Section 10 – Conformance to the City's Growth Policy

The City's 2016 Growth Policy Statement is as follows:

> *In the next 20 years, Billings will manage its growth by encouraging development within and adjacent to the existing City limits, but preference will be given to areas where City infrastructure exists or can be extended within a fiscally constrained budget and with consideration given to increased tax revenue from development. The City will prosper with strong neighborhoods with their own unique character that are clean, safe, and provide a choice of housing and transportation options.*

The City's growth policy, in large part, focuses on the notion of return on investment. Given a limited budget, the City seeks to invest in projects and infrastructure that generate a positive return in terms of tax revenue and/or public satisfaction and community pride. On April 13, 2021, the Yellowstone County Board of Planning acted affirmatively on a recommendation to the City Council as to the SBBURD expansion's consistency with the 2016 City of Billings Growth Policy.

Since its inception, the District has been successful in accomplishing the primary purpose of an urban renewal district: eliminate blight and/or promote economic development. As detailed above, the City has invested over $20 million in projects and infrastructure that have resulted in a 35% growth in taxable values. Over the next few years, the District plans to invest an additional $2 million to complete improvements to its collector streets, $4 million to improve gravel and unmaintained streets with paving,

curb, sidewalks, and lighting and over $500,000 for parking lots and improvements in Optimist Park. Additionally, the SBURA will seek ways to make the District's Interstate I-90 gateway more attractive.

The properties identified for inclusion in the District represent a natural growth of the District as prompted by annexation into the City. Their inclusion will attract investment and provide funding for necessary public infrastructure and amenities.

Section 11 – Conformance with Montana Code

Section 7-15-4217, M.C.A. Criteria for approval of urban renewal project. Following the hearing required in 7-15-4214, the local governing body may, by ordinance, approve an urban renewal project if it finds that:

1) A workable and feasible plan exists for making available housing for the persons who may be displaced by the project;

   There are no housing units in the expansion area, so no displacement plan is necessary.

2) The urban renewal plan conforms to the comprehensive plan or parts thereof for the municipality as a whole;

   The Urban Renewal Plan for the South Billings Boulevard Urban Renewal Plan as amended for inclusion of the subject properties, conforms to the City of Billings Growth Policy and the SBBURD Master Plan.

3) The urban renewal plan will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise.

   It is unreasonable to expect the District will be redeveloped or revitalized solely with public support. At present, there are areas containing blight and/or deficient infrastructure that would ordinarily attract private investment. Consequently, it is essential to promote public-private partnerships as a means for securing investment capital.

4) A sound and adequate financial program exists for the financing of said project.

   The District receives approximately $3.9 million of funding annually of which approximately $800k is dedicated to debt service. The expected growth in annual tax increment is expected to increase until the District sunsets in 2040.

Section 12 – Tax Increment

As of 2020, the four privately held properties collectively pay the following property taxes:

Code	District	
	BILLINGS OUTSIDE (Levy District)	$ 8,095.12
	BILLINGS (Levy District)	9,892.04
BACF	BLGS ARTERIAL CONST FEE	1,260.00
BLSW	BILLINGS STORM SEWER	1,110.00
BS#2	BLGS STREET MAINT #2	1,545.00
BUFC	BLGS URBAN FIRE SERV-COM	147.80
BUFR	BLGS URBAN FIRE SERV-RES	293.12
CRED	COUNTY REFUSE DISTRICT	20.00
PD01	BILLINGS PARK DISTRICT	190.42
SOIL	SOIL CONSERVATION	11.35
		$22,565.54

Assuming the City Council approves the inclusion of these properties in the District, the Montana Department of Revenue would set a separate base year calculation for these properties. Consequently, the annual tax increment would essentially consist of the District's current revenues, approximately $3.6 million, plus the incremental increase attributable to the subject properties.

Hypothetical Increment Example:

1. A developer invests $1,000,000 in one of the subject properties.

2. Assuming a dollar-for-dollar increase in taxable value, the property will create approximately $13,000 in annual tax increment.

   $1,000,000 taxable value x 1.89% commercial tax rate = $18,900
   $18,900 x 69 mills = $13,041

3. The Council could award up to $247,779 in tax increment assistance and achieve a payback concurrent with the District's 2040 sunset date.

   $13,041 x 19 years = $247,779

4. Considering the Council's preferred $5 private investment for $1 of tax increment assistance, the payback period in this example would be:

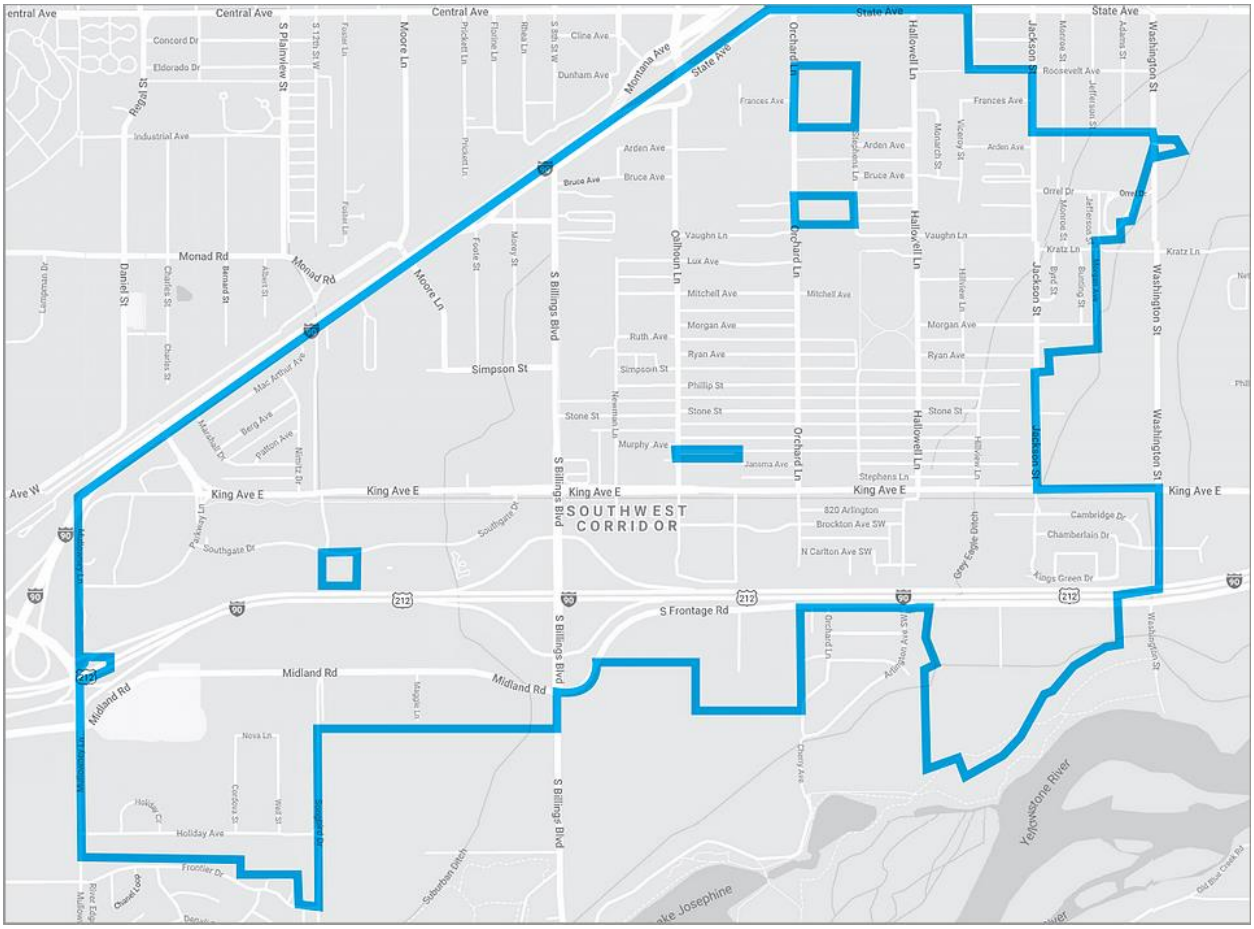
   $1,000,000 x 16.67% = $166,700
   Payback period = $166,700/$13,041 = 12.78 years

Section 13 – Conclusion

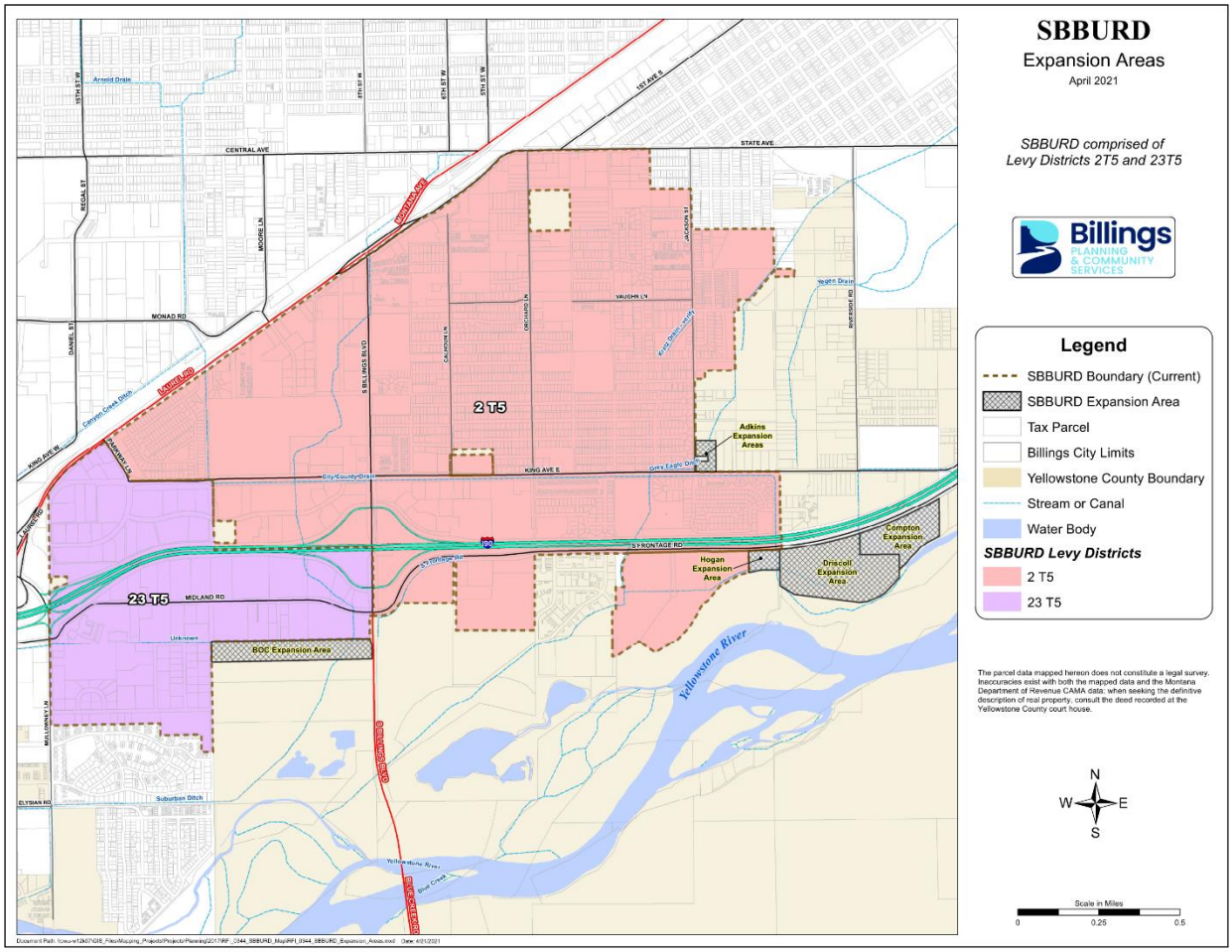
In 2008, the City voted to create the District. The resulting investment capital in the form of tax increment has been invested in infrastructure and other economic development ventures. The increase in the District's tax base is evidence of how tax increment finance districts are supposed to operate.

The proposed expansion of the South Billings Boulevard Urban Renewal District represents a logical extension of the District's current footprint. The City's annexation of the subject properties provides the impetus to expand the District. Given the tax increment funding available for investment, these properties have significant potential for long-term economic and civic development.

Appendix I: Current South Billings Boulevard Urban Renewal District


Central Ave
State Ave
Monad Rd
Moore Ln
Simpson St
King Ave E
S Billings Blvd
SOUTHWEST
CORRIDOR
S Frontage Rd
Midland Rd
Orchard Ln
Hallowell Ln
Jackson St
Washington St
Yellowstone River

Appendix II: South Billings Boulevard Urban Renewal District Showing Expansion Areas



ORDINANCE 21-_____

AN ORDINANCE OF THE CITY OF BILLINGS, RELATING TO THE MODIFICATION OF THE SOUTH BILLINGS BOULEVARD URBAN RENEWAL DISTRICT; AND ADOPTING A MODIFIED URBAN RENEWAL PLAN, INCLUDING A TAX INCREMENT PROVISION

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS THAT:

Section 1. **RECITALS.**

WHEREAS, the City Council on July 12, 2021, conducted a public hearing on a proposal to modify an urban renewal area on specified property (as hereinafter defined, the "Property") to be designated "The South Billings Boulevard Urban Renewal District", and to adopt a modified urban renewal plan, as authorized by Montana Code Annotated, Title 7, Chapter 15, Parts 42 and 43, as amended (the "Act").

WHEREAS, the Property is depicted on the attached Exhibit A and legally described on the attached Exhibit B (each of which is hereby incorporated herein and made a part hereof).

WHEREAS, opportunities have been presented to the City that make it desirable for the City to consider an urban renewal project within the District consisting of the acquisition of certain vacant or blighted properties, demolishing the blighted structures thereon, improving such properties with, landscaping, utilities, and other similar improvements, assembling such properties, and making the properties so improved available for private redevelopment in accordance with the Act.

WHEREAS, an urban renewal plan entitled the South Billings Boulevard Urban Renewal Plan is attached hereto as Exhibit C (which is hereby incorporated herein and made a part hereof) (the "Plan"). The Plan contains a tax increment provision and will govern the operation and administration of the District.

WHEREAS, the amendment to the Plan has been reviewed by the Yellowstone County Board of Planning and found to be in conformance with the Billings 2016 Growth Policy, as evidenced by the Board letter from its meeting on April 13, 2021.

Section 2. **ORDINANCE.**

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Billings, Montana, as follows:

1. Findings. This Council hereby finds, determines and declares, based on the comments received at the public hearing and other studies and information available to this Council, that:

a. Some of property to be included in the District with this amendment and property already in the District presently contains structures and property that are in a state of substantial deterioration, are obsolete or defective, pose unsanitary or unsafe conditions, are vacant and unused, and have inappropriate uses, the present condition of the property substantially impairs the sound functioning of the area of the City and its environs, is conducive to juvenile delinquency and crime, poses the threat of vandalism or mischief and fire or loss, constitutes an economic and social liability, and is a menace to the public health, safety, and welfare of the residents of the City. Accordingly, the Council finds that property in the District is blighted within the meaning of Section 7-15-4210 of the Act. This Council finds that the rehabilitation, redevelopment or a combination thereof of the property is necessary in the interest of the public, health, safety, morals or welfare of the residents of the City. This Council finds that undertaking measures to eradicate or diminish the blight will help to foster a more dynamic, livable, and vibrant area.

b. No housing element or structure is disturbed by this District making no relocation necessary;

c. The modified Plan conforms to the Growth Policy or parts thereof of the City for the municipality as a whole;

d. The modified Plan will afford maximum opportunity, consistent with the needs of the City as a whole, for the rehabilitation or redevelopment of the District by private enterprise;

Section 3. **PLAN ADOPTION.** The modified Plan is hereby adopted and approved in all respects, including without limitation, the segregation and application of tax increments as provided in Sections 7-15-4282 through 7-15-4293 of the Act as provided therein.

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 12th Day of July, 2021.

PASSED, ADOPTED and APPROVED on second reading this 26th day of July, 2021.

CITY OF BILLINGS

BY:_____

William A. Cole, Mayor

Attest:

BY:_____

Denise R. Bohlman, City Clerk

SBBURD Expansion 2021

EXHIBIT A

MAP OF THE MODIFIED URBAN RENWAL AREA

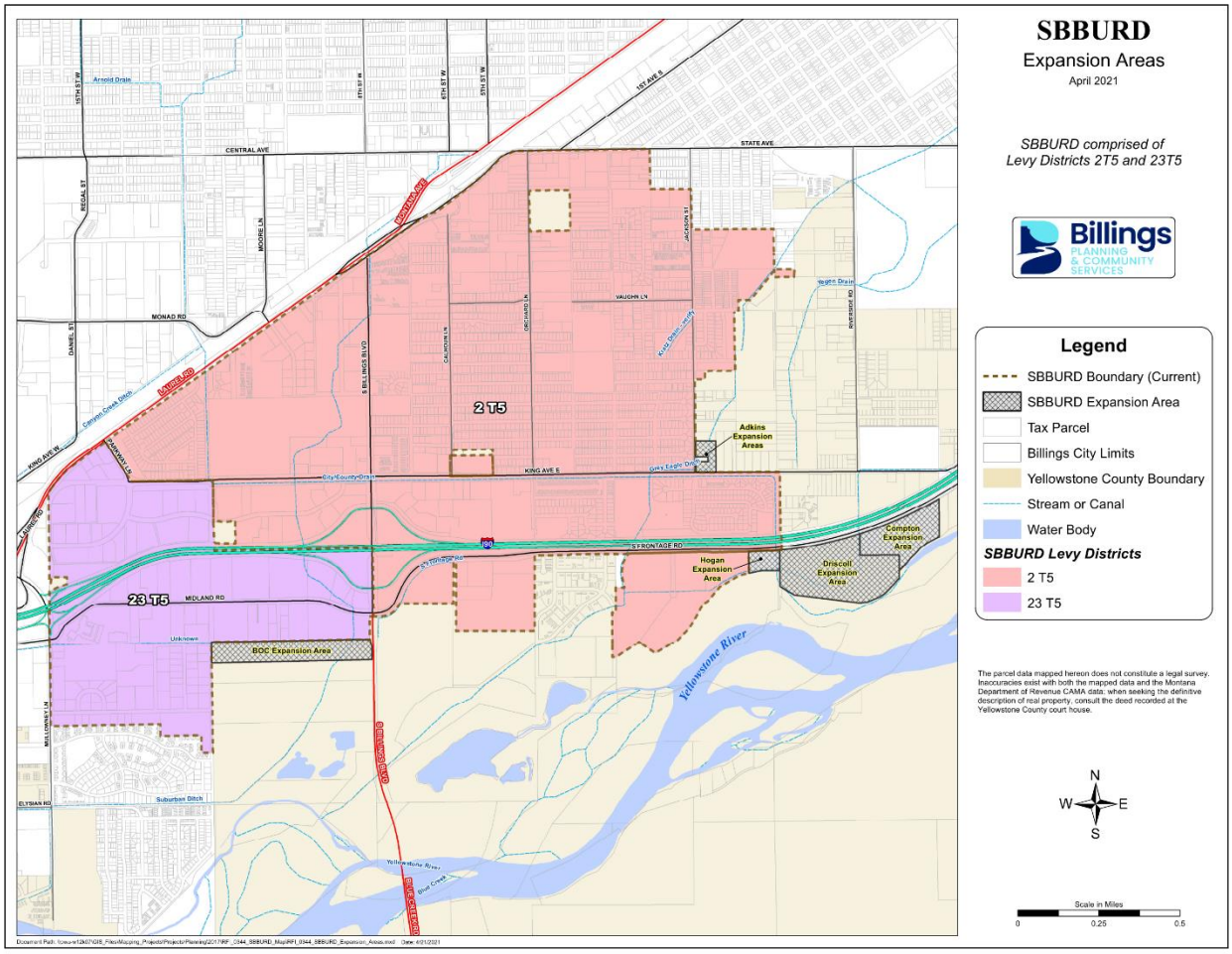


EXHIBIT B

LEGAL DESCRIPTION OF MODIFIED URBAN RENEWAL AREA

Description of Proposed Modified District. The areas being considered for inclusion in the proposed modified urban renewal area are described as:

Adkins Property
A tract of land situated in the SW 1/4 of Section 10, T.1S., R.26E, P.M.M., Yellowstone County, Montana, more particularly described as follows: Tracts of land situated in the SW 1/4 of Section 10, T.1S., R.26E, P.M.M., Yellowstone County, Montana, more particularly described as follows: Tract B-2, of Amended Tract B of Certificate of Survey No. 2367 M, recorded September 27, 2012, under Document No. 3640039, on file and of record in the Records of Yellowstone County. Said tract of land containing 3.574 gross and 3.522 net acres more or less.

Hogan Property
Tract of land situated in the NW1/4 of Section 15, T.1S., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as: Being Tract 2-A-1 of Amended Tracts 2-A And 2-B, of Amended Tract 2 Certificate of Survey No. 1121, Recorded January 14th, 2008, under Document Number 3451343, on file and of record in the office of the Yellowstone County Clerk & Recorder. Said tract of land containing an area of 3.673 acres more or less.

Compton Property
Tracts of land situated in the N1/2 of Section 15, T.1S., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as: Tract 1 of Certificate of Survey Number 1591, Recorded August 20, 1976, under Document No. 1026729, Records of Yellowstone County; Tract 1 of Certificate of Survey Number 1596, Recorded September 16, 1976, under Document No. 1029099, Records of Yellowstone County. Said tracts of land containing an area of 16.937 acres more or less.

Torgerson Property
Tracts of land situated in the N1/2 of Section 15, T.1S., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as: Fractions of Government Lots 2 and 3, Section 15, T.1S., R.26E., P.M.M., Yellowstone County, Montana, being unplatted land wholly surrounded on the West by Tract 5 (Washington Street Right-Of-Way) of Certificate of Survey 1121, Recorded June 18, 1969, under Document Number 843148, on the South by the Yellowstone River, on the East by the Yellowstone River and Tract 1 of Certificate of Survey Number 1591, Recorded August 20, 1976, under Document No. 1026729, Records of Yellowstone County, on the North by Tract 1 of Certificate of Survey Number 1596, Recorded September 16, 1976, under Document No. 1029099,

Records of Yellowstone County, and South Frontage Road Right-Of-Way. Said tract of land containing an area of 35.94 acres more or less.

City of Billings Property

A tract of land situated in the SE 1/4 of Section 17, T.1S., R.26E, P.M.M., Yellowstone County, Montana, more particularly described as follows: Being the N1/2, N1/2, N1/2, SE1/4 of Section 17, T.1S., R.26E, P.M.M., Yellowstone County, Montana. Said tract of land containing an area of 20.000 acres more or less.

EXHIBIT C

South Billings Boulevard Urban Renewal Plan

Urban Renewal Plan for the South Billings Boulevard Urban Renewal District

Prepared by the Planning & Community Services Department
Adopted by the Billings City Council on December 8, 2008
Amended by the Billings City Council on July 22, 2019
Amended by the Billings City Council on July 26, 2021

Table of Contents

Section 1 – Introduction 6

Section 2 – Definitions 6

Section 3 – Background 8

Section 4 - Description of Blight 12

Section 5 - Summary of Blight 12

Section 6 - The Site and Its Relationship to the City 15

Section 7 - Description of the District Boundary 15

Section 8 - Planning Process 17

Section 9 - Housing (Conservation of existing affordable housing) 19

Section 10 - Transportation and Pedestrian Circulation 20

Section 11 - Public Services and Facilities 20

Section 12 - Infrastructure and Utilities 20

Section 13 - Urban Renewal Projects and Programs 21

Section 14 - Goals and Objectives Respective to the City Growth Policy 24

Section 15 - Neighborhood Planning 26

Section 16 – Conclusion 26

List of Maps:

Map 1 - Proposed Boundaries of the District 9

Map 2 - Existing Land Uses 10

Map 3 - Current Zoning 11

Map 4- Water Distribution System 13

Map 5 - Sanitary Sewer System 14

Map 6 - Tax Increment Finance District in Relationship to City 16

Appendix I 27

Acknowledgements

2008 Participants and Stakeholders

City of Billings

Ron Tussing, Mayor

City Council Members:

- Richard (Dick) Clark
- Mark Astle
- Peggie Denney Gaghen
- Jim Ronquillo
- Vince Ruegamer
- Chris "Shoots" Veis
- Ed Ulledalen
- Jani McCall
- Denis Pitman
- Larry Brewster

Planning and Community Services Department

Southwest Corridor Task Force Officers

- Tom Ruschkewicz, Chair
- Floyd Martin, Vice Chair
- Alan Pomick, Treasurer
- Debbie Rowe, Secretary

Big Sky Economic Development Authority

Downtown Billings Partnership

Stakeholders

Alene Malloy	Casey Ryan	Edyth Davis
Allen Krenz	Charles Deunow	Elanor Aukshun
Alta Dean	Cindy Linse	Elissa Linse
Arlene Bierwagen	Cindy Reid	Elsie Arntzen
Barbara Kipp	Clarence Perkins	Floyd Martin
Barbara Prewett	Clifton Burns	Gary Cooper
Barry Wilson	Coleen Apps	Gary Tipton
Beth Kirkwood	Connie Wagner	Gene Frank
Betty Hofstad	Connie Wittman	Gerald Apps
Betty Kegley	Cris Ruckman	Georgia Kembel
Beverly Bennetts	Dale Kiel	Glen Kibbee
Bob Franks	Daryle Young	Gloria Krenz
Brandy Pmter	David Mora	Greg Sennett
Brenda Estill	Dean Haley	Harriet Conklin
Brenda Ryan	Dean Miller	Ida Stuart
Brian Reid	Dennis Randall	Irene Aure
Bruce Burrows	Don Pell	James Lasater
Candice Reinschmidt	Dorothy Plouffe	Jay Hanson
Carl Howard	Doug Toomey	Jean Randall
Carol Atchley	Duane Bender	Jeannine Swoboda

Stakeholders Continued

Carol Dale
Jerald Mohr
Jerry Driscoll
Jimmie Frasch
Joan Dosch
JoAnne Moffet
Joe Morin
John Hoffman
John Hurless
Jon Gowan
Jon Rupprecht
Joyce Kenney
Joyce Pirrie
Judy Coles
Judy Mmiin
Julie Bender
Karen Hergett
Katherine Gowan
Kathy Doty
Kathy Wilkinson
Kelly Handley
Kerri Tallerico
Paul Hendershot
Richard Ruff
Robert Neal
Roger Mollett
Ron Kirkwood
Sammy Handley
Shanna Fredrickson
Ed Gabbo
Kevin Nelson
Lany Estill
Leonard Bierwagen
Linda Furlong
Linda Hayworth
Linda Pettengill
Linda Vansky
Loren Bice
Louis Plouffe
Lynn Toomey
Marc Swoboda
Margaret Schantz
Margo Allen
Margo Smith
Marian Leligdowizc
Marjorie Bishop
Marlene Anderson
Marlis Boadsack
Marlis Bufford
Martha Sheldon
Marvin Forquer
Rebekah Wales
Rick Leuthold
Robert Propelka
Ron Herget
Ronald Schultz
Sandra Fiscus
Sharon Franks
Jed Porter
Mary Ann Kraske
Mary Duenow
Maurice Muth
Mavis Schultz
Mavis Wilkinson
Mel Maier
Michele Johnson
Michelle Grasswick
Mike Kenney
Mike Vinton
Neal Armfield
Nelda Reimschmidt
Paige Tipton
Patrice Schuman
Pat Jensen
Pat Morin
Pat Newbury
Pat Perkins
Patsy Kahler
Patty Nordlund
Paul Hartman
Richard Deis
Robbin Ostrum
Robyn Rupprect
Ron Kaneski
Roy Linse
Shane Keehn
Sharon Young

2019 Participants and Stakeholders

City of Billings
- Bill Cole, Mayor

City Council Members:
- Brent Cromley
- Mike Yakawich
- Frank Ewalt
- Roy Neese
- Denise Joy
- Chris Friedel
- Reg Gibbs

Penny Ronning
Richard Clark
Shaun Brown

South Billings Urban Renewal Association
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Scott Hanser
Debbie Keller
Chuck Barrett
Sam Hadley
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Jeff Muri
Zeier Consulting
City Administration
City Finance Department
Planning and Community Services Department
Billings Police Department

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City of Billings
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City Council Members:
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Mike Boyett
Shaun Brown

South Billings Urban Renewal Association
Carolyn Rukstad
Scott Hanser
Debbie Keller
Andrew Houlihan
Dick Zier
Mike Mayott
Jeff Muri
Tevlin Consulting
City Administration
Planning and Community Services Department

Section 1 – Introduction

On May 12, 2008, the City of Billings adopted an ordinance creating the South Billings Boulevard Urban Renewal District (SBBURD) and established a Tax Increment Finance District. As part of this ordinance, an urban renewal plan and the boundaries of the tax increment finance district were adopted. Public participation for preparing the urban renewal plan involved public meetings and participation with the City of Billings, the Southwest Corridor Neighborhood Task Force, residents and property owners, Downtown Billings Partnership, and Big Sky Economic Development Authority.

In October of 2008, the City began a modification of the SBBURD to include three additional properties. Two of these properties were recently annexed and contiguous to the existing SBBURD; therefore, the properties are now eligible to be included within the SBBURD. The third property is contiguous and requested an expansion of the district boundary. The modification of the urban renewal plan will reflect the addition of those properties.

The December 2008 modification of the urban renewal plan:

- Served as a framework for the official urban renewal plan.
- Fulfilled Montana state law.
- Updated and define district boundaries.
- Classified blight
- Set forth the protocol for its authorization, execution, and management.
- Illustrated the development opportunities.
- Documented baseline taxable property values and potential areas for redevelopment

The July 2019 amendment of the urban renewal plan:

- Identified future projects and programs.
- Ensured the City has the option to bond future projects.
- Updated the 2008 Plan to reflect the 2019 amendment process.

The July 2021 amendment of the urban renewal plan expands the boundary of the SBBURD to add five new properties to the District (see Appendix I).

Section 2 - Definitions

The following terms have the following meanings unless a different meaning is clearly indicated by the context:

1. "Agency" or "urban renewal agency" means a public agency created by Section 7-15-4232 of the Montana Code Annotated.
2. "Blighted area" means an area that is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime; substantially impairs the sound growth of the city or its environs; retards the provision of housing accommodations; or constitutes an economic or social liability or is detrimental or constitutes a menace to the public health, safety, welfare, and morals in its present condition and use, by reason of:

a. The substantial physical dilapidation; deterioration; defective construction, material, and arrangement; or age obsolescence of buildings or improvements, whether residential or nonresidential;
b. Inadequate provision for ventilation, light, proper sanitary facilities, or open spaces as determined by competent appraisers on the basis of an examination of the building standards of the municipality;
c. Inappropriate or mixed uses of land or buildings;
d. High density of population and overcrowding;
e. Defective or inadequate street layout;
f. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
g. Excessive landcoverage;
h. Unsanitary or unsafe conditions;
1. Deterioration of site;
J. Diversity of ownership;
k. Tax or special assessment delinquency exceeding the fair value of the land;
I. Defective or unusual conditions of title;
m. Improper subdivision or obsolete platting;
n. The existence of conditions that endanger life or property by fire or other causes; or
o. Any combination of the factors listed in the subsection (2).

3. "Bonds" means any bonds, notes, or debentures (including refunding obligations) authorized to be issued pursuant to Section 7-15-4300 MCA.
4. "Clerk" means the clerk or other official of the municipality who is the custodian of the official records of the municipality.
5. "Local governing body" means the council or other legislative body charged with governing the municipality.
6. "Mayor" means the chief executive of a city or town.
7. "Municipality" means any incorporated city or town in the state.
8. "Redevelopment" may include:
   a. acquisition of a blighted area or portion of the area;
   b. demolition and removal of buildings and improvements;
   c. installation, construction, or reconstruction of streets, utilities, parks, playgrounds, and other improvements necessary for carrying out in the area the urban renewal provisions in accordance with the urban renewal plan; and
   d. making the land available for development or redevelopment by private enterprise or public agencies, including sale, initial leasing, or retention by the municipality itself, at its fair value for uses in accordance with the urban renewal plan. If the property is condemned pursuant to Title 70, chapter 30, the private enterprise or public agencies may not develop the condemned area in a way that is not for a public use.
9. "Urban renewal area" means a blighted area that the local governing body designates as appropriate for an urban renewal project or projects.
10. "Urban renewal plan" means a plan for one or more urban renewal areas or for an urban renewal project. The plan:
    a. must conform to the growth policy if one has been adopted pursuant to Title 76, chapter 1; and;
    b. must be sufficiently complete to indicate, on a yearly basis or otherwise:
       i. any land acquisition, demolition, and removal of structures; redevelopment;

improvements; and rehabilitation that is proposed to be carried out in the urban renewal area;

ii. zoning and planning changes, if any, including changes to the growth policy if one has been adopted pursuant to Title 76, Chapter 1;

iii. land uses, maximum densities, building requirements; and

iv. the plan's relationship to definite local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements.

Section 3 – Background

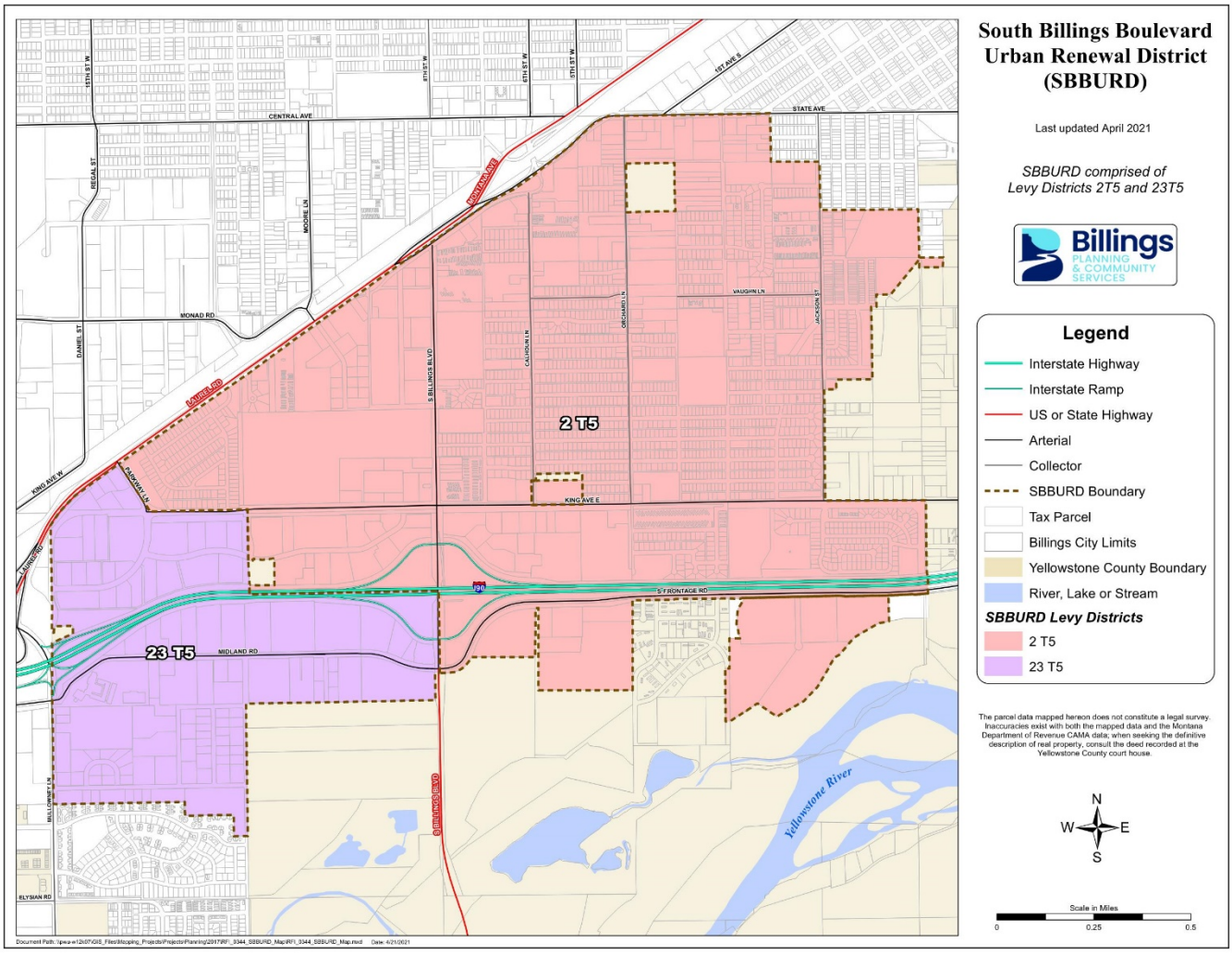
The South Billings Boulevard Urban Renewal District (the "District") lies within the City of Billings (the "City'), is situated between major transportation routes, and stretches from the east side of the King Avenue Overpass east to Washington Street and from State Avenue South to the city limit boundaries. Located within the district is Interstate Highway 90 and the major railway line through the city. Map 1 shows the boundary of the SBBURD.

The District lies within the Southwest Corridor Neighborhood Task Force. The task force was created in the early 1990's in response to the growing problem with the roadway interchanges and associated issues. For a while, the Task Force was a more diverse body that handled many issues for the Southwest Billings community. The Task Force has not been active for the past several years (2019-2021). Existing land uses and current zoning are shown on Maps 2 and 3.

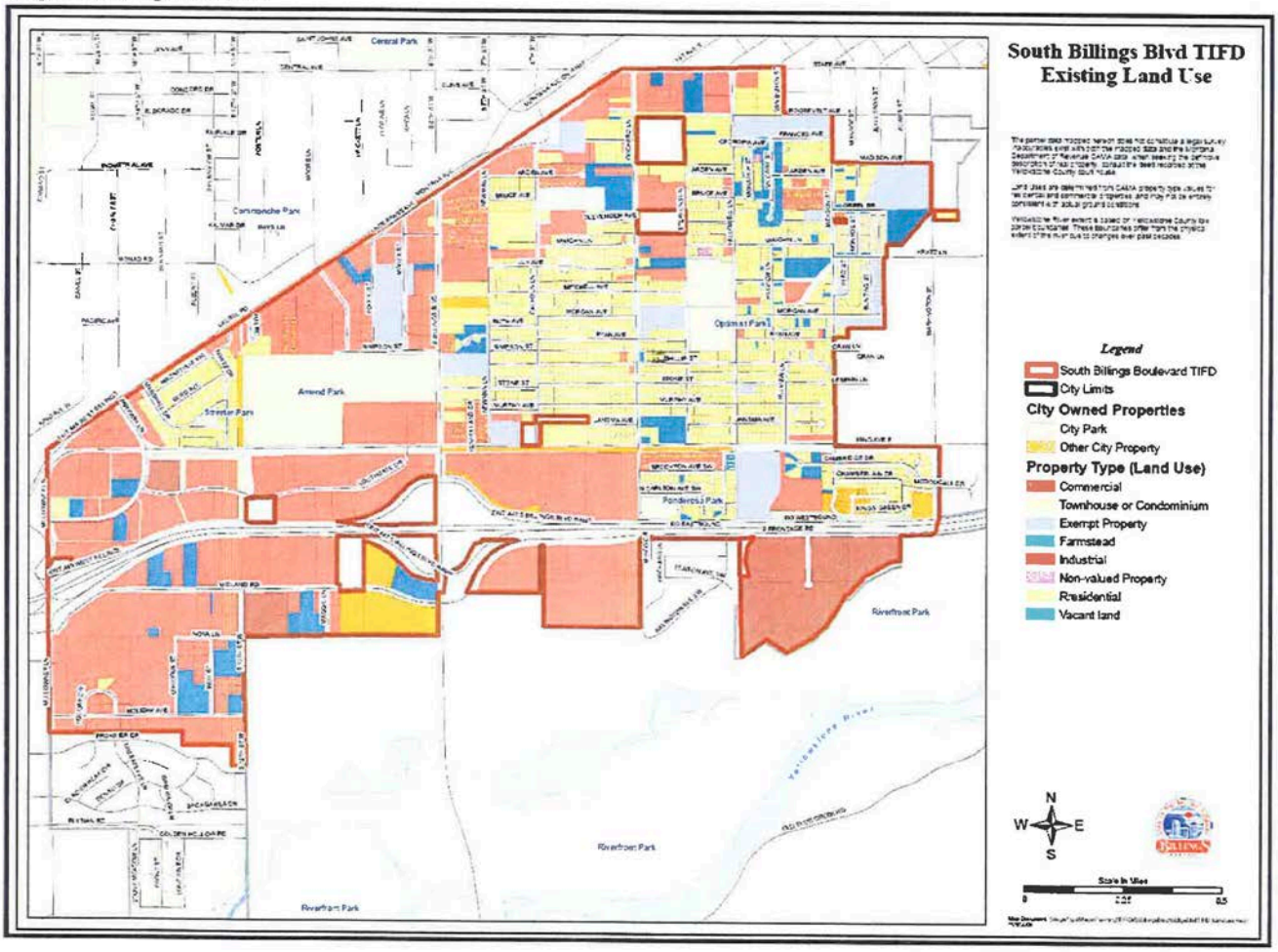
A closer look at this neighborhood shows an established area of mixed residential and commercial uses. This area also includes three elementary schools and one middle school. Some areas include unimproved streets with no sidewalk, curb, or gutter. In addition, many areas were not served by municipal water and sewer or there was old, inadequate water and sewer infrastructure. Many of the concerns raised by residents within the district center around routes for children to get to school, including bus routes that run on unimproved streets and children walking down the street instead of sidewalks to get to school. Many of these infrastructure deficits have been addressed as evidenced by the project list updates in Section 13 of this Plan.

Due to the location, the South Billings Boulevard Urban Renewal District has a tremendous amount of potential to become a major economic force. With the interstate corridor located in this district, the potential exists for this area to become a major destination place for retail, goods and services, manufacturing, and entertainment.

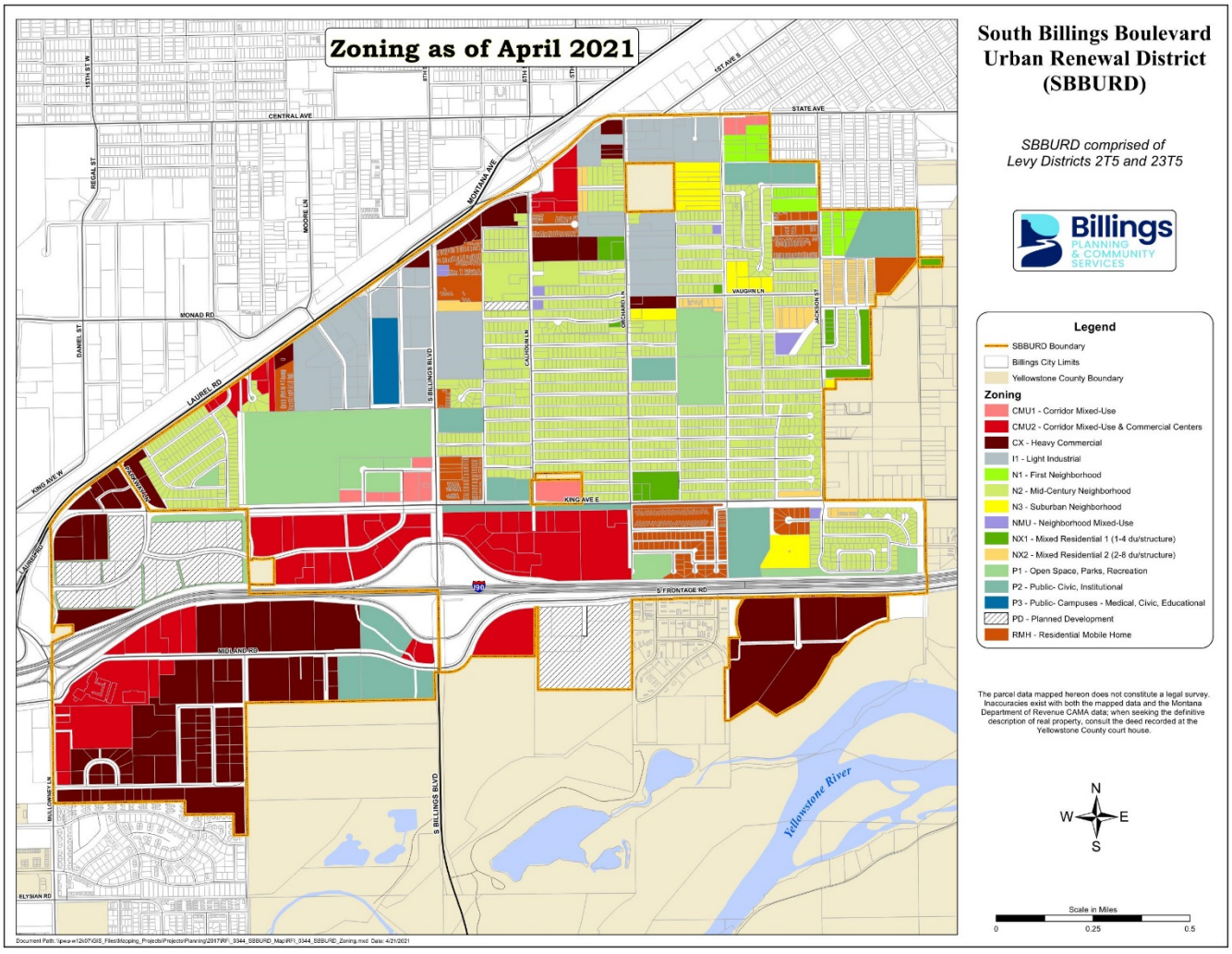
Map 1. South Billings Boulevard Urban Renewal District



Map 2 – Existing Land Uses



Map 3. South Billings Boulevard Urban Renewal District Existing Zoning



Section 4 - Description of Blight

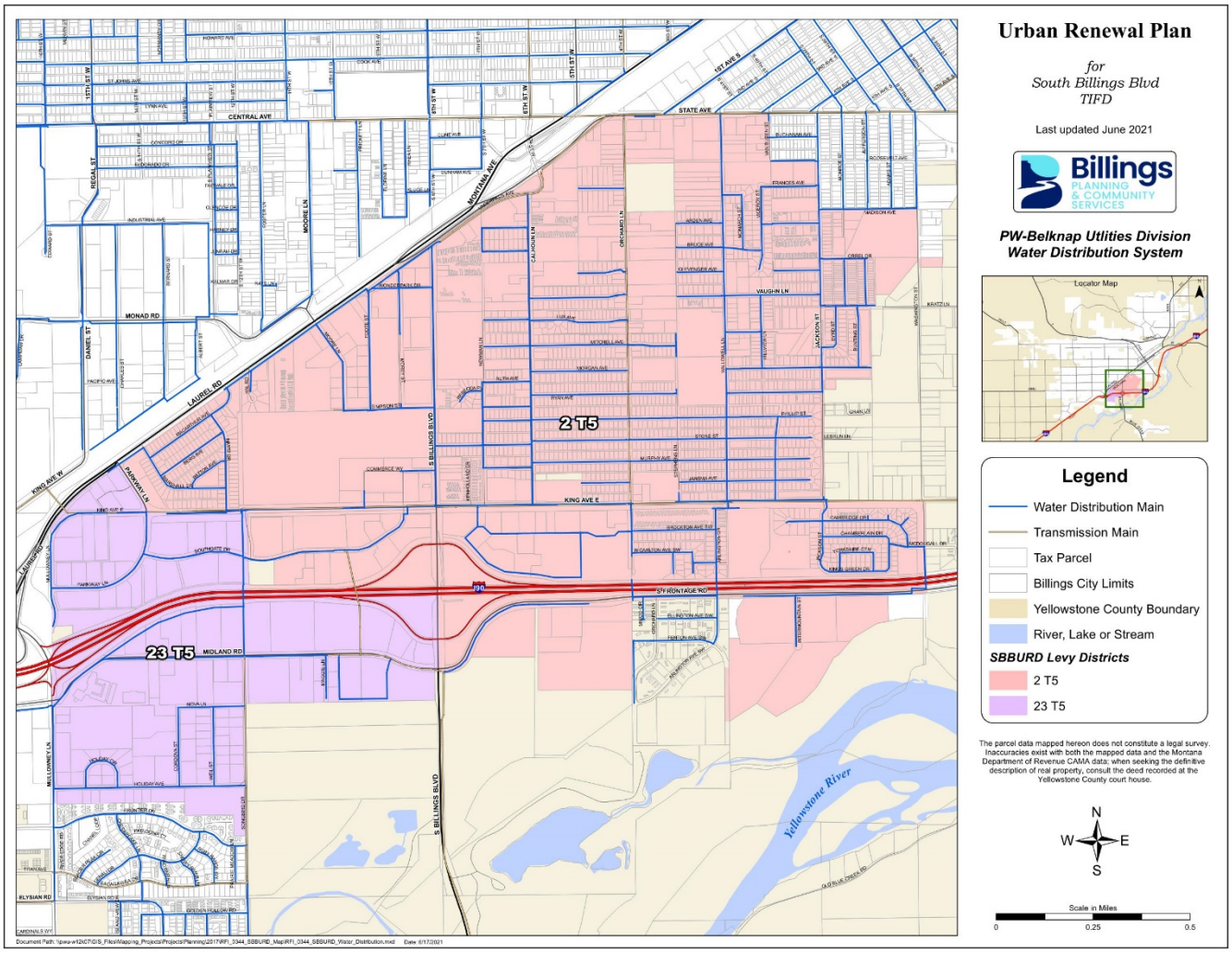
A requirement of Montana Code Annotated, Title 7, Chapter 15, Parts 42 and 43, is to justify an urban renewal plan supported through a tax increment finance district through the determination of blight. Blight is defined as an area that is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime; substantially impairs the sound growth of the city or its environs; retards the provision of housing accommodation; or constitutes an economic or social liability or is detrimental or constitutes a menace to the public health, safety, welfare, and morals in its present condition and use, by reason of:

- the substantial physical dilapidation; deterioration; defective construction, material, and arrangement; or age obsolescence of buildings or improvements, whether residential or nonresidential;
- inadequate provision for ventilation, light, proper sanitary facilities, or open spaces as determined by competent appraisers on the basis of an examination of the building standards of the municipality;
- inappropriate or mixed uses of land or buildings;
- high density of population and overcrowding;
- defective or inadequate street layout;
- faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- excessive land coverage;
- unsanitary or unsafe conditions;
- deterioration of site;
- diversity of ownership
- tax or special assessment delinquency exceeding the fair value of the land;
- defective or unusual conditions of title;
- improper subdivision or obsolete platting;
- the existence of conditions that endanger life or property by fire or other causes;
- any combination of the factors listed

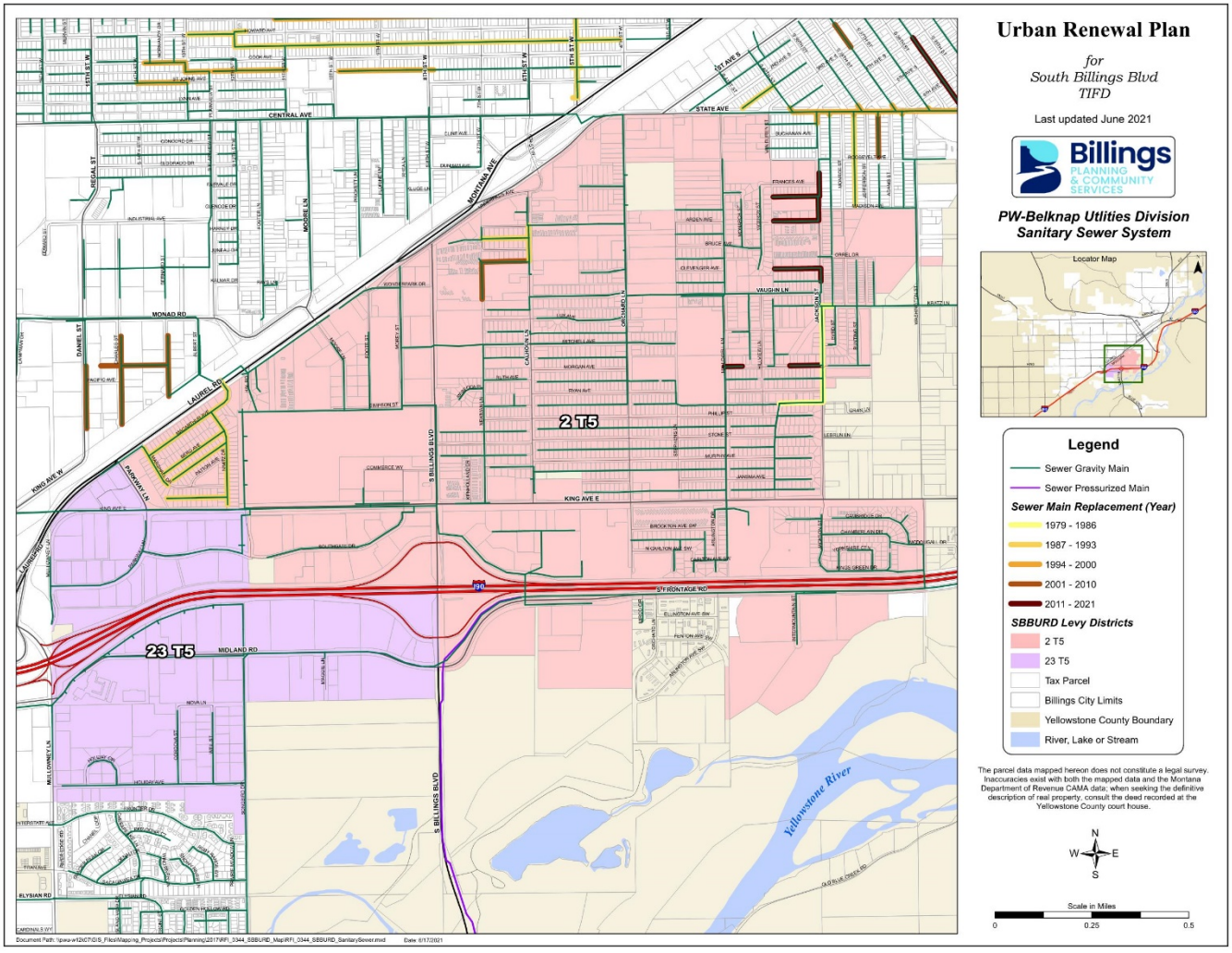
Section 5 - Summary of Blight

The area in the proposed district contains a great deal of blight. Within the district there is substantial structural deterioration, long-term land vacancy, and significant infrastructure needs. Several of the commercial buildings in the district are vacant or deteriorated and need demolition. Many of the sidewalks are cracked or nonexistent, alleys are deteriorated, and, in general, much of the area is below City standards. In contrast to the above, there are certain properties within the District in good repair but included in the District to allow for a contiguous block of land within the district; and because pockets of revitalization cannot be sustained if areas of neglect and blight surround them. Over time, without continued managed urban renewal, even these success stories will once again decline in taxable value. Portions of the District fall into the blighted, neglected, and under-utilized categories. Maps 4 and 5 show the past infrastructure conditions within the district.

Map 4. Water Distribution System.



Map 5. Sewer System



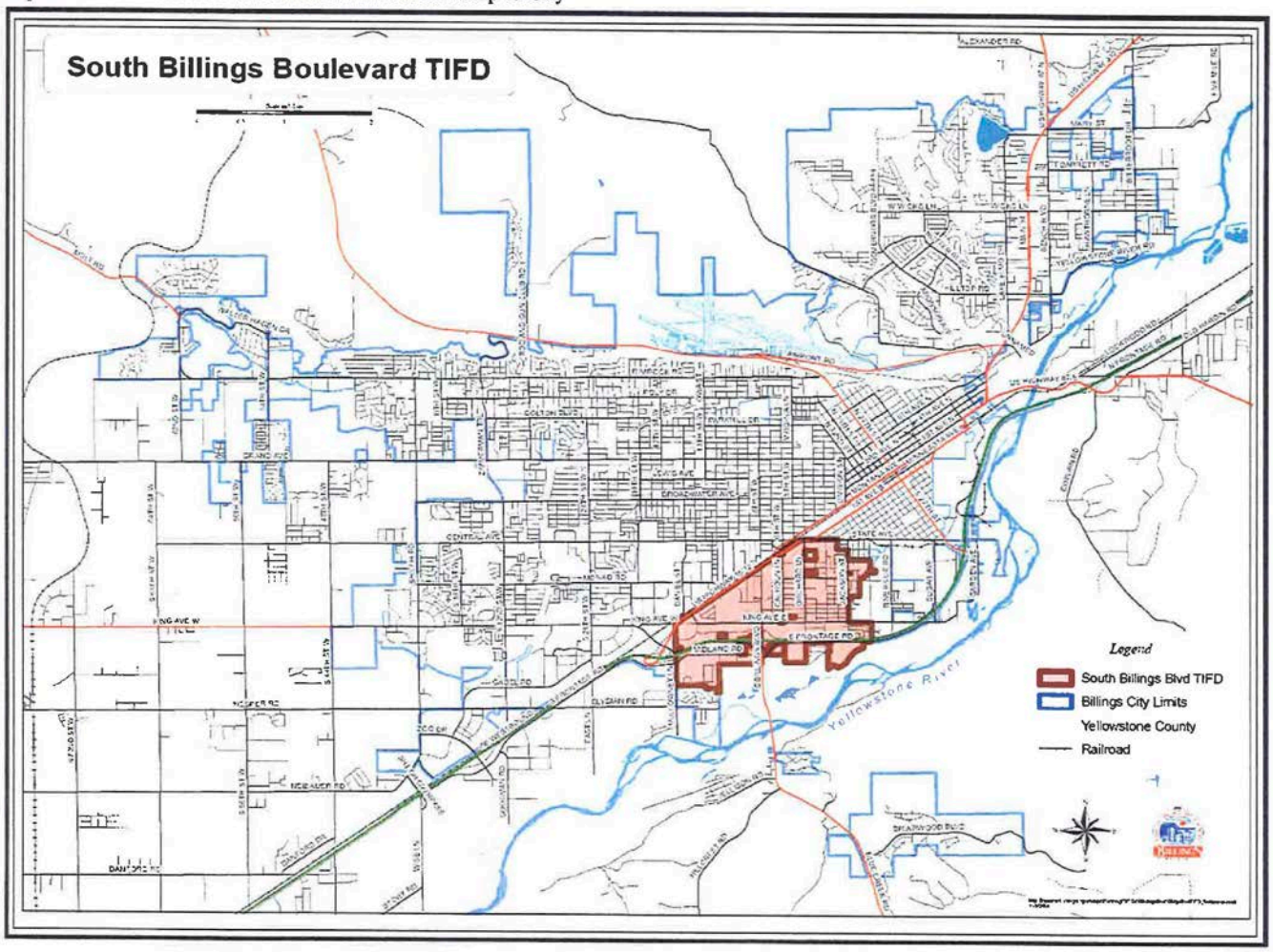
Section 6 - The Site and Its Relationship to the City

The South Billings Boulevard Tax Increment Finance District ("TIFD') and Urban Renewal District is located in the south-center region of the City of Billings. Bordered by the Interstate corridor, the main railroad line and principal transportation routes, it is an area where economic development opportunities are numerous. In addition, numerous service-related, commercial, industrial, parks and recreation and housing choices are located within the District. Map 6 shows the TIFD boundary in relationship to the rest of the city.

Section 7 - Description of the District Boundary *(To be updated after Council action to add new properties to the District)*

Starting at the intersection of State Avenue and Van Buren Street, extending south down the centerline of Van Buren Street to the intersection of Van Buren Street and Roosevelt Avenue, extending east down the centerline of Roosevelt Avenue to the intersection of Roosevelt Avenue and Jackson Street, extending south down the centerline of Jackson Street to the intersection of Jackson Street and Madison Avenue, extending east down the centerline of Madison Avenue to the intersection of Madison Avenue and Washington Street, extending south down the centerline of Washington Street to the intersection of the centerline of Washington Street and the extension of the northern boundary of Lot 7, Willis Subdivision, extending east along said boundary to the eastern boundary of said lot, extending south along said boundary to the southern boundary of said lot, extending westerly along said boundary and its extension to the centerline of Washington Street, extending north to the existing City of Billings city limit boundary, extending southerly and westerly along the existing city limit boundary to the intersection of Jackson Street and King Avenue East, extending east along the centerline of King Avenue East to the intersection of King Avenue East and Washington Street, extending south along the centerline of Washington Street and its projection across the Interstate 90 right-of-way, to its intersection with South Frontage Road, thence in a westerly direction following the south right-of-way boundary of the South Frontage Road to the intersection of an extension of the east boundary of Riverfront Business Park Subdivision, extending south along eastern boundary of said subdivision to the south boundary of said subdivision, extending southerly and westerly along said boundary to the west boundary of said subdivision, extending northerly and easterly along said boundary and its extension to the south right-of-way boundary of South Frontage Road, extending westerly to the northeast corner of Lot 1, Block 1, Willowbrook Subdivision, thence in a southerly and westerly direction following the existing city limit boundary to a point which intersects with the extension of the southern boundary of Tract 1, C/S 2834, then west along said southern boundary of Tract 1, C/S 2834 and southern boundary of Block 4 of Weil Subdivision to the intersection with the centerline of Mullowney Lane, extending north along the centerline of Mullowney Lane and its projection to the centerline of Laurel Road, extending northeast along the centerline of Laurel Road to its intersection with State Avenue, extending northeast and east along the centerline of State Avenue to the ending point at the intersection of State Avenue and Van Buren Street. Excluding all unincorporated land within the boundary.

Map 6 – Tax Increment Finance District in Relationship to City



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Section 8 - Planning Process

Stakeholder and Community Participation

The initial concept of developing a Tax Increment Finance District and an Urban Renewal Plan in the South Billings Boulevard area was brought forward by the City of Billings, Big Sky Economic Development Authority, and the Downtown Billings Partnership. After discussions and meetings with the Southwest Corridor Task Force, it was determined that a steering committee would be established to move forward with the development of an Urban Renewal Plan for the creation of the South Billings Boulevard TIF District. After discussions with the participating members, it was apparent that direct communication with business owners, landowners and public participation was critical for the project to be a success. Two public meetings were scheduled to open dialogue on the proposed Urban Renewal Plan and TIF District process, and to set goals and objectives of the project. It also became clear that a grass-roots effort conducted and led by the property owners themselves was needed.

In October of 2008, the City began an urban renewal plan modification process to include three additional properties to the district pursuant to Montana Code section 7-15-4221. All property owners affected by the urban renewal plan modification were notified by mail of the public hearing on the Urban Renewal Plan held November 24, 2008.

In May 2019, the City, in coordination with the South Billings Urban Renewal Association, began the process to amend the South Billings Urban Renewal Plan. All property owners affected by the urban renewal plan amendment were notified by mail of a public meeting to discuss and receive public comment on the Plan amendment on May 30, 2019. All property owners affected by the urban renewal plan amendment were also notified of the public hearing on the Urban Renewal Plan held July 8, 2019.

In summer 2020, City staff in coordination with the South Billings Urban Renewal Association and its consultant, began discussion of expanding the District Boundary to include additional properties. The proposed expansion as brought to the City Council at a December 2020 Work Session for review and discussion. The Council at that meeting directed staff to move the process to expand the District forward in 2021. All property owners who property was proposed to be included in the District expansion were notified of the public hearing on the Urban Renewal Plan held July 12, 2021.

Urban Renewal Plan

The Urban Renewal Plan is the tool that governs what public improvements are needed and desired within the District. Through public meetings and meetings at the Southwest Corridor Task Force, neighborhood needs, and projects were identified.

With input from property owners and the identification of goals and objectives, the City of Billings moved forward with the completion of the Urban Renewal Plan. A draft was reviewed with the property owners and the Southwest Corridor Task Force prior to review by the City of Billings City Council.

The high level of transparency and frequency of meetings has ensured that a large local constituency

has been involved, and as many stakeholders as possible participate and approve of the plan.

Eminent Domain

In no case shall eminent domain be used as a tool in the redevelopment of the South Billings Boulevard Urban Renewal District except as a last resort in the case of needed public infrastructure improvements and/or rights-of way.

Residential Relocation Plan

If a residential structure requires relocation as a result of right-of-way acquisition and/or a public infrastructure construction project, that is partially or fully funded with federal assistance (Housing and Urban Development, Federal Highway, etc.), the City of Billings shall abide by the Uniform Relocation Assistance Act.

Planning, City Administration and Legal Review

During the many meetings with the local property owners and the Southwest Neighborhood Task Force, it was decided to begin the process of finalizing the urban renewal plan and take it to the City Council before the end of 2007. The Urban Renewal Plan was sent to the City Legal Department and City Administration for review and comments. Comments and recommendations from both City Legal and City Administration were taken into account and incorporated into this Plan.

The Plan was also sent to the Yellowstone County Board of Planning for its review and recommendations regarding the plan's conformity to the City's 2003 Growth Policy Plan. A recommendation of approval was passed by the Planning Board on October 23, 2007. The plan was then presented at a City Council Work Session on November 5, 2007. The public hearing and first reading of the Ordinance was held by the City Council on November 26, 2007 with the second reading and final adoption on December 10, 2007.

A modification to the SBBURD plan began in October of 2008. On November 10, 2008, the Billings City Council passed a Resolution Declaring Blight, Intent to Modify the District, and Setting a Public Hearing Date. The Yellowstone County Board of Planning reviewed the modified Urban Renewal Plan and made recommendations to the City Council regarding the Plan's conformity with the 2003 Growth Policy on November 12, 2008. The affected property owners were notified of the Plan's modification and public hearing notices were published on November 6, 2008 and November 13, 2008 for the first reading and public hearing on the modification of the Plan.

The City initiated an amendment to the Plan in May 2019 to ensure future projects contemplated by the City and via public comments and recommendations would be possible if funded by bonding or directly through tax increment funds generated by the SBBURD. The process to amend the Plan has followed the process described in Montana Code as follows: The Yellowstone County Board of Planning reviewed the modified Urban Renewal Plan and made recommendations to the City Council regarding the Plan's conformity with the 2016 Growth Policy on June 25, 2019. The

affected property owners were notified by mailed postcard of the Plan's modification, and public hearing notices were published on June 28, 2019 and July 5, 2019 for the first reading and public hearing on the Plan amendment.

The City initiated an expansion to the SBBURD boundary in December 2020 to include additional properties in the District. The process to expand the District has followed the process described in Montana Code as follows: The Yellowstone County Board of Planning reviewed the modified Urban Renewal Plan and made recommendations to the City Council regarding the Plan's conformity with the 2016 Growth Policy on April 13, 2021. The City Council acted upon a Resolution of Intent to expand the boundaries of the District on May 10, 2021 and set a public hearing date to act on an ordinance to expand the District in July 12, 2021. The affected property owners were notified by mailed letter of the District expansion, and public hearing notices were published for the first reading and public hearing set for July 12, 2021.

Financial Programming

The City of Billings, to ensure a sound and adequate financial program to fund projects, has concluded the following: For every $1 million dollars of increased market value, assuming Class 4 (commercial) property @ 3.01 % taxable rate and a mill levy of $0.55, it is anticipated that an increment value of approximately $14,500 will be generated yearly.

Modification of SBBURD Plan

The SBBURD may be modified at any time by the City Council as necessary to eliminate and prevent the development or spread of blighted areas and encourage urban rehabilitation. The process for plan modification shall follow the procedures set forth in 7-15-4212 through 7-15-4219 MCA, with respect to initial adoption of this Plan. For purposes of urban renewal district boundary changes only, the notice of public hearing, as described in 7-15-4215 MCA, may only be mailed to those owners whose properties are situated within the area of expansion or contraction of the Urban Renewal District boundaries. In cases where the boundaries are not modified, but the contents of the urban renewal plan are substantially modified, notification shall be mailed to all owners of property within the District area.

Section 9 - Housing (Conservation of Existing Affordable H ousing)

Housing is an important element to the District. Providing the District with housing opportunities is vital to the sustainability of the District. With housing opportunities, individuals and families can live and work within the District. This provides a dual benefit; first, the commute to work for individuals will be reduced and second, the businesses within the District will have a local work force to draw from.

Current housing in the area consists of single-family, duplex, and multi-family units and include rental units and owner-occupied. Also, manufactured home parks are located within the District. The main concentration of housing is in the central and eastern portion of the District. During the summer of 2007, the Planning Division developed a map of existing housing conditions within the City of

Billings. The information was generated through the Yellowstone County CAMA (Computer Assisted Mass Appraisal) detail system. Properties were queried that were labeled as either unsound, poor, fair, or incomplete. This resulted in approximately 2,390 properties within the city limits that met this query. Out of the 2,390 city properties, 562 or 24% were located in the SBBURD. Of the 562 residential structures, seven were rated as unsound, 184 as poor and 371 as fair.

Future housing for the District is encouraged to be developed for the goal of ownership. When rental housing occurs, such facilities shall be developed in connection with mixed-uses and managed by a company that will provide active policy measures to eliminate crime and blight. Approval of multi-family housing will require either a Zone Change or Special Review request that requires approval by the City Council.

Housing in the area shall also be designed to cater to a variety of income demographics as well. All current affordable housing needs in the District shall be accounted for through the development of owned and rental housing that remain within the District. Housing for mid- and higher-level income groups shall also be encouraged. To avoid creation of substandard housing or encourage future blight, mixed-use housing developments shall incorporate all income demographics within the same project in a safe and positive way.

Section 10 - Transportation and Pedestrian Circulation

The transportation and circulation situation in the TIF District should be a major focus during redevelopment of the area. Traffic patterns and access issues can affect the function and livability of a community or neighborhood.

During discussions and public meetings, it was apparent the current street conditions and lack of adequate transportation and pedestrian facilities was a high priority for property owners. The majority of traffic that comes into the District is either pass-through or destination traffic to the major transportation routes located within the District. In addition, the lack of sidewalk and pedestrian routes is a concern with the number of schools and parks located in the District. Safe and attractive pedestrian amenities, such as sidewalks, boulevards, crosswalks, improved signage and shelters or benches would greatly enhance pedestrian experiences.

Section 11 - Public Services and Facilities

Currently there are four public schools located within the District; three elementary schools and one middle school. A concern mentioned many times by residents was the lack of sidewalks for school children to get to school. It was observed that many students are walking directly in the street due to a lack of sidewalks. The creation of a Safe Routes to School Plan should be created to address this concern. In addition to schools, there are several developed parks located in the District. Amend Park provides a multi-use facility for soccer and rugby as well as picnic sites and shelters. Optimist Park has a variety of amenities that include basketball courts, jogging trails, playground, softball and baseball fields and picnic areas. Ponderosa Park provides horseshoe courts, playground, softball and baseball fields and soccer and rugby fields. The City of Billings also provides services to the District with MET Transit and the Southgate Cop Shop. Currently two MET routes serve the neighborhood; the Central and the Southside Loop. Both of these routes travel to and from the Stewart Park and Downtown Transfer Centers. The Southgate Cop Shop was reopened in May of 2007 and operates on

Monday, Wednesday and Friday from 4 - 7 p.m. The station is a neighborhood police contact center currently staffed by volunteers. Residents are encouraged to use the Cop Shop to report crimes, suspicious activities or obtain information and assistance.

Section 12 - Infrastructure and Utilities

The District has infrastructure and utilities deficiencies that need to be addressed prior to any large influx of redevelopment or new building construction. Water and sewer conditions need to be addressed due to out of date installations, inadequate lines, or increases in impacts to existing structures.

The storm water drainage situation is particularly troublesome as many areas either have inadequate storm water facilities or none at all.

By upgrading infrastructure and utilities, therein lies the opportunity for more attractive development opportunities.

Section 13 - Urban Renewal Projects and Programs

The Urban Renewal Projects were identified by property owners within the District during the public meetings at the time the Plan was first adopted in 2008 and also during the amendment process in 2019. Information for the 2008 Plan adoption process utilized the Southwest Corridor Task Force meetings and delivery through comments mailed to the Planning Division. For the 2019 amendment process, a public meeting was held at Orchard Elementary School on May 30, 2019 where projects ideas and comments were collected, as well as at the South Billings Urban Renewal Association meeting on June 4, 2019. It is the City's intent to use tax increment to finance public improvement projects. In addition to TIF financing, the City may also use Special Improvement District financing as well as grant funding through, but not limited to, the Community Development Block Grant Program. By combining funding opportunities, more projects will be able to be completed.

The project and program list below encompasses both items included in the 2008 Plan as well as the new project recommendations for the 2019 Plan amendment. The items are identified by the year:

2008 Project and Program Recommendations:

Project: Traffic calming measures on Calhoun and Orchard Streets. (Completed)

Project: Street improvements on Newman Drive between Simpson and Stone Streets, install curb and gutter. (Completed)

Project: Pave, curb, and gutter on Simpson from Calhoun to Newman.

Project: Widen, curb and gutter (where needed) and repave Calhoun the full length. (Completed)

Project: Widen, curb and gutter (where needed) and repave Orchard the full length. (Completed)

Project: Widen, curb and gutter (where needed) and repave Hallowell the full length. (Under Construction 2021)

Project: Widen, curb and gutter and install bike path or sidewalk the full length of King Avenue East from Parkway to Riverside Drive. (Completed to Jackson Street)

Project: Safety to school plan. (SRTS Maps Updated, Plan Update in 2021/2022)

Project: Crosswalks within the District (where needed).(In Progress)

Project: Sidewalks within the District (where needed). (In Progress)

Project: Street lights along King Avenue East. (In Progress)

Project: Street widening at Optimist Park. (Addressed with Hallowell Lane Project)

Project: 4100 Block of Vaughn Street - sidewalk. (Included in FY22 CIP – Jackson to Hallowell)

Project: 4100 Block of Vaughn - public sewer needed, drain fields failing. (Included in FY22 CIP – Jackson to Hallowell)

Project: Bike/pedestrian routes along King Avenue. (Mostly Completed, section east of Jackson Street)

Project: Sewer improvements on South Billings Boulevard from Mitchell north to Underpass Road. Sewer line currently runs east under adjoining residential development. (Completed)

Project: Repave Morgan Avenue between Hallowell Lane and Jackson Street include sidewalks, streetlights. (Included in FY22 CIP)

Project: Install public sewer along Morgan Avenue that includes storm water improvements. (Included in FY22 CIP)

Project: More bike trails throughout neighborhood. (In Progress)

Project: Park improvements for Little League and soccer leagues. (Amend Park and Optimist Park projects addressing this need)

Project: Community Resource Officer within the neighborhood to steer kids away from drugs and promote a safe neighborhood. (Coordination between SD#2 and City PD is ongoing)

Project: Pave Newman Lane behind Newman Elementary School. (Completed)

Project: Storm water improvement at the Northeast comer of Phillip and Hallowell. (Addressed with Hallowell Lane Project)

Project: Need school zone signage at Newman Elementary School. Completed)

Project: Installation and improvement of municipal water and sewer lines within the District. (Completed)

Project: Installation of sidewalks on Jackson Street (where needed). (In Progress)

Project: Stop light at South Billings Boulevard and Midland Road. (Completed)

Project: Neighborhood wide traffic study for traffic calming strategies. (In Progress through SRTS and Complete Streets efforts)

Project: Assess adequacy of fire hydrants throughout the neighborhood and add fire hydrants as needed. (Not Completed)

Project: Traffic light at State Avenue and Hallowell Lane. (Completed)

Project: Continuation of streetlights on Jackson to King Avenue. (Not Completed)

In addition to property owner identification of projects for the District, the City of Billings Public Works Department has several ongoing or future infrastructure projects scheduled. These projects include the following:

- **Orchard Lane** - Replacement of a water main in Orchard Lane from just south of King Avenue East to Underpass Avenue. (Completed)

- **Calhoun Lane** – Replacement of water main in Calhoun Lane from King Avenue East to Underpass Avenue. (Completed)

- **Jackson Street** - Jackson Street is split into two phases. The first phase will provide sidewalk and drive approaches on the west side of Jackson Street from King Avenue East to Ryan Avenue. The second phase will provide drive approaches, sidewalk, curb and gutter, and ADA ramps along both sides of Jackson Street from State Avenue to Kratz Lane. (Completed)

- **Newman Lane and Bruce Avenue** - Sanitary sewer rehabilitation work was completed in the TIF District in 2007 at Newman Lane and Bruce Avenue.

2021 SBBURD Gravel Street Inventory – Programming in Current or Future CIP

Branch Name	To	From
ARDEN AVE	JACKSON STREET	VICEROWY STREET
BRUCE Ave	HALLOWELL	STEPHENS
CLEVENGER AVENUE	600' W OF JACKSON ST	JACKSON ST
FRANCES AVENUE	ORCHARD LANE	END W. ORCHARD LANE
HILLVIEW LANE	MORGAN AVE	ALLEY N OF PHILLIP STREET
HILLVIEW LANE	VAUGHN LANE	MITCHELL AVENUE
HOLIDAY AVENUE	SONGBIRD DRIVE	WELL STREET
MCDOUGALL DRIVE	CUL-DE-SAC E OF WASHINGTON STREET	WASHINGTON STREET
MITCHELL AVENUE	HILLVIEW	HALLOWELL
MONROE STREET	MADISON AVENUE	371'S. MADISON AVE
MOREY STREET	UNDERPASS AVENUE	WONDERPARK DRIVE
MOREY STREET	END OF GRAVEL	SIMPSON STREET
MULLOWNEY LANE	320' N/O PARKWAY LN	130' S/O PARKWAY LANE
NEWMAN LANE	LUX AVENUE	RUTH LANE
NOVA LANE	SONGBIRD DRIVE	WELL STREET
RYAN AVENUE	JACKSON STREET	HALLOWELL LANE
SONGBIRD DRIVE	MIDLAND ROAD	FRONTIER DRIVE
STEPHENS LANE	ARDEN AVENUE	VAUGHN LANE
STEPHENS LANE	SIMPSON STREET	RYAN AVENUE
STEPHENS LANE	ALLEY N OF JANSMA AVENUE	ALLEY S OF JANSMA AVE
VAUGHN LANE	JACKSON	HALLOWELL

FY 2022 SBURD Project
FY 2021 City Project and SID
Proposed Future CIP Inclusion

2019 Project and Program Recommendations:

Parks & Recreational Amenities – Construct and enhance public facilities that will increase the quality or quantity of parks and recreational activities within the District. This may include, but is not limited to, a recreation center, swimming pool, ice arena, indoor and outdoor park development, and other amenities.

Public Safety – Construction of Police or Fire facilities within the District, to include necessary furnishings for such facilities.

Railroad Infrastructure – Coordinate with BNSF Railway and Montana Rail Link on safety and long-term viability of railroad crossings and corridors in the District and cooperate on projects with the railroads and City of Billings.

Walking Paths and Trails – Construct sidewalks, trails, and pathways throughout the District with landscaping to ensure the safety of children and all pedestrians, as well as provide access to neighborhoods and services.

Transportation Corridor Improvements – Construct and reconstruct transportation infrastructure in the District to include streets, sidewalks, lighting, traffic control, multi-purpose side paths, landscaping, water, sewer, stormwater, and transit access projects.

School and Community Services – Assist in funding projects and programs in the District to enhance school playgrounds and athletic fields, health and wellness programs, access to community meeting and activity spaces, and other efforts that improve access to school and community services.

Section 14 - Identified Projects and Programs in Relationship to the Goals and Objectives Respective to the 2016 City of Billings Growth Policy

One of the requirements of Montana's Urban Renewal Law (Title 7, Chapter 15, Parts 42 and 43, MCA) is that the urban renewal plan must conform to the community's growth policy. On April 13, 2021, the Yellowstone County Board of Planning acted affirmatively on a recommendation to the City Council as to the SBBURD expansion's consistency with the 2016 City of Billings Growth Policy. The 2016 City of Billings Growth Policy ("Growth Policy") refers to and promotes economic development and urban renewal in a variety of ways. The preceding list of urban renewal goals listed in Section 13 are relevant to the Growth Guidelines identified in the Growth Policy in the following areas:

Growth Guidelines

Essential Investments (relating public and private expenditures to public values)

- The safety of all users and the connectivity of the transportation system are important criteria to consider in roadway designs and transportation plans.
- Public transit and commercial air service are critical to ensure access to and around the City.
- Planning and construction of safe and affordable interconnected sidewalks and trails are important to the economy and livability of Billings.
- 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.
- Landscaping of public rights-of-way and entryways makes Billings more visually appealing to residents and visitors.
- Public health and safety and emergency service response are critical to the well-being of Billings' residents, businesses, and visitors.
- Infill development and development near existing City infrastructure may be the most cost effective.
- The history and heritage of Billings are cornerstones of our community.

- Neighborhoods that are safe and attractive and provide essential services are much desired.
- 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
- A supportive school system that inspires, motivates, and prepares students for meaningful employment is important for ensuring a high quality, competitive community.

Place Making (Enhance, maintain, preserve, and improve existing public places)

- A multi-use community recreation facility is desirable.
- Enhancement and maintenance of public spaces and buildings through City stewardship is integral to a vibrant community.
- Park master plans and transportation plans are important to facilitate the preservation and improved public access to the Yellowstone River and the Rims
- Public and private partnerships are valuable for creating enhanced entryways into Billings.
- 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.

Community Fabric (attractive, aesthetically pleasing, uniquely Billings)

- Developed landscape areas in commercial areas encourage more pedestrian activity and vibrant commercial activity.
- Attractive streetscapes provide a pleasant and calming travel experience in urban and suburban neighborhoods.
- Outdoor public spaces provide casual and relaxing gathering areas for people.
- Planning and construction of interconnected sidewalks and trails are important to the livability of Billings.
- Cost-effective landscaping of public rights-of-way and entryways makes Billings more visually appealing to residents and visitors.

Strong Neighborhoods (livable, safe, sociable, and resilient neighborhoods)

- 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.
- Safe and livable neighborhoods can be achieved through subdivision design that focuses on complete streets, pedestrian-scale streetlights, street trees and walkable access to public spaces.
- Implementation of the Infill Policy is important to encourage development of underutilized properties.

Home Base (healthy, safe, and diverse housing options)

- A mix of housing types that meet the needs of a diverse population is important.

- Common to all types of housing choices is the desire to live in surroundings that are affordable, healthy, and safe.
- Homes that are safe and sound support a healthy community.

Mobility and Access (transportation choices in places where goods and services are accessible to all)

- Connecting people to places with transportation choices is vital to the well-being of Billings' residents, businesses, and visitors.
- Safe and accessible transportation systems benefit everyone's quality of life.
- Affordable public transit is much desired.
- Development oriented to transit routes will provide more transportation choices and is preferred.
- "Safe Routes to Schools" promotes physical health and reduces vehicle trips, earning parents more time and less costs for transportation.
- Planning and construction of interconnected sidewalks and trails are important to the economy and livability of Billings.
- On-street bike facilities promote predictability for all users
- Technology can reduce congestion and facilitate emergency vehicle travel at railroad crossings.

Prosperity (promoting equal opportunity and economic advancement)

- Predictable, reasonable City taxes and assessments are important to Billings' taxpayers.
- Successful businesses that provide local jobs benefit the community.
- Community investments that attract and retain a strong, skilled, and diverse workforce also attracts businesses.
- Retaining and supporting existing businesses helps sustain a healthy economy.

Section 15 - Neighborhood Planning

Another tool that is expected to be used in the future to address current conditions within the District and the identification of neighborhood needs will be accomplished through the creation of a Neighborhood Plan. A neighborhood plan may be drafted for this area of Billings in the next three or four years based on available funding. The purpose of the neighborhood plan is to assist residents, governing agencies, planners, and developers in making the right choices when determining future growth patterns and development within the neighborhood. The plan also encourages local government, developers, and businesses to discuss future land use decisions with neighborhood residents and business owners prior to the proposed land use change. The neighborhood plan is not a regulatory document; instead, it is adopted by the City Council and the Board of County Commissioners as an implementation strategy and is part of the City of Billings and Yellowstone County Growth Policy as an advisory document. The neighborhood plan would be implemented through the City's Capital Improvement Program Planning and by the Southwest Corridor Neighborhood Task Force.

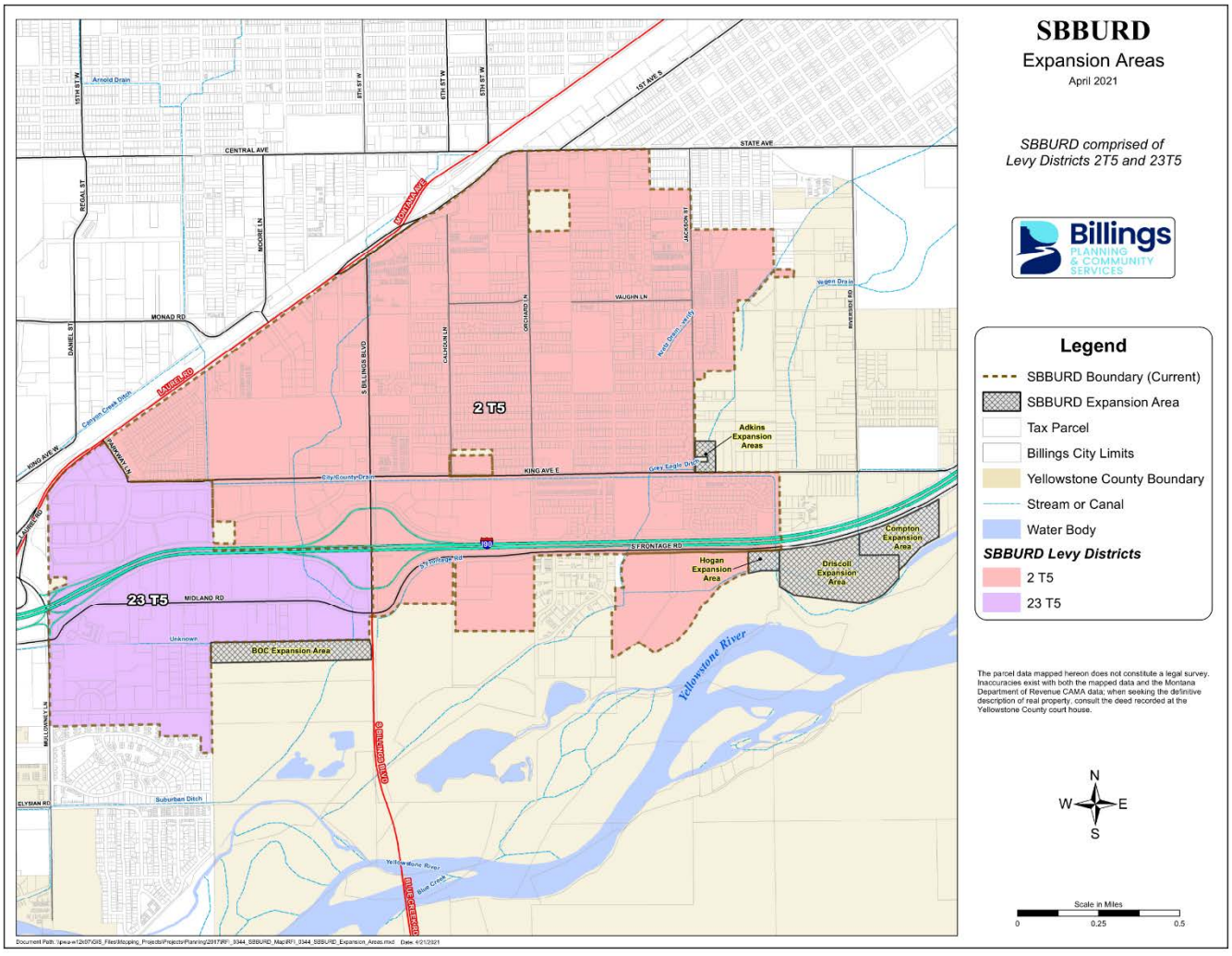
The plan would include general and specific recommendations that reflect the values of the community, encourage sound decision-making, and empower people to take action. The plan also

includes realistic implementation strategies that involve both private and public actions, as well as regulatory decisions.

Section 16- Conclusion

The South Billings Boulevard Urban Renewal District has a tremendous amount of potential to become a viable and reliable economic engine. The District has a great potential to become a destination place where Billings residents, business owners, and visitors will purposefully go to conduct business, have goods and services manufactured and enjoy recreation and leisure activities. At the end of the life of this TIFD program it is the hope of all involved that this area of Billings will be a wonderful place to live, work and play far into the future.

Appendix I – 2021 Expansion



ORDINANCE 19-5725

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE SOUTH BILLINGS BOULEVARD URBAN RENEWAL PLAN FOR THE SOUTH BILLINGS BOULEVARD URBAN RENEWAL DISTRICT (SBBURD), FORMED BY THE CITY IN NOVEMBER 2007 AND EXPANDED IN NOVEMBER 2008, BE AMENDED BY REVISING SECTIONS 1, 8, 13 AND 14, PROVIDING FOR ADDITIONAL PROJECTS TO BE FUNDED AND CONSTRUCTED IN THE FUTURE IN THE SBBURD, AS WELL AS UPDATING THE PLAN TO REFLECT THE AMENDMENT PROCESS.

WHEREAS, this Council on May 12, 2008, established the South Billings Boulevard Urban Renewal District and adopted the South Billings Boulevard Urban Renewal Plan under Ordinance 08-5462,

WHEREAS, this Council on December 8, 2008, modified the South Billings Boulevard Urban Renewal District and modified the South Billings Boulevard Urban Renewal Plan under Ordinance 08-5484,

WHEREAS, opportunities have been presented to the City that make it desirable for the City to amend the South Billings Boulevard Urban Renewal Plan to enable further development and redevelopment of properties, demolishing blighted structures, improving such properties with, landscaping, utilities, and other similar improvements, assembling such properties, and making the properties so improved available for private redevelopment.

WHEREAS, the City Council has made amendments to the South Billings Boulevard Urban Renewal Plan as outlined in this Ordinance and as attached as Exhibit A.

WHEREAS, the South Billings Boulevard Urban Renewal Plan has been reviewed and approved by the Yellowstone County Board of Planning, as evidenced by the Board's letter provided to the City Council and the meeting minutes of June 25, 2019.

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

Section 1. That Section 1 of the South Billings Boulevard Urban Renewal Plan be amended so that such section shall read as follows:

On May 12, 2008 the City of Billings adopted an ordinance creating the South Billings Boulevard Urban Renewal District (SBBURD) and established a Tax Increment Finance District. As part of this ordinance, an urban renewal plan and the boundaries of the tax increment finance district were adopted.

Public participation for preparing the urban renewal plan involved public meetings and participation with the City of Billings, the Southwest Corridor Neighborhood

Task Force, residents and property owners, Downtown Billings Partnership, and Big Sky Economic Development Authority.

In October of 2008, the City began a modification of the SBBURD to include three additional properties. Two of these properties were recently annexed and contiguous to the existing SBBURD; therefore, the properties are now eligible to be included within the SBBURD. The third property is contiguous and requested an expansion of the district boundary. The modification of the urban renewal plan will reflect the addition of those properties.

The December 2008 modification of the urban renewal plan ~~will~~:

- Served as a framework for the official urban renewal plan
- Fulfilled Montana state law
- Updated and define district boundaries
- Classifiedy blight
- Set forth the protocol for its authorization, execution, and management
- Illustrated the development opportunities
- Documented baseline taxable property values and potential areas for redevelopment

The July 2019 amendment of the urban renewal plan will:

- Identify future projects and programs
- Ensure the City has the option to bond future projects
- Update to the 2008 Plan to reflect the 2019 amendment process

Section 8. That Section 8 of the South Billings Boulevard Urban Renewal Plan be amended so that such section shall read as follows:

Stakeholder and Community Participation

The initial concept of developing a Tax Increment Finance District and an Urban Renewal Plan in the South Billings Boulevard area was brought forward by the City of Billings, Big Sky Economic Development Authority and the Downtown Billings Partnership. After discussions and meetings with the Southwest Corridor Task Force, it was determined that a steering committee would be established to move forward with the development of an Urban Renewal Plan for the creation of the South Billings Boulevard TIF District. After discussions with the participating members, it was apparent that direct communication with business owners, landowners and public participation was critical for the project to be a success. Two public meetings were scheduled to open dialogue on the proposed Urban Renewal Plan and TIF District

process, and to set goals and objectives of the project. It also became clear that a grass-roots effort conducted and led by the property owners themselves was needed.

In October of 2008, the city began an urban renewal plan modification process to include 3 additional properties to the district pursuant to Montana Code section 7-15-4221. All property owners affected by the urban renewal plan modification were notified by mail of the public hearing on the Urban Renewal Plan held November 24, 2008.

In May 2019 the City in coordination with the South Billings Urban Renewal Association began the process to amend the South Billings Urban Renewal Plan. All property owners affected by the urban renewal plan amendment were notified by mail of a public meeting to discuss and receive public comment on the Plan amendment on May 30, 2019. All property owners affected by the urban renewal plan amendment were also notified of the public hearing on the Urban Renewal Plan held July 8, 2019.

Planning, City Administration and Legal Review

During the many meetings with the local property owners and the Southwest Neighborhood Task Force, it was decided to begin the process of finalizing the urban renewal plan and take it to the city council before the end of 2007. The urban renewal plan was sent to the City Legal Department and City Administration for review and comments. Comments and recommendations from both City Legal and City Administration were taken into account and incorporated into this plan.

The plan was also sent to the Yellowstone County Board of Planning for its review and recommendations regarding the plan's confo1mity to the 2003 Growth Policy Plan. A recommendation of approval was passed by the Planning Board on October 23, 2007. The plan was then presented at a City Council Work Session on November 5, 2007. The public hearing and first reading of the Ordinance was held by the City Council on November 26, 2007 with the second reading and final adoption on December 10, 2007.

The modification to the SBBURD plan began in October of 2008. On November 10, 2008, the Billings City Council passed a Resolution Declaring Blight, Intent to Modify the District, and Setting a Public Hearing Date. The Yellowstone County Board of Planning reviewed the modified Urban Renewal Plan and made recommendations to the City Council with regard to the plan's conformity with the 2003 Growth Policy on November 12, 2008. The affected property owners were notified of the plan's modification and public hearing notices were published on November 6, 2008 and November 13, 2008 for the first reading and public hearing on the modification of the plan.

The City initiated an amendment to the SBBURD plan in May 2019 to ensure future projects contemplated by the City and also provided by public comments and recommendations would be possible if funded by bonding or directly through tax

increment funds generated by the SBBURD. The process to amend the plan has followed the process described in Montana Code as follows: The Yellowstone County Board of Planning reviewed the modified Urban Renewal Plan and made recommendations to the City Council with regard to the plan's conformity with the 2016 Growth Policy on June 25, 2019. The affected property owners were notified by mailed postcard of the plan's modification, and public hearing notices were published on June 28, 2019 and July 5, 2019 for the first reading and public hearing on the plan amendment.

Section 13. That Section 13 of the South Billings Boulevard Urban Renewal Plan be amended so that such section shall read as follows:

Section 13 - Urban Renewal Projects and Programs

The Urban Renewal Projects were identified by property owners within the district during the public meetings at the time the Plan was first adopted in 2008 and also during the amendment process in 2019.; Information for the 2008 Plan adoption process utilized the Southwest Corridor Task Force meetings and delivery through comments mailed to the Planning Division. For the 2019 amendment process, a public meeting was held at Orchard Elementary School on May 30, 2019 where projects ideas and comments were collected, as well as at the South Billings Urban Renewal Association meeting on June 4, 2019. It is the City's intent to use Tax Increment to finance public improvement projects. In addition to TIF financing, the City may also use Special Improvement District financing as well as grant funding through but not limited to, the Community Development Block Grant Program. By combining funding opportunities, more projects will be able to be completed.

The project and program list below encompasses both items included in the 2008 Plan as well as the new recommendations for the 2019 Plan amendment. The items are identified by the year:

2008 Project and Program Recommendations:

Project: Traffic calming measures on Calhoun and Orchard Streets.

Project: Street improvements on Newman Drive between Simpson and Stone Streets, install curb and gutter.

Project: Pave, curb and gutter on Simpson from Calhoun to Newman.

Project: Widen, curb and gutter (where needed) and repave

Calhoun the full length. Project: Widen, curb and gutter (where

needed) and repave Orchard the full length. Project: Widen, curb

and gutter (where needed) and repave Hallowell the full length.

Project: Widen, curb and gutter and install bike path or sidewalk the full length of King Avenue East from Parkway to Riverside Drive.

Project: Safety to school plan.

Project: Crosswalks within the district (where

needed). Project: Sidewalks within the district

(where needed).

Project: Street lights along King

Avenue East. Project: Street

widening at Optimist Park.

Project: 4100 Block of Vaughn Street - sidewalk.

Project: 4100 Block of Vaughn - public sewer needed,

drainfields failing. Project: Bike/pedestrian routes along

King Avenue.

Project: Sewer improvements on South Billings Boulevard from Mitchell north to Underpass Road. Sewer line currently runs east under adjoining residential development.

Project: Repave Morgan Avenue between Hallowell Lane and Jackson Street include sidewalks, street lights.

Project: Install public sewer along Morgan Avenue that includes storm

water improvements. Project: More bike trails throughout neighborhood.

Project: Park improvements for Little League and soccer leagues.

Project: Community Resource Officer within the neighborhood to steer kids away from drugs and promote a safe neighborhood.

Project: Pave Newman Lane behind Newman Elementary School.

Project: Storm water improvement at the Northeast comer of Phillip

and Hallowell. Project: Need school zone signage at Newman

Elementary School.

Project: Installation and improvement of municipal water and sewer lines

within the district. Project: Installation of sidewalks on Jackson Street

(where needed).

Project: Stop light at South Billings Boulevard and

Midland Road. Project: Neighborhood wide traffic study

for traffic calming strategies.

Project: Assess adequacy of fire hydrants throughout the neighborhood and add fire hydrants as needed.

Project: Traffic light at State Avenue and

Hallowell Lane. Project: Continuation of street

lights on Jackson to King Avenue.

In addition to property ~~1iy~~ owner identification of projects for the district, the City of Billings Public Works Department has several ongoing or future infrastructure projects scheduled. These projects include the following:

- Orchard Lane - Replacement of a water main in Orchard Lane from just south of King Avenue East to Underpass Avenue. This project is scheduled for the spring or fall of 2009.
- Calhoun Lane – Replacement of water main in Calhoun Lane from King Avenue East to Underpass Avenue. This project could be scheduled for 2010 or 2011.
- Jackson Street - Jackson Street is split into two phases. The first phase will provide sidewalk and drive approaches on the west side of Jackson Street from King Avenue East to Ryan Avenue. The second phase will provide drive approaches, sidewalk, curb and gutter, and ADA ramps along both sides

of Jackson Street from State Avenue to Kratz Lane. These phases are programmed in the FY 2009 Budget

- Newman Lane and Bruce Avenue - Sanitary sewer rehabilitation work was completed in the TIF district in 2007 at Newman Lane and Bruce Avenue.

2019 Project and Program Recommendations:

Parks & Recreational Amenities – Construct and enhance public facilities that will increase the quality or quantity of parks and recreational activities within the District. This may include, but is not limited to, a recreation center, swimming pool, ice arena, indoor and outdoor park development, and other amenities.

Public Safety – Construction of Police or Fire facilities within the District, to include necessary furnishings for such facilities.

Railroad Infrastructure – Coordinate with BNSF Railway and Montana Rail Link on safety and long-term viability of railroad crossings and corridors in the District and cooperate on projects with the railroads and City of Billings.

Walking Paths and Trails – Construct sidewalks, trails and pathways throughout the District with landscaping to ensure the safety of children and all pedestrians, as well as provide access to neighborhoods and services.

Transportation Corridor Improvements – Construct and reconstruct transportation infrastructure in the District to include streets, sidewalks, lighting, traffic control, multi-purpose side paths, landscaping, water, sewer, stormwater, and transit access projects.

School and Community Services – Assist in funding projects and programs in the District to enhance school playgrounds and athletic fields, health and wellness programs, access to community meeting and activity spaces, and other efforts that improve access to school and community services.

Section 14. That Section 14 of the South Billings Boulevard Urban Renewal Plan be amended so that such section shall read as follows:

Section 14 - Identified Projects and Programs in Relationship to the Goals and Objectives Respective to the 2016 City of Billings ~~County~~ Growth Policy ~~Plan~~

One of the requirements of Montana's Urban Renewal Law (Title 7, Chapter 15, Parts 42 and 43, MCA) is that the urban renewal plan must conform to the community's growth policy. The ~~Yellowstone County and~~ 2016 City of Billings ~~2003~~ Growth Policy ~~Plan~~ ("Growth Policy") refers to and promotes economic

development and urban renewal in a variety of ways. The preceding list of urban renewal goals listed in Section 13 are relevant to the ~~goals~~ Growth Guidelines identified in the Growth Policy in the following ~~elements~~areas:

Growth Guidelines

Essential Investments (relating public and private expenditures to public values)

- The safety of all users and the connectivity of the transportation system are important criteria to consider in roadway designs and transportation plans
- Public transit and commercial air service are critical to ensure access to and around the City
- Planning and construction of safe and affordable interconnected sidewalks and trails are important to the economy and livability of Billings.
- 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
- Landscaping of public rights-of-way and entryways makes Billings more visually appealing to residents and visitors
- Public health and safety and emergency service response are critical to the well-being of Billings' residents, businesses, and visitors
- Infill development and development near existing City infrastructure may be the most cost effective
- The history and heritage of Billings are cornerstones of our community
- Neighborhoods that are safe and attractive and provide essential services are much desired
- 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
- A supportive school system that inspires, motivates, and prepares students for meaningful employment is important for ensuring a high quality, competitive community

Place Making (Enhance, maintain, preserve, and improve existing public places)

- A multi-use community recreation facility is desirable
- Enhancement and maintenance of public spaces and buildings through City stewardship is integral to a vibrant community
- Park master plans and transportation plans are important to facilitate the preservation and improved public access to the Yellowstone River and the Rims
- Public and private partnerships are valuable for creating enhanced entryways into Billings

- 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

Community Fabric (attractive, aesthetically pleasing, uniquely Billings)

- Developed landscape areas in commercial areas encourage more pedestrian activity and vibrant commercial activity
- Attractive streetscapes provide a pleasant and calming travel experience in urban and suburban neighborhoods
- Outdoor public spaces provide casual and relaxing gathering areas for people
- Planning and construction of interconnected sidewalks and trails are important to the livability of Billings
- Cost-effective landscaping of public rights-of-way and entryways makes Billings more visually appealing to residents and visitors

Strong Neighborhoods (livable, safe, sociable and resilient neighborhoods)

- 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
- 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
- Implementation of the Infill Policy is important to encourage development of underutilized properties

Home Base (healthy, safe and diverse housing options)

- A mix of housing types that meet the needs of a diverse population is important
- Common to all types of housing choices is the desire to live in surroundings that are affordable, healthy and safe
- Homes that are safe and sound support a healthy community

Mobility and Access (transportation choices in places where goods and services are accessible to all)

- Connecting people to places with transportation choices is vital to the well-being of Billings' residents, businesses and visitors
- Safe and accessible transportation systems benefit everyone's quality of life
- Affordable public transit is much desired
- Development oriented to transit routes will provide more transportation choices and is preferred
- "Safe Routes to Schools" promotes physical health and reduces vehicle trips, earning parents more time and less costs for transportation

- Planning and construction of interconnected sidewalks and trails are important to the economy and livability of Billings
- On-street bike facilities promote predictability for all users
- Technology can reduce congestion and facilitate emergency vehicle travel at railroad crossings

Prosperity (promoting equal opportunity and economic advancement)

- Predictable, reasonable City taxes and assessments are important to Billings' taxpayers
- Successful businesses that provide local jobs benefit the community
- Community investments that attract and retain a strong, skilled and diverse workforce also attracts businesses
- Retaining and supporting existing businesses helps sustain a healthy economy

PASSED by the City Council on first reading this 8th day of July, 2019.

PASSED, ADOPTED and APPROVED on second reading this 22nd day of July, 2019.

CITY OF BILLINGS:

By: William A. Cole
William A. Cole, Mayor

ATTEST:

By: Denise R. Bohlman
Denise R. Bohlman, City Clerk

YELLOWSTONE COUNTY BOARD OF PLANNING

Billings PLANNING & COMMUNITY SERVICES

BILLINGS - YELLOWSTONE COUNTY MPO METROPOLITAN PLANNING ORGANIZATION

2825 3RD AVENUE NORTH, 4TH FLOOR
BILLINGS, MONTANA 59101
PHONE: (406) 247-8676 FAX: (406) 657-8327

April 13, 2021

Mayor and City Council
City of Billings, Montana

RE: South Billings Boulevard Urban Renewal District Expansion

As President of the Yellowstone County Board of Planning, I am forwarding the Board's recommendation for the proposed expansion of the South Billings Boulevard Urban Renewal District and modification of the Urban Renewal Plan. On March 23, 2021, per MCA 7-15-4213 (5)(d) the Planning Board reviewed the proposed expansion of the District and modification of the Plan as to conformity with the 2016 City of Billings Growth Policy. The Planning Board voted at its April 13 meeting to forward a recommendation to City Council of approval of the expanded District and Plan modification and their conformity with the Growth Policy.

This item was posted on the Planning Board agenda for its regular meeting held March 23 and April 13, 2021. The Yellowstone County Board of Planning reviewed the proposed expansion of the South Billings Boulevard Urban Renewal District and Plan modification and found the changes conformed with the 2016 City of Billings Growth Policy. Specifically, several Growth Policy Guidelines are addressed by potential development and redevelopment that may occur on properties to be included in the District expansion. Some examples are called out here by the Board:

Essential Investments (relating public and private expenditures to public values)

- *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*
- *Walking Paths and Trails – Construct sidewalks, trails and pathways throughout the District with landscaping to ensure the safety of children and all pedestrians, as well as provide access to neighborhoods and services.*
- *The safety of all users and the connectivity of the transportation system are important criteria to consider in roadway designs and transportation plans*
- *Infill development and development near existing City infrastructure may be the most cost-effective*

- *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*

Community Fabric (attractive, aesthetically pleasing, uniquely Billings)

- *Planning and construction of interconnected sidewalks and trails are important to the livability of Billings*

Home Base (healthy, safe and diverse housing options)

- *A mix of housing types that meet the needs of a diverse population is important*

The Board respectfully submits this recommendation to the City of Billings Mayor and City Council for consideration.

Respectfully Yours,

Woody Woods

Woody Woods, President
Yellowstone County Board of Planning

City Council Regular

Date:	07/26/2021
Title:	Payment of Claims for week of June 21, 2021
Presented by:	Andy Zoeller, Finance Director
Department:	Finance
Presentation:	No

RECOMMENDATION

Staff recommends Council approve the Payment of Claims

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

Claims in the amount of $2,452,870.85 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 or designee. 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 or designee.
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 06212021

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/21/2021	843765	Advanced Eng & Enviro	Wastewater	$ 2,956.48	Water and Wastewater Rate Study FY22/23
06/21/2021	843765	Advanced Eng & Enviro	Water	$ 2,707.27	Water and Wastewater Rate Study FY22/24
06/21/2021	843770	Armscor Cartridge	PD Program	$ 4,539.00	Armscor 13696, 380, 40 S&W 9mm 223, 12 gauge. 00 buck 12 gauge
06/21/2021	843770	Armscor Cartridge	PD Program	$ 3,533.00	Armscor 13696, 380, 40 S&W 9mm 223, 12 gauge. 00 buck 12 gauge
06/21/2021	843770	Armscor Cartridge	PD Program	$ 12,000.00	Armscor 13696, 380, 40 S&W 9mm 223, 12 gauge. 00 buck 12 gauge
06/21/2021	843770	Armscor Cartridge	Public Safety	$ 146.00	Armscor 13708, 9mm
06/21/2021	843770	Armscor Cartridge	Public Safety	$ 30,322.00	Armscor 13709, 9mm, 40 S&W, 223 Rem, 12 gauge and 00 buck 12 gauge
06/21/2021	843773	ATS Inland NW	Water	$ 7,440.00	Program update
06/21/2021	843774	Azteca Systems	P.W. Admin	$ 2,034.78	Annual CityWorks Licenses -6/21/2021-6/22/2022 Public Works
06/21/2021	843774	Azteca Systems	Park Dist 1	$ 19,200.00	Annual CityWorks Licenses 6/21/2021 -6/20/2022 -PRPL
06/21/2021	843774	Azteca Systems	Street/Traffic	$ 9,156.52	Annual CityWorks Licenses -6/21/2021-6/22/2022 Public Works
06/21/2021	843774	Azteca Systems	Water	$ 12,208.70	Annual CityWorks Licenses -6/21/2021-6/22/2022 Public Works
06/21/2021	843776	Belle Chemical	Tax Incrmnt E	$ 44,532.00	Belle Chemical Fence
06/21/2021	843780	Blgs Industrial Revitalize	Tax Incrmnt E	$ 34,985.00	TIF Management FY2021; 4th Quarter
06/21/2021	843782	Billings Tourism	Tourism BID #2	$ 634,952.00	Paid May Distributed June 2021
06/21/2021	843786	Burns & McDonnell Eng	Water	$ 167,193.40	WO 19-42 West End Water Treatment Plant Project
06/21/2021	843787	Business Tax Section	Arterial Streets	$ 141.60	WO 2009 Ret Rel
06/21/2021	843787	Business Tax Section	Solid Waste	$ 145.34	Billings Landfill Door Access Control System
06/21/2021	843787	Business Tax Section	Solid Waste	$ 50.00	Billings Landfill Door Access Control System
06/21/2021	843787	Business Tax Section	Solid Waste	$ 8,167.51	Landfill Reconfiguration
06/21/2021	843787	Business Tax Section	Wastewater	$ 22.41	3 interior doors & a set of exterior double doors at service center
06/21/2021	843787	Business Tax Section	Wastewater	$ 6.04	Material & installation of window coverings at the Belknap service center
06/21/2021	843787	Business Tax Section	Water	$ 99.98	Charlene 36' Main Repair
06/21/2021	843787	Business Tax Section	Water	$ 67.24	3 interior doors & a set of exterior double doors at service center
06/21/2021	843787	Business Tax Section	Water	$ 18.14	Material & installation of window coverings at the Belknap service center
06/21/2021	843789	Cascade Pump Company	Wastewater	$ 154,540.00	#20 MF DUPLICATE BOWL ASSEMBLY & PARTS FOR WRF
06/21/2021	843791	Century Link	Airport	$ 45.66	406-245-5834 Airport Alarm
06/21/2021	843791	Century Link	Airport	$ 52.52	406-256-6014 Airport P9 Building
06/21/2021	843791	Century Link	Airport	$ 63.98	406-256-7070 Airport
06/21/2021	843791	Century Link	Engineering	$ 127.84	406-259-7758 Measured Lines Depot
06/21/2021	843791	Century Link	EOC 911	$ 53.40	406-245-2296 911
06/21/2021	843791	Century Link	EOC 911	$ 45.65	406-245-3107 911
06/21/2021	843791	Century Link	EOC 911	$ 45.65	406-245-3108 911
06/21/2021	843791	Century Link	EOC 911	$ 311.26	406-245-7101 9-1-1 Center Landfill #2
06/21/2021	843791	Century Link	EOC 911	$ 311.26	406-245-7102 9-1-1 Center Fox Reservoir #2
06/21/2021	843791	Century Link	Fleet	$ 50.55	406-256-5047 Motor Pool

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/21/2021	843791	Century Link	P.W. Admin	$ 85.25	406-259-7758 Measured Lines Depot
06/21/2021	843791	Century Link	Phone System	$ 51.99	406.259.7121 CPC
06/21/2021	843791	Century Link	Phone System	$ 494.84	406.259.7214 CPC
06/21/2021	843791	Century Link	Phone System	$ 51.99	406.259.7752 PRPL
06/21/2021	843791	Century Link	Phone System	$ 228.20	406-248-3049 Main System T1 City/County Tie
06/21/2021	843791	Century Link	Planning	$ 46.93	406-656-9578 Planning Traffic Central Broadwater
06/21/2021	843791	Century Link	Planning	$ 46.93	406-656-9604 Planning Traffic Central 9th
06/21/2021	843791	Century Link	Public Safety	$ 119.32	406-245-7469 Fire
06/21/2021	843791	Century Link	Public Safety	$ 118.32	406-373-3742 Fire RR Crossing Alarm
06/21/2021	843791	Century Link	Public Safety	$ 57.31	406-651-0282 Fire 5 911 Line
06/21/2021	843791	Century Link	Radio	$ 311.26	406-248-3635 Fire Airport Radio Tower WCK
06/21/2021	843791	Century Link	Radio	$ 311.26	406-248-3636 Fire Airport Radio Tower Jellison
06/21/2021	843791	Century Link	Solid Waste	$ (7.73)	406-256-7001 Solid Waste Scale House
06/21/2021	843791	Century Link	Water	$ 39.44	406-245-3659 PUD Alarm Water Tower
06/21/2021	843796	Community Seven	General	$ 12,808.00	PEG Fees January 1 to March 31, 2021 // 3rd Qtr FY21
06/21/2021	843799	Crash Data Group	Public Safety	$ 4,035.00	CDR 900 upgrade Kit. INV10054.
06/21/2021	843801	Crescent Electric Supply	Water	$ 3,810.00	CAMERA FOR WTP INTAKE 2, NW FILTER GALLERY
06/21/2021	843802	Crewsense LLC	EOC 911	$ 3,203.97	Scheduling renewal for Fire & 911 Center 06/13/2021 thru 06/12/2022
06/21/2021	843802	Crewsense LLC	Public Safety	$ 11,213.90	Scheduling renewal for Fire & 911 Center 06/13/2021 thru 06/12/2023
06/21/2021	843805	Cushing Terrell	Park Dist 1	$ 4,500.00	consulting on the CastleRock playground
06/21/2021	843806	Dale & Jax Door & Glass	Wastewater	$ 2,218.84	replace 3 interior doors & set of exterior double doors at service center
06/21/2021	843806	Dale & Jax Door & Glass	Water	$ 6,656.51	Replace 3 interior doors & a set of exterior double doors at Service Center
06/21/2021	843807	Dell Computer L P	Airport	$ 980.12	PC Dell Optiplex 7080 SSF i5, 8GB RAM, 128GB SSD one 27" monitor
06/21/2021	843807	Dell Computer L P	Airport	$ 1,099.89	Dell 3640 Tower -i5, 8GB RAM, 256GB SSD. Nvidia 512 Card
06/21/2021	843807	Dell Computer L P	Public Safety	$ 1,216.50	Dell i5, 8B RAM, 256GB SSD -24" monitor, and 24" monitor w/camera/mic
06/21/2021	843808	Dept of the Treasury	General	$ 4,760.96	CYE2020 Form 420 Fees Paid FY 2021
06/21/2021	843809	Digital Video Systems	Solid Waste	$ 4,950.00	Billings Landfill Door Access Control System
06/21/2021	843809	Digital Video Systems	Solid Waste	$ 14,388.66	Billings Landfill Door Access Control System
06/21/2021	843810	Dixie Petro-Chem	Water	$ 8,264.00	BULK CHLORINE
06/21/2021	843811	Donnes Inc	Water	$ 6,250.00	Dig intake and seal basin
06/21/2021	843812	Dorsey & Whitney	Library GO Debt	$ 27,000.00	Legal Services Rendered thru May 11, 2021
06/21/2021	843812	Dorsey & Whitney	Sidewalk Const	$ 8,000.00	Legal Services thru June 10, 2021
06/21/2021	843812	Dorsey & Whitney	Sidewalk Const	$ 8,000.00	Legal Services thru June 10, 2021
06/21/2021	843813	DOWL	Arterial Streets	$ 23,313.00	S 32nd St W Ret Rel
06/21/2021	843813	DOWL	Planning	$ 3,580.00	Billings ByPass Corridor Study
06/21/2021	843814	Downtown Billings BID	Downtown BID	$ 118,138.12	BID Assessment; Paid May Distributed June 2021

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/21/2021	843815	Dustbusters	Street/Traffic	$ 10,306.24	dustgard for gravel streets
06/21/2021	843819	Energy Laboratories	Wastewater	$ 1,231.00	SAMPLE TESTING WRF
06/21/2021	843819	Energy Laboratories	Wastewater	$ 1,064.00	SAMPLE TESTING WRF
06/21/2021	843819	Energy Laboratories	Wastewater	$ 167.00	WRF LAB SAMPLE TESTING
06/21/2021	843819	Energy Laboratories	Water	$ 2,748.00	WTP - DBP'S
06/21/2021	843825	First Montana Title	CDBG	$ 10,000.00	FTHB Mason Parker 217 S. 33rd
06/21/2021	843824	First Montana Title	CDBG	$ 15,000.00	FTHB Michaelia Elmore 1215 Glencoe
06/21/2021	843833	Gunarama Wholesale	PD Program	$ 6,135.00	15 GLOCK GEN-5 G17 9mm
06/21/2021	843836	HDR, Inc.	Solid Waste	$ 20,048.89	WO 17-12 Landfill Drop-off Facility
06/21/2021	843836	HDR, Inc.	Water	$ 1,417.31	WO 1912 Westend Reservoir FEMA Grant Witting Services
06/21/2021	843837	Iaff	Payroll Clearing	$ 5,197.14	Payroll Summary
06/21/2021	843842	Invoice Cloud	Building	$ 14.41	For Service Period of 05/01/2021 through 5/31/2021
06/21/2021	843842	Invoice Cloud	City Ins Fund	$ 10.58	For Service Period of 05/01/2021 through 5/31/2021
06/21/2021	843842	Invoice Cloud	Parking	$ 30.26	For Service Period of 05/01/2021 through 5/31/2021
06/21/2021	843842	Invoice Cloud	Solid Waste	$ 6,194.29	For Service Period of 05/01/2021 through 5/31/2021
06/21/2021	843842	Invoice Cloud	Wastewater	$ 7,823.78	For Service Period of 05/01/2021 through 5/31/2021
06/21/2021	843842	Invoice Cloud	Water	$ 9,204.44	For Service Period of 05/01/2021 through 5/31/2021
06/21/2021	843845	Kadrmas Lee & Jackson	Arterial Streets	$ 36,974.00	WO 20-15 Wicks Lane Improvements Project
06/21/2021	843847	Knife River	Street/Traffic	$ 1,532.85	asphalt
06/21/2021	843847	Knife River	Street/Traffic	$ 320.65	asphalt
06/21/2021	843847	Knife River	Street/Traffic	$ 1,850.75	asphalt
06/21/2021	843847	Knife River	Water	$ 339.00	Concrete for thrust blcoks
06/21/2021	843850	KTVQ	P.W. Admin	$ 5,000.00	planning, creative & production-video content and digital display
06/21/2021	843850	KTVQ	P.W. Admin	$ 4,500.00	planning, creative & production-video content and digital display
06/21/2021	843850	KTVQ	P.W. Admin	$ 500.00	planning, creative & production-video content and digital display
06/21/2021	843851	Livingston Auto Center	Wastewater	$ 16,647.20	2021 1-TON Pkup w/service body, replacing 7901 & no trade in
06/21/2021	843851	Livingston Auto Center	Wastewater	$ 16,647.20	2022 1-TON Pkup w/service body, replacing 7902 & no trade in
06/21/2021	843851	Livingston Auto Center	Water	$ 24,970.80	2023 1-TON Pkup w/service body, replacing 7901 & no trade in
06/21/2021	843851	Livingston Auto Center	Water	$ 24,970.80	2024 1-TON Pkup w/service body, replacing 7902 & no trade in
06/21/2021	843852	M R Concrete	Water	$ 550.00	CONCRETE REPAIR FOR SERVICE WORK - INVOICE #2118
06/21/2021	843852	M R Concrete	Water	$ 2,000.00	CONCRETE REPAIR FOR SERVICE WORK DOWNTOWN
06/21/2021	843852	M R Concrete	Water	$ 900.00	Curb and gutter replacement
06/21/2021	843853	Mayo	Public Safety	$ 300.00	reimbursement for trip to Butte for return to duty evals
06/21/2021	843853	Mayo	Public Safety	$ 3,369.34	Shawn Mayo, reimbursement for MSTOA 2021
06/21/2021	843855	Miller Mendel Inc	Public Safety	$ 2,685.00	eSOPH background System. 1574 Invoice #.
06/21/2021	843859	Montana CSED	Payroll Clearing	$ 3,291.43	Payroll Summary

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/21/2021	843863	MFPE	Payroll Clearing	$ 2,741.25	Payroll Summary
06/21/2021	843865	MT Law Enforce Academy	Public Safety	$ 7,500.00	MLEA invoice 20461 for LEOB 174
06/21/2021	843866	Montana Peterbilt	Fleet	$ 2,131.50	20403B PO NUM 312657
06/21/2021	843866	Montana Peterbilt	Fleet	$ 225.48	20459B PO NUM 312657
06/21/2021	843866	Montana Peterbilt	Solid Waste	$ 122.54	20342B
06/21/2021	843866	Montana Peterbilt	Solid Waste	$ 95.01	20354B
06/21/2021	843869	MT State Firemen	Payroll Clearing	$ 4,453.62	Payroll Summary
06/21/2021	843871	MPPA	Payroll Clearing	$ 3,618.85	Payroll Summary
06/21/2021	843873	MT Waterworks	Street/Traffic	$ 188.00	couplings, pvc for storm sewer
06/21/2021	843873	MT Waterworks	Water	$ 920.24	12" HYMAX 2 COUPLING (LONG BODY)
06/21/2021	843873	MT Waterworks	Water	$ 400.00	3/4" CURB VALVE - COMPRESSION-MINNEAPOLIS P/N: 76104Q34
06/21/2021	843873	MT Waterworks	Water	$ 133.68	4 X 1 - TAP SADDLE - DUCTILE IRON
06/21/2021	843873	MT Waterworks	Water	$ 88.80	CLOUD WHITE MARKING PAINT P/N: S03901
06/21/2021	843873	MT Waterworks	Water	$ 5,693.91	HS POST CHLORINATION
06/21/2021	843873	MT Waterworks	Water	$ 1,053.65	PIPE BURSTING - 8" X 4" PUSH-ON TEE (DPT84)
06/21/2021	843880	NorthWestern Energy	General	$ 47.79	0712387-0
06/21/2021	843880	NorthWestern Energy	General	$ 65.98	0712536-2
06/21/2021	843880	NorthWestern Energy	General	$ 35.67	0720818-4
06/21/2021	843880	NorthWestern Energy	General	$ 1,141.53	0720821-8
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 1,092.91	SILMD 10 Acct# 0712546-1
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 1,995.78	SILMD 100 Acct# 0712559-4
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 1,707.95	SILMD 107 Acct# 0712560-2
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 4,283.45	SILMD 109 Acct# 0712561-0
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 192.77	SILMD 113 Acct# 0712562-8
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 921.77	SILMD 114 Acct# 0712563-6
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 216.88	SILMD 115 Acct# 0712564-4
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 569.31	SILMD 116 Acct# 0712565-1
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 3,094.96	SILMD 117 Acct# 0712566-9
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 197.61	SILMD 118 Acct# 0712567-7
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 119.97	SILMD 119 Acct# 0712568-5
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 2,439.94	SILMD 121 Acct# 0712570-1
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 182.80	SILMD 122 Acct# 0712571-9
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 325.32	SILMD 123 Acct# 0712572-7
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 948.86	SILMD 124 Acct# 0712573-5
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 379.53	SILMD 125 Acct# 0712574-3
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 189.78	SILMD 126 Acct# 0712575-0

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 685.50	SILMD 127 Acct# 0712576-8
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 479.85	SILMD 128 Acct# 0712577-6
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 325.32	SILMD 129 Acct# 0712578-4
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 4,384.65	SILMD 13 Acct# 0721276-4
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 116.00	SILMD 130 Acct# 0712579-2
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 840.42	SILMD 131 Acct# 0712580-0
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 215.41	SILMD 133 Acct# 0712581-8
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 497.09	SILMD 134 Acct# 0712582-6
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 502.70	SILMD 135 Acct# 0712583-4
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 460.89	SILMD 136 Acct# 0712584-2
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 357.63	SILMD 137 Acct# 0712585-9
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 731.98	SILMD 138 Acct# 0712586-7
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 244.00	SILMD 139 Acct# 0712587-5
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 2,157.43	SILMD 14 Acct# 0721277-2
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 569.31	SILMD 143 Acct# 0712588-3
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 27.08	SILMD 144 Acct# 0712589-1
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 457.01	SILMD 145 Acct# 0712590-9
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 352.43	SILMD 146 Acct# 0712591-7
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 426.53	SILMD 147 Acct# 0712592-5
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 1,457.57	SILMD 149 Acct# 0712593-3
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 731.20	SILMD 150 Acct# 0712594-1
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 623.51	SILMD 151 Acct# 0712595-8
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 4,207.63	SILMD 152 Acct# 0712596-6
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 525.53	SILMD 153 Acct# 0712597-4
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 1,188.23	SILMD 154 Acct# 0712598-2
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 487.99	SILMD 155 Acct# 0712599-0
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 891.16	SILMD 157 Acct# 0712600-6
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 786.18	SILMD 158 Acct# 0712601-4
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 937.79	SILMD 159 Acct# 0712602-2
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 704.87	SILMD 160 Acct# 0712603-0
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 1,028.28	SILMD 161 Acct# 0712604-8
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 45.72	SILMD 162 Acct# 0712605-5
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 698.03	SILMD 163 Acct# 0712606-3
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 365.62	SILMD 164 Acct# 0712607-1
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 867.52	SILMD 165 Acct# 0712608-9
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 228.52	SILMD 167 Acct# 0712609-7

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 1,121.47	SILMD 17 Acct# 0712553-7
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 548.41	SILMD 171 Acct# 0712610-5
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 497.10	SILMD 172 Acct# 0712611-3
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 1,142.51	SILMD 173 Acct# 0712612-1
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 959.71	SILMD 174 Acct# 0712613-9
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 319.89	SILMD 175 Acct# 0712614-7
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 32.65	SILMD 176 Acct# 0712615-4
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 251.35	SILMD 178 Acct# 0712616-2
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 502.70	SILMD 179 Acct# 0712617-0
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 94.01	SILMD 18 Acct# 0712554-5
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 342.77	SILMD 180 Acct# 0712618-8
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 1,653.74	SILMD 181 Acct# 0712619-6
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 571.27	SILMD 182 Acct# 0712620-4
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 1,142.52	SILMD 183 Acct# 0712621-2
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 365.62	SILMD 184 Acct# 0712622-0
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 137.11	SILMD 185 Acct# 0712623-8
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 649.58	SILMD 186 Acct# 0712624-6
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 228.52	SILMD 187 Acct# 0712625-3
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 274.20	SILMD 188 Acct# 0712626-1
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 228.52	SILMD 189 Acct# 0712627-9
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 1,188.23	SILMD 190 Acct# 0712628-7
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 407.82	SILMD 191 Acct# 0712629-5
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 297.05	SILMD 192 Acct# 0712630-3
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 731.20	SILMD 193 Acct# 0712631-1
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 284.90	SILMD 194 Acct# 0712632-9
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 227.92	SILMD 195 Acct# 0712633-7
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 72.89	SILMD 196 Acct# 0712634-5
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 72.89	SILMD 197 Acct# 0712635-2
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 114.25	SILMD 198 Acct# 0712636-0
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 78.55	SILMD 200 Acct# 0712637-8
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 479.85	SILMD 201 Acct# 0712638-6
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 604.94	SILMD 202 Acct# 0712639-4
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 19.44	SILMD 203 Acct# 0712640-2
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 379.38	SILMD 204 Acct# 0712641-0
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 26.13	SILMD 205 Acct# 0712642-8
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 319.89	SILMD 206 Acct# 0712643-6

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 365.62	SILMD 207 Acct# 0712644-4
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 223.25	SILMD 208 Acct# 0712645-1
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 525.53	SILMD 209 Acct# 0712646-9
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 87.48	SILMD 210 Acct# 0712647-7
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 48.60	SILMD 211 Acct# 0712648-5
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 48.60	SILMD 212 Acct# 0712649-3
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 29.17	SILMD 213 Acct# 0712650-1
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 367.51	SILMD 214 Acct# 0712651-9
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 137.11	SILMD 216 Acct# 0712652-7
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 369.92	SILMD 217 Acct# 0712653-5
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 261.77	SILMD 220 Acct# 0712654-3
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 6.53	SILMD 221 Acct# 0712655-0
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 77.02	SILMD 222 Acct# 0712656-8
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 116.65	SILMD 223 Acct# 0712657-6
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 1,380.91	SILMD 224 Acct# 0712658-4
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 365.27	SILMD 225 Acct# 0712659-2
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 240.44	SILMD 226 Acct# 0712660-0
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 636.00	SILMD 227 Acct# 0712661-8
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 786.18	SILMD 228 Acct# 0712662-6
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 406.67	SILMD 229 Acct# 0712663-4
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 948.88	SILMD 230 Acct# 0712664-2
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 569.31	SILMD 231 Acct# 0712665-9
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 2,467.04	SILMD 232 Acct# 0712666-7
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 858.83	SILMD 233 Acct# 0712667-5
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 480.88	SILMD 234 Acct# 0712668-3
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 537.89	SILMD 235 Acct# 0712669-1
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 170.95	SILMD 236 Acct# 0712670-9
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 388.46	SILMD 237 Acct# 0712671-7
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 13.05	SILMD 238 Acct# 0712672-5
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 91.41	SILMD 239 Acct# 0712673-3
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 410.26	SILMD 240 Acct# 0712674-1
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 567.95	SILMD 241 Acct# 0712675-8
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 81.33	SILMD 242 Acct# 0712676-6
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 108.45	SILMD 244 Acct# 0712677-4
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 71.77	SILMD 245 Acct# 0712678-2
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 325.32	SILMD 246 Acct# 0712679-0

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 951.55	SILMD 247 Acct# 0712680-8
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 2,683.93	SILMD 249 Acct# 0718734-7
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 205.12	SILMD 250 Acct# 0719001-0
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 3,798.02	SILMD 251 Acct# 0718801-4
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 542.21	SILMD 252 Acct# 0719162-0
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 1,777.47	SILMD 253 Acct# 0719644-7
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 154.02	SILMD 254 Acct# 0719763-5
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 151.79	SILMD 255 Acct# 0720813-5
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 915.04	SILMD 257 Acct# 0720360-7
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 2,552.31	SILMD 258 Acct# 0720606-3
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 1,363.96	SILMD 259 Acct# 0720810-1
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 487.99	SILMD 261 Acct# 0720705-3
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 3,030.81	SILMD 262 Acct# 0720937-2
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 948.82	SILMD 263 Acct# 0720716-0
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 356.27	SILMD 264 Acct# 0721427-3
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 168.03	SILMD 265 Acct# 0721556-9
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 39.68	SILMD 266 Acct# 0721684-9
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 448.23	SILMD 270 Acct# 0906944-4
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 933.56	SILMD 271 Acct# 0995095-7
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 2,779.16	SILMD 272 Acct# 0905005-5
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 201.60	SILMD 273 Acct# 0926386-4
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 488.18	SILMD 276 Acct# 0961926-3
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 837.41	SILMD 277 Acct# 1058710-3
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 216.52	SILMD 278 Acct# 1087619-1
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 58.08	SILMD 279 Acct# 1124127-0
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 705.69	SILMD 280 Acct# 1045653-1
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 450.98	SILMD 283 Acct# 1172743-5
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 319.30	SILMD 285 Acct# 1206985-2
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 239.94	SILMD 286 Acct# 1296582-8
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 1,823.34	SILMD 288 Acct# 1303978-9
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 228.67	SILMD 289 Acct# 1685375-6
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 108.56	SILMD 290 Acct# 1433921-2
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 596.42	SILMD 292 Acct# 1481532-8
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 228.52	SILMD 293 Acct# 1481534-4
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 457.01	SILMD 294 Acct# 1481535-1
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 108.45	SILMD 295 Acct# 1481536-9

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 1,211.07	SILMD 296 Acct# 1481537-7
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 205.66	SILMD 297 Acct# 1481539-3
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 182.80	SILMD 298 Acct# 1481540-1
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 401.40	SILMD 300 Acct# 1662840-6
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 5,376.68	SILMD 301 Acct# 1687005-7
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 191.41	SILMD 302 Acct# 1607534-3
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 713.19	SILMD 305 Acct# 1695873-8
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 158.91	SILMD 306 Acct# 1740353-6
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 2,227.35	SILMD 307 Acct# 2049005-8
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 266.59	SILMD 308 Acct# 2072459-7
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 280.28	SILMD 309 Acct# 2001311-6
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 187.37	SILMD 310 Acct# 2060519-2
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 214.60	SILMD 311 Acct# 3014475-2
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 305.89	SILMD 312 Acct# 3146127-0
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 306.54	SILMD 315 Acct# 3305804-1
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 1,190.08	SILMD 316 Acct# 3291842-7
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 68.80	SILMD 317 Acct# 3253826-6
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 799.89	SILMD 318 Acct# 3372018-6
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 56.13	SILMD 320 Acct# 0712569-3
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 310.57	SILMD 321 Acct# 3338917-2
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 64.86	SILMD 322 Acct# 3402033-9
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 579.99	SILMD 323 Acct# 3597170-4
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 249.08	SILMD 324 Acct# 1246537-3
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 202.96	SILMD 325 Acct# 3587598-8
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 82.03	SILMD 326 Acct# 3840455-4
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 182.80	SILMD 327 Acct# 3810801-5
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 372.92	SILMD 8 Acct# 0712544-6
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 347.56	SILMD 9 Acct# 0712545-3
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 478.65	SILMD 95 Acct# 0712556-0
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 9,471.74	SILMD 97 Acct# 0712557-8
06/21/2021	843881	NorthWestern Energy	Light Maint	$ 1,069.09	SILMD 99 Acct# 0712558-6
06/21/2021	843880	NorthWestern Energy	Park Dist 1	$ 590.85	0722287-0
06/21/2021	843880	NorthWestern Energy	Park Dist 1	$ 543.18	0723045-1
06/21/2021	843880	NorthWestern Energy	Park Dist 1	$ 248.41	1191404-1
06/21/2021	843880	NorthWestern Energy	Park Dist 1	$ 22.62	1836666-6
06/21/2021	843880	NorthWestern Energy	Public Safety	$ 614.46	0871546-8

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/21/2021	843880	NorthWestern Energy	Street/Traffic	$ 0.24	1740357-7
06/21/2021	843880	NorthWestern Energy	Street/Traffic	$ 0.57	1748896-6
06/21/2021	843881	NorthWestern Energy	Street/Traffic	$ 10,814.73	Signal Bills 6.16.21
06/21/2021	843880	NorthWestern Energy	Transit	$ 406.36	0719225-5
06/21/2021	843880	NorthWestern Energy	Wastewater	$ 65,875.37	0100591-7
06/21/2021	843880	NorthWestern Energy	Wastewater	$ 1,531.01	0100606-3
06/21/2021	843880	NorthWestern Energy	Wastewater	$ 155.31	389 62nd St Lift Entrance
06/21/2021	843880	NorthWestern Energy	Water	$ 1,278.66	0100485-2
06/21/2021	843880	NorthWestern Energy	Water	$ 116,356.76	0100606-3
06/21/2021	843880	NorthWestern Energy	Water	$ 4,593.03	0100606-3
06/21/2021	843880	NorthWestern Energy	Water	$ 4,817.13	0722264-9
06/21/2021	843880	NorthWestern Energy	Water	$ 7,300.80	0723040-2
06/21/2021	843880	NorthWestern Energy	Water	$ 6.00	0723059-2
06/21/2021	843880	NorthWestern Energy	Water	$ 198.80	1142253-2
06/21/2021	843880	NorthWestern Energy	Water	$ 1,282.80	5809 Canyonwoods Dr-June 2021
06/21/2021	843884	Ovivo USA LLC	Wastewater	$ 2,556.54	GRIT SCRAPER #1 & #2
06/21/2021	843886	PeopleReady Inc	Solid Waste	$ 4,972.76	Contract labor for landfill.
06/21/2021	843886	PeopleReady Inc	Solid Waste	$ 3,264.56	Contract labor for landfill.
06/21/2021	843892	Polydyne Inc	Wastewater	$ 4,144.40	FLOSPERSE 30
06/21/2021	843892	Polydyne Inc	Wastewater	$ 4,144.40	FLOSPERSE 30 WRF
06/21/2021	843894	Power Service Inc	Wastewater	$ 4,672.70	Maintenance Services
06/21/2021	843894	Power Service Inc	Wastewater	$ 550.26	Maintenance Services
06/21/2021	843897	Public Utilities	Park Dist 1	$ 1,194.41	180092
06/21/2021	843897	Public Utilities	Parks Maint	$ 82.01	102418
06/21/2021	843897	Public Utilities	Parks Maint	$ 579.16	136082
06/21/2021	843897	Public Utilities	Parks Maint	$ 1,438.96	136090
06/21/2021	843897	Public Utilities	Parks Maint	$ 2,241.40	136091
06/21/2021	843897	Public Utilities	Parks Maint	$ 3,173.82	136092
06/21/2021	843897	Public Utilities	Parks Maint	$ 161.94	136093
06/21/2021	843897	Public Utilities	Parks Maint	$ 1,193.63	136096
06/21/2021	843897	Public Utilities	Parks Maint	$ 5,229.17	136103
06/21/2021	843897	Public Utilities	Parks Maint	$ 877.00	136108
06/21/2021	843897	Public Utilities	Parks Maint	$ 150.89	136111
06/21/2021	843897	Public Utilities	Parks Maint	$ 651.17	148074
06/21/2021	843897	Public Utilities	Parks Maint	$ 3,342.56	148398
06/21/2021	843897	Public Utilities	Parks Maint	$ 186.39	148423

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/21/2021	843897	Public Utilities	Parks Maint	$ 535.90	148654
06/21/2021	843897	Public Utilities	Parks Maint	$ 112.33	148702
06/21/2021	843897	Public Utilities	Parks Maint	$ 777.63	158252
06/21/2021	843897	Public Utilities	Parks Maint	$ 5,487.14	163614
06/21/2021	843897	Public Utilities	Parks Maint	$ 91.21	163944
06/21/2021	843897	Public Utilities	Parks Maint	$ 7,764.99	164211
06/21/2021	843897	Public Utilities	Parks Maint	$ 5,415.19	164212
06/21/2021	843897	Public Utilities	Parks Maint	$ 3,927.00	166674
06/21/2021	843897	Public Utilities	Parks Maint	$ 289.55	168362
06/21/2021	843897	Public Utilities	Parks Maint	$ 3,267.54	175850
06/21/2021	843897	Public Utilities	Parks Maint	$ 484.41	176577
06/21/2021	843897	Public Utilities	Parks Maint	$ 125.75	177710
06/21/2021	843897	Public Utilities	Parks Maint	$ 6.21	179987
06/21/2021	843897	Public Utilities	Parks Maint	$ 13.40	180090
06/21/2021	843897	Public Utilities	Parks Maint	$ 271.51	180091
06/21/2021	843897	Public Utilities	Parks Maint	$ 184.34	187900
06/21/2021	843897	Public Utilities	Parks Maint	$ 2,202.67	192352
06/21/2021	843897	Public Utilities	Parks Maint	$ 123.70	201942
06/21/2021	843897	Public Utilities	Parks Maint	$ 2,907.49	242652
06/21/2021	843897	Public Utilities	Parks Maint	$ 10.00	260404
06/21/2021	843897	Public Utilities	Street/Traffic	$ 2,970.45	168593
06/21/2021	843897	Public Utilities	Street/Traffic	$ 103.90	178621
06/21/2021	843897	Public Utilities	Street/Traffic	$ 7.29	180331
06/21/2021	843897	Public Utilities	Street/Traffic	$ 45.19	180332
06/21/2021	843897	Public Utilities	Street/Traffic	$ 597.91	180333
06/21/2021	843897	Public Utilities	Street/Traffic	$ 2,366.01	180335
06/21/2021	843897	Public Utilities	Street/Traffic	$ 2,250.97	180336
06/21/2021	843897	Public Utilities	Street/Traffic	$ 119.72	180337
06/21/2021	843897	Public Utilities	Street/Traffic	$ 7.82	180338
06/21/2021	843897	Public Utilities	Street/Traffic	$ 134.88	180339
06/21/2021	843897	Public Utilities	Street/Traffic	$ 92.53	180396
06/21/2021	843897	Public Utilities	Street/Traffic	$ 86.88	184751
06/21/2021	843897	Public Utilities	Street/Traffic	$ 916.89	185688
06/21/2021	843897	Public Utilities	Street/Traffic	$ 355.97	185689
06/21/2021	843897	Public Utilities	Street/Traffic	$ 7.29	185690
06/21/2021	843897	Public Utilities	Street/Traffic	$ 894.15	185691

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/21/2021	843897	Public Utilities	Street/Traffic	$ 1,261.78	191161
06/21/2021	843897	Public Utilities	Street/Traffic	$ 234.69	191162
06/21/2021	843897	Public Utilities	Street/Traffic	$ 66.00	241853
06/21/2021	843897	Public Utilities	Street/Traffic	$ 47.05	243345
06/21/2021	843897	Public Utilities	Street/Traffic	$ 270.66	243891
06/21/2021	843897	Public Utilities	Street/Traffic	$ 698.93	248978
06/21/2021	843899	Public Works-Admin	Water	$ 445.00	PWU May Engineering Permits - 166936445 Acct 101434
06/21/2021	843899	Public Works-Admin	Water	$ 10,460.00	PWU May Engineering Permits - WSRP; 166936445 Acct 101434
06/21/2021	843900	Purvis Industries	Wastewater	$ 5,493.09	CENTRIFUGE FEED PUMPS 1 & 2
06/21/2021	843902	Rexel USA Inc	Wastewater	$ (534.99)	RETURNED METER
06/21/2021	843902	Rexel USA Inc	Water	$ 402.45	Electrical supplies
06/21/2021	843902	Rexel USA Inc	Water	$ 300.19	Electrical supplies
06/21/2021	843902	Rexel USA Inc	Water	$ (535.00)	RETURNED METER
06/21/2021	843902	Rexel USA Inc	Water	$ 2,992.37	WIRE FOR WILLETT VFD
06/21/2021	843905	Rovanco Piping	Water	$ 6,938.95	LS PROJECT
06/21/2021	843908	Sanderson Stewart	Tax Incrmnt S	$ 10,242.27	King Ave E (Orchard to Jackson)
06/21/2021	843908	Sanderson Stewart	Water	$ 6,589.24	Hallowell Lane Improvements
06/21/2021	843915	Stryker Sales Corp	Capital Replace	$ -	AC POWER CORD
06/21/2021	843915	Stryker Sales Corp	Capital Replace	$ -	LP15 REDI-CHARGE ADAPTER TRAY
06/21/2021	843915	Stryker Sales Corp	Capital Replace	$ -	REDI-CHARGE BASE
06/21/2021	843915	Stryker Sales Corp	Capital Replace	$ -	NIBP CUFF-REUSABLE, CHILD
06/21/2021	843915	Stryker Sales Corp	Capital Replace	$ -	NIBP CUFF-REUSABLE, LARGE ADULT
06/21/2021	843915	Stryker Sales Corp	Capital Replace	$ -	M-LNCS DCI, ADULT REUSABLE SENSOR, 1/BOX
06/21/2021	843915	Stryker Sales Corp	Capital Replace	$ -	CARRY CASE TOP POUCH FOR USE W/LIFEPAK 12 OR LIFEPAK 15
06/21/2021	843915	Stryker Sales Corp	Capital Replace	$ -	LIFEPAK 15 CARRY CASE BACK POUCH
06/21/2021	843915	Stryker Sales Corp	Capital Replace	$ -	LIFEPAK 15 BASIC CARRY CASE W/R & L POUCHES, SHOULDER STRAP
06/21/2021	843915	Stryker Sales Corp	Capital Replace	$ -	CODE-STAT 10 DATA REVIEWSEAT
06/21/2021	843915	Stryker Sales Corp	Capital Replace	$ 5,061.00	4G MODEM: VERIZON CELLULAR KORE
06/21/2021	843915	Stryker Sales Corp	Capital Replace	$ 1,976.20	4G MODEM: VERIZON CELLULAR KORE
06/21/2021	843915	Stryker Sales Corp	Capital Replace	$ -	LIFEPAK 15 NIBP HOSE, 9-FT
06/21/2021	843915	Stryker Sales Corp	Capital Replace	$ -	LP 15 LITHIUM-ION BATTERY 5.7 AMP HRS
06/21/2021	843915	Stryker Sales Corp	Capital Replace	$ -	LIFENET ASSET - 5 YR PER DEVICE, ANNUAL PAYMENTS
06/21/2021	843915	Stryker Sales Corp	Capital Replace	$ -	KORE - STRYKER DATA PLAN FOR MODEM 1-YR
06/21/2021	843915	Stryker Sales Corp	Capital Replace	$ -	LIFEPAK 15 V4 MONITOR/DEFIB
06/21/2021	843915	Stryker Sales Corp	Capital Replace	$ 185.00	ESTIMATED SHIPPING & HANDLING
06/21/2021	843915	Stryker Sales Corp	Capital Replace	$ 29,082.24	4-YR ONSITE PREVENTIVE MAINT; SHIP IN PROCAR PTOTECT.

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/21/2021	843915	Stryker Sales Corp	Capital Replace	$ (13,000.00)	TRADE IN - LIFEPAK 12 BIPHASIC
06/21/2021	843915	Stryker Sales Corp	Capital Replace	$ (13,000.00)	TRADE IN: LIFEPAK 12
06/21/2021	843915	Stryker Sales Corp	Public Safety	$ -	99577-001955 LIFEPAK 15 V4 MONITOR/DEFIB
06/21/2021	843917	Sysco Montana	General	$ 422.89	food for rose concessions - 343280646
06/21/2021	843917	Sysco Montana	General	$ 823.64	food for rose concessions 343279297
06/21/2021	843917	Sysco Montana	General	$ 659.56	food for rose concessions 343282851
06/21/2021	843917	Sysco Montana	General	$ 1,014.99	food for rose concessions 343284440
06/21/2021	843919	TMG Services	Wastewater	$ 36,457.00	CHEM FEED SYSTEM
06/21/2021	843920	Town & Country	Fleet	$ 29,734.60	417988 PO NUM 312667
06/21/2021	843920	Town & Country	Public Safety	$ 1,370.65	419368 FIRE 1 DIESEL
06/21/2021	843920	Town & Country	Public Safety	$ 824.04	419368 FIRE 1 UNLEADED
06/21/2021	843920	Town & Country	Public Safety	$ 356.94	419369 FIRE 6 DIESEL
06/21/2021	843920	Town & Country	Public Safety	$ 1,070.82	419370 FIRE 5 DIESEL
06/21/2021	843920	Town & Country	Public Safety	$ 629.04	419370 FIRE 5 UNLEADED
06/21/2021	843920	Town & Country	Public Safety	$ 709.12	419371 FIRE 3 DIESEL
06/21/2021	843923	Truth2Lies Analysis	Public Safety	$ 6,930.00	tuition for 18 officers for Statement Profiling training in Billings, MT
06/21/2021	843924	Tvetene Turf, Inc.	Parks Maint	$ 3,335.00	copperridge playground-used credit on this invoice
06/21/2021	843924	Tvetene Turf, Inc.	Water	$ 17.50	SOD
06/21/2021	843925	UEC LLC	Water	$ 4,310.00	COMPRESSOR FOR L.S.
06/21/2021	843931	Verizon Wireless	Airport	$ 51.81	Airport
06/21/2021	843931	Verizon Wireless	Engineering	$ 136.60	PW-Engineering
06/21/2021	843931	Verizon Wireless	Fleet	$ 116.28	Motor Pool
06/21/2021	843931	Verizon Wireless	General	$ 99.23	City Administrator 0100-13130-403450
06/21/2021	843931	Verizon Wireless	Park Dist 1	$ 57.12	PRPL-PARKS
06/21/2021	843931	Verizon Wireless	Parking	$ 27.32	Parking 406-690-5822
06/21/2021	843931	Verizon Wireless	Parking	$ 54.84	PRKING Enforcement (Parking)
06/21/2021	843931	Verizon Wireless	PD Program	$ (28.79)	CCSIU
06/21/2021	843931	Verizon Wireless	PD Program	$ 397.35	CCSIU Cell/PTT
06/21/2021	843931	Verizon Wireless	PD Program	$ 54.64	CCSIU MDT
06/21/2021	843931	Verizon Wireless	PD Program	$ 80.02	CCSIU RAVEN
06/21/2021	843931	Verizon Wireless	Phone System	$ 1.13	Animal Control Test SIM
06/21/2021	843931	Verizon Wireless	Public Safety	$ -	Comm Center 911
06/21/2021	843931	Verizon Wireless	Public Safety	$ 268.36	Fire MDT
06/21/2021	843931	Verizon Wireless	Public Safety	$ 600.58	MDT Toughbooks
06/21/2021	843931	Verizon Wireless	Public Safety	$ 63.21	MDT Toughbooks
06/21/2021	843931	Verizon Wireless	Public Safety	$ 107.83	Police

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/21/2021	843931	Verizon Wireless	Public Safety	$ 80.02	Police iPad St John 406-690-5955 Police iPad Lawrence 406-690-2161
06/21/2021	843931	Verizon Wireless	Public Safety	$ 40.01	Police MiFi 406-633-0820 406-598-6294
06/21/2021	843931	Verizon Wireless	Public Safety	$ 51.81	Police -Mike Robinson
06/21/2021	843931	Verizon Wireless	Solid Waste	$ 27.32	PW Dozer Trimble Dozer
06/21/2021	843931	Verizon Wireless	Solid Waste	$ (35.99)	PW-Solid Waste
06/21/2021	843931	Verizon Wireless	Solid Waste	$ 109.28	PW-Solid Waste
06/21/2021	843931	Verizon Wireless	Solid Waste	$ 259.76	PW-SW-ON CALL Solid Waste On Call
06/21/2021	843931	Verizon Wireless	Solid Waste	$ 81.36	PW-SW-ON CALL Solid Waste On Call
06/21/2021	843931	Verizon Wireless	Solid Waste	$ (9.56)	Scale House -SW
06/21/2021	843931	Verizon Wireless	Solid Waste	$ 479.90	Solid Waste Tablets -Routware
06/21/2021	843931	Verizon Wireless	Street/Traffic	$ 81.96	PW-Streets 406-647-1377 iPad, 406-633-1991 iPad
06/21/2021	843931	Verizon Wireless	Street/Traffic	$ 163.92	PW-Streets City Works
06/21/2021	843931	Verizon Wireless	Street/Traffic	$ 201.45	PW-STRT TRFC Streets
06/21/2021	843931	Verizon Wireless	Transit	$ (98.85)	MET Account 770599076-00001 September 2015
06/21/2021	843931	Verizon Wireless	Transit	$ 309.02	MET AVL
06/21/2021	843931	Verizon Wireless	Wastewater	$ 21.86	PW-DIS-COLL Cityworks 60/40
06/21/2021	843931	Verizon Wireless	Wastewater	$ 32.78	PW-Distribution Collection Tablets 60/40
06/21/2021	843931	Verizon Wireless	Water	$ 27.32	PW Belknap Meter Shop
06/21/2021	843931	Verizon Wireless	Water	$ 27.32	PWBLKNP Water Treatment Brian Risser 406-696-4245
06/21/2021	843931	Verizon Wireless	Water	$ 32.78	PW-DIS-COLL Cityworks 60/40
06/21/2021	843931	Verizon Wireless	Water	$ 49.18	PW-Distribution Collection Tablets 60/40
06/21/2021	843931	Verizon Wireless	Water	$ 174.30	PW-Environmental iPads
06/21/2021	843934	Voegele Acquisition	Street/Traffic	$ 975.00	roundup application
06/21/2021	843934	Voegele Acquisition	Street/Traffic	$ 2,036.58	early summer fertilizer
06/21/2021	843934	Voegele Acquisition	Street/Traffic	$ 150.00	fertilizer at area located by underground walking paths
06/21/2021	843935	Wastequip Manuf	Solid Waste	$ 2,956.00	PURCHASE OF METAL CONTAINERS
06/21/2021	843935	Wastequip Manuf	Solid Waste	$ 18,921.00	PURCHASE OF METAL CONTAINERS
06/21/2021	843935	Wastequip Manuf	Solid Waste	$ 32,977.00	PURCHASE OF METAL CONTAINERS
06/21/2021	843935	Wastequip Manuf	Solid Waste	$ 16,662.00	PURCHASE OF METAL CONTAINERS
06/21/2021	843938	Western Municipal Const	Water	$ 9,898.02	Charlene 36" Main Repair
06/21/2021	843940	Western Water Consult	SID Const	$ 2,901.91	SID 14-13 Winged Foot Road and Greenbriar Road
06/21/2021	843940	Western Water Consult	Tax Incrmnt S	$ 20,446.99	WO 20-30 Hallowell Lane Improvements

City Council Regular

Date:	07/26/2021
Title:	Payment of Claims for week of June 28, 2021
Presented by:	Andy Zoeller, Finance Director
Department:	Finance
Presentation:	No

RECOMMENDATION

Staff recommends Council approve the Payment of Claims

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

Claims in the amount of $3,949,017.07 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 or designee. 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 or designee.
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 06282021

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/28/2021	843949	2425 Central Ave	Arterial Str	$ 44,000.00	24th Street West and Central Signal Improvements
06/28/2021	843951	3 Bull Contracting	Park Const	$ 8,910.00	poured concrete slab at Centennial Park
06/28/2021	843952	360 Office Solutions	EOC 911	$ 9.27	911 CTR: CORRECTION FLUID & WRITE ON TAPES (CASSIE)
06/28/2021	843952	361 Office Solutions	Library	$ 2,102.63	1071539-0 printer cartridges
06/28/2021	843952	362 Office Solutions	Public Safety	$ 104.75	1071009-0 CF500X TONER (BC'S PRINTER)
06/28/2021	843952	363 Office Solutions	Public Safety	$ 292.48	1071009-1 FIRE TONER CF500XM BC'S PRINTER (BACKORDER)
06/28/2021	843952	364 Office Solutions	Public Safety	$ 87.99	911 CTR: LJ P1606 TONER AND WRITE ON TAPES (JEFF LOVE)
06/28/2021	843952	365 Office Solutions	Public Safety	$ 11.34	911 CTR: LJ P1606 TONER AND WRITE ON TAPES (JEFF LOVE)
06/28/2021	843952	366 Office Solutions	Public Safety	$ 25.20	FIRE ADMIN: COPY PAPER, MARKERS, POST-IT NOTES
06/28/2021	843952	367 Office Solutions	Public Safety	$ 236.50	FIRE ADMIN: COPY PAPER, MARKERS, POST-IT NOTES
06/28/2021	843952	368 Office Solutions	Public Safety	$ 24.37	FIRE ADMIN: COPY PAPER, MARKERS, POST-IT NOTES
06/28/2021	843953	4 Seasons Electric	Library	$ 35.00	Additional motion sensor for north children's bathroom
06/28/2021	843953	4 Seasons Electric	Library	$ 2,535.44	Emergency lighting in restrooms, boiler/chiller rooms, and garage
06/28/2021	843955	A & I Distributors	Fleet	$ 1,457.14	3633521
06/28/2021	843955	A & I Distributors	Fleet	$ 223.88	3628153 PO NUM 312238
06/28/2021	843955	A & I Distributors	Fleet	$ 1,227.35	3631217 PO NUM 312238
06/28/2021	843955	A & I Distributors	Fleet	$ 1,142.81	3634600 PO NUM 312238
06/28/2021	843955	A & I Distributors	Solid Waste	$ 412.50	330 gal def tote. Landfill.
06/28/2021	843955	A & I Distributors	Solid Waste	$ 825.00	Two 330 gal def tote. Collections.
06/28/2021	843955	A & I Distributors	Transit	$ 1,558.51	3629031 PO NUM 312238. 220 qts. 15W40, 5W40, Red Elc 5050
06/28/2021	843955	A & I Distributors	Transit	$ 119.95	3629031. Washer Fluid
06/28/2021	843955	A & I Distributors	Transit	$ 93.00	3630759. Spent Antifreeze.
06/28/2021	843955	A & I Distributors	Transit	$ 439.45	3630879 PO NUMBER 312238. 220 qts Purus Red Elc 5050
06/28/2021	843955	A & I Distributors	Transit	$ 93.00	Invoice #3634555. Spent Anti Freeze Disposal.
06/28/2021	843955	A & I Distributors	Transit	$ 92.95	Invoice #3634597. 55 Gal DEF
06/28/2021	843955	A & I Distributors	Wastewater	$ 159.33	NONSTOCKING ITEMS-P.U.D.
06/28/2021	843955	A & I Distributors	Water	$ 119.52	NONSTOCKING ITEMS-P.U.D.
06/28/2021	843955	A & I Distributors	Water	$ 1,022.13	WATER PARTS AND SUPPLIES PO NUM 312289
06/28/2021	843960	Alaska Airlines	Airport	$ 19,683.21	Horizon's Air Lektro Tug - 2/17/21 Damage Claim
06/28/2021	843966	Archie Cochrane	Fleet	$ 317.52	5372667 PO NUM 312670
06/28/2021	843966	Archie Cochrane	Fleet	$ 24.30	5373350 PO NUM 312683
06/28/2021	843966	Archie Cochrane	Fleet	$ 48.60	5374335 PO NUM 312683
06/28/2021	843966	Archie Cochrane	General	$ 15.00	5372747
06/28/2021	843966	Archie Cochrane	Public Safety	$ 75.21	5372466
06/28/2021	843966	Archie Cochrane	Public Safety	$ 36.37	5372472
06/28/2021	843966	Archie Cochrane	Public Safety	$ 10.52	5372502

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/28/2021	843966	Archie Cochrane	Public Safety	$ 303.75	5372720
06/28/2021	843966	Archie Cochrane	Public Safety	$ 131.90	5372731
06/28/2021	843966	Archie Cochrane	Public Safety	$ 46.50	5372852
06/28/2021	843966	Archie Cochrane	Public Safety	$ 149.50	5374335
06/28/2021	843966	Archie Cochrane	Transit	$ 229.98	5372849. Fuel Pressure Regulator & Fuel Rail Pressure Sensor
06/28/2021	843966	Archie Cochrane	Transit	$ 154.09	5373336. FVCV Unit 1820. W.O 200726
06/28/2021	843966	Archie Cochrane	Transit	$ 71.87	5373637. EGR Tube Unit 1820. W/O 200726
06/28/2021	843966	Archie Cochrane	Transit	$ 141.25	5373799. EGR Coder Hose Unit 1820. W/O 200726
06/28/2021	843966	Archie Cochrane	Transit	$ (71.87)	5373843. EGR Tube Unit 1820. W/O 200726
06/28/2021	843966	Archie Cochrane	Transit	$ 2,011.33	5374360. Turbo & Gaskets Unit 1823. W/O 201015
06/28/2021	843966	Archie Cochrane	Transit	$ 43.98	5374478. Turbo Clamps Unit 1823. W/O 201015
06/28/2021	843966	Archie Cochrane	Transit	$ 193.56	5374501. Wedge Assy. Unit 1821. W/O 200837
06/28/2021	843966	Archie Cochrane	Transit	$ 59.92	5374545. Vacuum Reservoir, A/X Valve & Switch
06/28/2021	843966	Archie Cochrane	Transit	$ (250.00)	5374838. Turbo Core Unit 1823. W/O 201015
06/28/2021	843967	AT & T Corp	Airport	$ 653.48	Airport -Added three new Police lines
06/28/2021	843967	AT & T Corp	Building	$ 11.58	BUILDING
06/28/2021	843967	AT & T Corp	Building	$ 45.23	BUILDING
06/28/2021	843967	AT & T Corp	Building	$ 464.83	PW-Building Cell Phones
06/28/2021	843967	AT & T Corp	Building	$ 406.49	PW-Building Tablets (Planning)
06/28/2021	843967	AT & T Corp	CDBG	$ 145.77	Comm Dev
06/28/2021	843967	AT & T Corp	Court Grants	$ 212.10	Muni Court DC
06/28/2021	843967	AT & T Corp	Engineering	$ 104.52	Engineering Tablets
06/28/2021	843967	AT & T Corp	Engineering	$ 157.45	PW-Engineering Cell Phones and MiFi
06/28/2021	843967	AT & T Corp	Engineering	$ 91.98	PW-Engineering Cell Phones and MiFi
06/28/2021	843967	AT & T Corp	Facilities	$ 122.34	Facilities BOC
06/28/2021	843967	AT & T Corp	Facilities	$ 103.81	Facilities City Hall Plus
06/28/2021	843967	AT & T Corp	Facilities	$ 34.84	Facilities iPad
06/28/2021	843967	AT & T Corp	Facilities	$ 90.46	Facilities
06/28/2021	843967	AT & T Corp	General	$ 95.81	City Attorney -Legal
06/28/2021	843967	AT & T Corp	General	$ 31.49	Code Enforcement
06/28/2021	843967	AT & T Corp	General	$ 283.57	Code Enforcement
06/28/2021	843967	AT & T Corp	General	$ 45.54	Legal Dept -Domestic Violence
06/28/2021	843967	AT & T Corp	General	$ 45.54	Municipal Court
06/28/2021	843967	AT & T Corp	General	$ 17.57	PLANNING
06/28/2021	843967	AT & T Corp	General	$ 321.65	PRPL - Recreation Division
06/28/2021	843967	AT & T Corp	General	$ 139.36	REC Tablets

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/28/2021	843967	AT & T Corp	IT Resources	$ 51.27	IT Department -On call Phone -added hotspot
06/28/2021	843967	AT & T Corp	Library	$ 242.28	Library
06/28/2021	843967	AT & T Corp	Library	$ 107.39	Library Out Reach
06/28/2021	843967	AT & T Corp	P.W. Admin	$ 27.48	PWBLKNP OFFICE -60/40
06/28/2021	843967	AT & T Corp	P.W. Admin	$ 41.23	PWBLKNP OFFICE -60/40
06/28/2021	843967	AT & T Corp	Park Dist 1	$ 75.98	Parks Dept.
06/28/2021	843967	AT & T Corp	Park Dist 1	$ 636.74	Parks Dept.
06/28/2021	843967	AT & T Corp	Park Dist 1	$ 164.20	PRPL Parks Tablets
06/28/2021	843967	AT & T Corp	Park Dist 1	$ 452.92	PRPL Parks Tablets
06/28/2021	843967	AT & T Corp	Parking	$ 84.30	Parking Division Meter Maintenance
06/28/2021	843967	AT & T Corp	Parking	$ 278.73	Parking Phones
06/28/2021	843967	AT & T Corp	PD Program	$ 80.28	CCSIU Toughbook
06/28/2021	843967	AT & T Corp	PD Program	$ 45.54	Domestic Violence
06/28/2021	843967	AT & T Corp	Phone System	$ 7.63	Donation Center phone YCT
06/28/2021	843967	AT & T Corp	Phone System	$ 67.84	TeleComm Manager
06/28/2021	843967	AT & T Corp	Planning	$ 45.23	PLANNING
06/28/2021	843967	AT & T Corp	Public Safety	$ 258.72	Animal Control Cell Phones
06/28/2021	843967	AT & T Corp	Public Safety	$ 240.84	Animal Control -MDT
06/28/2021	843967	AT & T Corp	Public Safety	$ 288.95	Comm. Center 9-1-1
06/28/2021	843967	AT & T Corp	Public Safety	$ 40.14	Detective Chartier -Toughbook
06/28/2021	843967	AT & T Corp	Public Safety	$ 1,252.44	Fire Department Cell Phones
06/28/2021	843967	AT & T Corp	Public Safety	$ 85.68	ICAC -Campbell and Spare
06/28/2021	843967	AT & T Corp	Public Safety	$ 1,238.73	MDT Fire
06/28/2021	843967	AT & T Corp	Public Safety	$ 3,049.16	Police Department Cell Phone
06/28/2021	843967	AT & T Corp	Public Safety	$ 401.40	Police MDT Toughbooks and Loaner MDT's
06/28/2021	843967	AT & T Corp	Public Safety	$ 3,737.04	Police MDT Toughbooks and Loaner MDT's
06/28/2021	843967	AT & T Corp	Public Safety	$ 272.97	Police -Resource Officers
06/28/2021	843967	AT & T Corp	Public Safety	$ 200.70	Yellowstone County Cellular Charges -Three cradlepoints
06/28/2021	843967	AT & T Corp	Solid Waste	$ 22.34	SOLID WASTE SUPERINTENDANT
06/28/2021	843967	AT & T Corp	Street/Traffic	$ 372.55	School Flashers
06/28/2021	843967	AT & T Corp	Street/Traffic	$ 273.24	Street Traffic iPads
06/28/2021	843967	AT & T Corp	Transit	$ 1,003.50	MET Transit Max Transit
06/28/2021	843967	AT & T Corp	Transit	$ 17.57	MET Transit On Call
06/28/2021	843967	AT & T Corp	Transit	$ 642.24	MET Transit Tablets
06/28/2021	843967	AT & T Corp	Transit	$ 415.76	MET Transit Tablets
06/28/2021	843967	AT & T Corp	Wastewater	$ 180.92	PW Environmental

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/28/2021	843967	AT & T Corp	Wastewater	$ 280.84	PWBELKNAP-DIST COLL CELL PHONES 60/40
06/28/2021	843967	AT & T Corp	Wastewater	$ 475.50	PWBLKNP Electricians -Phones
06/28/2021	843967	AT & T Corp	Wastewater	$ 27.69	PWBLKNP STORES -75/25
06/28/2021	843967	AT & T Corp	Wastewater	$ 861.69	PWBLNP-WWTRMNT1 Wastewater Treatment Plant
06/28/2021	843967	AT & T Corp	Wastewater	$ 445.07	PW-Distribution Collection Tablets 60/40
06/28/2021	843967	AT & T Corp	Water	$ 421.25	PWBELKNAP-DIST COLL CELL PHONES 60/40
06/28/2021	843967	AT & T Corp	Water	$ 1,046.41	PWBELKNAP-WT Water Treatment
06/28/2021	843967	AT & T Corp	Water	$ 609.89	PWBLKNP COMM-METER CityWorks/Neptune
06/28/2021	843967	AT & T Corp	Water	$ 215.56	PWBLKNP MTRSHOP CELL PHONE AND IPADS
06/28/2021	843967	AT & T Corp	Water	$ 124.20	PWBLKNP MTRSHOP CELL PHONE AND IPADS
06/28/2021	843967	AT & T Corp	Water	$ 83.08	PWBLKNP STORES -75/25
06/28/2021	843967	AT & T Corp	Water	$ 667.60	PW-Distribution Collection Tablets 60/40
06/28/2021	843969	Beartooth Enviro	Solid Waste	$ 4,999.60	HHW solid waste shipment 6/3/21
06/28/2021	843969	Beartooth Enviro	Solid Waste	$ 4,603.00	HHW solid waste shipment 6/3/21
06/28/2021	843969	Beartooth Enviro	Solid Waste	$ 1,360.00	HHW Solid Waste shipment. 6/3/21
06/28/2021	843980	Border States Electric	Wastewater	$ 234.12	15KV INSULATING PUTTY FOR WRF SWITCHGEAR REHAB
06/28/2021	843980	Border States Electric	Wastewater	$ 1,707.38	15KV INSULATING TAPE FOR WRF SWITCHGEAR REHAB
06/28/2021	843980	Border States Electric	Wastewater	$ 141.16	3/4' Conduit couplings for headworks washer compactor-WRF
06/28/2021	843980	Border States Electric	Wastewater	$ 1,630.45	BOXCAR RELAY REPAIR
06/28/2021	843980	Border States Electric	Wastewater	$ 1,436.32	Cable for chlorine skid in tunnel
06/28/2021	843980	Border States Electric	Wastewater	$ 336.18	Chlorine skid plate
06/28/2021	843980	Border States Electric	Wastewater	$ 278.00	Electrical supplies
06/28/2021	843980	Border States Electric	Wastewater	$ 73.08	Electrical supplies
06/28/2021	843980	Border States Electric	Wastewater	$ 16.76	FLEX CONNECTORS FOR SLUDGE PUMP & SECONDARY DIGESTOR
06/28/2021	843980	Border States Electric	Wastewater	$ 40.68	Fluke meter
06/28/2021	843980	Border States Electric	Wastewater	$ 66.30	Fuses
06/28/2021	843980	Border States Electric	Wastewater	$ 331.52	INSULATING MATERIALS FOR WRF SWITCHGEAR REHAB PROJECT
06/28/2021	843980	Border States Electric	Wastewater	$ 53.00	Jumper Bars for I/O terminals at WRF Headworks
06/28/2021	843980	Border States Electric	Wastewater	$ 19.47	Label cart
06/28/2021	843980	Border States Electric	Wastewater	$ 668.04	PLC Cable assembles for new washer compactor
06/28/2021	843980	Border States Electric	Wastewater	$ 60.41	Proximity tester
06/28/2021	843980	Border States Electric	Wastewater	$ 3,147.38	Replacement reversing motor contactor assembly
06/28/2021	843980	Border States Electric	Wastewater	$ 45.40	TOOLS AND LABELS
06/28/2021	843980	Border States Electric	Water	$ 242.88	Conduit fittings
06/28/2021	843980	Border States Electric	Water	$ 250.32	ELECTRICAL SUPPLIES
06/28/2021	843980	Border States Electric	Water	$ 40.67	Fluke meter

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/28/2021	843980	Border States Electric	Water	$ 94.94	INSTALLATION BRACKETS FOR WTP THIN CLIENTS
06/28/2021	843980	Border States Electric	Water	$ 107.29	MTW-14AWG BLUE-WHITE 19ST - R CU-500R WIRE
06/28/2021	843980	Border States Electric	Water	$ 292.89	PHASE MONITOR FOR WALTER PUMP STATION. TERMINALS & WIRE
06/28/2021	843980	Border States Electric	Water	$ 5,585.46	PLC Upgrade-WTP Intake pump
06/28/2021	843980	Border States Electric	Water	$ 60.40	Proximity tester
06/28/2021	843980	Border States Electric	Water	$ 83.82	Terminals and fuses for high service valve interlock
06/28/2021	843980	Border States Electric	Water	$ 45.41	TOOLS AND LABELS
06/28/2021	843981	Brenntag Pacific	Wastewater	$ 4,692.67	Sodium Chlorite
06/28/2021	843982	Bridgestone/Firestone	Transit	$ 1,619.10	6514528354. may 2021 Mileage on Tires
06/28/2021	843982	Bridgestone/Firestone	Transit	$ 1,037.69	Invoice #6514312824. Damaged Tires
06/28/2021	843988	Century Link	Airport	$ 52.52	406-252-0721 Airport 1FB Line
06/28/2021	843988	Century Link	Airport	$ 83.46	406-252-9412 Airport
06/28/2021	843988	Century Link	EOC 911	$ 6,426.78	9-1-1 Center
06/28/2021	843988	Century Link	General	$ 41.73	406-652-0269 Cemetery FAX Line
06/28/2021	843988	Century Link	General	$ 56.71	406-652-8403 Stewart Park Batting Cages
06/28/2021	843988	Century Link	General	$ 54.37	monthly phone charges for pool
06/28/2021	843988	Century Link	Park Dist 1	$ 63.98	406-652-5507 Parks
06/28/2021	843988	Century Link	Park Dist 1	$ 46.93	406-657-3014 Parks 3890 Stillwater
06/28/2021	843988	Century Link	Parking	$ 41.73	406-252-2041 Park 2 Elevator Phone
06/28/2021	843988	Century Link	Parking	$ 46.93	406-657-3054 Park 1 Elevator Phone
06/28/2021	843988	Century Link	Phone System	$ 117.87	406-247-8641 PRPL -Fax and 406-657-3052 Senior center fax
06/28/2021	843988	Century Link	Phone System	$ 103.57	406-252-3774 BOC Measured Lines 406-252-3789
06/28/2021	843988	Century Link	Phone System	$ 150.13	406-657-3009 PUD Measured Lines 406-247-8579
06/28/2021	843988	Century Link	Phone System	$ 2,734.23	406-657-8377 Main System Centrex
06/28/2021	843988	Century Link	Phone System	$ 48.26	406-657-8419 MET Fax and 406-247-8520 Kenco Fax
06/28/2021	843988	Century Link	Phone System	$ 141.27	BOC Alarms 406.247.1276, 406.247.1277, 406.247.1278
06/28/2021	843988	Century Link	Phone System	$ 46.93	Fire Alarm 406.657.3058
06/28/2021	843988	Century Link	Phone System	$ 46.93	Four Dances 406.657.3040
06/28/2021	843988	Century Link	Phone System	$ 51.99	-Miller Building -406.252.3988
06/28/2021	843988	Century Link	Phone System	$ 46.93	Pioneer Park 406.657.8298
06/28/2021	843988	Century Link	Phone System	$ 46.93	South Park 406.247.8575
06/28/2021	843988	Century Link	Phone System	$ 48.26	Streets Fax 406.657.8338
06/28/2021	843988	Century Link	Phone System	$ 189.48	Water Department Alarm 406-247-8511
06/28/2021	843988	Century Link	Phone System	$ 144.78	WWTP Conference Room 406.247.8564
06/28/2021	843988	Century Link	Street/Traffic	$ 48.26	406-652-8104 PW Traffic Signal 24 Central
06/28/2021	843993	Colstrip Electric	Water	$ 177,002.09	WO 20-40 Walter Pump Station Generator

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/28/2021	844004	David Turch & Assoc	P.W. Admin	$ 4,000.00	Consulting for Public Works Infrastructure
06/28/2021	844005	Dell Computer L P	Phone System	$ 999.69	Dell 14" Latitude 7420 i5, 8GB RAM 256GB SSD -Doug -IT
06/28/2021	844005	Dell Computer L P	Public Safety	$ 2,498.38	2-7090 i7,16GB RAM,256GB SSD,24" monitors w/camera/mic
06/28/2021	844007	Dick Anderson Const	Wastewater	$ 118,578.20	WO 20-10 WRF Equipment Installation
06/28/2021	844009	Dixie Petro-Chem	General	$ 1,161.88	chemicals for pools 72700101-21
06/28/2021	844009	Dixie Petro-Chem	General	$ 3,485.63	chemicals for pools 72700102-21
06/28/2021	844009	Dixie Petro-Chem	Water	$ 4,132.00	BULK CHLORINE
06/28/2021	844021	Executive Cleaning	Facilities	$ 2,132.17	#69443 February 2021 Janitorial Services Police Barn
06/28/2021	844021	Executive Cleaning	Facilities	$ 2,132.17	#70293 May 2021 Janitorial Services Police Barn
06/28/2021	844021	Executive Cleaning	Public Safety	$ 800.00	911 JANITORIAL SERVICES: JAN-JUN 2021, TWO DAYS PER WEEK
06/28/2021	844021	Executive Cleaning	Public Safety	$ 375.00	911 SANITIZING SERVICES: JAN-JUN 2021, TWO DAYS PER WEEK
06/28/2021	844025	Forterra Concrete	Street/Traffic	$ 856.20	storm sewer rings
06/28/2021	844025	Forterra Concrete	Street/Traffic	$ (684.96)	return of wrong storm sewer rings
06/28/2021	844025	Forterra Concrete	Street/Traffic	$ 5,019.04	storm sewer casting and ring set
06/28/2021	844025	Forterra Concrete	Wastewater	$ 4,632.96	Sanitary sewer casting & ring set
06/28/2021	844029	Galles Filter	Fleet	$ 8.58	P1-05212.01 PO NUM 312241
06/28/2021	844029	Galles Filter	Fleet	$ 5.36	P1-05309.01 PO NUM 312241
06/28/2021	844029	Galles Filter	Fleet	$ 82.34	P1-05332.01 PO NUM 312241
06/28/2021	844029	Galles Filter	Fleet	$ 85.25	P1-05505.01 PO NUM 312241
06/28/2021	844029	Galles Filter	Fleet	$ 64.68	P1-05589.01 PO NUM 312241
06/28/2021	844029	Galles Filter	Fleet	$ 5.98	P1-05590.01 PO NUM 312241
06/28/2021	844029	Galles Filter	Fleet	$ 198.00	P1-05687.01 PO NUM 312241
06/28/2021	844029	Galles Filter	Fleet	$ 5.98	P1-05688.01 PO NUM 312241
06/28/2021	844029	Galles Filter	Fleet	$ 94.07	P1-05850.01 PO NUM 312241
06/28/2021	844029	Galles Filter	Fleet	$ 22.20	P1-05926.01 PO NUM 312241
06/28/2021	844029	Galles Filter	Fleet	$ 5.36	T-96229 PO NUM 312241
06/28/2021	844029	Galles Filter	Fleet	$ 20.64	T-96390 PO NUM 312241
06/28/2021	844029	Galles Filter	Fleet	$ (486.35)	T-96493 PO NUM 312241
06/28/2021	844029	Galles Filter	Fleet	$ 39.08	T-96500 PO NUM 312241
06/28/2021	844029	Galles Filter	Solid Waste	$ 310.63	Outer and Inner Air Elements
06/28/2021	844029	Galles Filter	Solid Waste	$ 164.86	Outer and Inner Air Elements
06/28/2021	844029	Galles Filter	Solid Waste	$ 359.22	Outer and Inner Air Elements. RS3700.
06/28/2021	844029	Galles Filter	Solid Waste	$ 253.64	Outer, Cab, Inner Air Elements.
06/28/2021	844029	Galles Filter	Street/Traffic	$ 33.92	T-96604
06/28/2021	844029	Galles Filter	Transit	$ 138.56	P-05328-01 PO NUM 312241. Coolant Filters
06/28/2021	844029	Galles Filter	Transit	$ 138.56	T-96362 PO NUM 312241. Coolant Filter

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/28/2021	844029	Galles Filter	Wastewater	$ 24.74	NONSTOCKING ITEMS-P.U.D.
06/28/2021	844029	Galles Filter	Wastewater	$ 40.14	NONSTOCKING ITEMS-P.U.D.
06/28/2021	844029	Galles Filter	Wastewater	$ 18.53	NONSTOCKING ITEMS-P.U.D.
06/28/2021	844029	Galles Filter	Wastewater	$ 142.50	NONSTOCKING ITEMS-P.U.D.
06/28/2021	844029	Galles Filter	Wastewater	$ 120.49	NONSTOCKING ITEMS-P.U.D.
06/28/2021	844029	Galles Filter	Water	$ 111.39	NONSTOCKING ITEMS-P.U.D.
06/28/2021	844029	Galles Filter	Water	$ 84.48	NONSTOCKING ITEMS-P.U.D.
06/28/2021	844029	Galles Filter	Water	$ 18.69	NONSTOCKING ITEMS-P.U.D.
06/28/2021	844029	Galles Filter	Water	$ 208.90	NONSTOCKING ITEMS-P.U.D.
06/28/2021	844029	Galles Filter	Water	$ 149.02	NONSTOCKING ITEMS-P.U.D.
06/28/2021	844029	Galles Filter	Water	$ (68.28)	RETURN FILTERS FOR 7484
06/28/2021	844029	Galles Filter	Water	$ 168.06	WATER PARTS AND SUPPLIES PO NUM 312528
06/28/2021	844031	Gated Solutions	Facilities	$ 2,500.00	install raised base & reinstall gate operators @ PD2 Evidence
06/28/2021	844033	Global ARFF	Airport	$ 2,838.75	Emergency Inspection of Airport Fire Truck
06/28/2021	844033	Global ARFF	Airport	$ 2,838.75	Emergency Inspection of Airport Fire Truck
06/28/2021	844034	Good Earth Works	Park Dist 1	$ 2,600.00	soil for rose park delivered on 6.16.21
06/28/2021	844039	Great Plains Fence	Park Dist 1	$ 6,430.05	material and labor to install chain link fence and add new gate at Lillis Park
06/28/2021	844043	Hawkins Inc.	General	$ 3,959.64	chemicals for pools - 4960082
06/28/2021	844043	Hawkins Inc.	General	$ 850.22	chemicals for pools - 960079
06/28/2021	844043	Hawkins Inc.	Water	$ 18,547.20	AQUA HAWK 457
06/28/2021	844043	Hawkins Inc.	Water	$ 18,589.20	AQUA HAWK 457
06/28/2021	844044	Helena Chemical	Airport	$ 2,400.00	Invoice #43703550. Weed Spray for Airfield
06/28/2021	844044	Helena Chemical	Airport	$ 1,440.00	Invoice #43703551. Weed Spray for Airfield
06/28/2021	844045	High Point Network	Library	$ 9,500.00	183121 Block Dollars
06/28/2021	844048	Impact Plastics	Solid Waste	$ 206.00	1/4 Hinge Ear Dual 9/16 Holes. Front load. Collections.
06/28/2021	844048	Impact Plastics	Solid Waste	$ 2,340.68	Swivel Caster 6x2 MOR. Front load containers. Collections
06/28/2021	844058	Jane Waggoner Deschner	Library	$ 2,397.50	design 12/2020-6/2021
06/28/2021	844058	Jane Waggoner Deschner	Library	$ 472.50	print and digital ads 12/2020-6/2021
07/01/2021	844162	Johnson, Scott	Sidewalk Debt	$ 7,500.00	Bond Payments July 1, 2021
06/28/2021	844061	JSP Systems LLC	Library	$ 27.25	Shipping and tracking
06/28/2021	844061	JSP Systems LLC	Library	$ 8,855.00	Spinetix HMP300 player w/3 year update plan for ElementiS
06/28/2021	844067	KLE Construction	Tax Incrmnt S	$ 205,841.76	Hallowell Lane Improvements
06/28/2021	844067	KLE Construction	Water	$ 106,039.70	Hallowell Lane Improvements
06/28/2021	844069	Kois Brothers	Fleet	$ 69.96	122959 PO NUM 312242
06/28/2021	844069	Kois Brothers	Solid Waste	$ 663.70	122439
06/28/2021	844069	Kois Brothers	Solid Waste	$ 261.38	123084

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/28/2021	844069	Kois Brothers	Solid Waste	$ 82.19	123092
06/28/2021	844069	Kois Brothers	Solid Waste	$ 398.48	123095
06/28/2021	844069	Kois Brothers	Solid Waste	$ 1,041.60	123198
06/28/2021	844069	Kois Brothers	Water	$ 3,841.00	NONSTOCKING ITEMS-P.U.D.
06/28/2021	844071	L N Curtis & Sons	Public Safety	$ 125.00	ANNUAL SERVICE: HURST TOOLS
06/28/2021	844071	L N Curtis & Sons	Public Safety	$ 485.00	BOOTS, GLOBE STRUCTURAL 13" PULL-ON
06/28/2021	844071	L N Curtis & Sons	Public Safety	$ -	Boots, Supralite Arctic Grip 14"- replace damaged @ Fire scene
06/28/2021	844071	L N Curtis & Sons	Public Safety	$ 2,910.00	Re-order-Fire boots (original sent to MFG for evaluation & credit)
06/28/2021	844078	Mango Languages	Library	$ 8,275.41	8301 subcription renewal for 6/2021-5/2022
06/28/2021	844083	Midwest Tape	Library	$ 44.98	500388294
06/28/2021	844083	Midwest Tape	Library	$ 92.21	500402107
06/28/2021	844083	Midwest Tape	Library	$ 227.81	500402108
06/28/2021	844083	Midwest Tape	Library	$ 78.70	500402109
06/28/2021	844083	Midwest Tape	Library	$ 10.49	500402109
06/28/2021	844083	Midwest Tape	Library	$ 107.19	500402461
06/28/2021	844083	Midwest Tape	Library	$ 25.48	500402462
06/28/2021	844083	Midwest Tape	Library	$ 14.99	500422221
06/28/2021	844083	Midwest Tape	Library	$ 21.74	500422222
06/28/2021	844083	Midwest Tape	Library	$ 24.73	500440424
06/28/2021	844083	Midwest Tape	Library	$ 83.19	500440425
06/28/2021	844083	Midwest Tape	Library	$ 39.72	500440426
06/28/2021	844083	Midwest Tape	Library	$ 89.96	500440427
06/28/2021	844083	Midwest Tape	Library	$ 44.99	500440428
06/28/2021	844083	Midwest Tape	Library	$ 53.22	500471427
06/28/2021	844083	Midwest Tape	Library	$ 106.46	500471429
06/28/2021	844083	Midwest Tape	Library	$ 12.74	500471430
06/28/2021	844083	Midwest Tape	Library	$ 20.98	500471431
06/28/2021	844083	Midwest Tape	Library	$ 33.74	500471432
06/28/2021	844083	Midwest Tape	Library	$ 38.97	500498207
06/28/2021	844083	Midwest Tape	Library	$ 57.71	500498208
06/28/2021	844083	Midwest Tape	Library	$ 11.24	500498209
06/28/2021	844083	Midwest Tape	Library	$ 11.24	500498620
06/28/2021	844083	Midwest Tape	Library	$ 14.99	500498621
06/28/2021	844083	Midwest Tape	Library	$ 32.24	500498623
06/28/2021	844083	Midwest Tape	Library	$ 11.24	500529226
06/28/2021	844083	Midwest Tape	Library	$ 13.49	500529227

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/28/2021	844083	Midwest Tape	Library	$ 19.49	500529228
06/28/2021	844083	Midwest Tape	Library	$ 64.48	500529230
06/28/2021	844083	Midwest Tape	Library	$ 33.72	500564510
06/28/2021	844083	Midwest Tape	Library	$ 487.24	500564511
06/28/2021	844083	Midwest Tape	Library	$ 19.49	500564513
06/28/2021	844083	Midwest Tape	Library	$ 12.74	500564514
06/28/2021	844083	Midwest Tape	Library	$ 696.31	500595482
06/28/2021	844083	Midwest Tape	Library	$ 11.24	500595484
06/28/2021	844083	Midwest Tape	Library	$ 43.48	5004022224
06/28/2021	844084	MT Dakota Utilities	Airport	$ 223.23	129 573 1000 1. Mud Wash. June 2021
06/28/2021	844084	MT Dakota Utilities	Airport	$ 40.00	160 723 3573 6. USDA. June 2021
06/28/2021	844084	MT Dakota Utilities	Airport	$ 65.62	185 580 1000 7. TSA. June 2021
06/28/2021	844084	MT Dakota Utilities	Airport	$ 30.09	229 573 1000 0. Detail Bay 1 Hertz. June 2021
06/28/2021	844084	MT Dakota Utilities	Airport	$ 44.58	283 116 0655 3. IP-12 Alpine. June 2021
06/28/2021	844084	MT Dakota Utilities	Airport	$ 26.78	295 580 1000 4. Aero Interiors. June 2021
06/28/2021	844084	MT Dakota Utilities	Airport	$ 30.80	329 573 1000 9. Detail Bay 3 Enterprise. June 2021
06/28/2021	844084	MT Dakota Utilities	Airport	$ 31.42	429 573 1000 8. Detail Bay 4 Avis/Budget. June 2021
06/28/2021	844084	MT Dakota Utilities	Airport	$ 30.09	529 573 1000 7. Detail Bay 5 Thrifty/Dollar. June 2021
06/28/2021	844084	MT Dakota Utilities	Airport	$ 28.75	629 573 1000 6. Detail Bay 2 National/Alamo. June 2021
06/28/2021	844084	MT Dakota Utilities	Airport	$ 337.08	889 373 1000 6. Car Wash. June 2021
06/28/2021	844084	MT Dakota Utilities	Engineering	$ 115.15	595 373 1000 1
06/28/2021	844084	MT Dakota Utilities	Facilities	$ 222.85	130 733 1000 8
06/28/2021	844084	MT Dakota Utilities	Facilities	$ 561.23	757 633 1000 2
06/28/2021	844084	MT Dakota Utilities	Facilities	$ 1,100.72	929 780 1000 4
06/28/2021	844084	MT Dakota Utilities	Facilities	$ 894.35	989 733 1000 0
06/28/2021	844084	MT Dakota Utilities	Facilities	$ 186.44	993 733 1000 4
06/28/2021	844084	MT Dakota Utilities	General	$ 79.77	061 943 1000 6
06/28/2021	844084	MT Dakota Utilities	General	$ 63.08	437 780 1000 9
06/28/2021	844084	MT Dakota Utilities	General	$ 41.68	571 295 3342 8
06/28/2021	844084	MT Dakota Utilities	General	$ 38.99	927 890 1000 3
06/28/2021	844084	MT Dakota Utilities	Library	$ 993.22	219 924 4851 0
06/28/2021	844084	MT Dakota Utilities	P.W. Admin	$ 28.79	595 373 1000 1
06/28/2021	844084	MT Dakota Utilities	Park Dist 1	$ 31.55	371 101 1000 6
06/28/2021	844084	MT Dakota Utilities	Parking	$ 54.42	303 725 2591 2
06/28/2021	844084	MT Dakota Utilities	Parking	$ 26.37	717 353 1000 6
06/28/2021	844084	MT Dakota Utilities	Parking	$ 36.41	799 152 1209 0

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/28/2021	844084	MT Dakota Utilities	Public Safety	$ 24.95	062 907 9494 7
06/28/2021	844084	MT Dakota Utilities	Public Safety	$ 387.24	169 233 1000 3
06/28/2021	844084	MT Dakota Utilities	Public Safety	$ (11.71)	442 190 1000 4
06/28/2021	844084	MT Dakota Utilities	Public Safety	$ 37.77	514 117 0478 9
06/28/2021	844084	MT Dakota Utilities	Public Safety	$ 150.49	533 653 1000 1
06/28/2021	844084	MT Dakota Utilities	Public Safety	$ 76.99	602 589 7178 1
06/28/2021	844084	MT Dakota Utilities	Public Safety	$ 174.76	885 880 1000 4
06/28/2021	844084	MT Dakota Utilities	Solid Waste	$ 89.03	602 680 9335 2
06/28/2021	844084	MT Dakota Utilities	Solid Waste	$ 122.51	770 390 1000 2
06/28/2021	844084	MT Dakota Utilities	Transit	$ 410.20	962 880 1000 0
06/28/2021	844084	MT Dakota Utilities	Wastewater	$ 4,792.17	293 780 1000 2
06/28/2021	844084	MT Dakota Utilities	Wastewater	$ 2,396.08	293 780 1000 2
06/28/2021	844084	MT Dakota Utilities	Wastewater	$ 2,396.08	293 780 1000 2
06/28/2021	844084	MT Dakota Utilities	Wastewater	$ 97.59	310 490 1000 7
06/28/2021	844084	MT Dakota Utilities	Wastewater	$ 35.18	410 490 1000 6
06/28/2021	844084	MT Dakota Utilities	Wastewater	$ 76.37	735 453 1000 2
06/28/2021	844084	MT Dakota Utilities	Wastewater	$ 75.14	868 563 1000 7
06/28/2021	844084	MT Dakota Utilities	Water	$ 46.39	010 490 1000 0
06/28/2021	844084	MT Dakota Utilities	Water	$ 76.99	076 225 9180 3
06/28/2021	844084	MT Dakota Utilities	Water	$ 24.88	110 490 1000 9
06/28/2021	844084	MT Dakota Utilities	Water	$ 24.17	209 077 5055 6
06/28/2021	844084	MT Dakota Utilities	Water	$ 43.02	210 490 1000 8
06/28/2021	844084	MT Dakota Utilities	Water	$ 292.76	310 490 1000 7
06/28/2021	844084	MT Dakota Utilities	Water	$ 105.55	410 490 1000 6
06/28/2021	844084	MT Dakota Utilities	Water	$ 1,138.79	500 490 1000 7
06/28/2021	844084	MT Dakota Utilities	Water	$ 33.04	510 490 1000 5
06/28/2021	844084	MT Dakota Utilities	Water	$ 25.51	527 033 1000 4
06/28/2021	844084	MT Dakota Utilities	Water	$ 26.85	566 923 1000 8
06/28/2021	844084	MT Dakota Utilities	Water	$ 12.08	600 490 1000 6
06/28/2021	844084	MT Dakota Utilities	Water	$ 12.09	600 490 1000 6
06/28/2021	844084	MT Dakota Utilities	Water	$ 24.17	610 490 1000 4
06/28/2021	844084	MT Dakota Utilities	Water	$ 31.55	666 923 1000 7
06/28/2021	844084	MT Dakota Utilities	Water	$ 63.89	700 490 1000 5
06/28/2021	844084	MT Dakota Utilities	Water	$ 84.41	800 490 1000 4
06/28/2021	844084	MT Dakota Utilities	Water	$ 24.17	832 001 1000 1
06/28/2021	844084	MT Dakota Utilities	Water	$ 144.00	900 490 1000 3

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/28/2021	844085	MT Infrastructure	General	$ 7,500.00	Voting Membership 2020 & 2021
06/28/2021	844086	Montana Lines Inc	Arterial Str	$ 5,453.99	Rectangular Rapid Flashing Beacons Installations.
07/01/2021	844163	MT Municipal Co-op	SID Fund	$ 45,330.00	Bond Payments July 1, 2021
07/01/2021	844163	MT Municipal Co-op	SID Fund	$ 5,656.25	Bond Payments July 1, 2021
07/01/2021	844163	MT Municipal Co-op	SID Fund	$ 1,593.75	Bond Payments July 1, 2021
07/01/2021	844163	MT Municipal Co-op	SID Fund	$ 80,283.00	Bond Payments July 1, 2021
07/01/2021	844163	MT Municipal Co-op	SID Fund	$ 1,938.00	Bond Payments July 1, 2021
07/01/2021	844163	MT Municipal Co-op	Sidewalk Debt	$ 39,620.00	Bond Payments July 1, 2021
07/01/2021	844163	MT Municipal Co-op	Sidewalk Debt	$ 27,687.50	Bond Payments July 1, 2021
07/01/2021	844163	MT Municipal Co-op	Sidewalk Debt	$ 22,369.32	Bond Payments July 1, 2021
06/28/2021	844087	MMIA	Property Ins	$ 57,571.97	Liability Self Insurance Payments DR1005110
06/28/2021	844090	MT Tire Distributor	Public Safety	$ 4,000.00	98054
06/28/2021	844092	Morrison Maierle	Airport	$ 7,485.41	Amendment #3 (No Grant) to Engineering Contract Terminal Expansion
06/28/2021	844092	Morrison Maierle	Airport	$ 831.71	Amendment #3 (No Grant) to Engineering Contract Terminal Expansion
06/28/2021	844092	Morrison Maierle	Airport	$ 703.62	Amendment #3 (No Grant) to Engineering Contract Terminal Expansion
06/28/2021	844092	Morrison Maierle	Airport	$ 57,052.55	Terminal Expansion - MM - Eligible For Reimburse
06/28/2021	844092	Morrison Maierle	Airport	$ 6,339.17	Terminal Expansion - MM - Eligible Local Costs
06/28/2021	844092	Morrison Maierle	Airport	$ 5,362.86	Terminal Expansion - MM - Ineligible Costs
06/28/2021	844094	Moulton Bellingham	General	$ 16,832.50	Inv.#142236 Houser WWFF
06/28/2021	844094	Moulton Bellingham	General	$ 4,489.91	Inv.#142237 Abromeit et al v. COB
06/28/2021	844094	Moulton Bellingham	General	$ 4,169.50	Inv.#142238 County Water District Dispute
06/28/2021	844094	Moulton Bellingham	General	$ 5,785.65	Inv.#142239 McDaniel v. COB
06/28/2021	844096	Municipal Code Corp	General	$ 15,299.00	Project Recode update
06/28/2021	844102	Northwest Pipe	Street/Traffic	$ 17.84	7522351
06/28/2021	844102	Northwest Pipe	Street/Traffic	$ 20.10	coupling/pipe for street light repair
06/28/2021	844102	Northwest Pipe	Street/Traffic	$ 168.90	pcv adapters for masters blvd storm project
06/28/2021	844102	Northwest Pipe	Street/Traffic	$ 26.29	coupling, nipple, breaker for irrigation repair on 27th.
06/28/2021	844102	Northwest Pipe	Street/Traffic	$ 71.02	coupling, elbow, nipple for irrigation repair on 27th islands
06/28/2021	844102	Northwest Pipe	Street/Traffic	$ 333.10	nipple, plug, ball valve
06/28/2021	844102	Northwest Pipe	Street/Traffic	$ (305.69)	credit on ball valve
06/28/2021	844102	Northwest Pipe	Wastewater	$ 649.08	Flange valve
06/28/2021	844102	Northwest Pipe	Water	$ 867.51	1 1/2" TD T-10 MEASURING CHAMBER COMPLETE
06/28/2021	844102	Northwest Pipe	Water	$ 63.20	2" PVC SCH 80 SXF - ADAPTER (835020)
06/28/2021	844102	Northwest Pipe	Water	$ 21.80	2" PVC SCH 80 SXS - COUPLING (829020)
06/28/2021	844102	Northwest Pipe	Water	$ 76.40	2-1/2" LIQUID FILLED 0 TO 160 - 1/4" GAUGE (BOTTOM MOUNT)
06/28/2021	844102	Northwest Pipe	Water	$ 3,772.77	3- 3" Chamber assembly & 3- 4" Chamber assembly

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/28/2021	844102	Northwest Pipe	Water	$ 34.56	3/4" BRASS ELBOW 90° - NL
06/28/2021	844102	Northwest Pipe	Water	$ 20,253.12	3/4" E-CODER WALL CU/FT METER W/RECPT ED2C11REF7 (2022310)
06/28/2021	844102	Northwest Pipe	Water	$ 14,162.00	5/8 X 3/4 E-CODER WALL CU/FT METER L/RECEP ED2B11REF2
06/28/2021	844102	Northwest Pipe	Water	$ 14,162.00	5/8" E-CODER WALL CU.FT. - METER W/RECPT ED2A11REF7 (2022300)
06/28/2021	844102	Northwest Pipe	Water	$ 125.60	BLACK COUPLING 1-1/4"
06/28/2021	844102	Northwest Pipe	Water	$ 2,100.00	Ecoder pit
06/28/2021	844102	Northwest Pipe	Water	$ 12,513.87	LARGE METER TESTING PARTS
06/28/2021	844102	Northwest Pipe	Water	$ 168.48	LS PROJECT
06/28/2021	844102	Northwest Pipe	Water	$ 390.20	LS PROJECT
06/28/2021	844102	Northwest Pipe	Water	$ 396.29	LS PROJECT
06/28/2021	844102	Northwest Pipe	Water	$ 533.99	LS PROJECT
06/28/2021	844102	Northwest Pipe	Water	$ 156.10	LS PUMP PROJECT
06/28/2021	844102	Northwest Pipe	Water	$ 678.48	METER SHOP TESTING
06/28/2021	844102	Northwest Pipe	Water	$ 23,800.00	R-900 ENHANCED WALL RR - MIU 13341-200 (RF'S) (2030905)
06/28/2021	844102	Northwest Pipe	Water	$ 11,900.00	R-900 ENHANCED WALL RR - MIU 13341-200 (RF'S) (2030905)
06/28/2021	844102	Northwest Pipe	Water	$ 23,800.00	R-900 ENHANCED WALL RR - MIU 13341-200 (RF'S) (2030905)
06/28/2021	844102	Northwest Pipe	Water	$ 6,200.00	R900 MIU W/6' WIRE 13442- - 200 ENHANCED PIT (2034600)
06/28/2021	844102	Northwest Pipe	Water	$ 3,500.32	WQD L STRUCTURE
06/28/2021	844102	Northwest Pipe	Water	$ 1,007.81	WQD L STRUCTURE SHOP
06/28/2021	844103	NorthWestern Energy	Airport	$ 2,486.18	0100483-7. Runway Lights. June 2021
06/28/2021	844103	NorthWestern Energy	Airport	$ 1,313.85	0100484-5. ARFF Facility. June 2021
06/28/2021	844103	NorthWestern Energy	Airport	$ 70.70	1138926-9. Aero Interiors. June 2021
06/28/2021	844103	NorthWestern Energy	Airport	$ 78.62	1647695-4. De Icer. June 2021
06/28/2021	844103	NorthWestern Energy	Airport	$ 683.04	1669567-8. TSA. June 2021
06/28/2021	844103	NorthWestern Energy	Airport	$ 1,123.31	1993430-6. Car Wash. June 2021
06/28/2021	844103	NorthWestern Energy	Airport	$ 249.26	2001846-1. Mud Wash. June 2021
06/28/2021	844103	NorthWestern Energy	Airport	$ 359.12	2001848-7. Detail Bay 1 Hertz. June 2021
06/28/2021	844103	NorthWestern Energy	Airport	$ 162.20	2001855-2. Detail Bay 2 National/Alamo. June 2021
06/28/2021	844103	NorthWestern Energy	Airport	$ 119.10	2001862-8. Detail Bay 3 Enterprise. June 2021
06/28/2021	844103	NorthWestern Energy	Airport	$ 171.62	2001865-1. Detail Bay 4 Avis/Budget. June 2021
06/28/2021	844103	NorthWestern Energy	Airport	$ 42.13	2001867-7. Detail Bay 5 Thrifty/Dollar. June 2021
06/28/2021	844103	NorthWestern Energy	Airport	$ 58.57	3085107-5. Employee Parking. June 2021
06/28/2021	844103	NorthWestern Energy	Airport	$ 181.72	3446396-8. USDA. June 2021
06/28/2021	844103	NorthWestern Energy	Airport	$ 890.23	3477231-9. Parking Zone. June 2021
06/28/2021	844103	NorthWestern Energy	Airport	$ 19.83	3733186-5. Airport Storage. June 2021
06/28/2021	844103	NorthWestern Energy	Facilities	$ 7,227.69	0100507-3

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/28/2021	844103	NorthWestern Energy	Facilities	$ 1,846.29	0975808-7
06/28/2021	844103	NorthWestern Energy	Facilities	$ 1,052.92	1160802-3
06/28/2021	844103	NorthWestern Energy	Facilities	$ 1,716.85	1160804-9
06/28/2021	844103	NorthWestern Energy	Facilities	$ 2,946.53	1269391-7
06/28/2021	844103	NorthWestern Energy	Park Dist 1	$ 6.75	0722237-5
06/28/2021	844103	NorthWestern Energy	Park Dist 1	$ 108.71	0722251-6
06/28/2021	844103	NorthWestern Energy	Park Dist 1	$ 0.47	0722254-0
06/28/2021	844103	NorthWestern Energy	Park Dist 1	$ 87.42	0722255-7
06/28/2021	844103	NorthWestern Energy	Park Dist 1	$ 278.87	0722257-3
06/28/2021	844103	NorthWestern Energy	Park Dist 1	$ 340.54	0722260-7
06/28/2021	844103	NorthWestern Energy	Park Dist 1	$ 6.74	0722261-5
06/28/2021	844103	NorthWestern Energy	Park Dist 1	$ 0.58	0722262-3
06/28/2021	844103	NorthWestern Energy	Park Dist 1	$ 1.89	0722263-1
06/28/2021	844103	NorthWestern Energy	Park Dist 1	$ 54.48	0722265-6
06/28/2021	844103	NorthWestern Energy	Park Dist 1	$ 65.60	0722266-4
06/28/2021	844103	NorthWestern Energy	Park Dist 1	$ 7.81	0722268-0
06/28/2021	844103	NorthWestern Energy	Park Dist 1	$ 15.69	0722269-8
06/28/2021	844103	NorthWestern Energy	Park Dist 1	$ 10.40	0722292-0
06/28/2021	844103	NorthWestern Energy	Park Dist 1	$ 31.05	0722293-8
06/28/2021	844103	NorthWestern Energy	Park Dist 1	$ 14.20	0722905-7
06/28/2021	844103	NorthWestern Energy	Park Dist 1	$ 128.18	0722933-9
06/28/2021	844103	NorthWestern Energy	Park Dist 1	$ -	0723027-9
06/28/2021	844103	NorthWestern Energy	Park Dist 1	$ 79.37	0723035-2
06/28/2021	844103	NorthWestern Energy	Park Dist 1	$ 7.49	0723036-0
06/28/2021	844103	NorthWestern Energy	Park Dist 1	$ 175.83	0723037-8
06/28/2021	844103	NorthWestern Energy	Park Dist 1	$ 20.09	0723038-6
06/28/2021	844103	NorthWestern Energy	Park Dist 1	$ 35.81	0723042-8
06/28/2021	844103	NorthWestern Energy	Park Dist 1	$ 11.66	0723044-4
06/28/2021	844103	NorthWestern Energy	Park Dist 1	$ 78.57	0723048-5
06/28/2021	844103	NorthWestern Energy	Park Dist 1	$ 140.63	0723050-1
06/28/2021	844103	NorthWestern Energy	Park Dist 1	$ 7.34	0723051-9
06/28/2021	844103	NorthWestern Energy	Park Dist 1	$ 46.32	0723052-7
06/28/2021	844103	NorthWestern Energy	Park Dist 1	$ 361.84	0723054-3
06/28/2021	844103	NorthWestern Energy	Park Dist 1	$ 32.94	0723056-8
06/28/2021	844103	NorthWestern Energy	Park Dist 1	$ 10.71	0723057-6
06/28/2021	844103	NorthWestern Energy	Park Dist 1	$ 30.72	0723058-4

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/28/2021	844103	NorthWestern Energy	Park Dist 1	$ 8.70	0723090-7
06/28/2021	844103	NorthWestern Energy	Park Dist 1	$ 6.00	0723162-4
06/28/2021	844103	NorthWestern Energy	Park Dist 1	$ 644.90	0723170-7
06/28/2021	844103	NorthWestern Energy	Park Dist 1	$ 20.65	0789437-1
06/28/2021	844103	NorthWestern Energy	Park Dist 1	$ 295.05	0925496-2
06/28/2021	844103	NorthWestern Energy	Parking	$ 2,835.61	0720834-1
06/28/2021	844103	NorthWestern Energy	Parking	$ 787.25	1594282-4
06/28/2021	844103	NorthWestern Energy	Parks Maint	$ 77.82	1059093-3
06/28/2021	844103	NorthWestern Energy	Radio	$ 239.40	0721580-9
06/28/2021	844103	NorthWestern Energy	Solid Waste	$ 1,204.09	3252194-0
06/28/2021	844103	NorthWestern Energy	Street/Traffic	$ 6.00	0723645-8
06/28/2021	844103	NorthWestern Energy	Transit	$ 150.91	1784756-7
06/28/2021	844107	PeopleReady Inc	Solid Waste	$ 2,809.04	Contract labor for landfill.
06/28/2021	844108	Phyllis M Kimbrig	General	$ 3,000.00	Grave relocation at Mountview-Joseph and Phyllis Kimbrig
06/28/2021	844110	Public Utilities	Parking	$ 94.15	102086
06/28/2021	844110	Public Utilities	Parking	$ 212.13	102980
06/28/2021	844110	Public Utilities	Parking	$ 10.45	102981
06/28/2021	844110	Public Utilities	Parks Maint	$ 1,354.62	136095
06/28/2021	844110	Public Utilities	Parks Maint	$ 4.04	136098
06/28/2021	844110	Public Utilities	Parks Maint	$ 103.84	136099
06/28/2021	844110	Public Utilities	Parks Maint	$ 4.47	136100
06/28/2021	844110	Public Utilities	Parks Maint	$ 322.40	136101
06/28/2021	844110	Public Utilities	Parks Maint	$ 331.32	236250
06/28/2021	844110	Public Utilities	Street/Traffic	$ 1,561.19	180334
06/28/2021	844110	Public Utilities	Street/Traffic	$ 977.53	181505
06/28/2021	844110	Public Utilities	Street/Traffic	$ 44.06	243346
06/28/2021	844110	Public Utilities	Street/Traffic	$ 277.23	259589
06/28/2021	844110	Public Utilities	Street/Traffic	$ 121.84	259590
06/28/2021	844110	Public Utilities	Street/Traffic	$ 625.91	259591
06/28/2021	844110	Public Utilities	Street/Traffic	$ 783.62	261854
06/28/2021	844110	Public Utilities	Wastewater	$ 3,131.77	111176
07/01/2021	844164	Purinton Family Trust	Sidewalk Debt	$ 29,500.00	Bond Payments July 1, 2021
07/01/2021	844164	Purinton Family Trust	Sidewalk Debt	$ 22,225.00	Bond Payments July 1, 2021
07/01/2021	844164	Purinton Family Trust	Sidewalk Debt	$ 29,000.00	Bond Payments July 1, 2021
06/28/2021	844111	RDO Equipment	Solid Waste	$ 510,000.00	Dozer for the Landfill
06/28/2021	844111	RDO Equipment	Street/Traffic	$ 23.20	7741012

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/28/2021	844111	RDO Equipment	Wastewater	$ 4,880.00	Felco Vibratory Compactor Bucket
06/28/2021	844111	RDO Equipment	Water	$ 7,320.00	Felco Vibratory Compactor Bucket
06/28/2021	844112	Rimrock Engineering	Airport	$ 4,000.00	Boring of Pavement at the West End Hangars
07/01/2021	844165	Royal C. Johnson Trust	SID Fund	$ 3,810.00	Bond Payments July 1, 2021
07/01/2021	844165	Royal C. Johnson Trust	SID Fund	$ 6,350.00	Bond Payments July 1, 2021
07/01/2021	844165	Royal C. Johnson Trust	SID Fund	$ 495.00	Bond Payments July 1, 2021
07/01/2021	844165	Royal C. Johnson Trust	Sidewalk Debt	$ 16,500.00	Bond Payments July 1, 2021
07/01/2021	844165	Royal C. Johnson Trust	Sidewalk Debt	$ 87,700.00	Bond Payments July 1, 2021
06/28/2021	844123	Stahly Eng & Assoc	Gas Tax	$ 811.80	SID 1416 Gleneagles Boulevard Professional Services
06/28/2021	844123	Stahly Eng & Assoc	Gas Tax	$ 1,639.88	SID 1416 Gleneagles Boulevard Professional Services
06/28/2021	844123	Stahly Eng & Assoc	Gas Tax	$ 1,160.28	SID 1416 Gleneagles Boulevard Professional Services
06/28/2021	844123	Stahly Eng & Assoc	SID Const	$ 5,682.56	SID 1416 Gleneagles Boulevard Professional Services
06/28/2021	844123	Stahly Eng & Assoc	SID Const	$ 11,479.16	SID 1416 Gleneagles Boulevard Professional Services
06/28/2021	844123	Stahly Eng & Assoc	SID Const	$ 8,160.16	SID 1416 Gleneagles Boulevard Professional Services
06/28/2021	844123	Stahly Eng & Assoc	Storm Sewer	$ 885.60	SID 1416 Gleneagles Boulevard Professional Services
06/28/2021	844123	Stahly Eng & Assoc	Storm Sewer	$ 1,788.96	SID 1416 Gleneagles Boulevard Professional Services
06/28/2021	844123	Stahly Eng & Assoc	Storm Sewer	$ 1,265.76	SID 1416 Gleneagles Boulevard Professional Services
06/28/2021	844127	Swank Enterprises	Solid Waste	$ 808,865.64	WO 17-12 Landfill Reconfiguration
06/28/2021	844128	Sysco Montana	General	$ 877.82	food for Rose concessions - 343298734
06/28/2021	844128	Sysco Montana	General	$ 412.75	food for rose concessions 343287843
06/28/2021	844128	Sysco Montana	General	$ 1,620.55	food for rose concessions 343289578
06/28/2021	844128	Sysco Montana	General	$ 86.56	food for rose concessions 343291461
06/28/2021	844128	Sysco Montana	General	$ 517.51	food for rose concessions- 343295029
06/28/2021	844128	Sysco Montana	General	$ 20.49	food for rose concessions -343296756
06/28/2021	844129	T.W. Clark Const	Public Safety	$ 59,042.42	Fire Station #4 Roof & Siding Replacement Project Rebid dated 2/25/2021
06/28/2021	844132	TESSCO	Water	$ 7,724.06	Tower materials and hardware for Waldo pump station
06/28/2021	844132	TESSCO	Water	$ 4,031.94	UPS and cards for WTP
06/28/2021	844132	TESSCO	Water	$ 3,076.68	Water treatment plant antennas and supplies
06/28/2021	844134	Tire-Rama	Solid Waste	$ 1,648.00	11R22.5 BDY2. 315/80R22.5 BDM3 230 (DM3). Tires. Collections.
06/28/2021	844134	Tire-Rama	Solid Waste	$ 2,208.00	315/80R22.5 BDM3 230 (DM3)
06/28/2021	844134	Tire-Rama	Solid Waste	$ 2,944.00	315/80R22.5 BDM3 230 (DM3). Tires. Collections.
06/28/2021	844134	Tire-Rama	Solid Waste	$ 4,392.00	Tire Repair. Collections.
06/28/2021	844134	Tire-Rama	Solid Waste	$ 4,430.00	Tire Repair. Collections.
06/28/2021	844134	Tire-Rama	Solid Waste	$ 4,071.00	Tire Repairs. Collections.
06/28/2021	844134	Tire-Rama	Street/Traffic	$ 1,041.20	105 0018261
06/28/2021	844135	Titan Machinery	Street/Traffic	$ 609.72	sweeper broom. (took credit for return but never entered original invoice)

Check Date	Check#	Name	Fund Name	Amount	Item Desc
06/28/2021	844135	Titan Machinery	Wastewater	$ 406,000.00	Base Bid $406,000
06/28/2021	844135	Titan Machinery	Wastewater	$ 2,782.00	full 5 year warranty Trans, Eng & Emm
06/28/2021	844135	Titan Machinery	Wastewater	$ (12,500.00)	trade in unit # 7935 $12,5000
06/28/2021	844136	TNT Springs	Fleet	$ 555.49	203012 PO NUM 312688
06/28/2021	844136	TNT Springs	Fleet	$ 1,784.16	203017 PO NUM 312688
06/28/2021	844136	TNT Springs	Water	$ 786.57	NONSTOCKING ITEMS-P.U.D.
06/28/2021	844137	Town & Country Supply	Airport	$ 21,570.90	Invoice #418250. QTA Car Rental Fuel
06/28/2021	844137	Town & Country Supply	Transit	$ 14,277.60	417998 PO NUM 312699. 6000 Gallons Diesel
06/28/2021	844137	Town & Country Supply	Transit	$ 4,776.22	419349 PO NUM 312741. 1900 Gallons Unleaded
06/28/2021	844141	Trihydro Corporation	Solid Waste	$ 12,071.97	Waste Characterization Study-Landfill
06/28/2021	844144	Ultimate Training Munitions	Public Safety	$ 3,905.83	Glock Training Kits - munitions. CARES.
06/28/2021	844144	Ultimate Training Munitions	Public Safety	$ 25,000.00	Glock Training Kits - munitions. Training
06/28/2021	844148	VirTra Systems Inc	Public Safety	$ 199,222.38	use of force simulator,installation, training, w/on-going maint & support.
06/28/2021	844149	WatchGuard Video	Public Safety	$ 4,180.00	WG ACCINV0031425, camera mounts and molle loops
06/28/2021	844150	Weiss Electrical Service	Public Safety	$ 2,842.00	FIRE 3: REPLACE 4FT FLUORESCENT FIXTURES W/4FT LED
06/28/2021	844153	Wilbur Ellis Co	Amend Park	$ 3,000.00	fertilizer - 14420192
06/28/2021	844153	Wilbur Ellis Co	Amend Park	$ 2,560.00	fertilizer-14420194
06/28/2021	844153	Wilbur Ellis Co	Park Dist 1	$ 6,472.00	fertilizer - 14420192
06/28/2021	844158	Yellowstone Co News	Airport	$ 11.50	Airport
06/28/2021	844158	Yellowstone Co News	CDBG	$ 153.50	Community Develop
06/28/2021	844158	Yellowstone Co News	Engineering	$ 1,625.50	Engineering
06/28/2021	844158	Yellowstone Co News	Facilities	$ 115.00	Facilities
06/28/2021	844158	Yellowstone Co News	General	$ 69.00	Administration
06/28/2021	844158	Yellowstone Co News	General	$ 57.50	Administration
06/28/2021	844158	Yellowstone Co News	General	$ 23.00	Finance
06/28/2021	844158	Yellowstone Co News	Library	$ 23.00	Library
06/28/2021	844158	Yellowstone Co News	P.W. Admin	$ 46.00	Public Works
06/28/2021	844158	Yellowstone Co News	Park Dist 1	$ 23.00	Parks & Rec
06/28/2021	844158	Yellowstone Co News	Parking	$ 18.00	Parking
06/28/2021	844158	Yellowstone Co News	Planning	$ 401.50	Planning
06/28/2021	844158	Yellowstone Co News	Tax Incrmnt S	$ 34.50	Planning
06/28/2021	844158	Yellowstone Co News	Transit	$ 11.50	Airport

City Council Regular

Date:	07/26/2021
Title:	Public Hearing for Low Income Housing Tax Credits Application - Tapestry Apartments - Community Leadership & Development, Inc.
Presented by:	Chris Kukulski, City Administrator
Department:	City Hall Administration
Presentation:	Yes

RECOMMENDATION

Community Leadership and Development, Inc (CLDI) is asking the City Council to meet the State of Montana requirements for notification and public comment for its application for Low Income Housing Tax Credits from the Montana Board of Housing. As part of that request, CLDI is notifying the City and asking for:

- Formal opportunity at this Council meeting for public comment (Required publication in the *Yellowstone County News*, 2 runs minimum of 6 days apart (July 9th and 16th, 2021) to meet the City of Billings requirements, and 2 runs 14 days apart to meet the Montana Board of Housing requirements.)
- A Letter of Support from City Council in regard to the proposed Tapestry Apartments (See attached Letter of Support Information document and draft Letter of Support)
- Notification to City Council that, upon a successful award of Low Income Housing Tax Credits, Tapestry Apartments anticipates applying for a real estate tax exemption under MCA § 15-6-221

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

Community Leadership & Development, Inc. (CLDI), in conjunction with Mountain Plains Equity Group, Inc. (MPEG), is in the process of completing an application to the Montana Board of Housing for an allocation of Low-Income Housing Tax Credits (LIHTC). If successful in this application, the Housing Tax Credits will help to finance the development of Tapestry Apartments, a new 26-unit affordable housing development for families and individuals. The Tapestry Apartments will be a new construction 4-story building located at approximately 2920 1st Ave S, Billings, Montana, and will be comprised of 14 one-bedroom and 12 two-bedroom rental apartment units with elevator access to the upper floors. All units will be dedicated to qualifying families and individuals earning less than 60% of the area median income. The project site is adjacent to CLDI's office, and residents will have access to supportive programs and services offered by CLDI and its partnering organizations, including healthy solutions to family care, marriage care, leadership skills and job training programs.

ALTERNATIVES

City Council may conduct the public hearing and provide for public comment as required by State Law for Low Income Housing Tax Credit Applications, and:

- Approve a letter of support to be signed by the Mayor; or,
- Disapprove a letter of support, which could result in the project not completing its Montana Board of Housing application requirements.

FISCAL EFFECTS

While any specific financial impact of this project on the City is not known at this time, the project is expected to be tax-exempt when it is completed and would not contribute to the City's tax base as a property. However, the provision of affordable housing to low income individuals and families in the community does have other financial and social benefits for the community.

Attachments

Draft letter of support

July 26, 2021

Ms. Nicole Whyte
Multi-Family Program Manager
Montana Board of Housing
PO Box 200528
Helena, MT 59620-2840

Dear Ms. Whyte:

As Mayor and City Council Members of Billings, Montana, this letter is to display our strong support regarding the application and need for an allocation of Low-Income Housing Tax Credits (LIHTC) as a funding source for the development of the **Tapestry Apartments** project in Billings, MT.

Community Leadership & Development, Inc. (CLDI), in conjunction with Mountain Plains Equity Group, Inc. (MPEG), is in the process of completing an application to the Montana Board of Housing for an allocation of LIHTC. If successful in this application, the Housing Tax Credits will help to finance the development of **Tapestry Apartments**, a new 26-unit affordable housing development for families and individuals.

As a result of the COVID-19 pandemic and economic crisis, many people have lost their jobs or been displaced from their homes, significantly increasing the number of our homeless and low-income Billings neighbors. Added to this more immediate need, affordable housing is extremely limited in Billings, and the cost of construction is climbing at an alarming rate. A shortage of affordable housing options continues to exasperate lower income members of our community who are unable to pay market rents or to meet the steep security deposit requirements. Further, **Tapestry Apartments** would partially fill our #1 Priority Need for Affordable Housing as noted in the City of Billings Five Year Consolidated Plan FY 2020-2024.

Tapestry Apartments will be constructed utilizing funding from the LIHTC program, HOME Funds program, and other soft financing sources, in combination with conventional long-term financing. To be eligible for residency, certain income thresholds will apply to prospective residents. The apartment units will be reserved for applicants with income levels at or below 60% of the Area Median Income, with 73% of the 26 units being reserved for applicants with income levels at or below 50% of the Area Median Income.

It is our sincere desire that the **Tapestry Apartments** be seriously considered for an allocation of LIHTC to help finance the development of the project. The combination of housing, combined with access to supportive programs and services offered by CLDI and their partnering organizations make this project a valuable asset to our community.

Respectfully submitted,

_____
Bill Cole, Mayor

_____
Kendra Shaw, Council Member

_____
Mike Yakawich, Council Member

_____
Roy Neese, Council Member

_____
Frank Ewalt, Council Member

_____
Danny Choriki, Council Member

_____
Denise Joy, Council Member

_____
Pam Purinton, Council Member

_____
Penny Ronning, Council Member

_____
Mike Boyett, Council Member

_____
Shaun Brown, Council Member

City Council Regular

Date:	07/26/2021
Title:	Special Review 990 - Town Pump Bar & Casino - King Ave W and Shiloh Road - Public Hearing
Presented by:	Nicole Cromwell
Department:	Planning & Community Services
Presentation:	Yes

RECOMMENDATION

The Zoning Commission recommends conditional approval and adoption of the findings of the review criteria for Special Review 990 on a 3 to 2 vote.

PROPOSED CONDITIONS:

1. This special review approval is for the development and operation of a bar and casino located on Lots lB-1 to lB-5, of Block 20 of the Amended Olympic Park Subdivision generally located on the northeast corner of the intersection of King Ave. W and Shiloh Road.
2. The bar and casino will be located in a common structure with a gas station, convenience store and liquor store but will not exceed 10,000 square feet nor one-third of the total building gross floor area, whichever is less.
3. The building will be located as shown on the submitted site plans dated 5-7-2021 and 6-22-2021 as prepared by Performance Engineering and attached to these conditions of approval.
4. The building design and elevations will be as substantially shown on the drawing dated 6-07-2021 as prepared by AT Architecture. The signs shown on this elevation plan are specifically excluded.
5. The north property line that abuts the Shiloh Glen apartments will be treated with a sight-obscuring fence of six feet height. The fence need not be constructed on the shared property line and can be setback to avoid underground utilities. The fence may be constructed of any normal fencing material however, any vinyl fencing will have a matte finish to diminish light reflection. Two pedestrian access points will be provided for the residents of the Shiloh Glen apartments. These access points will have two bollard style lights installed - one on the Shiloh Glen side of the fence and one on the Town Pump side of the fence. The access will be by off-set fencing, so there is no break in the visual barrier between the properties. The two approximate locations are shown on a Planning staff site plan exhibit dated June 28, 2021. The pedestrian way from the fence opening to the Town Pump parking lot will be a paved sidewalk with an access ramp provided at the curb line on the north side of the parking lot/drive aisle.
6. The applicant will install and maintain a row of mixed evergreen and deciduous shrubs or trees along the inside of the north property line fence. This will be shown on the overall landscaping plan designed and stamped by a landscape architect.
7. The applicant will show on the site plan submitted for Building Permit the area planned for snow storage.
8. The applicant will reduce the length of the parking lot landscape islands so that each one is 4 feet shorter than the adjacent parking stall as required by Section 27-1205.B. No parking stall shall be more than 132 feet from a required landscape parking island. No turf grass is allowed in landscape islands and each landscape island requires one tree. Deciduous trees in landscape islands are encouraged. All landscaped areas require a minimum of 75% organic material.
9. The applicant will show on the landscape plan submitted with the Building Permit, the following: 18 street trees on the north side of the sidewalk along King Ave West; 10 street trees along the Shiloh Road street frontage between the property line and the parking lot curbing, screening for all ground or roof- mounted mechanical equipment, the solid waste dumpster screening including materials for the enclosure and 75% organic material in all landscaped areas.
10. All landscaping shall be installed and maintained free of debris and trash on a regular basis. Dead plant material will be replaced with like materials as expeditiously as possible. All irrigation systems will be maintained in proper working order.
11. Pavement markings shall be provided to show direction of vehicle travel within the site, pedestrian crossings from parking areas to the sidewalk on the building perimeter, and stop lines and signs at the access points on to King Avenue West and Shiloh Road.
12. There shall be no internally illuminated fascia on the building and all exterior lighting mounted on the building shall have full cut-off shields so no part of the lens or fixture is visible below the shield.
13. All parking lot light standards shall have full cut-off shielding so not part off the lens or fixture is visible below the shield. The maximum height of the light poles - including the base and fixture - is 25 feet above grade.
14. There will be no exterior building wall signs on the north and northeast building facades. Window signs are allowed on the entry doors.
15. Any signs on the site including attached building signs, freestanding signs and temporary signs will comply with the City Sign Code that applies to Corridor Mixed Use 2 (CMU2) zone districts at Section 27-1407.C.

16. The applicant will submit a Building Permit within 1 year of City Council conditional approval and will complete the site development within 2 years of the issuance of a Building Permit. Failure to submit or complete the approved project within this time frame will void the conditional approval.
17. Modification of the approved special review use is allowed with the following limitations: 10% or less expansion of the gross floor area, 10% or less increase in the number of potential building occupants, and 10% or less new parking stalls. Expansions also require conformance with all other requirements of the Zoning Regulations and other City of Billings code requirements.
18. The cessation of the special review use for more than 6 consecutive months, shall extinguish this conditional approval and the use may not be re- established except through a new special review approval of the City Council
19. The City Council reserves the right to re-open the conditional approval of this use at this location based on one or more of the following conditions: 1) failure to respond to a notice of noncompliance with the specific conditions of approval; or 2) exceptionally high levels of calls for public safety services verified by the Chief of Police. The City Council will notify the owner of its intent to re-open the Special Review at least 60 calendar days ahead of any public hearing on the matter.
20. These conditions run with the land use and are binding upon and must be adhered to by the property owner and any successors, transferees or assigns.
21. The right of building and occupancy permits are contingent upon the fulfillment of all conditions imposed by this approval.

APPLICATION DATA

OWNERS: Billings 13 RE, LLC
AGENT: Performance Engineering, Scott Aspenlieder, P.E.
PURPOSE: To allow the development of a new bar and casino
LEGAL DESCRIPTION: Lots 1B1 through 1B5, Block 20, Olympic Park Subdivision
ADDRESS: None assigned, generally located on the northeast corner of King Ave. W. and Shiloh Road
EXISTING LAND USE: Vacant land
PROPOSED LAND USE: Town Pump gas station, convenience store, liquor store (18,786 square feet) along with a bar and casino (9,450 square feet)
EXISTING ZONING: Planned Development with underlying zoning of Community Commercial (PD-CC)

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

This is Special Review 990, a request to relocate an existing all beverage liquor license to operate a bar and casino for Town Pump, Inc. The subject property is described as Lots 1B-1 to Lots 1B-5, Block 20 of Olympic Park and is generally located on the vacant property on the northeast corner of the intersection of King Ave. West and Shiloh Road. The property is within the Olympic Park Planned Development zone with underlying zoning of Community Commercial (PD-CC). The parcel is 6.196 acres in area. Tax IDs: A29258, A29259, A29260, A29261 & A29262.

The city zoning update in February 2021, did not expunge the retired zone districts from Planned Development zones. The previous zoning has been officially archived and will be used going forward as a reference for the existing Planned Development zones that have named underlying zone districts. The use of the archived code requirements will be narrowly applied. For example, if a Planned Development does not contain a specific requirement for landscaping or signage, then the new landscaping and sign code will apply to developments within the PD zone. The Olympic Park PD zone does not have specific requirements for site landscaping or signage, so the new zoning requirements will apply. The Olympic Park PD does refer to underlying zones, so the uses allowed, allowed by special review and prohibited uses in the archived zoning for Community Commercial zones will apply. A bar and casino is a location that requires a special review both in the archived zoning code and the newly adopted zoning code. The process for special review and the required separation distances will apply to this location.

The Olympic Park Planned Development was approved by the County in December 1978 and was subsequently annexed to the city. The original underlying zoning for these parcels has not changed since 1978. A few of the adjacent blocks in Olympic Park have changed from residential to commercial zoning but were ultimately developed for residential purposes. The townhomes to the east (Cherry Creek Townhomes) for example are in a Neighborhood Commercial zone and the Shiloh Glen apartments are in a Community Commercial zone. In the new zoning code, the City Council adopted new regulations for separation of bars and casinos from residential zone districts but not from residential uses in commercial or mixed use zone districts. The new code separations are based on zoning for residential separations and based on use for churches, public parks with playgrounds and primary/secondary schools (K through 12). The subject property shares a property line with the Shiloh Glen apartments, but because the underlying zoning of Shiloh Glen is Community Commercial, the required separation to a "residential zone" does not

apply. The separation to a church, public park with playground equipment, or a school does apply. There is a public park to the north of the Shiloh Glen apartments but, the park has no playing field or playground. There are no primary or secondary schools within 600 feet of the proposed building. There is a church to the west in Montana Sapphire Subdivision however, it is over 1,200 feet from the proposed building. The proposed location meets the new code requirements for minimum separation requirements.

The new zoning code has a variety of considerations and findings before a special review use can be considered acceptable at a particular location. The requirements are set forth in Section 27-1623.D as follows:
1. The special review use is consistent with the City's growth policy and applicable neighborhood plans, if any;
2. The establishment, maintenance, or operation of the special review use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
3. The site for the proposed use is adequate in size and topography to accommodate the use while meeting the other requirements of this Zoning Code, including zone district dimensions, landscaping requirements, and parking.
4. The special review use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
5. The special review use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
6. Conditions necessary to protect the public health, safety, and general welfare can be established, including but not limited to conditions on:
(a) Regulation of the use;
(b) Special setbacks, buffers, or screening;
(c) Surfacing of parking areas;
(d) Street, alley, or service road dedications, improvements, or bonds;
(e) Regulation of points of vehicular ingress and egress;
(f) Regulation of signs;
(g) Regulation on the performance of the site, including noise, vibration, and odors;
(h) Regulation of the hours of activities;
(i) Timeframe for development
(j) Duration of use; and
(k) Other relevant conditions that will ensure the orderly development of the site.
7. Adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided;
8. Adequate measures have been or will be taken to provide ingress and egress to minimize traffic congestion in public streets; and
9. The special review use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the city council.

Each decision criteria must be given due consideration and a finding is proposed for each one. Planning staff recommended conditional approval to the Zoning Commission along with a set of recommended conditions of approval based on submitted site plan, applicant letter, and findings of the criteria. The Zoning Commission concurred with this recommendation, the findings for each criteria, and the proposed 21 conditions of approval. A significant change from the previous zoning code is a special review use must not be considered an "allowed" use in the zone district. The proof of compatibility now rests with the applicant instead of the Zoning Commission and City Council to prove non-compatibility. The applicant proposes the use is compatible by stating it is an in-fill project that will provide services to a high density developing area. The applicant is proposing several site development conditions such as a vegetative buffer and fencing on the northern property lines, full cut-off shielding for all exterior light fixtures, orientation of the building to the street frontages, security systems throughout the building, and a full traffic analysis to be approved by the City Engineering Division and the MT Department of Transportation. A lighting study has been completed and submitted as well as elevation drawings of the proposed building.

Before making a decision on the proposed special review, the City Council will consider the proposed findings of the review criteria as forwarded by the Zoning Commission.

1. The special review use is consistent with the City's growth policy and applicable neighborhood plans, if any.
Applicant: The proposed special use does align with the City's Growth Policy providing needed service and to the

King and Shiloh area. The proposed development is an infill project which is specifically identified in the Growth Policy as desirable for the community. The proposed project will complete development on a significant corner in the Shiloh Road corridor with a facility that will comply with all City regulations and PUD requirements for the area.

Zoning Commission: There are nine Growth Guidelines in the 2016 City of Billings Growth Policy including Essential Investments, Placemaking, Community Fabric, Strong Neighborhoods, Home Base, Mobility & Access and Prosperity. In addition, the West Billings Neighborhood Plan includes goals and policies related to development in this area of Billings including Planned Growth, Appropriate Land Use, Achieving a Distinctive Community Character and Enhancing Public Safety, Open Space, Waterways and Scenic Resources.

It is desirable to complete the development of this 44-year old subdivision. This would be the capstone project on the fourth corner of a major arterial intersection in Billings West End Neighborhood. The West Billings plan acknowledged this area as a major commercial development node that would include a variety of businesses and services. On the northwest corner is a new REI retail store that caters to outdoor sports specifically mountaineering, hiking and camping. On the southwest corner is the new Rimrock auto dealerships (Kia, Volkswagen and GMC) and on the southeast corner is Shiloh Crossing retail center with First Interstate Bank holding the corner position. The closest gasoline service station is one mile to the east at 32nd St West and King Avenue West where another Town Pump is located with a Magic Diamond Casino. This location was approved in June 2005 (Special Review 784). The gasoline service station and convenience store do not require a special review and are an expected use at or near this major intersection in West Billings. A casino and bar are part of the proposed use and do require a special review approval. The 2016 Growth Policy Guidelines support the proposed use in some respects.
Placemaking:

- Public and private partnerships are valuable for creating enhanced entryways into Billings are valuable for creating enhanced entryways into Billings.

The proposed site plan and location can be an enhancement for this fourth corner of the intersection. The Zoning Commission is proposing conditions to enhance the entryway in to Billings.

Community Fabric:

- Developed landscape areas in commercial areas encourage more pedestrian activity and vibrant commercial activity.
- Attractive streetscapes provide a pleasant and calming travel experience in urban and suburban neighborhoods.
- Developed landscape areas in commercial areas encourage more pedestrian activity and vibrant commercial activity.
- Cost-effective landscaping of public rights-of-way and entryways makes Billings more visually appealing to residents and visitors.

The Zoning Commission is proposing conditions and enhancement for the street frontage landscaping and requirements to accommodate people who are using alternate modes of travel such as the MET Transit, bicycle or on foot.

Strong Neighborhoods:

- 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.
- Zoning and subdivision regulations that utilize Crime Prevention Through Environmental Design (CPTED) strategies result in safer neighborhoods.
- Implementation of the Infill Policy is important to encourage development of underutilized properties.
- Public safety and emergency service response are critical to the well-being of Billings' residents and businesses.

The applicant is proposing to allow pedestrian access to the property from the Shiloh Glen apartments. The Zoning Commission is proposing conditions to ensure this access is safe both for the residents and for the proposed business. The proposed conditions will include special lighting and off-set pedestrian passages through the screen fencing. Lighting will be a key factor in providing customer and public safety on the property. The last 6 months shows about 285 requests for public safety services within 1/2 mile of the subject property. The majority of those calls were for disturbing the peace (noise - 180 calls) but there were also 10 DUIs, and 40 calls involving property theft. The Zoning Commission recommended conditions should help reduce any potential new calls for service.

Mobility and Access:

- Development oriented to transit routes will provide more transportation choices and is preferred.

The location is on one of the fixed routes for MET Transit. The route goes south on Olympic Blvd, turns west on King Ave West and then turns south through Shiloh Crossing. Customers and employees can easily access this daily fixed route to connect to the remainder of the MET Transit system. The West End bus can pick up riders at the intersection of Olympic Blvd and King Avenue West

Prosperity :

- Successful businesses that provide local jobs benefit the community.
- Retaining and supporting existing businesses helps sustain a healthy economy.

The proposed business has proven successful in providing local jobs and approving the special review would support an existing business in Billings.

Planned Growth, Appropriate Land Use, Achieving a Distinctive Community Character: (West Billings Plan)

- Promote efficient utilization of land within the West Billings planning area by promoting well-designed, more pedestrian friendly, urban development patterns with a mix of uses and an efficient, creative use of land.
- With the intent of preventing strip commercial development, the West Billings planning area should contain commercial nodes of varying sizes located at the intersections of arterial streets.
- Large commercial stand-alone development lacking amenities such as landscaping and varied roof-lines, generally known as "big box," as exists along King Avenue near 24th Street West, is not appropriate to the desired character of West Billings west of or along Shiloh Road.
- Commercial nodes should contain business development sites of various sizes to accommodate a variety of businesses.
- Create identifiable, pedestrian-oriented commercial developments with focal points, opportunities for mixed-use areas that aesthetically combine residential and commercial buildings, residential subdivisions, and park areas that link neighborhoods through a linear open space network, subdivision entryways and special arterial treatments.
- Provide a consistent and abundant network of landscaping along streets and in parking areas by the creation of street tree planting, landscaped streetscapes, and aesthetic site improvement qualities throughout West Billings, and assure there is adequate room for utility placement in the right of way.

The proposed development plan and site development will help achieve some of the stated goals of the West Billings Plan. The intent is to provide pedestrian access to the site, provide landscaping along the street frontage, a building design that complements the existing entryway corridor of Shiloh Road and a safe lighting plan to minimize crimes of opportunity.

2. The establishment, maintenance, or operation of the special review use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.
Applicant: Town Pump takes pride in the facility design and employee training it provides to ensure a safe and responsible entertainment for its customers. All employees go through TIPS training which teaches employees responsible and safe serving practices as well as Montana laws and regulations as it relates to operating a liquor and gaming facility. The facilities are built with extensive security systems and secure entry systems at the doors. Security cameras on the outside of the building monitor exterior movement and operations while internal cameras capture customer ID upon entrance into the facility. The facility will be set up to operate at a high level of security while providing a service to the neighborhood and community.

Zoning Commission: Service stations and convenience stores do experience crimes mainly of opportunity. The addition of this business to this area will increase these types of crimes at this location. The site is a large site and will not have obvious or immediate access to the adjacent neighborhoods. Vehicle access will be from King Ave West and from Shiloh Road. There is a plan for pedestrian access from the Shiloh Glen apartment property, but this access will not be readily visible for most visitors who arrive by automobile. The applicant has provided a lighting plan that shows very few areas on the site that have low light levels during the evening hours. Most Town Pump facilities are open 24-hrs and this presents special circumstances for crime prevention. The Zoning Commission believes the site is safely designed and has recommended conditions to improve the safety features of the site.

3. The site for the proposed use is adequate in size and topography to accommodate the use while meeting the other requirements of this Zoning Code, including zone district dimensions, landscaping requirements, and parking.

Applicant: The proposed improvements will incorporate landscaped boulevards and internal landscaping to visually improve the area for neighbors and the traveling public. A site layout is provided with the application to show the facility orientation on the lot. Boulevard landscaping will be improved along King Ave. and Shiloh Road along with a vegetative buffer strip along the northern property line. The developer will plant shrubs through the area as additional landscaping to help aesthetically and with noise buffering. The site layout will meet parking requirements for the City of Billings.

Zoning Commission: The Zoning Commission agrees with the applicant and has recommended conditions that will improve the King Ave W and Shiloh Road landscaping, provide a buffer to the Shiloh Glen apartments and meet the zoning district requirements.

4. The special review use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.
Applicant: The proposed facility will not be injurious to the use and enjoyment of other property in the immediate vicinity nor will it substantially diminish property values within the neighborhood. PE staff held a neighborhood meeting having mailed over 100 neighbors regarding the project. Only one neighbor chose to log in and participate in the meeting, showing little interest or concern by the community about the project. The project was also presented to the West End Task Force in which it received minimal comment or question. The concerns generally revolved around hours of operation of the facility and making sure proper buffering could and would occur for the neighboring apartment complex. Those comments and concerns have been addressed and incorporated into the design of the facility as presented in this application. No data exists to show that commercial businesses or liquor and gaming facilities located in a properly zoned district have driven down property values for neighboring properties.

Zoning Commission: All Town Pump locations in Billings are open 24-hours a day. There are no other 24-hour a day businesses currently located in the vicinity of this neighborhood. The theater in Shiloh Crossing operates later than other businesses but generally is not open later than midnight. This will be a new condition for the adjacent properties. Diminishment of property value is not likely in this case especially if the applicant adheres to the conditions of approval and maintains the required buffer and screening to the adjacent neighborhood. There is no planned outdoor patio or entertainment on the site that would cause substantial noise and disruption to the neighbors. Property values should not substantially diminish from the property use.

5. The special review use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
Applicant: The proposed facility and use will not impede the normal improvement of the surrounding properties. The new facility fits in as a large commercial operation with the other business located at the intersection of King Ave. and Shiloh Road which is a major arterial intersection. The infill project will provide a level of certainty to surrounding properties once constructed knowing the formal use of the vacant property. The proposed project will meet the building and design standards present in the PUD and City of Billings Building Code. Additionally, Town Pump has an outstanding record and reputation of maintain and operating their facilities at a high level. Town Pump assures that the site is clean and operates within local and state rules and regulations to maintain safety and provide consistency to the neighborhood.

Zoning Commission: As the capstone development on the only undeveloped corner of the intersection of King Avenue West and Shiloh Road, the Town Pump bar and casino operation would not impede the continued development of the surrounding property to the west or south. Property to the east and north is fully developed. There are a few other casinos in the area to the west and south including Dotty's and the Sapphire Lounge & Casino. The St Vincent's Healthcare Subdivision to the west is also a Planned Development zone district, with strict controls on uses and site development. The Town Pump location should not impede the continued development of this subdivision.

6. Conditions necessary to protect the public health, safety, and general welfare can be established.
The **Zoning Commission** recommends the conditions of approval in the Recommendation section of this report based on the findings of these review criteria and the applicant's stated intent. These conditions are related to the listed categories for conditions, but may include other issues specific to the use for a bar and casino.

7. Adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided.
Applicant: The proposed facility will go through a full engineering and permitting review from City of Billings Public Works for site layout and utility conformance to City of Billings Regulations. A full traffic study is underway for the proposed site at the time of this application. The traffic study will analyze ingress/egress along with intersection impacts to nearby intersections. The Traffic Impact Study (TIS) will be submitted for review and approval by both the City of Billings and Montana Department of Transportation. The TIS will identify any intersection impact fees required from the developer along with any improvements to King Ave. and Shiloh Road. Those improvements or financial contributions, if determined to be required by the TIS, will be made at the time of development of the site. Construction of the proposed development will meet all City of Billings, Montana DOT, and Montana DEQ rules and

regulations to assure technically sound design and construction is implemented to protect the City and neighborhood.

Zoning Commission: The Zoning Commission concurs with the applicant's statements and positive findings on utilities, access roads, drainage and necessary facilities. There are no site specific conditions that would hamper the applicant's ability to fulfill the local and state regulations for access, utilities, drainage or other necessary facilities.

8. Adequate measures have been or will be taken to provide ingress and egress to minimize traffic congestion in public streets.
Applicant: The traffic study will analyze ingress/egress along with intersection impacts to nearby intersections. The Traffic Impact Study (TIS) will be submitted for review and approval by both the City of Billings and Montana Department of Transportation. The TIS will identify any intersection impact fees required from the developer along with any improvements to King Ave. and Shiloh Road. Those improvements or financial contributions, if determined to be required by the TIS, will be made at the time of development of the site.

Zoning Commission: The access drive onto Shiloh Road has already been established and will not be re-located for this project. The access is a right-in and right-out only from the northbound side of Shiloh Road. The King Avenue access point has yet to be established but will be close to its proposed location on the submitted site plans. This will also be a right-in and right-out driveway access from the westbound side of King Avenue West. The roundabouts in the vicinity will allow drivers to make safe changes in direction.

9. The special review use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the city council.
Applicant: No request to modify the regulations have been made.

Zoning Commission:The Zoning Commission has not identified any detail of the site plan or narrative of the project that would require modification of the requirements for this application. The site appears to meet all of the requirements for building height, setbacks, separations, lot coverage and yard treatments. The Zoning Commission has recommended specific conditions related to landscaping, parking, lighting and signage to address issues not apparent on the site plan.

STAKEHOLDERS

Applicants for special review approval are now required to conduct a pre-application neighborhood meeting similar to zone change applicants. This notice was sent out to property owners within 600 feet of the subject property (~130 owners) for a virtual meeting on Thursday, April 29, 2021. Only one person from the neighborhood attended the virtual meeting. The applicant's agent also attended a West End Task Force meeting on Tuesday, April 20, 2021, to present the project. No comments were received by the Planning staff after the public hearing notices were mailed, the property was posted and the legal ad published as required. The applicant is moving an existing license already located within the City of Billings.

The Zoning Commission conducted its public hearing on Tuesday, July 6, 2021, in the first floor Conference Room at 2825 3rd Ave N. The applicant's agent attended the hearing and the hearing was broadcast live on the Planning & Community Services Facebook page. The public could attend in person or follow the meeting live and make public comment by telephone. No members of the public attended the hearing in person or provided comment via telephone. Planning staff made its presentation and recommendation to the Zoning Commission. Agent Scott Aspenlieder stated the owner and applicant was not concerned with most of the conditions of approval with the exception of the draft condition number 19 as proposed by staff. Mr. Aspenlieder stated the applicant is willing to accept the condition but was concerned about the interpretation of what would be considered "a significant violent crime" or a "high level of calls for public safety services". Staff explained this would be a new condition to allow the City Council to "re-open" a conditional approval at a future date if specific issues arose - such as high calls for public safety services. Commission member Dan Brooks, Trina White and Jack King all voiced concerns with this new type of condition of approval. Commission member Jack King stated he thought the condition was too vague and open to interpretation and would not give certainty to the applicant and owner. Commission members Dan Brooks and Trina White concurred with this assessment. No other testimony was received from the public or the applicant.

Commission member Jack King made a motion to recommend conditional approval without including proposed condition number 19, and adoption of the findings of the nine criteria for Special Review 990. Commission member Trina White seconded the motion. Commission member Jack King stated condition number 19 was not necessary as there were other methods for the state and the liquor licensing bureau to handle public safety concerns at these locations. Commission member Trina White stated Town Pump has always been a good actor in the Billings area and runs a clean and safe business. Commission member Dan Brooks stated he also agreed but was concerned that some parts of the proposed condition would not be enforceable by any entity except the city. Commission member Dan Brooks offered a substitute motion to recommend conditional approval and include condition number 19 worded as follows:

"The City Council reserves the right to re-open the conditional approval of this use at this location based on one or more of the following conditions: 1) failure to respond to a notice of noncompliance with the specific conditions of approval; *or* 2) *exceptionally* high levels of calls for public safety services verified by the Chief of Police. ~~; 3) a significant violent crime has occurred at the location; or 4) significant reports from any public safety officials related to the over- serving of alcohol, sales to minors or allowing minors into the casino.~~ The City Council will notify the owner of its intent to re-open the Special Review at least 60 calendar days ahead of any public hearing on the matter." (*italics* = new wording and ~~strikethrough~~ = eliminated language)
The substitute motion was seconded by Commission member Greg McCall. The Zoning Commission voted three in favor and two opposed to the substitute motion. The two members in opposition were Jack King and Trina White.

ALTERNATIVES

City Council may:

- Accept the Zoning Commission's recommended findings of the decision criteria and approve or conditionally approve the special review; or,
- Amend the Zoning Commission's recommended findings of the decision criteria and not approved the special review; or
- Delay action on the Zoning Commission's recommendation for up to 30 days;
- Allow the applicant to withdraw the special review application.

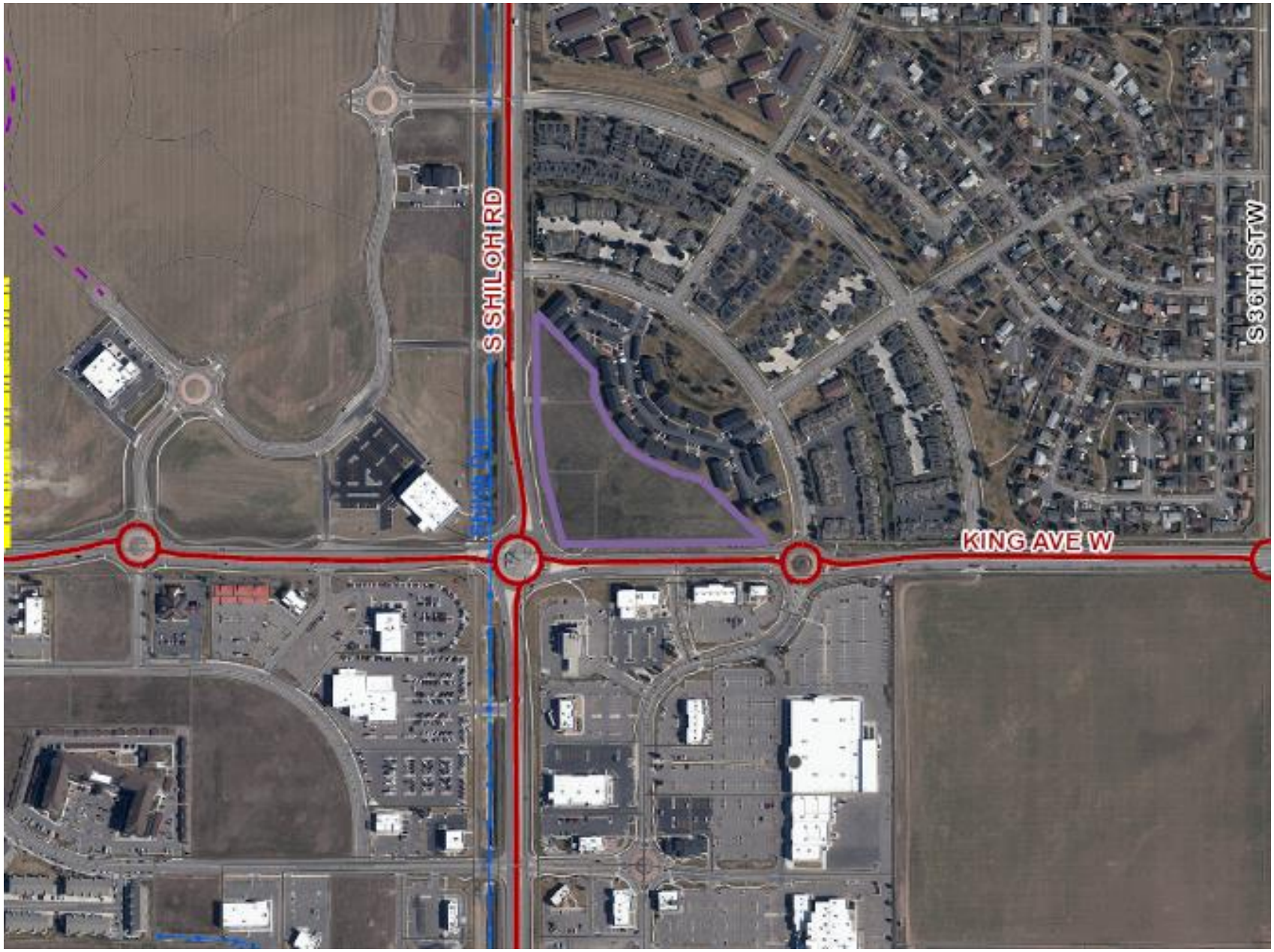
FISCAL EFFECTS

Approval or disapproval of the proposed special review use should not have an impact of the Planning Division budget.

Attachments

Zoning Map and Site Photos
Zoning History Chart
Application and Letter
Elevation Plan
Lighting Plan
Site Plan June 22 2021
Site Plan May 7 2021
Planning site plan of pedestrian access points

Zoning Map and Site Photos –SR 990 – Town Pump Bar & Casino King Ave W and Shiloh Road



Subject Property

Subject property – from Shiloh Road entry view east and south

View south along Shiloh Road to roundabout at King Avenue West

View north and east from Shiloh Road & King Ave West to Shiloh Glen apartments

View north along Shiloh Road from King Ave West roundabout

View west across Shiloh Road at REI in St Vincent's Healthcare Subdivision

View of roundabout at King Ave W and Shiloh Road

SUBJECT PROPERTY	Special Review	DATE	FOR	APPROVED (Y/N)	ADDITIONAL DATA
	SR 186	June 25, 1984	Gas Station	Yes	Gas station only
	SR 242	October 7, 1985	Gas Station	Yes	Gas stion only – never constructed
SURROUNDING PROPERTY	**Special Review**	**DATE**	**FOR**	**APPROVED (Y/N)**	**ADDITIONAL DATA**
3189 King Ave W	SR 989	January 25, 2021	Warden's Casino	Yes	Applicant acknowledge proximity to R zones
2499 Gabel Rd	SR 988	Jnauary 25, 2021	Cashbox Casino	Yes	No separation concerns – will meet new code requirements
2244/2248 Grand Ave	SR 982	July 27, 2020	Expand Gordy's into existing space	Yes	Location nonconforming to R zone separation
2018 Main Street	SR 978	Sept 23, 2019	New Dotty's	Yes	No separation concerns – will meet new code requirements
3970 Pierce Parkway	SR 976	May 28, 2019	Meadowlark Brewing	Yes	No separation concerns – will meet new code requirements
1801 Majestic Lane	SR 971	January 14, 2019	Add gaming to existing bar	Yes	No separation concerns – will meet new code requirements
4007 Avenue B	SR 967	August 27, 2018	Topz & West Palms Casino	Withdrawn	Needed waiver to church
3411 Grand Avenue	SR 964	June 25, 2018	Town Pump Bar & Casino	Yes	No separation – will meet new code requirements
896 S 29th ST W	SR 962	March 26, 2018	Lucky 7 Casino	Yes	No separation concerns – will meet new code requirements
1411 Chy Way	SR 958	Nov 27, 2017	The Den	Yes	No separation concern – will not meet R zone separation

APPLICATION FORM

CITY SPECIAL REVIEW **Billings Special Review#** 990 **- Project #** PZX -6014 /

The undersigned as owner(s) of the following described property hereby request a Special Review as outlined in the City of Billings Zoning Regulations.

Present Zoning: Community Commercial - Olympic Park PD

Special Review Requested: Liquor and Gaming License Relocation

TAX ID# A29258-A29262 **CITY ELECTION WARD #**5

Legal Description of Property: Lots 1B1-1B5, Block 20, Olympic Park Subdivision

Address or General Location (If unknown, contact City Engineering):

Size of Parcel (Area & Dimensions): Combined acreage = 6.196 ac; see lot dimensions on attached map

Present Land-Use: Empty lot

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): Billings 13 RE, LLC

(Recorded Owner) PO Box 6000, Butte, MT 59702

(Address) 406-497-6860 dans@townpump.com

(Phone Number) (email)

Agent(s): Performance Engineering - Scott Aspenlieder

(Name) 608 North 29th Street, Billings, MT 59101

(Address) 406-384-0080 scott@performance-ec.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 Special Review. Also, I attest that all the information presented herein is factual and correct.

Signature: Date: 5-3-21

(Recorded Owner)

RECEIVED
MAY 25 2021
PLANNING & COMMUNITY SERVICES DEPARTMENT

PERFORMANCE ENGINEERING

MEMO

To: Board of Adjustments

From: Scott Aspenlieder, P.E.

Date: May 24, 2021

Re: Town Pump King/Shiloh Facility – Special Review Statement

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On behalf of Town Pump, Inc., Performance Engineering (PE) is submitted the special review application to allow for a liquor and gaming license to be placed at Lots 1B-1 to 1B-5, Block 20 of the Amended Olympic Park Subdivision. The lots are in the northeast corner of the intersection of King Ave. and Shiloh Road. The development will contain a full convenience store along with a connected bar, casino, and liquor store as shown on the attached site plan.

The proposed special use does align with the City's Growth Policy providing needed service and to the King and Shiloh area. The proposed development is an infill project which is specifically identified in the Growth Policy as desirable for the community. The proposed project will complete development on a significant corner in the Shiloh Road corridor with a facility that will comply with all City regulations and PUD requirements for the area. The proposed improvements will incorporate landscaped boulevards and internal landscaping to visually improve the area for neighbors and the traveling public. Although sidewalks are currently in place around the perimeter, improved landscaping, and interconnection with the apartment complex to the north will help create a neighborhood feel for the area and encourage pedestrian traffic. The proposed facility will offer services directly adjacent to high density residential developments with pedestrian interconnection to encourage and allow for walking and biking within the neighborhood. With interconnection to the residential areas, the project will allow for safe travel within the neighborhood, keeping pedestrians out of intersections and eliminating the need to cross arterial streets. The facility is located at the edge of service for the MET system allowing access to residents throughout the area. Finally, the proposed facility is part of a largely successful business with multiple similar facilities in the community which provide jobs for residents and increase the tax base for the City of Billings.

A site layout is provided with the application to show the facility orientation on the lot. Boulevard landscaping will be improved along King Ave. and Shiloh Road along with a vegetative buffer strip along the northern property line. A fence will be installed to help buffer the proposed facility from the apartment complexes to the north with openings in the fence to allow for pedestrian flow into and out of the site. Grass and shrubs will be planted along the northern boundary to provide an aesthetically

pleasing transition between the two uses. It is important to note that large trees cannot be planted along the northern border due to the number of utilities within a utility easement in that portion of the lot. The site layout will meet parking requirements for the City of Billings and provide sufficient room for safe travel within the site. Additionally, an electric car charging station is incorporated to the site to accommodate electric cars within the community. As it is currently laid out the facility meets all zoning and PUD layout requirements.

The proposed use is compatible with the surrounding zoning, which is all Community Commercial (CC in the PUD) or Corridor Mixed Use (CMU2). It is important to note that Lot 1A of the Olympic Park Subdivision was also zoned as Community Commercial in the development's PUD documents. High density residential apartment complexes were constructed on the CC parcel adjacent to the north. The proposed facility is an allowable use within the existing zoning and does comply with the PUD documents. Commercial facilities are located at the other three corners of the intersection of King Ave. and Shiloh Road which fit the use being proposed. Providing a full-service convenience store and bar facility will service both the neighborhood and the traveling public which frequent this area in the City of Billings. The proposed site will include features to minimize any potential negative impacts to the high-density residential use adjacent to the property. As previously noted, a vegetative buffer and fence will be installed along the northern boundary. Additionally, all parking has been removed from the rear of the building with any lighting have full cutoff shielding to eliminate nuisance light from the site. The building itself will buffer traffic and travel noise from King Ave. and Shiloh Road improving the adjacent residential neighborhood. Unfortunately, large trees cannot be planted along the northern boundary of the site due to a multitude utilities currently serving the apartment complexes being located in that corridor. The developer will plant shrubs through the area as additional landscaping to help aesthetically and with noise buffering.

The proposed facility and use will not impede the normal improvement of the surrounding properties. The new facility fits in as a large commercial operation with the other business located at the intersection of King Ave. and Shiloh Road which is a major arterial intersection. The infill project will provide a level of certainty to surrounding properties once constructed knowing the formal use of the vacant property. The proposed project will meet the building and design standards present in the PUD and City of Billings Building Code. Additionally, Town Pump has an outstanding record and reputation of maintain and operating their facilities at a high level. Town Pump assures that the site is clean and operates within local and state rules and regulations to maintain safety and provide consistency to the neighborhood.

The proposed special review use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. Town Pump takes pride in the facility design and employee training it provides to ensure a safe and responsible entertainment for its customers. All employees go through TIPS training which teaches employees responsible and safe serving practices as well as Montana laws and regulations as it relates to operating a liquor and gaming facility. The facilities are built with extensive security systems and secure entry systems at the doors. Security cameras on the outside of the building monitor exterior movement and operations while internal cameras capture customer ID upon entrance into the facility. The facility will be set up to operate at a high level of security while providing a service to the neighborhood and community.

The proposed facility will not be injurious to the use and enjoyment of other property in the immediate vicinity, nor will it substantially diminish property values within the neighborhood. PE staff held a neighborhood meeting having mailed over 100 neighbors regarding the project. Only one neighbor

chose to log in and participate in the meeting, showing little interest or concern by the community about the project. The project was also presented to the West End Task Force in which it received minimal comment or question. The concerns generally revolved around hours of operation of the facility and making sure proper buffering could and would occur for the neighboring apartment complex. Those comments and concerns have been addressed and incorporated into the design of the facility as presented in this application. No data exists to show that commercial businesses or liquor and gaming facilities located in a properly zoned district have driven down property values for neighboring properties.

The proposed facility will go through a full engineering and permitting review from City of Billings Public Works for site layout and utility conformance to City of Billings Regulations. A full traffic study is underway for the proposed site at the time of this application. The traffic study will analyze ingress/egress along with intersection impacts to nearby intersections. The Traffic Impact Study (TIS) will be submitted for review and approval by both the City of Billings and Montana Department of Transportation. The TIS will identify any intersection impact fees required from the developer along with any improvements to King Ave. and Shiloh Road. Those improvements or financial contributions, if determined to be required by the TIS, will be made at the time of development of the site. Construction of the proposed development will meet all City of Billings, Montana DOT, and Montana DEQ rules and regulations to assure technically sound design and construction is implemented to protect the City and neighborhood.

Feel free to contact Performance Engineering Project Manager Scott Aspenlieder with any questions or concerns at (406) 384-0080 or scott@performance-ec.com. Thank you for your consideration and coordination in our project.

PERFORMANCE ENGINEERING

MEMO

To: City of Billings – Planning & Community Services Dept.

From: Scott Aspenlieder, P.E.

Date: April 29th, 2021

Re: Town Pump King/Shiloh Facility – Special Review Neighborhood & WETF Meetings

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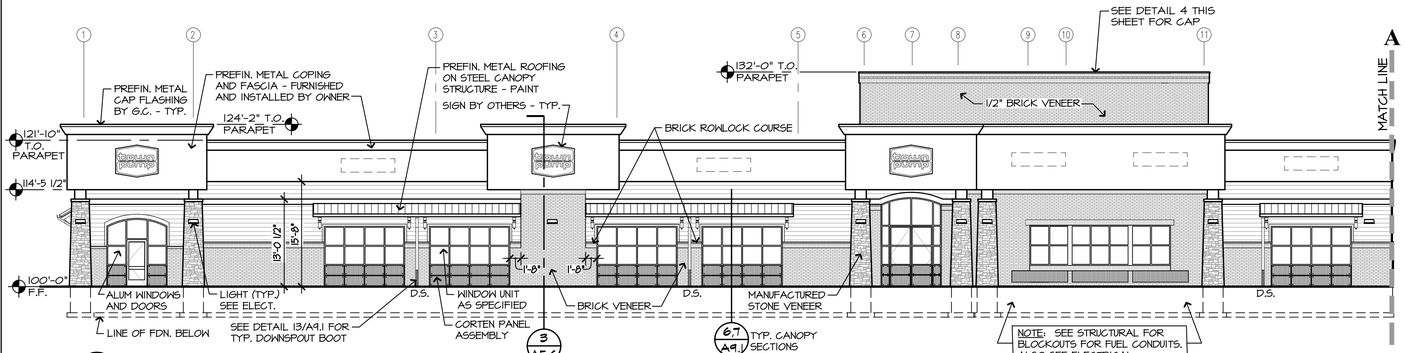
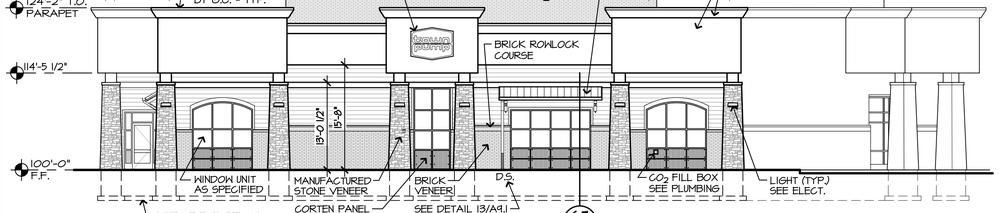
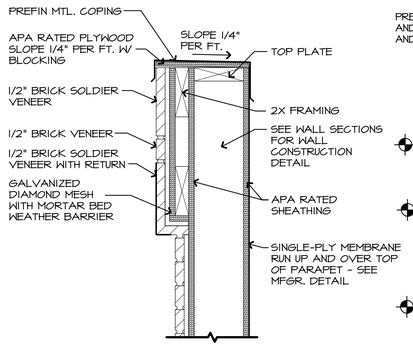
On behalf of Town Pump, Inc., Performance Engineering (PE) held a neighborhood meeting via Zoom on Thursday April 29, 2021 for the special review application to allow for a liquor and gaming license to be placed at Lots 1B-1 to 1B-5, Block 20 of the Amended Olympic Park Subdivision. The lots are in the northeast corner of the intersection of King Ave. and Shiloh Road. A full mailing list is provided with the application along with the letter sent to those included on the mailing list.

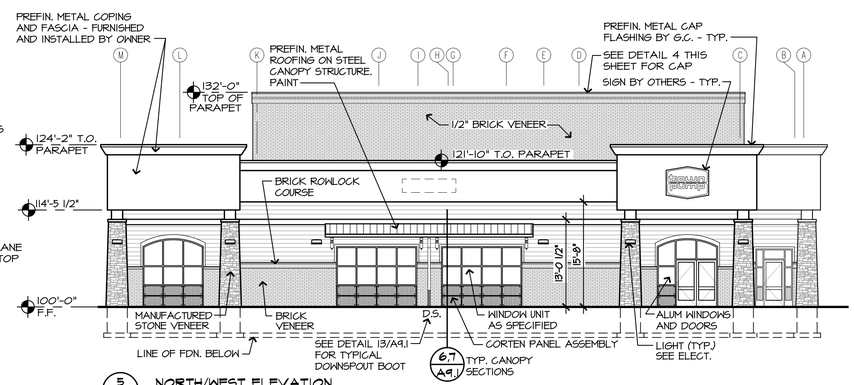
The neighborhood meeting was only attended by one person. Comments revolved around the objection to placing a gaming facility at the site or including it in the facility. In general, the participant thought that Billings has too many casinos already. It was clarified that this was a licensed moved from another facility and relocated to the site so the overall number of licenses in Billings would not change. Additionally, discussed screening for the apartment complex to the north and other operational items like light screening to minimize intrusion. Also discussed the current zoning and PUD for the Olympic Park Subdivision and that both the subject property and the apartment complex to the north are zoned for Community Commercial (CC) in which this is an allowable use. The participant was encouraged to participate in the following public meetings for this application as it works through the review process.

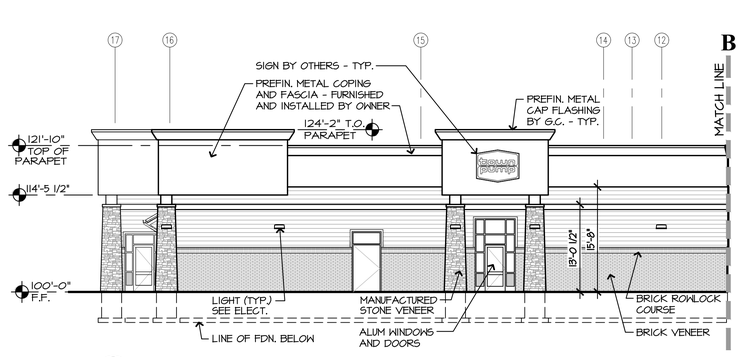
PE represented Town Pump at the West End Task Force (WETF) meeting on Tuesday April 20, 2021. A brief summary of the proposed project was presented to the WETF and then PE was available for comments. Questions from the WETF generally revolved around operational hours of the facility and buffering for the apartment complex to the north. It was made clear that the facility would be operated 24-hours a day like the other facilities in Billings. It was noted that the WETF would like to see some screening along the northern boundary along with assuring parking would be in the front of the building to minimize traffic against the apartment complex. It was clarified that this was a gaming license transfer within the city limits not a new license to the City.

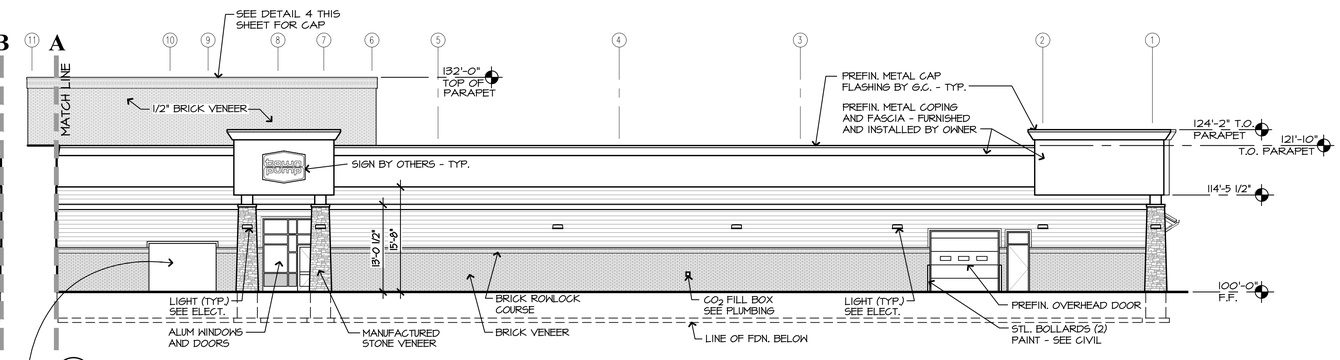












NOTE: COORDINATION IS REQUIRED BY ALL TRADES SO NO CONFLICTS IN LOCATION OF DUCTS, CONDUITS, SPRINKLER HEADS, DIFFUSERS, ELECTRICAL BOXES, EQUIPMENT, ETC. OCCURS. G.C. TO COORDINATE ALL TRADES.

ELECTRICAL SERVICE ENTRY. PLACE AGAINST WATERPROOF MEMBRANE AND BUTT UP BRICK EITHER SIDE AND SEAL WATERTIGHT. PROVIDE PREFIN. WOOD TRIM AROUND THE SIDES AND TOP AND SEAL. VERIFY EXACT SIZE AND LOCATION WITH ELECTRICAL.

NOTE: SEE PLUMBING FOR GAS METER LOCATION AND ELECTRICAL FOR MDP LOCATION

AT ARCHITECTURE

60% REVIEW SET 06/07/2021

MAGIC DIANDMOND SONNY'S CASINO

Billings #13 Town Pump and Casino

Billings, MT 59102

Shiloh Road / King Avenue West

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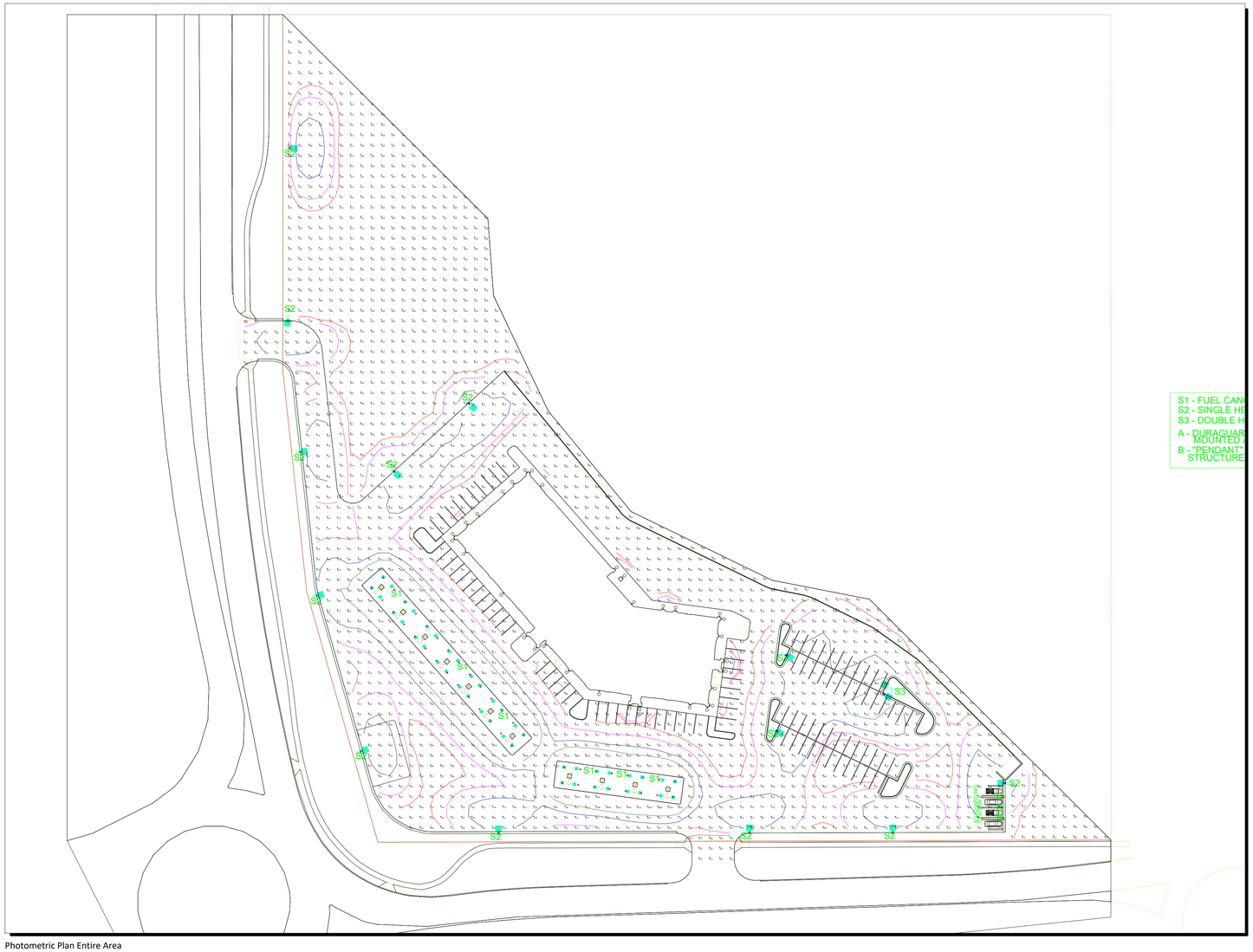
DATE:	06/07/2021
DRAWN BY:	SM
CHECKED BY:	MAD
PROJECT #:	2114

EXTERIOR ELEVATIONS

A4.2



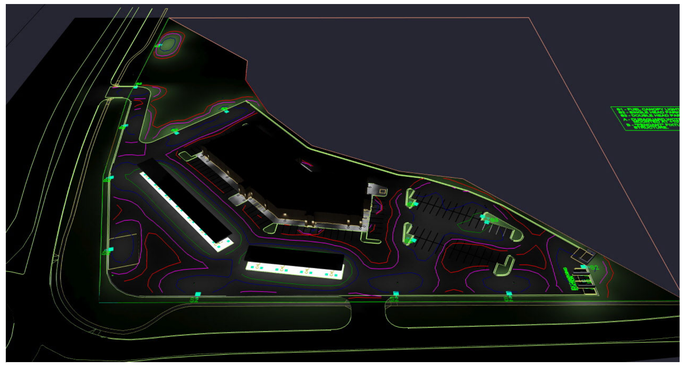
Photometric Plan Entire Area

Isoline Legend	
Illuminance (Fc)	
Color	Value
	1
	2
	5
	10

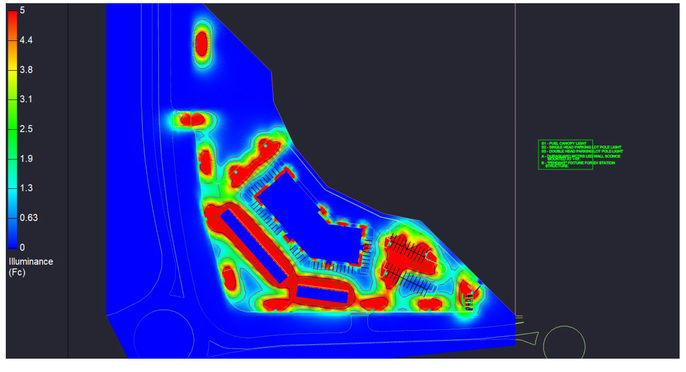
Luminaire Schedule								
Symbol	Qty	Schedule	Label	Arrangement	Lum. Watts	Arr. Watts	Lum. Lumens	Arr. Lum. Lumens
	32	S5	WCTRSBC31X20U41K	SINGLE	21.08	21.08	2364	2364
	8	S2	SLM-LED-30L-SIL-3-40-70CRI-IL	SINGLE	248.6	248.6	22460	22460
	5	S3	SLM-LED-30L-SIL-3-40-70CRI	SINGLE	248.6	248.6	32266	32266
	44	S1	CRUS-SC-LED-HO-50	SINGLE	132.4	132.4	18633	18633
	1	S6	SLM-LED-30L-SIL-FT3-40-70CRI	GROUP	N.A.	497.2	N.A.	63668

*Pole Fixture Mounting Height 25

Calculation Summary								
Label	CalcType	Units	Avg	Max	Min	Max/Min	# Pts	Grid Z
Parking Lot Calcs	Illuminance	Fc	4.45	40.3	0.0	N.A.	1400	1
Property Boundary Calcs	Illuminance	Fc	0.74	8.8	0.0	N.A.	725	1



Render Image - Billings Shiloh and King



Coverage Map 5 fc

Project Town Pump Billings Shiloh and King

Photometric Plan and Detail
Scale from DWG

Location

Billings

Evergreen Applied Technologies

3735 Evergreen Pkwy, Evergreen CO 80439
P: 970.581.1810 E: chris@evergreenappliedtechnologies.com
W: www.lightdisty.com | www.evergreenappliedtechnologies.com
Portfolio: www.lightingstuffup.com
Designed By - Christopher Lewis - IES

Date:6/26/2021

This report was created by Evergreen Applied Technologies
All details including locations, beam angles, aiming marks are considered confidential information.
Any publication, sale, distribution or dissemination of this information is prohibited.

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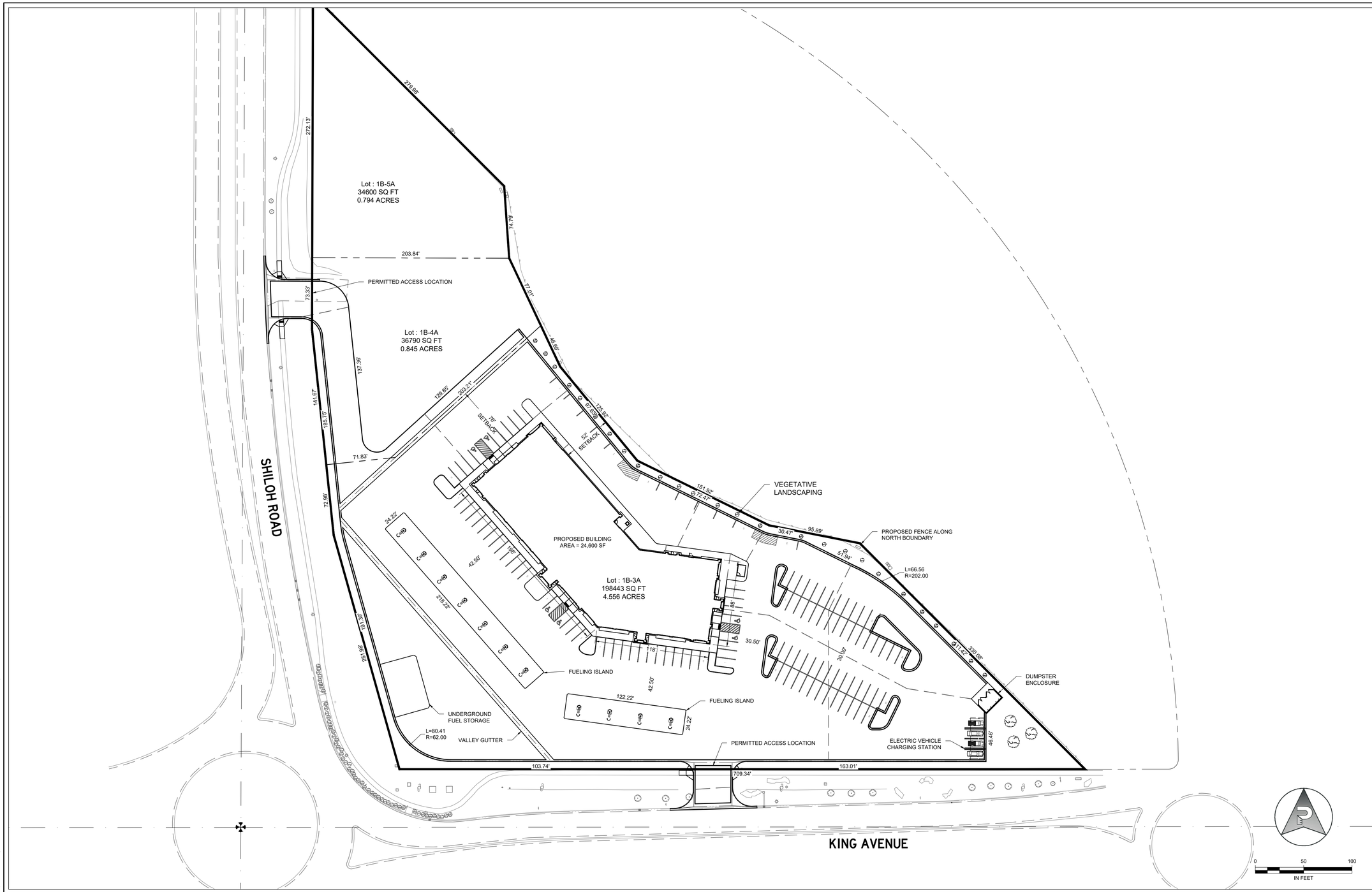

PARKING CALCULATIONS

1. CONVENIENCE STORE GSF = 18,786. REQ'D PARKING IS 1/200 GSF FOR FIRST 2,000 SF, AND 1/300 GSF ABOVE 2,000 SF. REQ'D PARKING = 66 SPACES
2. CASINO = 9,450 GSF. REQ'D PARKING AT 1/150 GSF = 63 SPACES.
3. TOTAL REQ'D SPACES = 129. TOTAL PROVIDED SPACES = 142

REVISIONS				
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3				
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EXHIBIT

PERFORMANCE ENGINEERING
608 NORTH 29TH STREET (406) 384-0080
BILLINGS, MT 59101 performance-ec.com

CPD
DESIGNED BY

CPD
DRAWN BY

06/22/21
DATE

QUALITY ASSURANCE
CPD
CHECKED BY

06/22/21
DATE

TOWN PUMP SHILOH & KING

SHILOH/KING BILLINGS, MT

PROPOSED SITE PLAN

PROJECT NUMBER
20-171

SHEET NUMBER
1 OF 1

DRAWING NUMBER
EX-1

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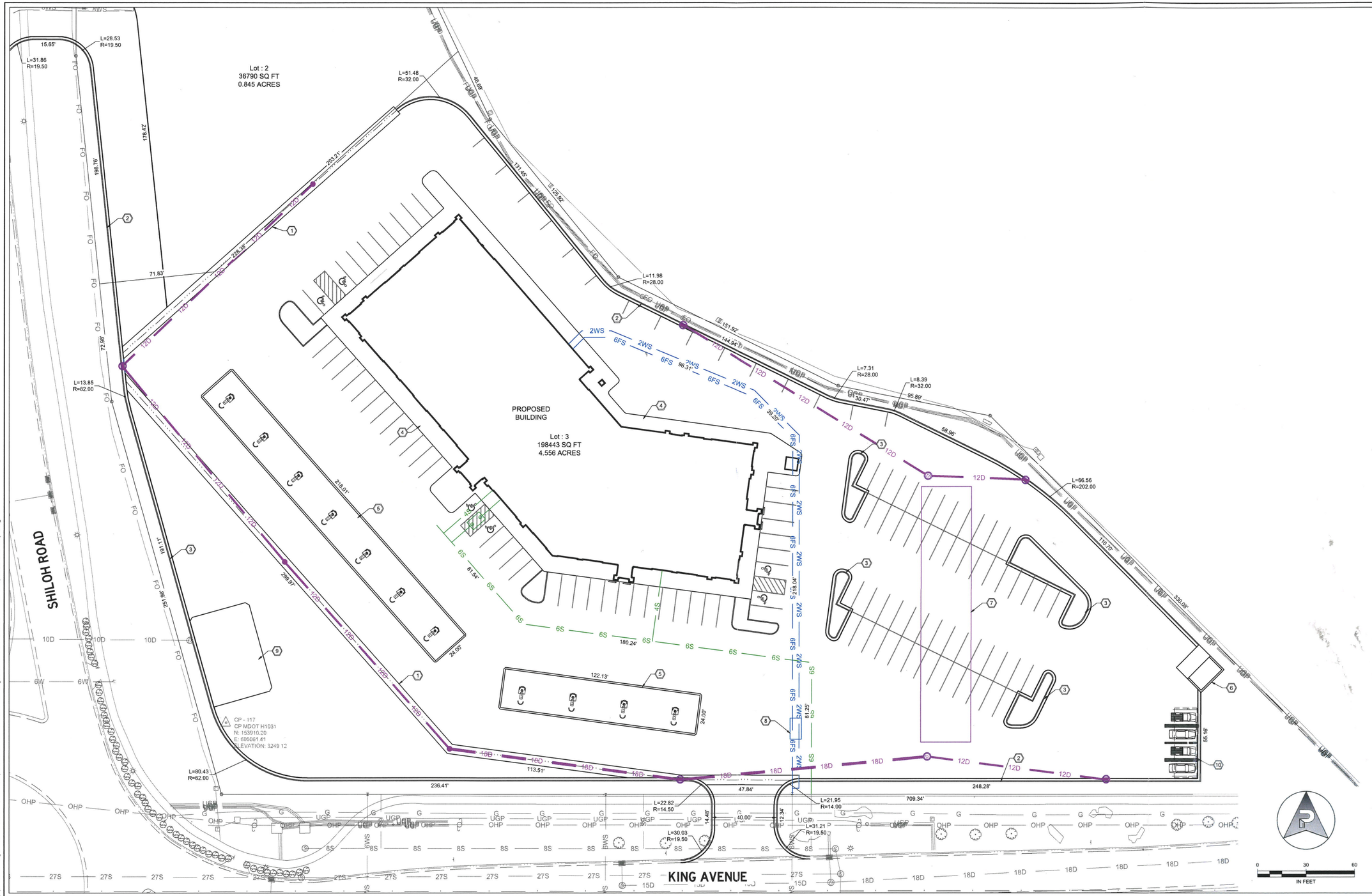

1 6' VALLEY GUTTER
2 CATCH CURB
3 SPILL CURB
4 THICKENED EDGE SIDEWALK
5 FUEL ISLAND
6 DUMPSTER ENCLOSURE
7 UNDERGROUND STORM DETENTION
8 WATER METER VAULT
9 UNDERGROUND FUEL STORAGE TANKS
10 ELECTRIC VEHICLE CHARGING STATION

REVISIONS				
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PRELIMINARY SET

PERFORMANCE ENGINEERING
608 NORTH 29TH STREET (406) 384-0080
BILLINGS, MT 59101 performance-ec.com

JMD DESIGNED BY
CPD DRAWN BY
05/07/21 DATE

QUALITY ASSURANCE
CRAIG DALTON CHECKED BY
CHCK DATE DATE

TOWN PUMP - SHILOH AND KING

KING AVE/SHILOH RD BILLINGS, MT 59102

PROPOSED SITE MAP

PROJECT NUMBER
2020-171

SHEET NUMBER
4 OF ##

DRAWING NUMBER

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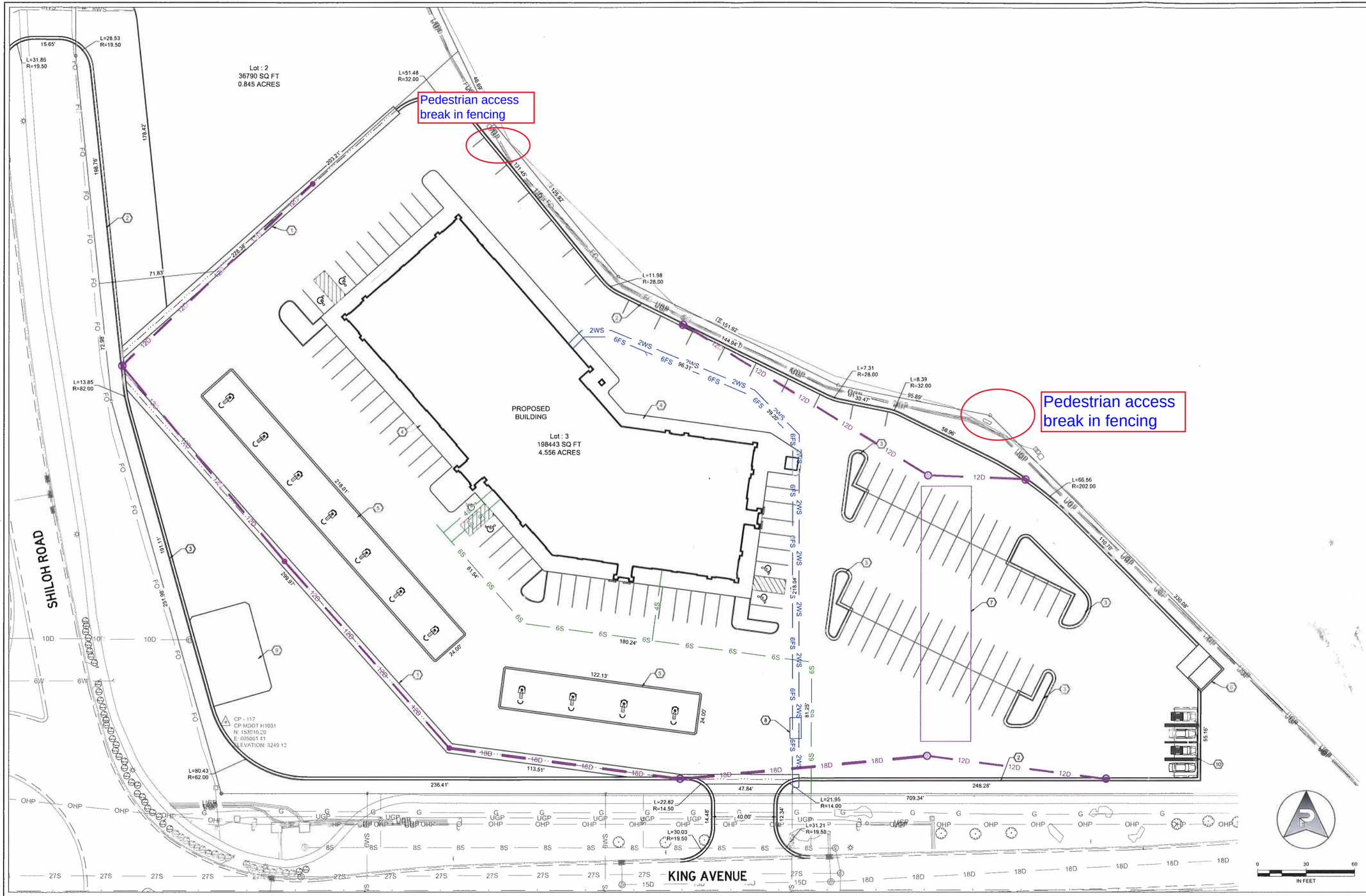

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PRELIMINARY SET

PERFORMANCE ENGINEERING
608 NORTH 29TH STREET (406) 384-0080
BILLINGS, MT 59101 performance-ec.com

JMD
DESIGNED BY

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05/07/21
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QUALITY ASSURANCE

CRAIG DALTON
CHECKED BY

CHCK DATE
DATE

TOWN PUMP - SHILOH AND KING

KING AVE/SHILOH RD BILLINGS, MT 59102

PROPOSED SITE MAP

PROJECT NUMBER
2020-171

SHEET NUMBER
4 OF ##

DRAWING NUMBER

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City Council Regular

Date:	07/26/2021
Title:	Public Hearing and First Reading Ordinance Amending BMCC, Article 22-1000, Arterial Construction Fee
Presented by:	Jennifer Duray
Department:	Public Works
Presentation:	Yes

RECOMMENDATION

Staff recommends the City Council hold a public hearing and approve first reading of the ordinance amending Billings, Montana City Code (BMCC), Article 22-1000, Arterial Construction Fees.

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

BMCC, Article 22-1000 establishes the methodology for charging the arterial construction fee. City Council adopted new zoning code on January 25, 2021, which overhauled the previous zoning code. As part of this change in zoning codes, new zoning classifications were established and many previous zoning classifications were eliminated. Thus, changes are required to bring BMCC, Article 22-1000, Arterial Construction Fee in line with the newly adopted zoning code. Proposed changes to BMCC, Article 22-1000 include the following:

- Revise the zoning classifications in which properties are capped at 9,600 square feet from the previous zoning classifications to the comparable new zoning classifications,
- Update the zoning classifications in which property owners can apply for an arterial fee exemption. The exemption allows properties that are in commercial and mixed use zones that are being occupied as single family residences to be charged at the residential rate and capping the square footage at 9,600 square feet.

Additionally, amendments are proposed to delete obsolete language in BMCC, Article 22-1000, as well as minor amendments to the verbiage.

ALTERNATIVES

City Council may:

- Approve the amendment to Article 22-1000, BMCC, Arterial Construction Fees or,
- Not approve the amendment. If not approved, arterial construction fees will not be able to be calculated using the new zoning from Re-Code.

FISCAL EFFECTS

There is no financial impact to the City as a result of passing this amendment.

Attachments

Ordinance

ORDINANCE NO. 21-_____

AN ORDINANCE OF THE CITY OF BILLINGS PROVIDING THAT THE CODE OF ORDINANCES BE AMENDED BY REVISING ARTICLE 22-1000 OF SAID CODE; REVISING APPLICABLE ZONING CLASSIFICATIONS PURSUANT TO ARTICLE 27-200 AND DELETING OBSOLETE LANGUAGE.

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

Section 1. That Article 22-1000 of the Billings, Montana City Code is hereby amended to read as follows:

Sec. 22-1001. - Duties of city engineer.

The city engineer shall have full authority and control over the arterial roadway system of the city, subject to the supervisory control of the city administrator and ~~pursuant to~~ policies adopted by the city council pursuant to its authority to regulate the arterial roadway system.

Sec. 22-1002. - Duties of ~~financial services manager~~ finance director.

The ~~financial services manager~~ finance director shall have full responsibility for billings and collection of all arterial construction accounts in the manner provided in this article, and the ~~financial services manager~~ finance director shall be deemed agent of the public works department.

Sec. 22-1003. - Rates for arterial construction.

a) For the purpose of paying the cost of construction and/or reconstruction of arterial roadways and depreciation and replacement of arterial roadways for the specific regulatory purpose of ~~to~~ provide~~ing~~ safe and efficient facilities on which citizens ~~and visitors~~ may travel~~, including the principal and interest on all revenue bonds to be issued for that purpose, as authorized by MCA Title 7 Chapter 7 Part 44 or Title 7 Chapter 13 Part 43, as amended~~, an annual arterial construction fee is imposed and made applicable to all premises within the city limits. ~~The financial services manager shall report to the city council when all revenue bonds issued for the construction or reconstruction of such arterial roadways, and bond refunding the same, have been fully paid and redeemed, and the city council shall then provide for the reduction of the charge to such amount as will be sufficient to pay the reasonable expense of the construction or reconstruction of arterial roadways.~~ The charge shall be based on both the area of the parcel of land and its zone classification. Charges against properties zoned First Neighborhood Residential-~~5000 (R-50)~~ (N1), Mid-Century Neighborhood Residential-~~6000 (R-60)~~ (N2), and Suburban Neighborhood Residential ~~6,000 Restricted (R-60R)~~(N3), ~~Residential-7000 (R-70), Residential 7,000 Restricted (R-70R), Residential-8000 (R-80), and Residential-9600 (R-96)~~ shall be capped at a maximum of the applicable rate for that zoning classification times 9600 square feet per parcel. Other ~~residential~~ neighborhood zoning classifications created in the future will be similarly treated, except that~~ Residential Multi-Family (RMF),~~ Residential Manufactured Home (RMH)~~), Residential Professional (RP), and Residential Multi-Family-Restricted (RMF-R)~~ and mixed residential zoning classifications will not be subject to any such maximum square footage cap. Planned Development (PD) zones will be charged based on their underlying zoning classifications and will be subject to the maximum 9600 square footage cap for the underlying zoning classifications of N1, N2, N3, R-50, R-60, R-60R, R-70, R-70R, R-80, and R-96. All other underlying zoning classifications will not be subject to any such maximum square footage cap. If the underlying zoning does

not match any zoning classification listed in article 27-~~3~~200, zone~~ing~~ districts and official zoning map~~s~~, the parcel will be charged at the rate of the most reasonably comparable zoning classification. If there is no reasonably comparable zoning classification, the parcel will be charged at the Planned Development (PD) zoning rate. The city council may provide an exemption to commercially zoned, ~~and~~ Residential Manufactured Home (RM~~H~~)-zoned, and mixed residential zoned properties that are currently owner-occupied as a single-family residence. The property owner must annually request the exemption through the public works department by August 31 of each year. The per square foot charges for each parcel shall be set by resolution and shall be made to the owner of the parcel as the same shall appear according to the tax code number or account number thereof in the office of the Department of Revenue, Yellowstone County, Montana:

The arterial construction assessment rates shall be established on an annual basis consistent with state law by resolution passed by a simple majority of the city council, but the assessment rates may only be changed through passage of a resolution by a super-majority of the city council consisting of at least two-thirds (2/3) of all council members present and voting. The zone classification shall be that which is on the official map on record at the city-county planning department.

b) The ~~financial services manager~~ finance director shall, on or before the last day of October of each year, cause to be mailed by the county treasurer to every owner of a lot or parcel within the city, on the same date and in the same manner as are real property taxes, a separate statement of arterial construction charges setting forth the annual charge to be assessed on the lot or parcel for arterial roadway construction thereto. Such charge shall be due and payable on or before 5:00 p.m. on the thirtieth day of November of each year. Upon failure of the owner to pay the charge, the same will be in arrears and delinquent on December 31st of such year and shall be collected by the ~~financial services manager~~ finance director according to the provision and authority of MCA §§ 7-1-101 through 7-1-120, and the City Charter.

c) All arterial construction charges shall be collected as provided in this article and credited to a fund to be known as the "municipal arterial construction system fund", which fund shall be at all times segregated and maintained by financial services manager on the books of the city as a separate and special fund. ~~Upon adoption by the city council of a resolution authorizing the issuance of revenue bonds of the city payable from arterial roadway construction charges or otherwise establishing a system of funds and accounts for such charges, all arterial construction charges shall be applied and accounted for in the manner provided in such resolution.~~

d) Any party who considers the charges applicable to his or her premises unfair, inequitable, or unreasonable may apply to the public works director for adjustment thereof, stating the facts and grounds of complaint, and the public works director may notify the owner of any premises as to which he or she considers the rates and charges to be inadequate. In either case, the public works director shall cause appropriate investigation and report to be made by himself or herself or his or her duly authorized representative.

e) The public works director, or his or her duly authorized representative, shall consider each and all of such complaints and reports and communicate his findings with respect thereto to the city council. The city council shall have the right to order a public hearing as to any such matter and, if convinced that an adjustment of the charges for such premises is necessary to provide reasonable equality with those charged to others, it shall so provide, either by

ordinance amendatory hereto, or by resolution fixing special charges for individual premises during the period of continuance of special circumstances which make the standard charges unfair, inequitable, unreasonable or inadequate.

Section 2. 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 these ordinances are declared to be severable.

Section 3. Repealer. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

Section 4. Effective Date. This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

APPROVED on first reading this ___ day of _____, 2021.

ADOPTED and APPROVED on second reading this ___ day of _____, 2021.

CITY OF BILLINGS

By_____
William A. Cole, Mayor

ATTEST:

By_____
Denise R. Bohlman, City Clerk

City Council Regular
Date: 07/26/2021
Title: Zone Change 993 - 2nd Reading and Public Hearing
Presented by: Wyeth Friday
Department: Planning & Community Services
Presentation: Yes

RECOMMENDATION

The City Council approved this zone change on 1st Reading on July 12. The Council had to vote to approve the zone changes for the Torgerson and City property in one motion, and vote to approve the zone change for the Adkins property in a separate motion since the Adkins property had a valid protest petition against it. Both motions were approved and ordinances were passed on 1st reading. Staff recommends the City Council conduct a public hearing and pass these two ordinances on 2nd reading at this meeting (See two separate ordinances attached). The City Zoning Commission previously recommended approval of the Zone Change and adoption of the findings of the 10 review criteria.

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

This is a zone change request to change the zoning on three properties that were annexed into the City by the City Council on July 12 and are proposed to be included in the South Billings Boulevard Urban Renewal District (SBBURD) (Second reading for the SBBURD expansion was on the Council Consent Agenda tonight. The zone change process for these properties is following BMCC Section 27-1615 since the properties were annexed into the City to be included in the SBBURD, they also must be rezoned to City zoning districts as they come into the City. The property owners are all in support of this process as they all want to be in the CIty and included in the SBBURD.

The zoning proposed for the three properties, applicant information, tax identification, and current uses are as follows:

- **3508 S Frontage Rd:** A zone change from A- Agriculture to CX -- Heavy Commercial on Section 15, Township 1 South, Range 26 East, the South Fraction of Lots 2 & 3 (LESS HWY & C/S 2394) generally located at 3508 S Frontage Road, a 35.94 acre parcel of land, Torgerson's Real Estate Holding, LLC, owner. Tax ID: D01863. Property has been used for agricultural operations but has been purchased by Torgerson's, the farm equipment dealer in Billings for development.
- **Jackson Street (vacant property at the northeast corner of the intersection of Jackson Street and King Avenue East):** A zone change from RR1 -- Rural Residential 1 to NX1 -- Mixed Residential 1 (south of 735 Jackson St) and N2 -- Mid-Century Neighborhood (east and north of 735 Jackson St) on C/S 2367M, Parcel B2 a 3.522 acre parcel of land, generally located on Jackson St, Jason Adkins, owner. Tax ID: D01711B. Property is vacant but owner plans for residential development.

The Planning Division did receive a valid protest for this property from property owners within 150 feet of the subject property. This will require the City Council to have a 2/3 majority vote to approve the zone change ordinance on second reading for this property.

- **6014 S Billings Blvd:** A zone change from A- Agriculture to P2 -- Public 2 on Section 17, Township 1S, Range 26 East, N2N2N2SE (Less .0774 acres -Highway) a 19.923 acre parcel of land, generally located at 6014 S Billings Blvd, City of Billings, owner. Tax ID: D01893. Property has been used for agricultural operations but was recently acquired by the City of Billings for future expansion of its service operations.

PROCEDURAL HISTORY

- On December 7, 2020, the Council heard a presentation on expansion of the SBBURD and directed staff to move the process forward in 2021.
- On April 6 the South Billings Urban Renewal Association (SBURA) affirmed its support of expansion of the SBBURD.
- On April 13, the Yellowstone County Board of Planning acted affirmatively on a recommendation to the City Council as to the SBBURD expansion's consistency with the 2016 City of Billings Growth Policy.
- On May 10, the City Council approved a Resolution of Intent to Expand the SBBURD and also a Resolution of Intent to annex the City owned property described in this memo per state regulatory requirements for City-owned land. As part of these two actions, the City Council set public hearing dates for the Council meeting on July 12 to take action on the District expansion and the annexation.
- On July 12, the Council conducted public hearings on the annexations and zone changes of the three properties

described in this memo and approved annexation and first reading of the zone change ordinances.
- On July 12, the Council also conducted a public hearing and a first reading on an ordinance to expand the SBBURD.
- The Council is scheduled to conduct second readings of the zoning and District expansion ordinances at this meeting tonight. The ordinances will take effect 30 days after second reading.

South Billings Urban Renewal Association Coordinator Jim Tevlin, working with City staff in the past 18 months, has been in contact with property owners and agents interested in having property included in the South Billings Boulevard Urban Renewal District. Five properties in total are proposed to be brought into the SBBURD. Several of these properties face significant hurdles to development with property conditions and cleanups, and public infrastructure needs that align with the goals and purpose of urban renewal efforts in South Billings. City staff also is proposing that recently purchased City property just south of the Billings Operation Center be included in the District expansion. The total acreage of all of the property under consideration is about 80 acres. Several of the properties to be included in the District expansion were also annexed into the City prior to the Council formally expanding the SBBURD. These properties also must be zoned as they come into the City per Section 27-1615, resulting in this zone change being brought to the City Council for second reading at this meeting.

Planning staff reviewed the proposal and recommended approval to the Zoning Commission based on the proposed findings of the 10 review criteria. The Zoning Commission concurred with the staff recommendation and has forwarded a recommendation of approval to the City Council. The proposed zoning is in conformance with the 2016 Billings Growth Policy Guidelines.

STAKEHOLDERS

The main stakeholders in this zoning process and the SBBURD expansion are the property owners whose property is to have the zoning changed. However, public discussion and opportunity to comment on the SBBURD expansion process and the elements of the expansion - annexation and zoning - has occurred at two City Council meetings already, at the Zoning Commission Meeting on June 1, and will also occur at this City Council Meeting. Further, surrounding property owners were notified via mail for all three of these properties subject of this zone change per the zoning process, and the three properties were posted with information about the Zoning Commission and the City Council meetings. Staff fielded several calls from property owners that received the surrounding property owner notice letters for the locations of this zone change as this memo was being prepared. They all were just curious and wanted clarification as to what was going on and if it affected their property directly. Staff also received four letters of opposition to the rezoning of the Adkins property included in this zone change at the corner of Jackson Street and King Avenue East. The concerns included allowing the pastoral, park-like property to be developed; allowing more than single family residential development because multi-family development increase crime; increased traffic; and increases in neighborhood conflicts. The four letters are attached to this memo for reference.

ALTERNATIVES

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.

Not approving the zone change will create a conflict where properties just approved for annexation into the City do not have City zoning applied to them.

FISCAL EFFECTS

The approval or denial of the requested zone change should have no effect on the Planning Division budget.

SUMMARY

Before making a decision on the proposed zone change, the City Council shall consider the following findings as recommended by the City Zoning Commission:

1. Is the new zoning designed in accordance with the City of Billings 2016 Growth Policy?
The proposed zoning does conform to the following City of Billings 2016 Growth Policy and guidelines:

Prosperity (promoting equal opportunity and economic advancement)

- A diversity of available jobs can ensure a strong Billings' economy·
- Successful businesses that provide local jobs benefit the community·
- Community investments that attract and retain a strong, skilled and diverse workforce also attracts

businesses·
- Retaining and supporting existing businesses helps sustain a healthy economy·

Essential Investments (relating public and private expenditures to public values)

- Walking Paths and Trails -- Construct sidewalks, trails and pathways throughout the District with landscaping to ensure the safety of children and all pedestrians, as well as provide access to neighborhoods and services.
- The safety of all users and the connectivity of the transportation system are important criteria to consider in roadway designs and transportation plans
- Infill development and development near existing City infrastructure may be the most cost-effective
- 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

Community Fabric (attractive, aesthetically pleasing, uniquely Billings)

- Planning and construction of interconnected sidewalks and trails are important to the livability of Billings

Home Base (healthy, safe and diverse housing options)

- A mix of housing types that meet the needs of a diverse population is important

The zoning proposed for these three properties as part of the annexation and SBBURD expansion process includes CX (Heavy Commercial) for the Torgerson property; Residential zoning of NX1 and N2 for the Adkins property; and P-2 zoning for the City Owned property. Overall, infrastructure improvements that will occur at all three of these properties match the Growth Policy goals in Essential Investments listed above - pedestrian facility additions, development near existing utilities and services, and protection of the environmental quality of the Yellowstone River.

Torgerson Property - The CX zoning on the Torgerson property along the south frontage road fits in with the surrounding zoning and uses in the area. Property on the east and west of the subject property are zoned CX and are both already in the City Limits. Commercial development in this area fits with the major transportation access and frontage along the I-90 corridor, development in the City in this area is important to avoid septic systems and wells in proximity to the Yellowstone River, and the new owners of this property, Torgerson's Equipment, intend to expand their existing business in Billings to this site.

Adkins Property - NX1 and N2 zoning in the Adkins property provide housing choices per the goal of the Home Base element of the Growth Policy in this area of Billings and match well with the residential and commercial zoning at the corners of Jackson Street and King Avenue East, as well as north along Jackson Street. The NX1 zoning allows up to four housing unit structures at the corner, while N2 allows for single and two-unit housing structures on the majority of the property north along Jackson Street.

City Owned Property on South Billings Boulevard - P2 zoning for the City property correctly aligns the nature of the future development of this property as additional City service facilities just south of the City's current Operation Center. Development of this property also will begin to extend pedestrian facilities and public infrastructure south along South Billings Boulevard in an area that still has a rural road cross-section.

These zone changes also align with the goals of the SBBURD Urban Renewal Plan and South Billings Master Plan:

SBBURD Urban Renewal Plan - These zone changes and future development of these properties supports multiple goals of the Urban Renewal Plan:

Conservation and Support of Housing (pg 19) - Providing the District with housing opportunities is vital to the sustainability of the District. With housing opportunities, individuals and families can live and work within the District. This provides a dual benefit; first, the commute to work for individuals will be reduced and second, the businesses within the District will have a local work force to draw from. The Adkins property rezoning will address additional housing choices in the area.

Transportation and Pedestrian Circulation (pg 20) - The transportation and circulation situation in the TIF District should be a major focus during redevelopment of the area. Traffic patterns and access issues can affect the function and livability of a community or neighborhood. All three of these zone changes will facilitate development and pedestrian and street improvements in this area of Billings.

Infrastructure and Utilities (pg 21) - The District has infrastructure and utilities deficiencies that need to be addressed prior to any large influx of redevelopment or new building construction. Water and sewer conditions need to be addressed due to out of date installations, inadequate lines, or increases in impacts to existing structures. All three of these zone changes will result in development that includes new public infrastructure to help serve new development and existing businesses and residents of the area.

South Billings Master Plan - These and future development of these properties supports multiple goals of the Master Plan:

Goals (pg 12) - Make SBBURD a desirable destination for reinvestment; Provide better streets and more diverse housing choices; Ensure the availability of City sewer and water, and complete streets with integrated stormwater and expanded transportation choices; Reduce blight and encourage reinvestment.

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 to provide security from fire and other dangers. Buildings developed within the city limits will comply with building and fire safety codes.

3. Whether the new zoning will promote public health, public safety and general welfare?
The proposed zoning may promote the health and general welfare. The proposed CX zoning will allow compatible uses adjacent to the CX zoning to the east and west. The proposed NX1 and N2 zoning will fit well with the neighborhoods around the intersection of Jackson Street and King Avenue East. The P2 zoning will enable the City to add to its service facilities adjacent to its existing Operation Center.

4. Will the new zoning facilitate the provision of transportation, water, sewerage, schools, parks and other public requirements?

Transportation: The proposed zoning will have a measurable effect on traffic generation. However, all of these properties are adjacent to Principle or Minor Arterial Streets, that can handle additional traffic volumes generated by both commercial and residential development. Future development of these properties also will involve traffic impact analysis to determine if any traffic improvements are needed based on the uses and traffic volumes generated from the development.

Water and Sewerage: The properties will all be served by public water and sewer systems when annexed to the City. Further, inclusion in the SBBURD will enable consideration of added infrastructure investment adjacent to these properties that will enhance the experience and safety of pedestrians and the traveling public.

Schools and Parks: The proposed zoning of CX and P2 for two of the properties should not impact the student population. Residential development on the Adkins property will have some affect on schools in the area. Schools are in proximity to the property, enabling students to walk or bicycle to school.

Fire and Police: The subject properties are all currently serviced by BUFSA and the Yellowstone County Sheriff's Department. Once annexed, fire protection and building plan review will be done at the time of building permit application through the Billings Building Division and Fire Department. Public safety services will be provided by the City Police Department.

5. Whether the new zoning will provide adequate light and air.
The proposed zoning would require minimum setbacks, maximum building heights and maximum lot coverage. These requirements should allow adequate light and air to reach the subject property and adjacent properties.

6. Whether the new zoning will effect motorized and non-motorized transportation.
The proposed zoning itself will not generate more traffic on any of the adjacent streets. When development is proposed, impacts to transportation systems will be evaluated. Pedestrian traffic in the area is limited due to the lack of sidewalks and trails or gaps in pedestrian facilities. However, with these zone changes and inclusion of the properties in the City, development of the properties will include pedestrian infrastructure as well as other street improvements to enhance both non-motorized and motorized transportation.

7. Whether the new zoning will promote compatible urban growth.
The proposed zoning is compatible with the adjacent zoning and existing urban growth in the vicinity. The CX zoning on the Torgerson property will match the existing CX zoning of property already in the City to the east and west of the property. The proposed zoning is compatible with the adjacent zoning and existing land uses. The NX1 and N2 zoning of the Adkins property will fit well with the surrounding residential and neighborhood commercial zoning in the area of the intersection of Jackson Street and King Avenue East. And the P2 zoning for the City property will fit the existing

Billings Operation Center property directly to the north and facilitate future City service delivery.

8. Whether the new zoning considers the character of the district and the peculiar suitability of the property for particular uses.
The subject properties and the proposed zoning for each of them are designed to fit the neighborhoods and areas of Billings where they are located. The commercial uses allowed in CX will serve existing and new commercial development needs for Billings and the area. The NX1 and N2 residential districts will add to the housing choices and quantity in this area of Billings, which already has well established residential neighborhoods. The P2 zoning for the City property will accommodate expansion of City service facilities and the ability of the City to deliver services to its residents.

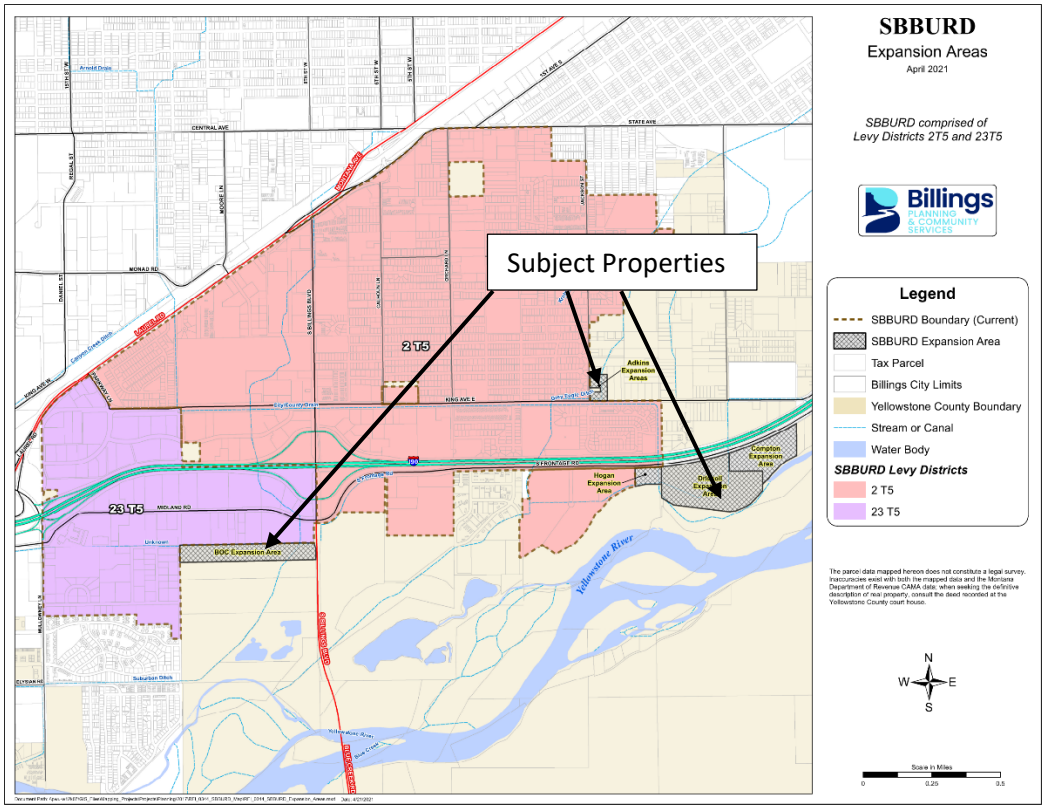
9. Whether the new zoning will conserve the value of buildings.
The new zoning is not expected to alter the value of any buildings in the area. Any development of the properties will need to meet the applicable site development requirements in the zoning code, including landscaping, screening, building heights and setbacks for the applicable commercial or residential district.

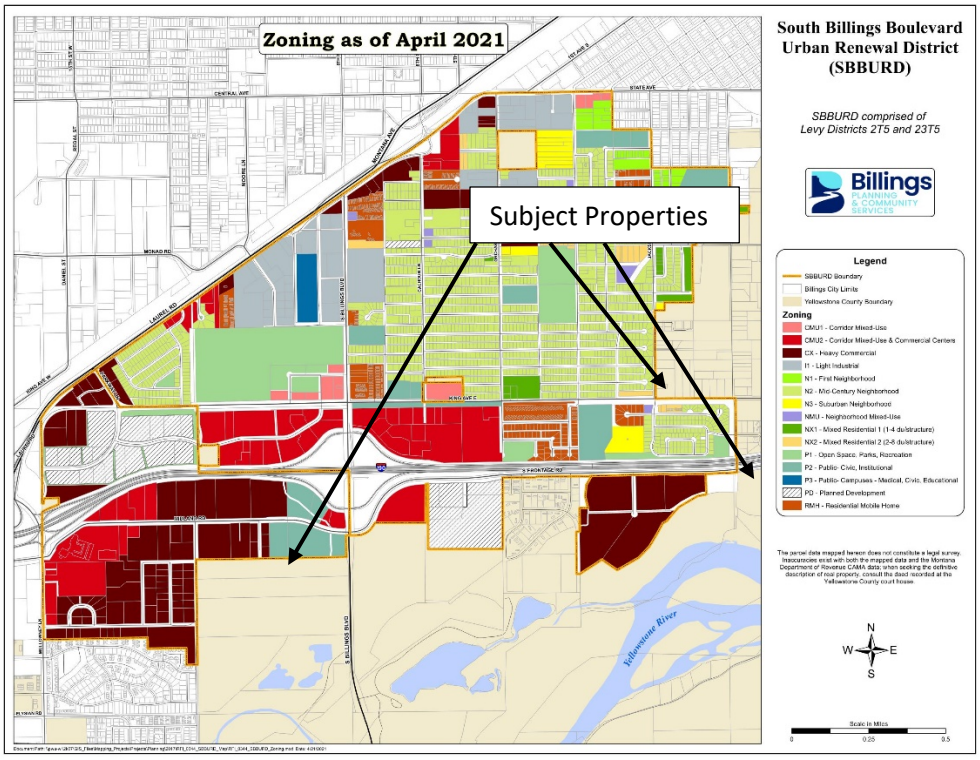
10. Whether the new zoning will encourage the most appropriate use of land throughout the City of Billings.
The proposed zoning does encourage the most appropriate use of land in these three areas of the City. The Driscoll property is an area of continued commercial development. The Adkins property is in an established residential neighborhood where added housing opportunities are an appropriate use of the land. The City property is adjacent to its existing operation center and not near any residential development, so expanded city service facilities is a good fit for that area of the City.

Attachments

Zoning Map and Site Photos
Zoning History
SBBURD Expansion Area Map
Letters of opposition ZC993
Adkins Property Ordinance
Torgerson and City Property Ordinance
Protest Petiiton Packet

SBBURD and Zoning Map





Site Photos

Adkins Property

Looking East at subject property across Jackson Street.

Looking northwest toward Jackson Street from southern part of property.

Looking west across Jackson Street from subject property.

Inholding property not owned by Adkins and not part of the zone change.

Driscoll/Torgerson's Property

Subject property looking southwest from South Frontage Road.

Looking along subject property frontage to adjacent property to the west.

Looking east along the subject property frontage at property adjacent to the east.

City Property

Subject property looking west from across South Billings Blvd.

From eastern edge of subject property looking west along City's Operation Center.

Looking southwest from across South Billings Blvd. Subject property is to the right.

SUBJECT PROPERTY	Zone Change #	DATE	FOR	APPROVED (Y/N)	ADDITIONAL DATA
3508 S Frontage Rd	**County SR 271**	1/9/2001	250 ft wireless communication tower	Yes	Not constructed "A" zone district
711 Jackson Street	**County ZC 409**	5/10/1989	R-150 to RMH	No	RR1 zone district
6014 S Billings Blvd	**None**				"A" zone district
SURROUNDING PROPERTY	**Zone Change #**	**DATE**	**FOR**	**APPROVED (Y/N)**	**ADDITIONAL DATA**
3218 S Frontage Rd	**County SR 207**	8/12/1993	Gravel Mine	Yes	Mine completed and reclaimed Current zone = CX
3218 S Frontage Rd	County ZC 617	8/26/2008	A-1 to CI	Yes	Current zone = CX
3100 S Frontage Rd	County ZC 230	3/6/1979	R-150 to HC	Yes	Current zone = CX
3716 S Frontage Rd Intermountain St	County ZC 613	2/26/2008	A-1 to CI	Yes	Current zone = CX
Cambridge Sub	City ZC 649	7/26/1999	PD to RMH	Yes	Current Zone = RMH
4029 Kratz Lane Kosmann Cabinets	County ZC 640	5/28/2013	RMF to CC	Yes	Current Zone = C3
City Center Sub (King Ave E and Sugar Ave)	County ZC 545	3/15/2002	R-150 to CI	Yes	Current Zone = I1
Billings Operations Center	City ZC 706	12/9/2002	A-1 to Public and EGC	Yes	Current zone = P2 & CMU2
4600 S Frontage Rd I-State Truck Center	City ZC 746	12/13/2004	A-1 to EGC	Yes	Current zone = CMU2
4432 S Frontage Rd Billings Auto Auction	City ZC 689	4/22/2002	A-1 to Planned Development (CC)	Yes	Current Zone = PD-CC

SBBURD

Expansion Areas

April 2021

SBBURD comprised of
Levy Districts 2T5 and 23T5

Billings PLANNING & COMMUNITY SERVICES

Legend

- SBBURD Boundary (Current)
- SBBURD Expansion Area
- Tax Parcel
- Billings City Limits
- Yellowstone County Boundary
- Stream or Canal
- Water Body

SBBURD Levy Districts

- 2 T5
- 23 T5

The parcel data mapped hereon does not constitute a legal survey. Inaccuracies exist with both the mapped data and the Montana Department of Revenue CAMA data; when seeking the definitive description of real property, consult the deed recorded at the Yellowstone County court house.

N
W E
S

Scale in Miles
0 0.25 0.5

Document Path: \\pwu-w12k07\GIS_Files\Mapping_Projects\Projects\Planning\2017\RFI_0344_SBBURD_Map\RFI_0344_SBBURD_Expansion_Areas.mxd Date: 4/21/2021

From: Kevin Mccarthy [mailto:violasgranpa@yahoo.com]
Sent: Monday, May 24, 2021 6:47 PM
To: Friday, Wyeth <FridayW@billingsmt.gov>
Subject: [EXTERNAL] CITY ZONE CHANGE 993

GREETINGS: MY NAME IS KEVIN MCCARTHY AND I LIVE AT THE END OF LEBRUN LANE. I AM WRITING THIS LETTER IN HOPES YOU DO NOT APPROVE CITY ZONE CHANGE 993. I HAVE LIVED HERE IN PEACE AND QUIET FOR 37 YEARS. I JUST WANT TO BE ABLE TO LIVE QUIETLY LIKE I ALWAYS HAVE. THIS AREA HAS ALWAYS BEEN A VERY NEIGHBORLY PART OF BILLINGS AND I WANT IT TO STAY THAT WAY. I BELIEVE THAT THE DEVELOPEMENT OF THIS AREA WOULD CAUSE A LOT OF ILL WILL, IN MANY WAYS, AND IT NEEDS TO BE AVOIDED COMPLETELY. PLEASE LEAVE THIS AREA AND ITS QUIET PEACEFUL PEOPLE ,AND THIER WAY OF LIFE, BE. IT IS ALL SOME OF US HAVE IN LIFE, AND I PRAY YOU WONT CRUSH DREAMS AND END WHAT WE HAVE WORKED SO HARD TO MAKE HERE. THANK YOU FOR YOUR CONSIDERATIONS.

SINCERELY KEVIN MCCARTHY 4027 LEBRUN LANE

From: Clark Schmidt [mailto:clarkeschmidt@gmail.com]
Sent: Friday, May 21, 2021 4:28 PM
To: Friday, Wyeth <FridayW@billingsmt.gov>
Subject: [EXTERNAL] City Zone Change 993

Roger Schmidt (3971 King Ave E) and Clark Schmidt would recommend that the City/County Planning board **does not approve** the City Zone Change for 993. The area is currently zoned as RR1 and should keep that same zoning. Many of the residents east of Jackson street to Washington street have lived in that area for many years and enjoy our current ability to raise large gardens, pasture approved animals, and space to stretch your legs. Jackson street has been the border of our zoning RR1 for many years. That zoning has been well received with the residents that live in the RR1 zone. The owner of the property, who doesn't live in the area or for that matter in Billings, wants to change our nice neighborhood. With that development there will be more traffic, people, and confrontation with landowners rights. The current property that is requesting a zone change has several easements running through it which will make it hard to develop. One concern would be the Grey Eagle ditch and how to keep individual off the easement and out of the ditch. When you travel west of Jackson Street on King Ave East there are several larger tracts that are undeveloped in the city limits witch could be used for housing. Please leave our nice neighborhood alone. Thank you for your time and consideration of keeping our neighborhood.

Roger Schmidt
3971 King Ave E

Clark Schmidt
3638 Jene Helene Ave

From: Nanci [mailto:nanjim219@charter.net]
Sent: Sunday, May 23, 2021 4:50 PM
To: Friday, Wyeth <FridayW@billingsmt.gov>
Subject: [EXTERNAL] MPO

Sent from Mail for Windows 10

Jim and Nanci Holloway (owners of 3723 and 3805 King Ave. East) request that the City/County Planning Board does not approve the city zone change 993. We purchased this property in the early 1980's and enjoy the way it is presently zoned. Nanci is a fourth generation (Jellison/Jost) on this property and would prefer to see the zoning left alone. Please leave our neighborhood as is so we can enjoy our large garden and open space as it was intended. Thank you for consideration.
Jim Holloway
Nanci Holloway
3805 King Ave East
3723 King Ave East

RE: CITY ZONE CHANGE 993

May 27,2021

To whom it may concern:

I have been a resident at 3905 King Ave East for more than 50 years. I STRONGLY recommend that the City/County Planning board **DOES NOT APPROVE** the City Zone Change for 993. This area is currently zoned as RR1 and should keep that same zoning. I as well as many others are long time residents in this area from east of Jackson Street to Washington Street and enjoy having our space and country life feel that we get with our somewhat secluded property. The current property requesting a zone change has multiple easements running through it which will make it difficult to develop. One being a pipeline, the other being the Grey Eagle Ditch which would be a huge concern keeping individuals off the easement and out of the ditch. With that development there would be more traffic, people, and confrontation with landowner rights. We already have multiple apartment complexes close to this location and are seeing increased violent crimes in recent months! Furthermore, the person who owns this property does not even live in our area OR IN BILLINGS for that matter wants to make a change that will not affect his lifestyle, but it WILL affect all of us in this corridor… Please leave our nice neighborhood alone and **DO NOT APPOVE** this zone change. Thank you for your time and consideration of keeping our wonderful neighborhood the way it is!

Sincerely,

Darlene D. Hert

3905 King Ave East

ORDINANCE 21-_____

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THE ZONE CLASSIFICATION ON Tract B-2, OF AMENDED TRACT B OF CERTIFICATE OF SURVEY NO. 2367 M (NORTHEAST CORNER OF THE INTERSECTION OF JACKSON STREET AND KING AVENUE EAST); 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. **DESCRIPTIONS.**

Tract B-2, of Amended Tract B of Certificate of Survey No. 2367 M is presently zoned **Rural Residential 1 (RR1)** and is shown on the official zoning map within this zone.

Section 3. **ZONE DISTRICT AMENDMENTS.** The official zoning map is hereby amended and the zoning for:

Tract B-2, of Amended Tract B of Certificate of Survey No. 2367 M, is hereby changed from **Rural Residential 1 (RR1)** to **Mixed Residential 1 (NX1)** (south of 735 Jackson St) and **Mid-Century Neighborhood (N2)** (east and north of 735 Jackson St), and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining to **Mixed Residential 1 (NX1)** and **Mid-century Neighborhood (N2)** 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 12th Day of July, 2021.

PASSED, ADOPTED and APPROVED on second reading this 26th day of July, 2021.

CITY OF BILLINGS

BY:_____

William A. Cole, Mayor

Attest:

BY:_____

Denise R. Bohlman, City Clerk

Zone Change 993, Adkins Property

ORDINANCE 21-_____

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THE ZONE CLASSIFICATION ON FRACTIONS OF GOVERNMENT LOTS 2 AND 3, SECTION 15, T.1S., R.26E., P.M.M., YELLOWSTONE COUNTY, MONTANA, BEING UNPLATTED LAND WHOLLY SURROUNDED ON THE WEST BY TRACT 5 OF CERTIFICATE OF SURVEY 1121, ON THE SOUTH BY THE YELLOWSTONE RIVER, ON THE EAST BY THE YELLOWSTONE RIVER AND TRACT 1 OF CERTIFCIATE OF SURVEY NUMBER 1591, ON THE NORTH BY TRACT 1 OF CERTIFICATE OF SURVEY NUMBER 1596, AND SOUTH FRONTAGE ROAD RIGHT-OF-WAY (3508 SOUTH FRONTAGE ROAD); AND BEING THE N1/2, N1/2, N1/2, SE1/4 OF SECTION 17, T.1S., R.26E, P.M.M., YELLOWSTONE COUNTY. MONTANA (6014 SOUTH BILLINGS BOULEVARD); 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. **DESCRIPTIONS.**

Torgerson Property

Fractions of Government Lots 2 and 3, Section 15, T.1S., R.26E., P.M.M., Yellowstone County, Montana, being unplatted land wholly surrounded on the West by Tract 5 of Certificate of Survey 1121, on the South by the Yellowstone River, on the East by the Yellowstone River and Tract 1 of Certificate of Survey Number 1591, on the North by Tract 1 of Certificate of Survey Number 1596, and South Frontage Road Right-Of-Way is presently zoned **Agriculture (A)** and is shown on the official zoning map within this zone.

City of Billings Property
Being the N1/2, N1/2, N1/2, SE1/4 of Section 17, T.1S., R.26E, P.M.M., Yellowstone County, Montana is presently zoned **Agriculture (A)** and is shown on the official zoning map within this zone.

Section 3. **ZONE DISTRICT AMENDMENTS.** The official zoning map is hereby amended and the zoning for:

Fractions of Government Lots 2 and 3, Section 15, T.1S., R.26E., P.M.M., Yellowstone County, Montana, being unplatted land wholly surrounded on the West by Tract 5 of Certificate of Survey 1121, on the South by the Yellowstone River, on the East by the Yellowstone River and Tract 1 of Certificate of Survey Number 1591, on the North by Tract 1 of Certificate of Survey Number 1596, and South Frontage Road Right-Of-Way, is hereby changed from **Agriculture (A)** to **Heavy Commercial (CX)**, and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining to **Heavy Commercial (CX)** as set out in the Billings, Montana City Code.

Being the N1/2, N1/2, N1/2, SE1/4 of Section 17, T.1S., R.26E, P.M.M., Yellowstone County, Montana, is hereby changed from **Agriculture (A)** to **Public 2 (P2)** and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining to **Public 2 (P2)** 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 12th Day of July, 2021.

PASSED, ADOPTED and APPROVED on second reading this 26th day of July, 2021.

CITY OF BILLINGS

BY:_____

William A. Cole, Mayor

Attest:

BY:_____

Denise R. Bohlman, City Clerk

Zone Change 993, Torgerson and City of Billings Property

	TAX_ID	Owner Namers	Mailing address	City	State	Zip Code	Physical Address number	Street	Suff	Dir	Protest Signed? (Y/N)
1	A25411	NOWAK, MARTIN S JR	386 INGRASSIA RD	MIDDLETOWN	NY	10940-2235	4101	KING	AVE	E	N
		NOWAK, JOANN J									N
2	A22978	MOLM, DENNIS H	4102 JANSMA AVE	BILLINGS	MT	59101-5433	4102	JANSMA	AVE		Y
		MOLM, NORA J									Y
3	A22977	MAGNUSON, JEFFREY C	4100 JANSMA AVE	BILLINGS	MT	59101-5433	4100	JANSMA	AVE		Y
4	A22976	THOMPSON, CLAYTON	4101 JANSMA AVE	BILLINGS	MT	59101-5446	4101	JANSMA	AVE		Y
5	A22975	MOFFETT, DAVE	4103 JANSMA AVE	BILLINGS	MT	59101-5446	4103	JANSMA	AVE		Y
6	A22974	HURLESS, JOHN G	4102 MURPHY AVE	BILLINGS	MT	59101-5434	4102	MURPHY	AVE		Y
		HURLESS, MARILYN J									Y
7	A22973	WALKER, TINA LORRAINE	4100 MURPHY AVE	BILLINGS	MT	59101-5434	4100	MURPHY	AVE		Y
8	A22972	HUCK, CLAYTON P	4101 MURPHY AVE	BILLINGS	MT	59101-5435	4101	MURPHY	AVE		Y
		HUCK, KATHY									Y
9	D01711	JOHANSEN, ROBERTA L	705 JACKSON ST	BILLINGS	MT	59101-5418	705	JACKSON	ST		Y
10	D01712	SCHMIDT, ROGER W	3971 KING AVE E	BILLINGS	MT	59101-5357	3971	KING	AVE	E	N
11	D01709	MAISEL, WESLEY	PO BOX 30882	BILLINGS	MT	59107-0882	675	JACKSON	ST		N
12	D01711A	RONSHAUGEN, ROBERT	735 JACKSON ST	BILLINGS	MT	59101-5418	735	JACKSON	ST		N
13	D01712A	SCHMIDT FAMILY TRUST	3638 JENE HELENE AVE	BILLINGS	MT	59101-9142	NULL	KING	AVE	E	N
		SCHMIDT, CLARK E & PATRICIA E CO-TRUSTEES									N
14	A24366M	CAMBRIDGE TOWNHOME CONDOMINIUM	3589 CAMBRIDGE DR	BILLINGS	MT	59101-5372	3589	CAMBRIDGE	DR		N
		President:									N
15	A24361	SCHMIDT, STEVE W	PO BOX 50925	BILLINGS	MT	59105-0925	4045	CAMBRIDGE	DR		N
		SCHMIDT, TERRY L									N
16	A24360	ENTERPRISE PROPERTIES LLC	PO BOX 50925	BILLINGS	MT	59105-0925	NULL	CAMBRIDGE	DR		N
		Steve or Terry Schmidt									N
17	A24446	TLC ENTERPRISES INC	800 JACKSON ST	BILLINGS	MT	59101-5451	800	JACKSON	ST		N
		Lisa A PELICAN, agent									N
18	A24367A	JONES, KYLE	3961 CAMBRIDGE DR	BILLINGS	MT	59101-5381	3961	CAMBRIDGE	DR		N
19	A24367B	BAILEY, THOMAS A	3963 CAMBRIDGE DR	BILLINGS	MT	59101-5381	3963	CAMBRIDGE	DR		N
		BAILEY, HANNAH A									N
20	A24368	WISE, LEIGH ANN	3965 CAMBRIDGE DR UNIT A	BILLINGS	MT	59101-5381	3965	CAMBRIDGE	DR		N
21	A24368A	SASI INVESTMENTS LLC	3967 CAMBRIDGE DR	BILLINGS	MT	59101-5381	3967	CAMBRIDGE	DR		N
		Janelle Crowley, agent	2001 ROSEBUD DR STE C	BILLINGS	MT	59102					N
22	A24368B	CHRISTOPHERSEN, WILLIAM MATT	3969 CAMBRIDGE DR	BILLINGS	MT	59101-5381	3969	CAMBRIDGE	DR		N
23	A25560	RILLEY, MISTY MARIA	4015 CAMBRIDGE DR	BILLINGS	MT	59101-5383	4015	CAMBRIDGE	DR		N
24	A25561	DOUGLAS AND JOANN DAHLBERG LIVING TRUST	1802 POLY DR	BILLINGS	MT	59102-1731	4017	CAMBRIDGE	DR		N
		DAHLBERG, JOANN TRUSTEE									N
		DAHLBERG, DOUGLAS TRUSTEE									N
25	A25562	BRAYTON, BARBARA	4027 CAMBRIDGE DR	BILLINGS	MT	59101-5383	4027	CAMBRIDGE	DR		N
26	A25563	WILLKOM, ERIKA	4029 CAMBRIDGE DR UNIT L	BILLINGS	MT	59101-5383	4029	CAMBRIDGE	DR		N
27	A25564	KAUTZ, LOURDES	4035 CAMBRIDGE DR	BILLINGS	MT	59101-5383	4035	CAMBRIDGE	DR		N
28	A25565	HIGGINS FAMILY TRUST	PO BOX 81437	BILLINGS	MT	59108-1437	4033	CAMBRIDGE	DR		N
		HIGGINS, CHRISTINA N - Trustee									N
29	A25566	HAWKINS, DAVID C	3307 GRAND AVE STE 103A	BILLINGS	MT	59102-6546	4037	CAMBRIDGE	DR		N
		HAWKINS, BARBARA K									N
30	A25567	MCNEANEY, PEARLANNE	4039 CAMBRIDGE DR	BILLINGS	MT	59101-5383	4039	CAMBRIDGE	DR		N

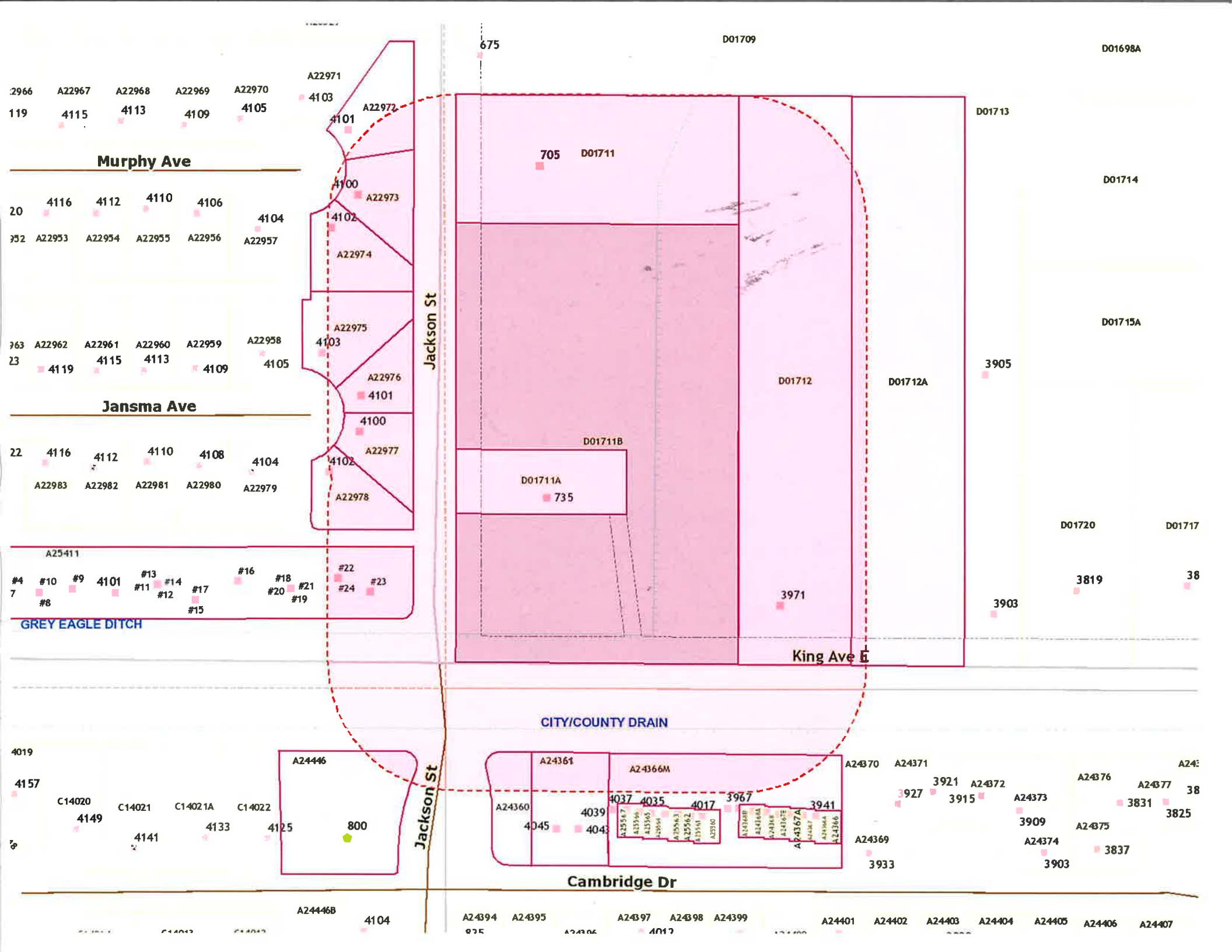
30 properties within 150 ft of the exterior boundary of Jackson Street - Adkins ZC 993

8 properties must protest to be a valid protest of this Zone Change - Exactly 8 properties protested the zone change

A valid protest will require a 2/3 majority vote of the present and voting members of the City Council on first and second reading of the zone change

First reading is scheduled for July 12, 2021

Second reading is scheduled for July 26, 2021


Murphy Ave
Jansma Ave
Jackson St
Jackson St
GREY EAGLE DITCH
CITY/COUNTY DRAIN
King Ave E
Cambridge Dr
675
705
735
800
3971
3905
3903
3819
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A24405
A24406
A24407
C14020
C14021
C14021A
C14022
D01709
D01711
D01711A
D01711B
D01712
D01712A
D01713
D01714
D01715A
D01717
D01720
D01698A

To Whom It May Concern:

This petition is to protest the zone change to N2 from residential RR2.

Without a zone change plot plan in place before your vote or decision, there is a risk of more subsidized or multi-family housing. The threat to our neighborhood is real.

We want No multi-Housing

There is statistical evidence of increasing crime and violence in our part of the city.

Please vote "NO" on this change.

See signatures attached.

Main
Nora 855-1544

6-30-2021

Billings & Community Services
2825 3rd. Ave. N.
Billings, MT. 59101

Enclosed are signatures of most of the homeowners that are against any type of multi-unit housing in the zone change of Adkins ZC 993.

- the Boundary of Jackson Street and King Ave. E.

I have hi-lited the houses that you need the 25% to the 150 ft. zone to qualify for the city council to vote NO on the proposed zone change. As of now there are 8 Signatures that Count.

Thank You
Nora J. Malm
Nora J. Malm

RECEIVED
CITY OF BILLINGS
30 JUN 2021

PETITION AGAINST CITY ZONE CHANGE

ZONE CHANGE # 993 (part of ZC993

GENERAL LOCATION 735 Jackson St & King Ave E (NE corner)

WE, the undersigned are against the above proposed zone change:

NAME (PRINT)	SIGNATURE	PROPERTY OWNED (ADDRESS)
Nora J. Molm	Nora J. Molm	4102 Jansma Ave. Billings, MT 59101
Dennis H. Molm	Dennis H. Molm	4102 Jansma Ave. Billings, MT 59101
JEFFREY MAGNUSON	Jeffrey Magnuson	4100 JANSMA AVE BLGS, MT 59101
Dave McFEAT	Dave McFeat	4103 Jansma Blgs MT 59101
Marilyn Hurless	Marilyn Hurless	4102 Murphy Ave Blgs 59101
JOHN G. HURLESS	John G Hurless	4102 MURPHY AVE. BLGS. 59101
Adam Smith	Adam Smith	4100 Murphy Ave 59101
Tina Walker	Tina Walker	4100 Murphy Ave 59101

RECEIVED
CITY OF BILLINGS
30 JUN 2021
PLANNING & COMMUNITY SERVICES DEPARTMENT

PETITION AGAINST CITY ZONE CHANGE

RECEIVED
CITY OF BILLINGS
30 JUN 2021
PLANNING & COMMUNITY SERVICES DEPARTMENT

ZONE CHANGE # ZC 933

GENERAL LOCATION 735 Jackson & King Ave.

WE, the undersigned are against the above proposed zone change:

NAME (PRINT)	SIGNATURE	PROPERTY OWNED (ADDRESS)
Clayton Thompson		4101 Jansma Ave
Tim Solberg	Tim Solberg	4105 Jansma Ave
Heidi Solberg	Heidi Solberg	4105 Jansma Ave
~~Richard Lee~~ Cheryl Bradley	Cheryl Bradley	4113 Jansma Ave
Richard Lee		4113 Jansma Ave
Victoria Eichel	Victoria Eichel	4115 Jansma Ave
LAWRENCE ANDERSON		4123 JANSMA AVE
Linda Anderson	Linda Anderson	4123 Jansma Ave
Natasha Freemen Batt		4125 Jansma Ave
Nathan Smith	Nathan Smith	4125 Jansma Ave
Sheryle Schmaltz	Sheryle Schmaltz	4124 Jansma Ave.
Butch Fitzhugh		4116 Jansma Ave
Becky Fitzhugh		4116 JANSMA AVE

PETITION AGAINST CITY ZONE CHANGE

ZONE CHANGE # ZC 993

We want NO multi. Housing

GENERAL LOCATION Jackson & King Ave E.

WE, the undersigned are against the above proposed zone change:

NAME (PRINT)	SIGNATURE	PROPERTY OWNED (ADDRESS)
Roberta Johansen	Roberta Johansen	705 Jackson
Darlene Hert	Darlene Hert	3905 King Ave. E 59101

RECEIVED
CITY OF BILLINGS
30 JUN 2021
PLANNING & COMMUNITY SERVICES DEPARTMENT

PETITION AGAINST CITY ZONE CHANGE

ZONE CHANGE # ZC 993

GENERAL LOCATION 735 Jackson & King Ave E.

WE, the undersigned are against the above proposed zone change:

NAME (PRINT)	SIGNATURE	PROPERTY OWNED (ADDRESS)
Kathy L Huck	Kathy L. Huck	4101 Murphy AVE
Clayton P Huck	Clayton P. Huck	4101 Murphy AVE
Art Krantz	Art Krantz	4113 Murphy Ave
Lonyta Krantz	Lonyta S. Krantz	4113 Murphy Ave.
Laurie Avery	Laurie Avery	4110 Murphy Ave.
Joel Avery	Joel Avery	4110 Murphy

RECEIVED
CITY OF BILLINGS
30 JUN 2021
PLANNING & COMMUNITY SERVICES DEPARTMENT

RECEIVED
CITY OF BILLINGS
30 JUN 2021
PLANNING & COMMUNITY
SERVICES DEPARTMENT

PETITION AGAINST CITY ZONE CHANGE

ZONE CHANGE # ZC 993

GENERAL LOCATION 735 Jackson & King Ave E.

WE, the undersigned are against the above proposed zone change:

NAME (PRINT)	SIGNATURE	PROPERTY OWNED (ADDRESS)
Patrice Schuman	Patrice Schuman	4103 Murphy Ave Blgs. MT 59101
Tom Schuman	Tom Schuman	4103 Murphy Ave. Blgs MT 59101
Nowell Hoff	Nowell Hoff	4104 murphy Ave. Blgs. MT 5910
Jermiaha Hoff		4104 Murphy Ave Blgs. MT 5910
Quincee Jones	Quincee Jones	4104 Stone St. Billings 59101
Jason Jones		4104 Stone St. Billings 59101
Shaun Rose	Shaun Rose	4102 Stone st Billings 5910
Thomas A Lesp		4102 Stone St Blgs. MT 59101
William Campbell	William Campbell	4105 murphy Ave Blgs 59101
Aleta Campbell	Aleta Campbell	4105 Murphy Ave. Billings, MT. 59101
NOAH THOMPSON → New owners		4109 MURPHY AVE. BILLINGS MT 59101
Chandler Blackwell → New owners		4109 murphy Ave, Billings MT 59101
Aleta Zahorodny	Aleta Zahorodny	4115 Murphy Ave. Blgs MT 59101

City Council Regular

Date:	07/26/2021
Title:	EBURD Tax Increment Assistance - 1403 1st Avenue North
Presented by:	Wyeth Friday
Department:	Planning & Community Services
Presentation:	Yes

RECOMMENDATION

The Billings Industrial Revitalization District (BIRD) Board of Directors recommends the City Council approve up to a maximum reimbursement of $99,776 from the EBURD tax increment finance district funds to Empire Entrepreneurs to abate asbestos and demolish the hotel at 1403 1st Avenue North (See BIRD Board Recommendation Attached to this Memo).

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

The BIRD is submitting a request for TIF fund assistance on behalf Empire Entrepreneurs for a project in the East Billings Urban Renewal District.The project involves the abatement, demolition and clean-up of the property containing the Lazy KT motel. The property has housed a population of people that have continually challenged our law enforcement and required extensive resources to cover the services at that location. Between July 2019 and June 2021, there were 338 calls for law enforcement service to this property. The calls ranged from suspicious activity to assaults and shootings (See attached call for service list). City Code Enforcement over the years also has had complaints on the property ranging from nuisance weeds to junk vehicles to operating a campground without proper licensure.

The total cost of abatement and demolition of the property is $98,776. The BIRD Board has been aware of this project as it has developed. The Board voted to recommend approval of this application at its meeting on Tuesday, July 13, following its annual EBURD meeting to approve TIF reimbursement for the project. The Billings Industrial Revitalization District (BIRD) Board of Directors is presenting this recommendation to the City Council for allocating $98,776 in tax increment finance funds (TIF) from the East Billings Urban Renewal District (EBURD) to provide financial assistance to Empire Entrepreneurs for complete asbestos abatement and demolition of the structure on the property. The applicant purchased the property as a solution to address the ongoing blight and criminal activity that it was generating in the EBURD neighborhood and the serious negative impacts the property was having on surrounding properties. The applicant is requesting TIF funding so that the site may be cleared for future redevelopment.

The BIRD Board supports fully funding the asbestos abatement and demolition costs for the property with TIF funds and varying from the City's TIF Policy recommended ratio of 5 to 1 for the following reasons:

- The property owner purchased the property for the purpose of eliminating a blighted property that has consumed significant public resources in law enforcement and other services because of serious criminal activity at the property.
- The property owner took on significant expense and risk by acquiring the property with the intent to get it demolished as soon as possible to avoid further vandalism and liability to the owners and surrounding property if the building remained standing and vacant.

The expenses for the asbestos abatement and demolition work recommended by the BIRD Board are eligible as per Section 7-15-4288 (2) (See BIRD Board Recommendation attached) and Section 7-15-4233 (n). The project also is in alignment with the EBURD Urban Renewal Plan and the EBURD Master Plan's principles of fostering economic growth and encouraging community collaboration around public safety.

This process and action of the BIRD is under its authority per the Memorandum of Understanding between the City of Billings, Big Sky Economic Development, and the BIRD, Inc. approved by the City Council on May 13, 2019.

ALTERNATIVES

The City Council is the final authority in disbursing TIF funding. This proposed use of TIF funds conforms to the City's TIF Policy and aligns with the EBURD Urban Renewal Plan and Montana Code for urban renewal to address blight remdiation through projects and programs.

The City Council may:

- Approve the recommendation from the BIRD Board for the expenditure of these TIF funds, or;
- Modify and approve the recommendation from the BIRD Board for the expenditure of these TIF funds, or;
- Disapprove of the recommendation from the BIRD Board for the expenditure of these TIF funds

FISCAL EFFECTS

The request is for a total of up to a maximum of $98,776 to be reimbursed to Empire Entrepreneurs, owners of 1403 1st Avenue North, only upon completion of the work and submittal of the invoices for the cost incurred. While the EBURD budget for projects in FY22 has about $250,000 available to cover this payment of TIF assistance, a budget amendment may need to be completed for this project if it is approved by the City Council.

Attachments

Empire Entrepreneurs Application
BIRD Board Recommendation
BIRD Board Transmittal Letter for Application
Police Calls for Service 2020-2021
Site Photos

BILLINGS INDUSTRIAL REVITALIZATION DISTRICT

BILLINGS INDUSTRIAL REVITALIZATION DISTRICT, INC.
EBURD PROCEEDS APPLICATION

Project Name: Lazy KT Demolition Date Submitted: July 7, 2021

APPLICANT INFORMATION

1. Name: Empire Entrepreneurs, LLC
2. Address: 49 N. 15th St., Suite 2 Billings, MT 59101
3. Telephone Number: _____ Cell# _____

PROJECT INFORMATION

1. Building Address: 1403 1st Ave. N, Billings, MT 59101
2. Legal Description: Billings Original Townsite, S33, T01N, R26E, Block 79, Lot 1-17 (15)
3. Ownership: Empire Entrepreneurs, LLC

   Address: 49 N. 15th St., Suite 2 Billings, MT 59101
4. If property is not owned by the APPLICANT, list leasehold interests (Attach evidentiary materials.)

   Name: _____

   Address: _____
5. Existing/Proposed Business: _____

   Business Description: _____
6. Employment: Existing FTE Jobs _____

   New Permanent FTE Jobs created by project Ø Construction FTE Jobs 4

7. Architectural Firm: _____

Address: _____

Architect: _____

8. Description of Project: (Attach narrative explanation & plans.)

9. Rehabilitation/construction plans: (Attach schematics, site and landscaping plans.)

10. Project Schedule: (Attach time line or schedule through completion.)

PROJECT COSTS

Land and Site Improvements (Itemized)

1. Purchase $ 525,000
2. _____ $ _____
3. _____ $ _____
4. _____ $ _____

Subtotal $ 525,000

Construction/Rehabilitation Costs (Use general construction trade divisions)

1. Pre-Demo Inspection $ 3,240
2. Abatement/Asbestos $ 46,500
3. Demolition $ 45,640
4. _____ $ _____
5. _____ $ _____
6. _____ $ _____
7. _____ $ _____
8. _____ $ _____

Subtotal $ 95,380

Fees

1. Architectural/Engineering $ _____
2. Permits Demo $ 396
3. Dump Fees $ 3,000

Subtotal $ _____

Total Project Development Costs **$** 623,776

PROJECT FINANCING

Please complete Sources of Funds detail and summarize below.

A. Applicant Equity

Cash Invested $ 150,000

Land & Buildings
(if value is more that State of Montana valuation then a current appraisal must be submitted) $ 791,800

Other _____ $ _____

_____ $ _____

A. Subtotal Applicant Equity $ 941,800

B. Lender Commitments (Attach Bank Loan Commitment letter, Letters of Credit or other documentation.)

Lender	Loan Amount	Interest	Term	Payment/Period
Little Horn Bank	$ 375,000	_____%	____yrs	$ _____/Month
_____	$ _____	_____%	____yrs	$ _____/Month

B. Total Loan Amount $_____

C. TIFD request for funds for eligible public improvements.

		MCA Statute (office use only)
Pre-Demo Inspection	$ 3,240	7-15-4233(w)
Abatement	$ 46,500	7-15-4288(2)
Demolition	$ 45,640	7-15-4288(2)
Demo Permit	$ 396	7-15-4288(2)
Dump Fees	$ 3000	7-15-4288(2)
	$	
	$	
	$	
	$	
	$	
	$	

C. Subtotal TIFD Funds Requested $ 98,776.00

D. Other Source of Funding

$

Sources of Funds Summary (Post totals from above.)

A. Applicant Equity	$ 941,800
B. Lender Commitments	$ 375,000
C. TIFD Funds Request	$ 98,776
D. Other Funds	$ 5,400 Hookups / Fencing
Total Project Financing	$ 1,420,976

APPLICANT STATEMENT OF QUALIFICATIONS AND FINANCIAL RESPONSIBILITY

APPLICANT

1. Name: Empire Entrepreneurs, LLC

   Address: 49 N. 15th St., Ste. 2, Billings, MT 59101

2. If the APPLICANT is not an individual doing business under his/her own name, the APPLICANT has the status indicated below and is organized or operating under the laws of Montana.

3. ✓ corporation/LLC.

   _____ nonprofit or charitable institution

   _____ partnership known as _____

   _____ Other (explain): _____

   Date of organization: _____

4. Names, address, title of position (if any), and nature and extent of the interest of the officers and principal members, principal shareholders, investors, or partners of the APPLICANT.

Name and Address	Nature and Extent of Interest
Jason Kummerfeldt 49 N. 15th St. Suite 2 Billings, MT 59101	President

Financial Condition

1. Provide a current financial statement (consisting of a Balance Sheet and Profit & Loss Statement) & Current Tax Return for each private entity involved in the project. This application and all financial information become part of the public record when submitted to the BIRD and is available upon request under the State of Montana Public Information Rules.

2. Has the APPLICANT or any individual or entity affiliated with the development of this project been adjudged bankrupt, either voluntary or involuntary, within the past ~~ten~~ (10) years?
   No ✓ Yes _____ If yes, give date, place, and under what name

   _____

3. Has the APPLICANT or any individual or entity affiliated with the development of this project been indicted for or convicted of any felony within the past ten years:
   No ✓ Yes _____ if yes, give date, charge, place, court and action taken for each case.

   _____

   _____

CONSTRUCTION CONTRACTOR

1. Identify the construction contractor or builder who will undertake this project.

   Name: Enviromental Contractors, LLC

   Address: PO Box 80107, Billings, MT 59108

2. Has named contractor or builder ever failed to qualify as a responsible bidder, refused to enter into a contract after an award has been made, or failed to complete a construction or development contract within the last ten years?
   No ✓ Yes _____ if yes, explain.

3. Attach copies of bids to application:

4. If Applicant intends to do any of the construction themselves then APPLICANT shall provide three (3) independent contractor bids which must accompany this application for the work to be provided.

CERTIFICATION

I (we), Empire Entrepreneurs, LLC (please print), certify that the statements and estimates within this Application as well as any and all documentation submitted as attachments to this Application or under separate cover are true and correct to the best of my (our) knowledge and belief. I/We certify that I/We will make no application for any other tax abatement that may be available for this real property or building.

Signature _____ Signature _____

Title President Title _____

Address _____ Address _____

_____ _____

Date July 15, 2021 Date _____

EAST BILLINGS URBAN RENEWAL DISTRICT (EBURD)

7/12/21

Billings Industrial Revitalization District (BIRD) Recommended Assistance
Project: Abatement and Demolition of Lazy KT Motel Entity: Empire Entrepreneurs Tax parcel: A00527 Demolition of Blighted Property

Eligible Public Improvements	Requested		Recommended	MCA Statute
Abatement of Toxic Material	$46,500		$46,500	7-15-4288 (2)
Pre-demolition Inspection	$3,240		$3,240	7-15-4233-n
Demolition of Site	$45,640		$45,640	7-15-4288 (2)
Permits	$396		$396	7-15-4288 (2)
Dump Fees	$3,000		$3,000	7-15-4288 (2)
			-	
TOTAL	**98,776.00**		**98,776.00**	**100%**

Current taxable value		791,800.00
Projected taxable value on completion		183,995.00
value added		(607,805.00)
estimated annual increment generated	N/A	
multiplied by remaining TIF years (25)	N/A	

Public Benefit:
This project correlates with the EBURD Master Plan
by eliminating blighted buildings from the district.
It encourages redevelopment of the property which will add to the revitalization of the EBURD.

EAST BILLINGS URBAN RENEWAL DISTRICT (EBURD)

7/12/21

Billings Industrial Revitalization District (BIRD) Recommended Assistance

Project: Abatement and Demolition of Lazy KT Motel
Entity: Empire Entrepreneurs
Tax parcel: A00527

Demolition of Blighted Property

Eligible Public Improvements	Requested		Recommended	MCA Statute
Abatement of Toxic Material	$46,500		$46,500	7-15-4288 (2)
Pre-demolition Inspection	$3,240		$3,240	7-15-4233-n
Demolition of Site	$45,640		$45,640	7-15-4288 (2)
Permits	$396		$396	7-15-4288 (2)
Dump Fees	$3,000		$3,000	7-15-4288 (2)
			-	
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by eliminating blighted buildings from the district.
It encourages redevelopment of the property which will add to the revitalization of the EBURD.

BILLINGS INDUSTRIAL REVITALIZATION DISTRICT

1413 4th Avenue North, Suite C • Billings, MT 59101

July 15, 2021

City of Billings Planning and Community Services
Attn: Wyeth Friday
PO Box 1178
Billings, MT 59103-1178

Request for TIF Fund Assistance – Empire Entrepreneurs, LLC

Dear Wyeth,

The BIRD is submitting a request for TIF fund assistance on behalf Empire Entrepreneurs for a project in the East Billings Urban Renewal District.

The project involves the abatement, demolition and clean-up of the property containing the Lazy KT motel. The property has housed a population of people that have continually challenged our law enforcement and required extensive resources to cover the services at that location.

The total cost of abatement and demolition of the property is $98,776. The Board of Directors of the BIRD have been aware of this project as it has developed. The Board and review committee made a final unanimous decision to ask for 100% reimbursement for costs associated with this project. Initially the Board thought this was appropriate to the previously state concerns of the potential liability to the new owners and the neighborhood if this building stood empty. In addition, the Board of Directors feels that a complete commitment to the demolition of this property is necessary to ensure the current owners stay the course of demolition for the benefit of public safety of the community.

We are requesting a position for review by the Billings City Council during their regular meeting on Monday, July 26th.

Thank you for your assistance.

Zack Terakedis
EBURD Coordinator
406-272-4321
billingsbird@gmail.com

Case Number	OccurredIncType (Police Report Created)	IncAddress	IncidentDateTime	IncNumber	IncType
		1403 1ST AVE N	07/08/2019 22:54:29	2019-00048747	Fireworks
		1403 1ST AVE N	07/08/2019 23:18:15	2019-00048749	Suspicious Activity
		1403 1ST AVE N	07/16/2019 18:13:21	2019-00051009	Trespass
		1403 1ST AVE N	08/06/2019 21:56:53	2019-00057215	Sick/Injured Person
		1403 1ST AVE N	08/15/2019 13:17:27	2019-00059541	Welfare Check
		1403 1ST AVE N	08/17/2019 17:46:52	2019-00060161	Suicide Attempts/Threats
		1403 1ST AVE N	08/23/2019 20:08:41	2019-00061824	Service Assist Law Enforcement
		1403 1ST AVE N	08/24/2019 22:53:13	2019-00062129	Suspicious Activity
		1403 1ST AVE N	08/29/2019 23:31:58	2019-00063656	Warrant
		1403 1ST AVE N	08/30/2019 13:27:04	2019-00063796	Warrant
		1403 1ST AVE N	08/31/2019 10:56:27	2019-00064050	Accident Property Damage
2019-00065766	Mental Health	1403 1ST AVE N	09/06/2019 01:35:00	2019-00065766	Suicide Attempts/Threats
		1403 1ST AVE N	09/06/2019 21:17:37	2019-00066013	Suspicious Activity
		1403 1ST AVE N	09/06/2019 21:39:07	2019-00066016	Suspicious Activity
		1403 1ST AVE N	09/08/2019 08:13:24	2019-00066342	Disturbance
		1403 1ST AVE N	09/11/2019 09:01:23	2019-00067184	Disturbance
		1403 1ST AVE N	09/23/2019 13:12:02	2019-00070511	Disturbance
		1403 1ST AVE N	09/28/2019 10:58:49	2019-00071933	Follow Up
		1403 1ST AVE N	09/29/2019 18:40:01	2019-00072208	Suspicious Activity
		1403 1ST AVE N	09/30/2019 10:29:33	2019-00072341	Welfare Check
		1403 1ST AVE N	10/04/2019 16:25:04	2019-00073481	Disturbance
		1403 1ST AVE N	10/06/2019 15:23:03	2019-00073953	Disturbance
		1403 1ST AVE N	11/01/2019 23:52:23	2019-00080701	Trespass
		1403 1ST AVE N	11/04/2019 12:11:25	2019-00081249	Disturbance
		1403 1ST AVE N	11/06/2019 00:19:09	2019-00081644	Suspicious Activity
		1403 1ST AVE N	11/12/2019 18:41:16	2019-00083227	Area Check
		1403 1ST AVE N	11/19/2019 19:01:28	2019-00084915	Welfare Check
2019-00085179	Drugs Other	1403 1ST AVE N	11/20/2019 18:11:36	2019-00085179	Drug Investigation
2019-00085972	Mental Health	1403 1ST AVE N	11/23/2019 21:34:11	2019-00085972	Suicide Attempts/Threats
		1403 1ST AVE N	11/25/2019 18:23:45	2019-00086398	Welfare Check
2019-00087664	Drugs Other	1403 1ST AVE N	12/01/2019 22:54:14	2019-00087664	Drug Investigation
		1403 1ST AVE N	12/03/2019 16:10:55	2019-00088103	Welfare Check
2019-00088311	Agency Service Assist	1403 1ST AVE N	12/04/2019 10:40:00	2019-00088311	Service Assist Law Enforcement
2019-00088955	Unauthorized Use Motor Vehicle	1403 1ST AVE N	12/06/2019 20:44:00	2019-00088955	Vehicle Theft
		1403 1ST AVE N	12/21/2019 03:00:12	2019-00092369	911 Hang Up
		1403 1ST AVE N	12/23/2019 19:23:29	2019-00092961	Area Check
		1403 1ST AVE N	12/24/2019 19:31:06	2019-00093208	Disturbance
		1403 1ST AVE N	12/25/2019 09:37:44	2019-00093271	Welfare Check
		1403 1ST AVE N	12/26/2019 00:54:55	2019-00093384	Suspicious Activity
		1403 1ST AVE N	12/29/2019 20:55:09	2019-00094180	Suspicious Activity
		1403 1ST AVE N	12/31/2019 19:13:13	2019-00094658	Noise Complaint
		1403 1ST AVE N	12/31/2019 21:26:21	2019-00094693	Disturbance
		1403 1ST AVE N	01/02/2020 19:46:12	2020-00000472	911 Hang Up
		1403 1ST AVE N	01/02/2020 20:27:47	2020-00000480	Assault
		1403 1ST AVE N	01/02/2020 21:02:44	2020-00000487	Vehicle Theft
		1403 1ST AVE N	01/03/2020 16:52:47	2020-00000709	Disturbance
		1403 1ST AVE N	01/05/2020 09:21:07	2020-00001123	Welfare Check
2020-00001456	Partner Family Member Assault	1403 1ST AVE N	01/06/2020 18:01:46	2020-00001456	PFMA
		1403 1ST AVE N	01/07/2020 17:28:17	2020-00001719	Follow Up
		1403 1ST AVE N	01/07/2020 22:13:17	2020-00001773	Disturbance
2020-00002115	Drugs Other	1403 1ST AVE N	01/09/2020 05:17:16	2020-00002115	Drug Investigation
2020-00003594	Child Abuse	1403 1ST AVE N	01/15/2020 23:42:29	2020-00003594	Child Abuse
		1403 1ST AVE N	01/17/2020 16:19:41	2020-00004081	Suspicious Activity
		1403 1ST AVE N	01/19/2020 17:53:11	2020-00004531	Disturbance
		1403 1ST AVE N	01/20/2020 16:55:55	2020-00004781	Missing Person
		1403 1ST AVE N	01/23/2020 18:31:36	2020-00005705	Disturbance
2020-00007424	Unauthorized Use Motor Vehicle	1403 1ST AVE N	01/30/2020 07:22:00	2020-00007424	Vehicle Theft
		1403 1ST AVE N	02/07/2020 09:39:29	2020-00009505	Trespass
2020-00010947	Partner Family Member Assault	1403 1ST AVE N	02/12/2020 23:32:06	2020-00010947	PFMA
2020-00011462	Welfare Check	1403 1ST AVE N	02/14/2020 20:29:00	2020-00011462	Welfare Check
		1403 1ST AVE N	02/20/2020 13:54:58	2020-00012941	Disturbance
2020-00013610	Criminal Mischief Other	1403 1ST AVE N	02/22/2020 17:43:00	2020-00013610	Weapons

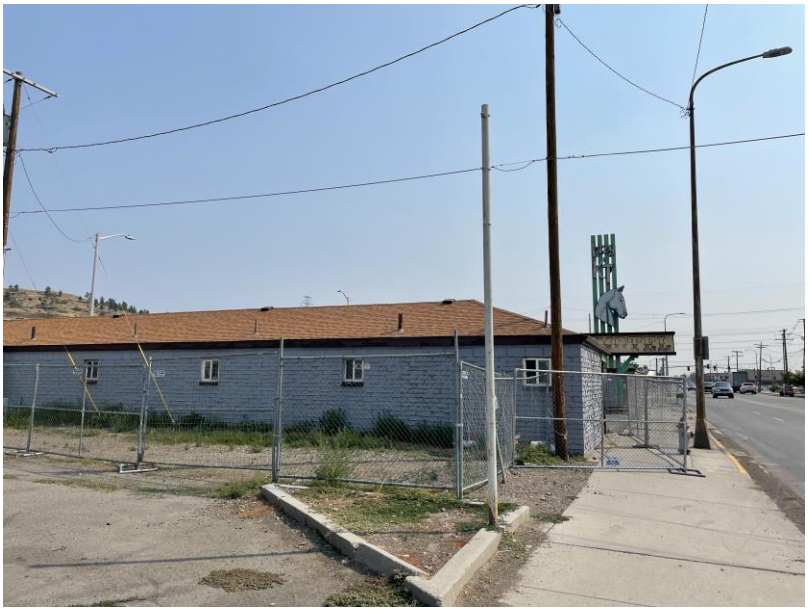
		1403 1ST AVE N	02/24/2020 17:35:50	2020-00014119	Disturbance
		1403 1ST AVE N	03/03/2020 01:48:44	2020-00016118	Suspicious Activity
		1403 1ST AVE N	03/03/2020 03:49:50	2020-00016126	Suspicious Activity
		1403 1ST AVE N	03/10/2020 15:37:04	2020-00018141	Welfare Check
		1403 1ST AVE N	03/12/2020 12:20:15	2020-00018610	Suspicious Activity
		1403 1ST AVE N	03/28/2020 15:35:28	2020-00022419	Welfare Check
2020-00023862	Recovered Stolen Motor Vehicle	1403 1ST AVE N	04/04/2020 20:32:11	2020-00023862	Service Assist Law Enforcement
2020-00023939	Motor Vehicle Theft	1403 1ST AVE N	04/05/2020 07:40:38	2020-00023939	Vehicle Theft
		1403 1ST AVE N	04/05/2020 18:48:02	2020-00024032	Suspicious Activity
		1403 1ST AVE N	04/08/2020 15:40:17	2020-00024732	Disturbance
		1403 1ST AVE N	04/11/2020 16:18:02	2020-00025452	Sex Offense
		1403 1ST AVE N	04/14/2020 13:36:30	2020-00025937	Follow Up
2020-00027584	Assault Cutting Instrument	1403 1ST AVE N	04/21/2020 15:19:00	2020-00027584	Stabbing
		1403 1ST AVE N	04/21/2020 15:19:11	2020-00027600	Stabbing
		1403 1ST AVE N	04/22/2020 11:10:23	2020-00027803	911 Hang Up
		1403 1ST AVE N	04/25/2020 23:45:19	2020-00028778	Suspicious Activity
		1403 1ST AVE N	04/26/2020 03:46:36	2020-00028806	Suspicious Activity
		1403 1ST AVE N	04/28/2020 23:31:09	2020-00029534	Area Check
		1403 1ST AVE N	04/29/2020 16:12:14	2020-00029746	Drunk
		1403 1ST AVE N	04/30/2020 14:02:06	2020-00029998	Disturbance
		1403 1ST AVE N	04/30/2020 17:02:46	2020-00030053	Suspicious Activity
		1403 1ST AVE N	05/01/2020 21:05:33	2020-00030372	Welfare Check
		1403 1ST AVE N	05/01/2020 23:46:56	2020-00030406	Welfare Check
		1403 1ST AVE N	05/03/2020 02:34:58	2020-00030751	Area Check
		1403 1ST AVE N	05/05/2020 14:47:12	2020-00031346	Welfare Check
		1403 1ST AVE N	05/05/2020 15:57:25	2020-00031364	Suspicious Activity
2020-00031380	Drugs Other	1403 1ST AVE N	05/05/2020 17:11:56	2020-00031380	Drug Investigation
2020-00031890	Mental Health	1403 1ST AVE N	05/07/2020 14:20:00	2020-00031890	Suspicious Activity
		1403 1ST AVE N	05/07/2020 21:05:05	2020-00031979	Suspicious Activity
		1403 1ST AVE N	05/08/2020 04:19:22	2020-00032041	Suspicious Activity
		1403 1ST AVE N	05/20/2020 23:45:37	2020-00035761	Traffic Complaint/Investigation
2020-00036829	Disturbance	1403 1ST AVE N	05/25/2020 01:15:24	2020-00036829	Disturbance
		1403 1ST AVE N	05/26/2020 23:11:17	2020-00037427	Welfare Check
		1403 1ST AVE N	05/27/2020 05:04:14	2020-00037471	Suspicious Activity
		1403 1ST AVE N	06/01/2020 12:07:26	2020-00038940	Missing Person
2020-00039732	Assault Fist Feet	1403 1ST AVE N	06/03/2020 18:25:12	2020-00039732	Assault
2020-00040500	Trespass Other	1403 1ST AVE N	06/05/2020 23:57:00	2020-00040500	Disturbance
		1403 1ST AVE N	06/06/2020 07:42:04	2020-00040576	Service Assist Law Enforcement
2020-00041331	Assault Fist Feet	1403 1ST AVE N	06/09/2020 10:47:00	2020-00041331	Assault
		1403 1ST AVE N	06/09/2020 11:18:36	2020-00041341	Welfare Check
		1403 1ST AVE N	06/09/2020 11:52:13	2020-00041352	Welfare Check
2020-00041533	Suspicious Other	1403 1ST AVE N	06/10/2020 03:01:00	2020-00041533	Suspicious Activity
		1403 1ST AVE N	06/11/2020 02:26:49	2020-00041820	Suspicious Activity
2020-00041821	Motor Vehicle Theft	1403 1ST AVE N	06/11/2020 02:44:00	2020-00041821	Vehicle Theft
		1403 1ST AVE N	06/15/2020 01:33:05	2020-00042969	Suspicious Activity
		1403 1ST AVE N	06/16/2020 01:58:36	2020-00043275	Suspicious Activity
		1403 1ST AVE N	06/16/2020 22:35:46	2020-00043505	Disturbance
2020-00044015	Motor Vehicle Theft	1403 1ST AVE N	06/18/2020 22:41:01	2020-00044015	Vehicle Theft
2020-00044781	Assault Fist Feet	1403 1ST AVE N	06/21/2020 15:52:00	2020-00044781	Disturbance
		1403 1ST AVE N	06/22/2020 07:16:51	2020-00044924	Disturbance
		1403 1ST AVE N	06/22/2020 14:43:32	2020-00045043	Disturbance
2020-00045122	Assault Cutting Instrument	1403 1ST AVE N	06/22/2020 19:15:56	2020-00045122	Stabbing
		1403 1ST AVE N	06/22/2020 21:08:31	2020-00045145	Disturbance
		1403 1ST AVE N	06/23/2020 17:23:31	2020-00045390	Disturbance
		1403 1ST AVE N	06/25/2020 16:12:27	2020-00045992	Disturbance
		1403 1ST AVE N	06/26/2020 01:44:59	2020-00046126	Suspicious Activity
2020-00046384	Assault Other Weapon	1403 1ST AVE N	06/27/2020 00:10:00	2020-00046384	Weapons
		1403 1ST AVE N	06/28/2020 20:57:33	2020-00046860	Suspicious Activity
		1403 1ST AVE N	06/30/2020 19:23:08	2020-00047401	Suspicious Activity
		1403 1ST AVE N	07/03/2020 20:37:49	2020-00048446	Disturbance
		1403 1ST AVE N	07/04/2020 02:28:13	2020-00048584	Sick/Injured Person
		1403 1ST AVE N	07/07/2020 16:28:32	2020-00049751	Disturbance
		1403 1ST AVE N	07/17/2020 11:35:48	2020-00052353	Traffic Complaint/Investigation
		1403 1ST AVE N	07/19/2020 00:13:09	2020-00052839	Noise Complaint

		1403 1ST AVE N	07/19/2020 01:09:43	2020-00052845	Drug Investigation
2020-00054762	Criminal Endangerment	1403 1ST AVE N	07/26/2020 07:26:00	2020-00054762	Weapons
		1403 1ST AVE N	07/26/2020 18:16:37	2020-00054891	Suspicious Activity
		1403 1ST AVE N	08/01/2020 23:16:57	2020-00056716	911 Hang Up
2020-00057459	Disturbance	1403 1ST AVE N	08/04/2020 16:13:00	2020-00057459	Drug Investigation
		1403 1ST AVE N	08/08/2020 01:33:54	2020-00058468	Disturbance
		1403 1ST AVE N	08/10/2020 22:06:52	2020-00059230	Suspicious Activity
2020-00060403	Assault Firearm	1403 1ST AVE N	08/15/2020 07:32:00	2020-00060403	Weapons
		1403 1ST AVE N	08/15/2020 07:32:50	2020-00060410	Suspicious Activity
2020-00060441	Suspicious Other	1403 1ST AVE N	08/15/2020 11:27:00	2020-00060441	Missing Person
		1403 1ST AVE N	08/15/2020 23:27:11	2020-00060616	Suspicious Activity
2020-00061429	Mental Health	1403 1ST AVE N	08/18/2020 20:35:41	2020-00061429	Welfare Check
		1403 1ST AVE N	08/19/2020 14:28:57	2020-00061664	Follow Up
		1403 1ST AVE N	08/19/2020 22:28:00	2020-00061773	Suspicious Activity
		1403 1ST AVE N	08/20/2020 22:45:29	2020-00062032	911 Hang Up
		1403 1ST AVE N	08/23/2020 23:05:22	2020-00062847	Noise Complaint
2020-00063656	Suspicious Other	1403 1ST AVE N	08/26/2020 20:51:00	2020-00063656	Suspicious Activity
2020-00064599	Suspicious Other	1403 1ST AVE N	08/30/2020 04:41:15	2020-00064599	Suspicious Activity
2020-00064758	Death Suicide	1403 1ST AVE N	08/30/2020 21:14:33	2020-00064758	Suicide Attempts/Threats
2020-00065428	Partner Family Member Assault	1403 1ST AVE N	09/02/2020 10:47:00	2020-00065428	Assault
		1403 1ST AVE N	09/02/2020 18:51:25	2020-00065558	Threats/Harassment
		1403 1ST AVE N	09/04/2020 13:56:46	2020-00066034	Suspicious Activity
		1403 1ST AVE N	09/04/2020 14:03:40	2020-00066027	Sick/Injured Person
		1403 1ST AVE N	09/04/2020 19:22:42	2020-00066291	Service Assist Law Enforcement
		1403 1ST AVE N	09/10/2020 17:15:23	2020-00067623	Trespass
		1403 1ST AVE N	09/11/2020 12:40:36	2020-00067826	Follow Up
		1403 1ST AVE N	09/11/2020 12:47:31	2020-00067827	Follow Up
2020-00068581	Robbery Firearm	1403 1ST AVE N	09/14/2020 01:06:39	2020-00068581	Robbery
		1403 1ST AVE N	09/15/2020 17:43:21	2020-00069041	Disturbance
		1403 1ST AVE N	09/16/2020 19:12:55	2020-00069354	Suspicious Activity
2020-00070433	Assault Firearm	1403 1ST AVE N	09/20/2020 19:22:55	2020-00070433	Weapons
		1403 1ST AVE N	09/23/2020 16:49:32	2020-00071282	Disturbance
2020-00071409	Lost/Found Property	1403 1ST AVE N	09/24/2020 01:53:40	2020-00071409	911 Hang Up
2020-00071964	Weapons Rude Display	1403 1ST AVE N	09/25/2020 23:06:27	2020-00071964	Weapons
		1403 1ST AVE N	09/27/2020 23:11:33	2020-00072452	Suspicious Activity
2020-00073035	Weapons Discharging	1403 1ST AVE N	09/30/2020 03:19:00	2020-00073035	Weapons
		1403 1ST AVE N	10/01/2020 04:00:14	2020-00073310	Suspicious Activity
		1403 1ST AVE N	10/03/2020 16:51:13	2020-00073991	Trespass
2020-00075031	Motor Vehicle Theft	1403 1ST AVE N	10/07/2020 13:21:00	2020-00075031	Vehicle Theft
2020-00076458	Suspicious Other	1403 1ST AVE N	10/13/2020 00:59:13	2020-00076458	Suspicious Activity
		1403 1ST AVE N	10/14/2020 00:38:54	2020-00076731	Suspicious Activity
2020-00077067	Sex Offense Statutory Rape	1403 1ST AVE N	10/15/2020 09:32:00	2020-00077067	Sex Offense
		1403 1ST AVE N	10/18/2020 00:24:17	2020-00077726	Suspicious Activity
		1403 1ST AVE N	10/18/2020 10:01:24	2020-00077771	Suspicious Activity
		1403 1ST AVE N	10/22/2020 17:27:22	2020-00078809	Welfare Check
2020-00079000	Criminal Endangerment	1403 1ST AVE N	10/23/2020 17:21:21	2020-00079000	Shooting
		1403 1ST AVE N	10/24/2020 21:42:50	2020-00079247	Area Check
2020-00079328	Suspicious Vehicle & Person	1403 1ST AVE N	10/25/2020 09:39:02	2020-00079328	Suspicious Activity
2020-00083715	Drugs Other	1403 1ST AVE N	10/26/2020 08:00:00	2020-00083715	Disturbance
		1403 1ST AVE N	10/27/2020 00:05:30	2020-00079668	Suspicious Activity
2020-00079678	Robbery Unknown	1403 1ST AVE N	10/27/2020 01:59:00	2020-00079678	Assault
		1403 1ST AVE N	10/28/2020 21:32:42	2020-00080139	Welfare Check
		1403 1ST AVE N	10/28/2020 21:40:41	2020-00080136	Disturbance
		1403 1ST AVE N	10/29/2020 07:32:14	2020-00080193	Suspicious Activity
		1403 1ST AVE N	10/30/2020 10:38:28	2020-00080491	Suspicious Activity
2020-00080920	Unauthorized Use Motor Vehicle	1403 1ST AVE N	10/31/2020 18:20:00	2020-00080920	Vehicle Theft
		1403 1ST AVE N	11/01/2020 14:44:36	2020-00081121	Disturbance
		1403 1ST AVE N	11/01/2020 20:14:05	2020-00081223	Suspicious Activity
		1403 1ST AVE N	11/02/2020 13:36:38	2020-00081352	Suspicious Activity
		1403 1ST AVE N	11/02/2020 14:18:56	2020-00081362	Suspicious Activity
2020-00081412	Assault Fist Feet	1403 1ST AVE N	11/02/2020 15:38:00	2020-00081412	Assault
2020-00081500	Weapons Discharging	1403 1ST AVE N	11/03/2020 02:13:52	2020-00081500	Weapons
2020-00081761	Assault Firearm	1403 1ST AVE N	11/03/2020 23:52:00	2020-00081761	Weapons
		1403 1ST AVE N	11/04/2020 01:00:30	2020-00081774	Suspicious Activity

		1403 1ST AVE N	11/04/2020 03:24:31	2020-00081791	Suspicious Activity
		1403 1ST AVE N	11/04/2020 14:11:02	2020-00081899	Disturbance
		1403 1ST AVE N	11/08/2020 20:07:44	2020-00083034	Disturbance
		1403 1ST AVE N	11/08/2020 23:54:13	2020-00083055	Suspicious Activity
2020-00083737	Drugs Paraphernalia	1403 1ST AVE N	11/11/2020 21:19:04	2020-00083737	Drug Investigation
		1403 1ST AVE N	11/13/2020 10:23:37	2020-00084092	Welfare Check
		1403 1ST AVE N	11/14/2020 01:34:20	2020-00084318	Welfare Check
2020-00084938	Suspicious Other	1403 1ST AVE N	11/16/2020 15:48:09	2020-00084938	Suspicious Activity
		1403 1ST AVE N	11/18/2020 03:19:53	2020-00085338	Disturbance
		1403 1ST AVE N	11/18/2020 04:15:25	2020-00085342	Suspicious Activity
		1403 1ST AVE N	11/18/2020 19:15:11	2020-00085555	Traffic Complaint/Investigation
2020-00085777	Theft Other	1403 1ST AVE N	11/19/2020 15:32:00	2020-00085777	Theft
2020-00087507	Robbery Firearm	1403 1ST AVE N	11/26/2020 23:53:20	2020-00087507	Robbery
2020-00087917	Assault Fist Feet	1403 1ST AVE N	11/28/2020 17:54:06	2020-00087917	Assault
2020-00088634	Assault Other Weapon	1403 1ST AVE N	12/01/2020 19:06:42	2020-00088634	Suspicious Activity
		1403 1ST AVE N	12/02/2020 16:59:24	2020-00088896	Service Assist Law Enforcement
		1403 1ST AVE N	12/04/2020 20:28:31	2020-00089429	Theft
		1403 1ST AVE N	12/07/2020 17:42:15	2020-00090105	Welfare Check
2020-00090121	Suspicious Other	1403 1ST AVE N	12/07/2020 19:00:00	2020-00090121	Suspicious Activity
		1403 1ST AVE N	12/12/2020 23:33:09	2020-00091460	Suspicious Activity
		1403 1ST AVE N	12/13/2020 17:59:03	2020-00091583	Suspicious Activity
		1403 1ST AVE N	12/17/2020 22:19:41	2020-00092573	Suspicious Activity
		1403 1ST AVE N	12/20/2020 01:05:42	2020-00093172	Suspicious Activity
2020-00093633	Theft Other	1403 1ST AVE N	12/21/2020 21:56:42	2020-00093633	Welfare Check
2020-00093669	Welfare Check	1403 1ST AVE N	12/22/2020 05:01:39	2020-00093669	Welfare Check
2020-00093876	Drugs Other	1403 1ST AVE N	12/22/2020 19:25:24	2020-00093876	Drug Investigation
		1403 1ST AVE N	12/24/2020 22:46:32	2020-00094384	Disturbance
		1403 1ST AVE N	12/28/2020 21:20:58	2020-00095163	Service Assist Law Enforcement
		1403 1ST AVE N	12/29/2020 02:17:12	2020-00095199	Suspicious Activity
		1403 1ST AVE N	12/30/2020 21:35:52	2020-00095676	Suspicious Activity
		1403 1ST AVE N	12/31/2020 03:50:04	2020-00095735	Suspicious Activity
		1403 1ST AVE N	01/03/2021 20:43:36	2021-00000624	Suspicious Activity
		1403 1ST AVE N	01/04/2021 00:09:41	2021-00000658	Suspicious Activity
		1403 1ST AVE N	01/04/2021 03:56:55	2021-00000684	Suspicious Activity
		1403 1ST AVE N	01/05/2021 06:22:30	2021-00000933	Area Check
		1403 1ST AVE N	01/05/2021 10:46:13	2021-00000985	Service Assist Law Enforcement
		1403 1ST AVE N	01/06/2021 01:17:10	2021-00001201	Area Check
		1403 1ST AVE N	01/08/2021 18:25:56	2021-00001887	Suspicious Activity
		1403 1ST AVE N	01/11/2021 07:35:48	2021-00002396	Suspicious Activity
		1403 1ST AVE N	01/14/2021 23:39:09	2021-00003429	DUI
		1403 1ST AVE N	01/15/2021 06:20:19	2021-00003464	Suspicious Activity
2021-00003484	Warrant Other Jurisdiction	1403 1ST AVE N	01/15/2021 08:25:00	2021-00003484	Suspicious Activity
		1403 1ST AVE N	01/16/2021 09:44:23	2021-00003759	Area Check
		1403 1ST AVE N	01/16/2021 19:51:36	2021-00003867	Suspicious Activity
2021-00003941	Obstructing A Peace Officer	1403 1ST AVE N	01/17/2021 03:56:54	2021-00003941	Weapons
2021-00004117	Disturbance	1403 1ST AVE N	01/17/2021 20:31:15	2021-00004117	Disturbance
		1403 1ST AVE N	01/18/2021 00:08:09	2021-00004151	Disturbance
		1403 1ST AVE N	01/20/2021 00:38:58	2021-00004656	Suspicious Activity
		1403 1ST AVE N	01/20/2021 11:52:09	2021-00004761	Recovered Vehicle
		1403 1ST AVE N	01/22/2021 03:31:29	2021-00005231	Welfare Check
2021-00005402	Disturbance	1403 1ST AVE N	01/22/2021 19:55:59	2021-00005402	Disturbance
		1403 1ST AVE N	01/22/2021 23:46:06	2021-00005449	Traffic Stop
2021-00005658	Weapons Possession	1403 1ST AVE N	01/23/2021 21:01:55	2021-00005658	Weapons
2021-00005689	Recovered Stolen Motor Vehicle	1403 1ST AVE N	01/24/2021 00:18:54	2021-00005689	Vehicle Theft
2021-00005932	Assault Fist Feet	1403 1ST AVE N	01/25/2021 05:53:59	2021-00005932	Assault
		1403 1ST AVE N	01/25/2021 07:36:18	2021-00005940	Suspicious Activity
		1403 1ST AVE N	01/27/2021 13:15:57	2021-00006543	Suspicious Activity
2021-00006923	Missing Person	1403 1ST AVE N	01/28/2021 22:26:14	2021-00006923	Missing Person
		1403 1ST AVE N	01/28/2021 22:33:54	2021-00006924	Disturbance
		1403 1ST AVE N	01/29/2021 02:56:07	2021-00006960	Suspicious Activity
		1403 1ST AVE N	01/29/2021 11:22:18	2021-00007053	Follow Up
		1403 1ST AVE N	01/29/2021 13:30:00	2021-00007103	Service Assist Law Enforcement
2021-00007426	Obstructing A Peace Officer	1403 1ST AVE N	01/30/2021 18:36:51	2021-00007426	Weapons
2021-00007495	Weapons Possession	1403 1ST AVE N	01/31/2021 00:59:10	2021-00007495	Weapons

		1403 1ST AVE N	01/31/2021 23:50:54	2021-00007714	Suspicious Activity
2021-00007925	Sex Offense Rape	1403 1ST AVE N	02/01/2021 17:49:41	2021-00007925	Sex Offense
		1403 1ST AVE N	02/04/2021 13:30:41	2021-00008694	Suspicious Activity
		1403 1ST AVE N	02/06/2021 11:26:01	2021-00009147	Weapons
		1403 1ST AVE N	02/06/2021 23:33:08	2021-00009284	Area Check
2021-00010145	Theft from Motor Vehicle	1403 1ST AVE N	02/11/2021 04:02:00	2021-00010145	Weapons
		1403 1ST AVE N	02/11/2021 21:37:56	2021-00010327	Suspicious Activity
2021-00010340	Weapons Discharging	1403 1ST AVE N	02/11/2021 23:01:00	2021-00010340	Weapons
2021-00010703	Suspicious Other	1403 1ST AVE N	02/13/2021 15:04:34	2021-00010703	Robbery
2021-00010710	Weapons Discharging	1403 1ST AVE N	02/13/2021 15:37:37	2021-00010710	Weapons
		1403 1ST AVE N	02/16/2021 15:45:32	2021-00011287	Suspicious Activity
2021-00012357	Obstructing A Peace Officer	1403 1ST AVE N	02/21/2021 02:19:47	2021-00012357	Weapons
		1403 1ST AVE N	02/23/2021 20:21:27	2021-00012972	Disturbance
		1403 1ST AVE N	02/23/2021 20:41:17	2021-00012976	Suspicious Activity
		1403 1ST AVE N	02/24/2021 01:02:22	2021-00013014	Suspicious Activity
		1403 1ST AVE N	02/24/2021 02:58:54	2021-00013029	Suspicious Activity
		1403 1ST AVE N	02/24/2021 19:05:07	2021-00013212	Disturbance
		1403 1ST AVE N	02/27/2021 22:20:17	2021-00013962	Trespass
2021-00014205	Obstructing A Peace Officer	1403 1ST AVE N	03/01/2021 03:26:54	2021-00014205	Suspicious Activity
2021-00014389	Weapons Rude Display	1403 1ST AVE N	03/01/2021 20:08:46	2021-00014389	Weapons
		1403 1ST AVE N	03/02/2021 19:26:32	2021-00014662	Follow Up
		1403 1ST AVE N	03/04/2021 03:07:18	2021-00015022	Suspicious Activity
2021-00015930	Assault Fist Feet	1403 1ST AVE N	03/07/2021 01:17:17	2021-00015930	Assault
		1403 1ST AVE N	03/08/2021 01:45:19	2021-00016147	Suspicious Activity
		1403 1ST AVE N	03/08/2021 08:41:53	2021-00016193	Area Check
		1403 1ST AVE N	03/10/2021 19:36:33	2021-00016900	Fireworks
		1403 1ST AVE N	03/10/2021 20:04:04	2021-00016953	Suspicious Activity
		1403 1ST AVE N	03/11/2021 15:51:08	2021-00017145	Disturbance
		1403 1ST AVE N	03/11/2021 16:30:18	2021-00017162	Area Check
2021-00018163	Criminal Endangerment	1403 1ST AVE N	03/15/2021 16:10:41	2021-00018163	Suspicious Activity
		1403 1ST AVE N	03/15/2021 16:36:11	2021-00018172	MAAP
		1403 1ST AVE N	03/19/2021 10:51:01	2021-00019294	Suspicious Activity
2021-00020008	Partner Family Member Assault	1403 1ST AVE N	03/22/2021 01:17:21	2021-00020008	PFMA
		1403 1ST AVE N	03/22/2021 15:46:55	2021-00020138	Follow Up
		1403 1ST AVE N	03/23/2021 00:05:15	2021-00020246	Sick/Injured Person
		1403 1ST AVE N	03/23/2021 02:44:50	2021-00020260	Suspicious Activity
2021-00020785	Weapons Discharging	1403 1ST AVE N	03/25/2021 03:12:49	2021-00020785	Weapons
2021-00021432	Mental Health	1403 1ST AVE N	03/27/2021 16:05:00	2021-00021432	Disturbance
		1403 1ST AVE N	03/30/2021 11:10:36	2021-00022081	Area Check
		1403 1ST AVE N	04/03/2021 21:37:41	2021-00023322	Suspicious Activity
		1403 1ST AVE N	04/06/2021 14:36:21	2021-00023963	Suspicious Activity
		1403 1ST AVE N	04/07/2021 16:06:42	2021-00024259	Suspicious Activity
		1403 1ST AVE N	04/08/2021 08:09:51	2021-00024427	Suspicious Activity
2021-00024774	Drugs Other	1403 1ST AVE N	04/09/2021 16:09:51	2021-00024774	Drug Investigation
		1403 1ST AVE N	04/13/2021 10:20:27	2021-00025580	Follow Up
		1403 1ST AVE N	04/13/2021 23:58:33	2021-00025726	Area Check
		1403 1ST AVE N	04/18/2021 04:20:36	2021-00026752	Fireworks
		1403 1ST AVE N	04/18/2021 17:49:00	2021-00026888	Suspicious Activity
		1403 1ST AVE N	04/21/2021 00:44:26	2021-00027424	Welfare Check
2021-00028352	Warrant City	1403 1ST AVE N	04/24/2021 20:46:00	2021-00028352	Warrant
		1403 1ST AVE N	04/26/2021 03:22:58	2021-00028597	Suspicious Activity
		1403 1ST AVE N	04/27/2021 03:30:01	2021-00028837	911 Hang Up
2021-00029132	Lost/Found Property	1403 1ST AVE N	04/28/2021 05:50:00	2021-00029132	Lost/Found Property
2021-00029954	Weapons Shooting	1403 1ST AVE N	05/01/2021 01:32:00	2021-00029954	Shooting
		1403 1ST AVE N	05/03/2021 01:26:14	2021-00030457	Area Check
		1403 1ST AVE N	05/04/2021 05:15:47	2021-00030737	Area Check
		1403 1ST AVE N	05/05/2021 23:39:53	2021-00031218	Area Check
2021-00031936	Assault Firearm	1403 1ST AVE N	05/08/2021 16:30:27	2021-00031936	Weapons
		1403 1ST AVE N	05/09/2021 03:01:20	2021-00032055	Area Check
2021-00032490	Obstructing A Peace Officer	1403 1ST AVE N	05/11/2021 03:30:12	2021-00032490	Weapons
		1403 1ST AVE N	05/12/2021 00:01:03	2021-00032744	Fireworks
2021-00032771	Lost/Found Property	1403 1ST AVE N	05/12/2021 04:34:34	2021-00032771	Lost/Found Property
		1403 1ST AVE N	05/12/2021 06:11:34	2021-00032778	Suspicious Activity
		1403 1ST AVE N	05/12/2021 23:59:23	2021-00033052	Suspicious Activity

		1403 1ST AVE N	05/13/2021 03:50:00	2021-00033075	Suspicious Activity
		1403 1ST AVE N	05/19/2021 13:07:17	2021-00034767	Area Check
		1403 1ST AVE N	05/22/2021 18:44:11	2021-00035583	Suspicious Activity
2021-00037730	Weapons Shooting	1403 1ST AVE N	05/30/2021 21:43:51	2021-00037730	Shooting
2021-00038543	Partner Family Member Assault	1403 1ST AVE N	06/02/2021 19:44:25	2021-00038543	PFMA
		1403 1ST AVE N	06/03/2021 00:29:32	2021-00038581	Suspicious Activity
		1403 1ST AVE N	06/03/2021 05:12:33	2021-00038609	Vehicle Theft
2021-00038627	Robbery Firearm	1403 1ST AVE N	06/03/2021 07:24:00	2021-00038627	Robbery
		1403 1ST AVE N	06/03/2021 18:30:59	2021-00038787	Traffic Stop
		1403 1ST AVE N	06/10/2021 15:24:33	2021-00040525	Follow Up
		1403 1ST AVE N	06/14/2021 15:55:40	2021-00041498	Area Check
		1403 1ST AVE N	06/15/2021 07:04:39	2021-00041664	Vehicle Theft
		1403 1ST AVE N	06/15/2021 12:00:34	2021-00041740	Vehicle Theft
		1403 1ST AVE N	06/18/2021 12:48:12	2021-00042600	Suspicious Activity
2021-00043481	Partner Family Member Assault	1403 1ST AVE N	06/21/2021 22:40:00	2021-00043481	PFMA
		1403 1ST AVE N	06/22/2021 18:59:25	2021-00043695	DUI
		1403 1ST AVE N	06/28/2021 18:48:27	2021-00045332	Suspicious Activity
		1403 1ST AVE N	06/29/2021 05:57:10	2021-00045421	Suspicious Activity
2021-00045766	Motor Vehicle Theft	1403 1ST AVE N	06/30/2021 08:21:52	2021-00045766	Vehicle Theft



Lazy KT Looking East

Lazy KT Looking north at internal courtyard

Lazy KT Looking north at internal courtyard

Lazy KT internal room

City Council Regular

Date:	07/26/2021
Title:	Downtown Billings Partnership - Tax Increment Assistance - Billings Community Foundation
Presented by:	Wyeth Friday
Department:	Planning & Community Services
Presentation:	Yes

RECOMMENDATION

The Downtown Billings Partnership (DBP) Board has reviewed this TIF application and recommends the City Council approve up to a maximum reimbursement of $181,774, starting in the fiscal year following the year in which the project is completed, from Downtown Urban Renewal tax increment finance district funds to the Billings Community Foundation. Actual reimbursement will be based upon 100% of the actual costs incurred for qualified expenses for renovation of the property at 404 North 30th Street, subject to the following conditions:

1. The Applicant shall sign a development contract with the City of Billings and DBP within 150 days of City Council's approval.
2. This TIFD reimbursement is the maximum that can be received pending satisfactory submission of all paid invoices showing the completion of expenditures related to this project.
3. If funds are not available, reimbursement can be carried over to the next fiscal year

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

The DBP staff received and reviewed the Billings Community Foundation (BCF) TIF Application starting in April 2021. The applicant presented the application to the DBP Development Committee on May 21 and the Committee completed its review and made its recommendation to the DBP Board. The full DBP Board made its recommendation to City Council on June 18 (See DBP Meeting Minutes attached).

BCF requested TIFD assistance in the amount of $202,713 dollars to help complete development of its estimated $1 million renovation to its newly acquired property at 404 North 30th Street. Richard Crowe built a home at the site in 1882 and resided in it until the 1980s. The property was then purchased by Mary Ann Andrews and occupied as the George Henry's Restaurant for over 30 years. Following the retirement of the Andrews, the building continued as a restaurant and was home to Benson's and Commons 1882 until July 2019. BCF's private investment is $1,013,566, which includes cash, equity, and a bank loan. The reported total project cost is $1,216,279, which includes the purchase price of the building at $685,000. A recent appraisal of the property valued the building at $650,000, $35,000 lower than the purchase price.The DBP Development Committee recommended and the DBP Board agreed to use the appraised value of the building instead of the purchase price, and to excluding FF&E expenses (as non-permanent improvements). These values lowered the project total to $1,088,466, and resulted in the DBP Board's recommendation to Council of a 5:1 private to public investment grant ratio of $181,774, aligning with the City's TIF Policy recommendation of a 5:1 private to public investment. This project is also considered a non-profit application. If approved, this TIF assistance request will be subject to available Fund 203 cash and will only be applied to qualified expenditures as specified in the DBP Recommendation attached to this memo. Improvements include installation of ADA restrooms and an ADA accessible lift to the second floor, sewer line repairs, parking and sidewalk resurfacing, landscaping, lighting and streetscape improvements.

The Development Committee and Board were supportive of the project and found the application was a very strong match for accessing urban renewal funds because:

- The renovation and restoration project meets the 5:1 private to public matching fund requirements of the DBP Large Project Incentive Grant criteria and address blight remediation (MCA 7-15-4282 through 7-15-4294 and Ordinance 12-5590) through the transformation and adaptive reuse of a vacant historic property.
- The projects further enhance the vibrancy of Downtown Billings through increased public activities, enhanced pedestrian experiences on the corner of North 30th and 4th Avenue, public green space and improved public safety. BCF will apply for a CPTED security survey to ensure the green spaces and public areas meet CPTED principles to ensure neighborhood safety for BCF clients, volunteers, employees and pedestrians.
- The application aligns with elements/goals of the DBA Strategic Plan (may be viewed through this link https://downtownbillings.com/about/about-the-dba/), City TIF Policy, MCA, and the North 27th Street District Urban Renewal Plan (See Table 1 below and attachments).

Table 1

Qualified Improvements	DBA Strategic Plan	City TIF Policy	Urban Renewal Plan	Montana Code Annotated
Exterior site work and landscaping Public area improvements for ADA accessibility Sewer connection repairs Crime Prevention Through Environmental Design (CPTED) through landscaping, lighting and street scape improvements	Strong Downtown Identity --P.13 Vibrant &Connected Downtown-- P.13 Diverse Economic Engine -P.13	Permitted uses of TIF Funds: Private infrastructure with Public Benefit and Public infrastructure (parking, sidewalks, sewer lines, utility connections, ADA access) --P.2 Financial Assistance Through TIF-- (grants may benefit non-profit businesses) P.2	Business Programs &Projects --P.54 Infrastructure Improvements--P.55 Crime Prevention and Public Safety -P.55	7-15-4233 (i)(m) (n) 7-15-4288 (2) (4)

The Billings Community Foundation (BCF) has been a local philanthropy and charitable giving organization in Billings and the Greater Yellowstone County since 2007. Their service encompasses south-central and south-eastern Montana in Yellowstone, Musselshell, Rosebud, Custer, Treasure, Bighorn, Carbon, Stillwater, and Fergus County. Since its inception, BCF has distributed over $3.5M in grants and distributions for the support of charitable organizations and projects throughout the region. In addition to grant making activities, BCF partners with area nonprofits to provide capacity building workshops, assists clients utilizing the MT Charitable Income Tax Credit, establishes endowments, manages Donor Advised Funds, creates Community Funds, and offers consultations upon request. The new facility for BCF will allow it to scale proven initiatives in an innovative and collaborative space designed to meet the needs of the philanthropic and non-profit sectors. BCF will revitalize a historic landmark, enhancing vibrancy and economic investment in Downtown Billings through a centralized location.

The DBP Board in its recommendation is supporting less than the original requested amount after consideration of the property value per the appraisal. The DBP Development Committee and the DBP Board both support this application request, recognizing this project will make a significant commitment and investment in Downtown Billings, anchor a significant corner in downtown Billings at North 30th and 4th Avenue North, while also providing a very beneficial service in the community.

ALTERNATIVES

City Council may:

- Approve the recommendation from the DBP Board for the expenditure of these TIF funds consistent with some elements/goals of the DBA Strategic Plan, North 27th Street Urban Renewal Plan, City TIF Policy and MCA, or;
- Modify the recommendation from the DBP Board for the expenditure of these TIF funds before taking action, or;
- Disapprove the recommendation from the DBP Board for the expenditure of these TIF funds. If the Council chooses not to approve this TIF application, specific reasoning for the denial is helpful to provide further direction to the DBP Board and staff, and City staff for future applications.

FISCAL EFFECTS

The recommendation is for up to a maximum of $181,774 to be reimbursed to the Billings Community Foundation for the identified building remodel work (See DBP Funding Recommendation attachment). The estimated total project cost is about $1 million, making the private to public investment ratio for this project 5:1. The funds are payable per the conditions of approval outlined above in the DBP recommendation and pending satisfactory submission of all paid invoices showing actual cost incurred for the project. This project is proposed to be reimbursed starting the fiscal year after the project is completed. Currently, the project is estimated for completion in late 2021 (FY22). If approved, payments will be incorporated into future year budgets, the earliest is expected to be FY23.

Attachments

BCF Downtown TIF Application
DBP Funding Recommendation
2008 Downtown Urban Renewal Plan
City TIF Policy

Draft Development Agreement
DBP Board Minutes

Large Project Incentive Grant

Information & Application

Updated 3/31/2020

Downtown Billings Partnership, Inc.
116 N. 29th St, Billings, MT 59101 - Tel. 406-294-5060
www.downtownbillings.com

Large Project Incentive Grant

Purpose:

The purpose of this program is to provide financial and practical assistance to develop or redevelop buildings within the boundaries of the Expanded North 27th Street Urban Renewal District (URD) in downtown Billings. This program will:

1) Assist in the economic revitalization and stabilization of the URD;
2) Attract and retain a stable clientele population within the URD;
3) Stimulate private investment within the URD;
4) Generate additional property tax revenues within the URD; and
5) Encourage and facilitate in the remodeling and restoration of historically significant structures within the URD.

Large projects must support the goals of the Downtown Billings Strategic Plan and the Urban Renewal Plan of the North 27th St. TIFD. Applicants are encouraged to consider the design aesthetic of the surrounding neighborhood when submitting a design for review.

Applicants are reminded that grant awards made by the Downtown Billings Partnership (DBP) are discretionary in nature and should not be considered an entitlement by the applicant. All grant criteria contained herein are guidelines for awards and successful applicants may receive any amount up to the maximum award. Should an applicant meet all grant criteria, a grant may or may not be awarded at the DBP and Billings City Council's discretion due to funding limitation, competing applications, and/or competing priorities of the DBP.

Eligible Expenses:

Section One: All public governments as we as public corporations (501c3) inherently have a public benefit purpose. Even though public business normally is not subject to property tax, if their projects, programs, or activities can show blight remediation, as defined by the Urban Renewal Plan, they qualify for up to 100% TIFD assistance. **MCA 35-1-1402 Definitions.**

Section Two: Pursuant to **MCA 7-15-4208**, private enterprise and private projects are encouraged and enabled to receive TIFD support for qualified expenditures/costs.

Section Three: Qualified Expenditures - **MCA 7-15-4282** through **7-15-4294**. Ordinance **08-5483.**

a. Remediation or diminishing blight {**MCA 7-15-4206(2)**} affecting buildings and structures that negatively impact the residents of the city due to:
    i. Substantial deterioration especially roofs in serious need of repair or replacement
    ii. Obsolete uses that require a change of use
    iii. Defective and not in compliance with current Building and Fire Codes
        1. Electrical service upgrades
        2. plumbing upgrades
    iv. Unsanitary and/or unsafe structures
    v. Vacant and unused spaces
b. Relocation of displaced people and/or businesses
c. Enhancement of infrastructure, public or private, that improve the pedestrian experience
    i. Streetlights, sidewalks, curbs, gutters, wayfinding, and placemaking
    ii. Repair and stabilization of vault caps in the public right of way
    iii. Building and business signage
    iv. Facade stabilization and/or improvement
    v. Outdoor patios

vi. Landscaping
vii. Green spaces

d. Mixed use redevelopment containing
i. Parking
ii. Conference facilities
iii. Housing
1. Market rate
2. Workforce
iv. Street level retail and dining

e. Improvements that lead to stabilized and/or increased taxable valuation
f. Relocation of utility wires, inefficient land use, and/or problems of access and circulation
g. Increased use of public transit
h. Increased Crime Prevention and Public Safety
i. Increased energy efficiencies
i. Exterior windows, and doors
ii. HVAC upgrades

j. Change of ownership through property acquisition

Section Four: Qualified Expenditures - **MCA 7-15-4282** through **7-15-4294**. Ordinance **12-5590**.

k. Remediation or diminishing blight {MCA 7-15-4206(2)} at sidewalk/street level that negatively impacts the residents of the city due to:
i. Vacant storefronts
1. Business Retention and Recruitment projects
a. Business plan program/contest (e.g. Battle of the Plans)
b. Retail coordinator staff or consultant
c. Strategic planning
d. Marketing and promotion
e. Commercial rent assistance
f. Public art
g. Pocket parks

Timeframe and application process:

Applications will be accepted and reviewed quarterly. Applications must be received by the 15th day of the first month of each quarter. Each complete application will be reviewed by the DBP staff, Development Committee, and the DBP Board of Directors and, if recommended, will go in front of the Billings City Council for final approval within each quarterly grant cycle.

Application Due to DBP	Application Reviewed by Development Committee and DBP Board	Application Presented to City Council for Final Approval
July 15	2nd Thursday of August – Dev. Com 4th Friday of August – DBP Board	September Council Business Meeting
October 15	2nd Thursday of November – Dev. Com 4th Friday of November – DBP Board	December Council Business Meeting
January 15	2nd Thursday of February – Dev. Com 4th Friday of February – DBP Board	March Council Business Meeting
April 15	2nd Thursday of May – Dev. Com 4th Friday of May – DBP Board	June Council Business Meeting
Every effort will be made to facilitate every complete application through the entire process within each quarterly grant cycle. Incomplete applications may extend the process		

Grading Criteria:

The purpose of this program is to provide financial and practical assistance to develop or redevelop buildings within the boundaries of the Expanded North 27th Street Urban Renewal District (URD) in downtown Billings. This program will: - Assist in the economic revitalization and stabilization of the URD; - Attract and retain a stable clientele population within the URD; - Stimulate private investment within the URD; - Generate additional property tax revenues within the URD; and - Encourage and facilitate in the remodeling and restoration of historically significant structures within the URD.	Out of a total of 85 points, each item to be scored 0-5: ● 55 to be considered ● 65 to be strongly considered ● 75 to be of highest priority

<u>Vibrancy & Connectedness</u>		
Some of the resistance to walking from a parking facility to a destination in the downtown area can be overcome if the walk itself offers the visitor a pleasant, unique, fun, or informative experience. Promotion of upper floor housing and new housing development projects for downtown and prioritization of model housing development projects that test the market, establish a price floor, and prove viability.		
Does the project eliminate blight?	Blight may include but is not limited to conditions which represent a risk to public health, morals, safety, and welfare in its present condition. Examples range from physical dilapidation to improper or inefficient layout. For a more complete list of factors, refer to MCA 7-15-4206	**0 1 2 3 4 5**
Does the project add or improve housing opportunities?	Construction or rehabilitation of housing is a priority in the downtown area. Quantity, quality, and projected rental or sale rates of units are to be considered.	**0 1 2 3 4 5**
Does the project add, maintain, and/or enhance landscaping?	Addition of significant and sustainable landscaping where appropriate is encouraged.	**0 1 2 3 4 5**
Does the project activate an inactive building or space?	Vacant buildings can be considered blighted. Consideration is to be given to current AND expected duration of vacancy based on all currently available information.	**0 1 2 3 4 5**
Does the project connect and/or improve walkways, parks, or parking options?	Does it widen sidewalks and calm car traffic? Does it provide weather protection with trees or awnings? Are any or all improvements aesthetically pleasing (painted in interesting ways or otherwise include public art)?	**0 1 2 3 4 5**
Does the project add or improve green space or public space?	Examples include urban parks, micro parks, and parklets.	**0 1 2 3 4 5**

Strong Identity		
Creative painting of crosswalks and intersections can have dual benefits of adding to the visual appeal of downtown while also improving safety by alerting drivers to areas with heavier pedestrian traffic. Two way street networks provide lower vehicle moving capacities but can serve trips at a higher rate. Two way traffic, enhanced sidewalk spaces, and a narrower street attracts new and vibrant businesses.		
Does the project support increased visitation?	Examples include large spaces which could host concerts or other gatherings, spaces which could be occupied by destination businesses such as restaurants or boutique retail.	**0 1 2 3 4 5**
Does the project improve the overall design/aesthetic?	Examples include improvements to the façade, signage, historic preservation, alleyscapes.	**0 1 2 3 4 5**
Does the project provide an improved pedestrian/visitor experience?	Examples include seasonal décor, seasonal event opportunity, ambiance lighting, safety improvements, additional trees or landscaping, public seating, etc.	**0 1 2 3 4 5**
Does the project add public art?	Examples include large murals, sculptures, interactive installations.	**0 1 2 3 4 5**
Diverse Economy & Sustainability		
Downtown Billings has the opportunity to implement large scale development in the Downtown area. Such development should create new jobs and engage the existing workforce as well as provide meaningful economic and fiscal impacts to the city, county, and state.		
Does the project promote the creation of jobs?	Will potential tenants create new jobs? How many employees?	**0 1 2 3 4 5**
Does the project promote economic growth?	Current taxable value vs. projected value	**0 1 2 3 4 5**
Does the project include energy efficient components?	Examples include doors, windows, roofing, HVAC, plumbing, recycled products, etc.	**0 1 2 3 4 5**
Does the project encourage business development?	Will the project assist in business recruitment (new business), retention (expansion of existing business), diversification (add new industry/retail/etc.)	**0 1 2 3 4 5**
Benefit to the Public		
Project should include appropriate wayfinding signage to direct drivers to existing parking and then on foot to their destination. Where possible, the project should also delineate future employee parking on higher floors of parking garages.		
Does the project add public parking?	Underground? Ground? Higher floors?	**0 1 2 3 4 5**
Does the project support public safety	Will the project incorporate CPTED evaluation and standards? Will the project improve an existing public safety challenge?	**0 1 2 3 4 5**
Does the project reinforce safe pedestrian crossing and promote traffic calming?	Examples include installation of pedlets, widening of sidewalks	**0 1 2 3 4 5**
Additional/Bonus		
Convention Center		**0 1 2 3 4 5**
Infrastructure		**0 1 2 3 4 5**

At the sole discretion of the DBP Board of Directors, applicants are required to seek endorsement from the TIF Development Committee, which shall consist of design professionals, business or property owners, community members with an interest in downtown vitality, and members of the DBP Board. Applications will be reviewed by the DBP staff under supervision of the Development Committee. The DBP shall review applications on a first come, first served basis for the duration of funding availability. Quarterly, all projects that are recommended for approval by the Committee shall be submitted to the DBP Board of Directors for recommendation to Billings City Council for final approval or disapproval of funding the project.

All applicants will be apprised of the status of their application by written communication from the DBP staff. Award recipients shall receive a Development Agreement indicating the amount of the incentive funds awarded and any conditions deemed necessary by the DBP Board for receipt of the award. Applicants are required to return a signed copy of the Development Agreement to the DBP staff before funds will be committed to the project.

Release of Funds:

It is the responsibility of the award recipient to maintain proper documentation of funds expended in the course of completing the project. Release of funds is subject to submission of this documentation to the DBP by the award recipient. The project must be completed essentially as presented to the Committee and DBP Board in order to receive payment.

Incentive funds will be paid out according to the following criteria:

1. Applicants must submit copies of all required building permits.
2. Payment documentation must be submitted to the DBP office at 116 N 29th St.
3. Incentive awards will be paid upon **completion** of the project.

Acceptable documentation is defined as PAID invoices, statements, or schedule of values from vendors, contractors, or consultants clearly detailing the work completed for the project.

Encumbrance Policy:

Applicants receiving funding under this program during the course of a given fiscal year (July 1 through June 30) are eligible to carry forward/encumber unexpended funds for a **maximum of one additional fiscal year** if all effort has been made to begin the project in the initial year; and/or when circumstances related to weather, construction season, etc. prohibit the completion of the project. Applicants must advise the DBP by June 1st if they will be requesting an extension of their project schedule.

Disclaimer:

The Downtown Billings Partnership, Inc., its committees, partners and or affiliates are not responsible for the planning, design, or construction of improvements to property that is owned by the applicant. No warranties or guarantees are expressed or implied by the description of, application for, or participation in the Urban Renewal Project Program. The applicant is advised to consult with licensed architects, engineers, or building contractors before proceeding with final plans or construction.

DOWNTOWN (N 27TH STREET) URBAN RENEWAL DISTRICT

N27URD

Tax Increment Financing Fund Application

APPLICANT INFORMATION			
Name:			
Address:			
City/State/Zip			
Phone:		E-mail:	
If the applicant is not an individual doing business under his/her own name, the applicant has the status indicated below and is organized or operating under the laws of:			
A corporation/LLC: ☐	A non-profit or charitable institution or corporation ☐	A partnership: Known as: ☐	Other: ☐
Date of Organization:			
PROJECT INFORMATION			
Building Address:			
City:		State:	ZIP Code:
Legal Description:			
Property Owner (if property is not owned by the Applicant, list leasehold interests and attach evidentiary materials)			
Property Owner (name or entity):			
Property Owner Contact Name:		Contact Phone:	
Lessor's Address:			
City:		State:	ZIP Code:
PROJECT ARCHITECTURAL FIRM			
Firm Name**:**			
Address:			
Representative:			
Phone:		E-mail:	
PROJECT CONTRACTOR (OR PARTY RESPONSIBLE FOR CONSTRUCTION)			
Name/Representative:			
Address:			
Phone:		E-mail:	
PROJECT FINANCIAL LENDING INSTITUTION (leave blank if not applicable)			
Name/Representative:			
Address:			
Phone:		E-mail:	

PROJECT INFORMATION

Description of Project:

Attach a narrative explanation and any other design information. Use this section to pitch your project and explain how it will eliminate blight and/or benefit the public.

Rehabilitation Plans:

Attach schematic design drawings and/or completed construction document plans - including site, landscaping, and other engineering design information.

Project Schedule:

Attach a timeline or schedule through completion.

To receive maximum funding all applications must be submitted to the DBP and approved by the CITY prior to the start of the relevant phase of construction.

PROJECT FINANCING

Please complete Sources of Funds detail and summarize below.

Applicant Equity

Cash Invested $_____

Land & Buildings $_____

Other (Specify) _____ $_____

Subtotal $_____

If land & building value is more than the State of Montana valuation, a current appraisal must be submitted (within 3 years).

Lender Commitments (Attach evidence i.e. Letters of Credit or other documentation)

Lender	Loan Amount	Interest	Term	Payment/Period
_____	$_____	_____%	_____yrs	$_____/Month
_____	$_____	_____%	_____yrs	$_____/Month

Total Loan Amount $_____

TIF Request

Eligible Improvements

_____ $_____

_____ $_____

_____ $_____

_____ $_____

_____ $_____

_____ $_____

Subtotal of TIF Funds Requested $_____

Sources of Funds Summary (Post totals from above)

Applicant Equity $_____

Lender Commitments $_____

TIF Funds Request $_____

Other Funds (Specify)_____ $_____

Total Project Cost **$_____**

To receive maximum funding all applications must be submitted to the DBP and approved by the CITY prior to the start of the relevant phase of construction.

CERTIFICATION

I (we), _____(please print), the APPLICANT, certify that the statements and estimates within this Application as well as any and all documentation submitted as attachments to this Application or under separate cover are true and correct to the best of my (our) knowledge and belief.

Signature_____ Signature_____

Title_____ Title_____

Address_____ Address_____

_____ _____

Date_____ Date_____

URD TIF GRANT PROGRAMS – Governing Body: City of Billings, City Council

To receive maximum funding all applications must be submitted to the DBP and approved by the CITY prior to the start of the relevant phase of construction.

Downtown Billings Partnership Board Action Item **Agenda Item 3-b**

Meeting Date: Friday, June 18, 2021, 7:30 am

Location: Pub Station

RE: Billings Community Foundation TIFD Assistance

The DBP Board recommends approval of this project to the City Council with the following contingencies:

1. **The Applicant shall sign a development contract with the City of Billings and DBP within 150 days of City Council's approval.**
2. **This TIFD reimbursement is the maximum that can be received pending satisfactory submission of all paid invoices showing the completion of expenditures related to this project.**
3. **If funds are not available, reimbursement can be carried over to the next fiscal year.**

Proposal:

The Billings Community Foundation (BCF) has been a local philanthropy and charitable giving organization in Billings and the Greater Yellowstone County since 2007. Their service encompasses south-central and south-eastern Montana in Yellowstone, Musselshell, Rosebud, Custer, Treasure, Bighorn, Carbon, Stillwater, and Fergus County. Since its inception, BCF has distributed over $3.5M in grants and distributions for the support of charitable organizations and projects throughout the region. In addition to grant making activities, BCP partners with area nonprofits to provide capacity building workshops, assists clients utilizing the MT Charitable Income Tax Credit, establishes endowments, manages Donor Advised Funds, creates Community Funds, and offers consultations upon request.

The BCF's Home of Philanthropy will be the first in the State of Montana. It will allow the BCF to scale proven initiatives in an innovative and collaborative space designed to meet the needs of the philanthropic and non-profit sectors. BCF will revitalize a historic landmark, enhancing vibrancy and economic investment in Downtown Billings through a centralized location. BCF will strengthen Billings, the Greater Yellowstone Valley Region, and Southeast Montana by cultivating an environment that promotes networking, partnerships, and community engagement through philanthropy. BCF will provide a dedicated space to inspire philanthropy, promote strategic community investment, and encourage economic growth through collaborations. BCF will also increase capacity, community support, and asset development for the non-profit sector through additional grantmaking, programming, and opportunities. Finally, BCP will continuously strive to make the Greater Yellowstone Valley a better place to live, work, play, and serve.

BCF acquired the property at 404 N 30th Street, which has been vacant for over a year. Richard Crowe built a home in 1882 and resided in it until the 1980s. The property was then purchased by Mary Ann Andrews and occupied as the George Henry's Restaurant for over 30 years. Following the retirement of the Andrews, the building continued as a restaurant and was home to Benson's and Commons 1882 until July of 2019.

Financials

BCF is requesting TIFD assistance up to $202,713. Their private investment is $1,013,566, which includes cash, equity, and a bank loan. The reported total project cost is $1,216,279, which includes the purchase price of the building at $685,000. A recent appraisal of the property valued the building at $650,000, $35,000 lower than the purchase price.

The DBP Development Committee reviewed this application and recommended using the appraised value of the building instead of the purchase price, and excluding FF&E expenses (as non-permanent improvements). These values lower the project total to $1,088,466, and the 5:1 ratio grant to $181,774.

If approved, this TIFD assistance request will be subject to available Fund 203 cash and will only be applied to qualified expenditures such as plumbing and sewer repairs, ADA compliance, fire & security, foundational flooring installation, parking and sidewalk resurfacing, exterior drainage and gutters, exterior demo and preparation of doors, landscaping, lighting, and signage. Below is a breakdown of expenses.

Eligible Public Improvements	**Actual**	**Recommended**	**Percentage**	**MCA Statute**
Plumbing for ADA restrooms	$44,693	$34,213	76%	7-15-4233 (i) (m)
Sewer repairs/public utilities access	$15,400	$15,400	100%	7-15-4288 (2)
Fire & security	$10,412	$5,206	50%	7-15-4233 (i) (m)
ADA lift demo & construction	$58,425	$33,684	57%	7-15-4233 (i) (m)
Structural Engineering	$2,500	$1,250	50%	7-15-4233 (m) (n)
Foundational flooring installation	$9,000	$9,000	100%	7-15-4233 (i) (m)
Parking & sidewalk resurfacing	$5,818	$3,502	60%	7-15-4288 (4)
Exterior drainage & gutters	$10,898	$10,898	100%	7-15-4288 (4)
Exterior landscaping	$30,130	$30,130	100%	7-15-4233 (m) (n)
Exterior door replacement	$16,991	$16,991	100%	7-15-4233 (i) (m)
Exterior lighting & signage	$21,500	$21,500	100%	7-15-4288 (4)
Construction cleaning	$250		0%	
Minor plumbing	$118		0%	

Architectural services	$20,531		0%	
Telecomm	$14,687		0%	
Conference	$2,255		0%	
Interior lights	$2,159		0%	
Electrical	$2,381		0%	
Office Reno	$46,958		0%	
Utility relocation	$8,921		0%	
Bathroom hardware	$7,500		0%	
Classroom infrastructure	$19,665		0%	
Cafe shelving	$12,992		0%	
Lobby reno	$10,000		0%	
Interior windows	$15,214		0%	
Interior finishes	$15,000		0%	
Exterior planters/raised beds	$29,150		0%	
Interior carpentry	$4,920		0%	
Building acquisition	$650,000		0%	
Total	***$1,088,466***	***$181,774***	***16.7%***	

If approved by City Council, reimbursement funds are available for reimbursement starting in the fiscal year following the fiscal year in which the project is completed.

NOTE: SUPPORTING DOCUMENTS FOLLOW AGENDA

CITY OF BILLINGS

CITY OF BILLINGS' VISION STATEMENT:

"THE MAGIC CITY – A VIBRANT, WELCOMING PLACE WHERE PEOPLE FLOURISH AND BUSINESS THRIVES"

AGENDA

COUNCIL CHAMBERS December 8, 2008 6:30 P.M.

CALL TO ORDER – Mayor Tussing
PLEDGE OF ALLEGIANCE – Mayor Tussing
INVOCATION – Councilmember McCall
ROLL CALL
MINUTES – November 13, 2008, Special Meeting
November 24, 2008
COURTESIES – Presentation to Al Winegardner and family in appreciation of donation in memory of Jayne Winegardner
PROCLAMATIONS
ADMINISTRATOR REPORTS – Tina Volek

PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Item: 1 ONLY. Speaker sign-in required. (Comments offered here are limited to 1 minute per speaker. Please sign up on the clipboard located at the podium. Comment on items listed as public hearing items will be heard ONLY during the designated public hearing time for each respective item.)
(NOTE: For Items not on this agenda, public comment will be taken at the end of the agenda. Please sign up on the clipboard located at the back of the room.)

CONSENT AGENDA:

1. A. Change Order #3, W.O. 08-09, Waste Water Treatment Plant Primary Effluent Pipe Replacement and Sludge Drying Bed Expansion, Western Municipal, $20,468.65, and **increase** the City Administrator's change order authority by $50,000.

B. Approval of compensation agreement for Private Contract No. 599, Emmanuel Baptist Church Sanitary Sewer Extension project, $325,360.

C. **Approval** of amended Purchase and Sale Agreement with School District Two for ten acres within Cottonwood Park for $200,000, and **authorization** for the Mayor to execute associated documents to consummate the sale and transfer of ownership of the property.

D. **Approval** of grant application submittal to Safe Route to School Program for the Elementary School Traffic Plan, $50,000.

E. **Resolution** relating to financing of proposed Zone 3 Storage, Zone 4 Reservoir project and Water Rehabilitation project; establishing compliance with reimbursement bond regulations under the Internal Revenue Code for the purpose of reimbursing the City with bond sale proceeds for financing water projects prior to the availability of funds.

F. **Resolution** relating to financing of a proposed Wastewater treatment plant disinfection system project; establishing compliance with reimbursement bond regulations under the Internal Revenue Code for the purpose of reimbursing the City with bond sale proceeds for financing sewer projects prior to the availability of funds.

G. **Second/Final reading** ordinance expanding the North 27th Street Urban Renewal Area – 2008.

H. **Second/Final reading** ordinance modifying the South Billings Boulevard Urban Renewal District.

I. **Exempt Amended Plat** of Tract 1 of Certificate of Survey 1815.

J. **Bills and Payroll**
(1) November 7, 2008
(2) November 14, 2008

(Action: approval or disapproval of Consent Agenda.)

REGULAR AGENDA:

2. **PUBLIC HEARING AND RESOLUTION GRANTING NEW OR EXPANDING INDUSTRY TAX INCENTIVES FOR BIG SKY ECONOMIC DEVELOPMENT AUTHORITY/GENERAL ELECTRIC CAPITAL CORPORATION** for a new building at 3333 Hesper Road. Staff recommends approval. (**Action**: approval or disapproval of staff recommendation).

3. **PUBLIC HEARING AND RESOLUTION GRANTING NEW OR EXPANDING INDUSTRY TAX INCENTIVES FOR DALCO INDUSTRIES DBA TETON STEEL** for property improvements at Gabel Road and South 29th Street. Staff

recommends approval. (**Action**: approval or disapproval of staff recommendation).

4. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR REVISIONS TO BOARDS AND COMMISSIONS:** Revisions that provide consistency in procedural areas for advisory boards, commissions and committees, and reorganizes ordinances into one Article of the Code. Staff recommends approval. (**Action**: approval or disapproval of staff recommendation).

5. **PUBLIC HEARING FOR EXTENSION OF INTERIM ZONING ORDINANCE:** A proposed one-year extension of the Interim Zoning Ordinance that amends Section 27-611, Sexually Oriented Businesses, and allows the interim zoning ordinance to be effective until December 23, 2009. Staff recommends approval. (**Action**: approval or disapproval of staff recommendation).

6. **DOWNTOWN BILLINGS PARKING STUDY.** Delayed from 11/24/08. Staff recommends approval of contract with Rich and Associates, Inc. for $68,500. (**Action**: approval or disapproval of staff recommendation).

7. **PUBLIC COMMENT on <u>Non-Agenda</u> Items --** <u>Speaker sign-in required.</u> *(Restricted to <u>ONLY</u> items not on this printed agenda; comments limited to 3 minutes per speaker. Please sign up on the clipboard located at the back of the Council Chambers.)*

(Action: approval or disapproval of Consent Agenda.)

ADJOURN

(NOTE: Additional information on any of these items is available in the City Clerk's Office)

Visit our Web site at:
http://ci.billings.mt.us

ATTACMENT A

ORDINANCE NO. _____

AN ORDINANCE MODIFYING THE URBAN RENEWAL PLAN OF THE NORTH 27TH STREET DISTRICT URBAN RENEWAL AREA; MODIFYING THE BOUNDARIES OF THE DISTRICT; ADOPTING A MODIFIED URBAN RENEWAL PLAN INCLUDING A TAX INCREMENT PROVISION; APPROVING URBAN RENEWAL PROJECTS THEREIN AND AUTHORIZING THE ISSUANCE OF TAX INCREMENT URBAN RENEWAL REVENUE BONDS OF THE CITY TO FINANCE COSTS THEREOF

NOW, WHEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

WHEREAS, on July 11, 2005 the City Council adopted Ordinance No. 05-5333, which created the North 27th Street District Urban Renewal Area (hereafter "North 27th Street District") and adopted the Urban Renewal Plan of the North 27th Street District Urban Renewal Area ("N. 27th Street Plan") that included a tax increment provision and endorsed urban renewal projects.

WHEREAS, on November 13, 2006 the City Council adopted Ordinance No. 06-5394 which expanded the boundaries and amended the N. 27th Street Plan to create the Extended N. 27th Street District that included a tax increment provision and endorsed urban renewal projects.

WHEREAS, it has been determined that the Extended North 27th Street District and the N. 27th Street Plan should be modified to include additional property contiguous to the Extended North 27th Street District.

WHEREAS, this Council on November 24, 2008, conducted a public hearing on a proposal to modify the N. 27th Street Plan by adopting the Urban Renewal Plan of the Expanded North 27th Street District Urban Renewal Area - 2008, thereby establishing a modified urban renewal area to be formally designated as the Expanded North 27th Street District Urban Renewal Area - 2008 (the "Expanded North 27th Street District - 2008" or "the Property"), and to undertake urban renewal projects therein, all as authorized by Montana Code Annotated, Title 7, Chapter 15, Parts 42 and 43, as amended (the "Act").

WHEREAS, the Expanded North 27th Street District - 2008 is depicted on Attachment 1 (depicting the relationship of the Expanded North 27th District – 2008 to the Extended N. 27th Street District) and which is hereby incorporated herein and made a part hereof. Pursuant to this Ordinance, the boundaries of the Redevelopment Area are modified to reflect the addition of the Property depicted on the map on Attachment 1. The Redevelopment Area, as modified, is depicted on Attachment 1 and legally described on Attachment 2 (the "Resulting Redevelopment Area") (each of which is hereby incorporated herein and made a part hereof). The Resulting Redevelopment Area is contiguous.

WHEREAS, opportunities have been presented to the City that makes it desirable for the City to consider urban renewal projects within the Expanded North 27th Street District - 2008 consisting of demolishing certain blighted structures within the district; improving such properties with new construction, landscaping, utilities, and other similar improvements; and making the properties so improved available for private redevelopment in accordance with the Act (the "Projects"). Development proposals to be considered for funding include mixed use projects, building renovations, services for the District and the construction or expansion of City owned parking structures within the District.

WHEREAS, the proposed modified urban renewal plan titled the Urban Renewal Plan of the Expanded North 27th Street District - 2008 is attached hereto as Attachment 3 (which is hereby incorporated herein and made a part hereof) (the "Modified Plan"). The Modified Plan contains a tax increment provision and will govern the operation and administration of the Expanded North 27th Street District - 2008.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Billings, Montana, as follows:

1. Findings. This Council hereby finds, determines and declares, based on the comments received at the public hearing and other studies and information available to this Council, that:

a. The Property presently contains structures and improvements that are in a state of substantial deterioration, are obsolete or defective, pose unsanitary or unsafe conditions, are vacant and unused, and have inappropriate uses. The present condition of the Property substantially impairs the sound functioning of the downtown area of the City and its environs, is conducive to juvenile delinquency and crime, poses the threat of vandalism or mischief and fire or loss, constitutes an economic and social liability, and is a menace to the public health, safety, and welfare of the residents of the City. Accordingly, the Council reaffirms its previous findings that the Property is a blighted area within the meaning of Section 7-15-4210 of the Act. This Council finds that the rehabilitation, redevelopment or a combination thereof of the Property is necessary and in the interest of the health, safety, morals or welfare of the residents of the City. This Council finds that undertaking measures to eradicate or diminish the blight affecting the Property will help to foster a more dynamic, livable, and vibrant downtown.

b. If Projects require relocation of displaced persons, a detailed relocation plan is required and will be prepared.

c. The Modified Plan conforms to the 2003 Billings and Yellowstone County Growth Policy and the City's Downtown Framework Plan.

d. The Modified Plan will afford maximum opportunity, consistent with the needs of the City as a whole, for the rehabilitation or redevelopment of the District by private enterprise.

e. A sound and adequate financial program is required for the financing of Projects, which program includes substantial private investment and financing and the sale and issuance by the City of Tax Increment Bonds in proportions yet to be determined, for the purpose of financing a portion of the costs of the Projects as set forth above.

f. Approved Projects will constitute urban renewal projects within the meaning of the Act and are authorized to be undertaken by the City.

2. Plan Adoption. The Modified Plan is hereby adopted and approved in all respects, including without limitation, the segregation and application of tax increments as provided in Sections 7-15-4282 through 7-15-4293 of the Act as provided therein. For purposes of allocating taxes according to the Act, the "prior assessed value" of taxable property within the Expanded North 27th Street District - 2008 is that value shown on the assessment rolls as of January 1, 2008.

3. Project Approval. Authorized Projects are hereby approved.

4. Bonds. This Council approves financing the costs of Urban Renewal Projects, or a portion thereof, with proceeds of the Bonds. The City is hereby authorized and directed to undertake activities and analysis ordinarily prerequisite to the issuance of tax increment urban renewal revenue bonds in a principal amount not to exceed $10 million for financing of the costs of Urban Renewal Projects or a portion thereof.

5. Conditional Commitment. The adoption of the Plan does not constitute a guarantee or a firm commitment that the City will issue the Bonds or undertake Projects. If, based on comments or information made available to or obtained by the City, it appears that the issuance of the Bonds or Projects is not in the public interest or consistent with the purposes of the Act, the City reserves the right not to issue the Bonds or undertake the Project.

7. Repealer. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

8. 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.

9. Effective Date. This Ordinance shall be in full force and effect from and after the date that is 30 calendar days after the date set forth below.

ADOPTED by the City Council of the City of Billings, Montana, on second reading this 8th day of December, 2008.

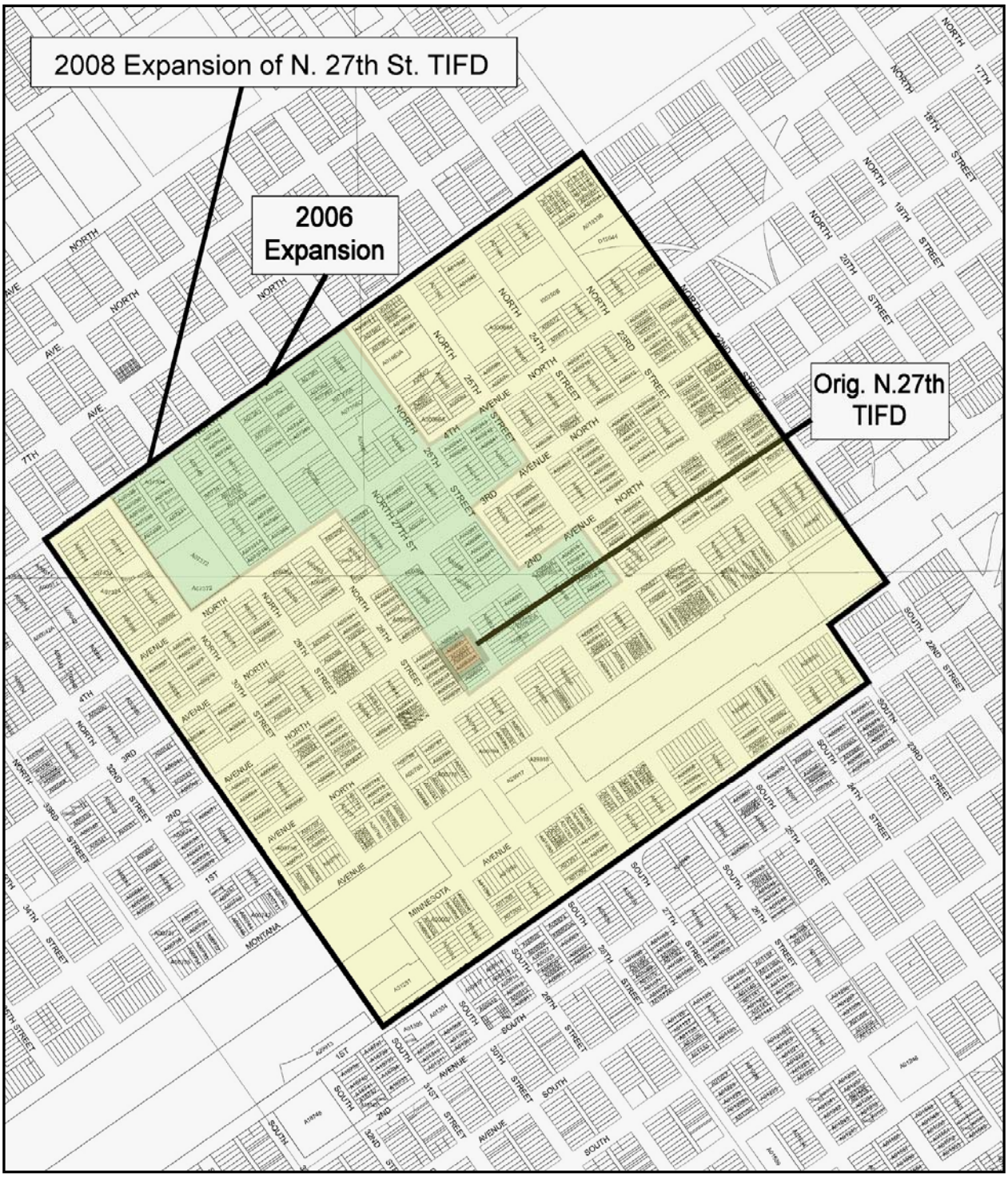
_____
Ron Tussing, Mayor

ATTEST:

_____
Cari Martin, City Clerk

ATTACHMENT 1

Expanded North 27th Street Urban Renewal District – 2008 Boundaries, Boundaries of the Extended N. 27th Street District (2006) and the Boundaries of the N. 27th Street District (2005)



ATTACHMENT 2

Expanded North 27th Street Urban Renewal District – 2008
Boundary Description

Beginning at a point at the intersection of the centerlines of 6th Avenue North and North 31st St. proceeding east along the centerline of 6th Ave. North to a point at the intersection of the centerlines of 6th Avenue North and N. 22nd Street proceeding south along the centerline of North 22nd Street, crossing the centrally assessed Burlington Northern Railroad property, to a point at the intersection of South 22nd Street and Minnesota Avenue proceeding west along the centerline of Minnesota Avenue to a point at the intersection of Minnesota Avenue and South 23rd Street proceeding south along the centerline of South 23rd Street to a point at the intersection of South 23rd Street and 1st Avenue South proceeding west along the centerline of 1st Avenue South to a point at the intersection of the centerlines of 1st Avenue South and South 31st Street proceeding north along the centerline of South 31st Street, crossing the centrally assessed Burlington Northern Railroad property, to the starting point at the intersection North 31st Street and 6th Avenue North encompassing all parcels and tax codes therein.

ATTACHMENT 3
Expanded North 27th Street Urban Renewal Area – 2008
Modified Plan

EXPANSION OF THE BILLINGS, MONTANA NORTH 27TH STREET URBAN RENEWAL AREA, WITH TAX INCREMENT, AND AMENDMENT TO THE URBAN RENEWAL PLAN

FOR CITY OF BILLINGS AND PLANNING REVIEW
October 14, 2008

Prepared by

Downtown Billings Partnership, Inc
2815 2nd Ave. North – Billings, MT 59101 – gregk@downtownbillings.com

SECTION 1 – INTRODUCTION

On July 11, 2005, the City Council adopted an ordinance that (a) created the North 27th Street District Urban Renewal Area ("North 27th Street District") and (b) adopted an urban renewal plan for the district. On November 13, 2006 the City Council adopted an ordinance that (a) expanded the North 27th Street District and (b) modified the urban renewal plan for the district. For reasons discussed in this Amendment to the Urban Renewal Plan of the North 27th Street District ("Plan"), it has been determined that the North 27th Street District should be expanded again to include other contiguous blighted properties in need of redevelopment. Further, it has been determined that this area, known as the Central Business District of Billings, has been and is in need of expanded public parking, enhanced pedestrian connections and experiences, improved public safety, and infrastructure improvements to public and private properties that will lead to increased taxable values. The existing urban renewal plan may be modified by ordinance in accordance with the procedure described in M.C.A. § 7-15-4221. The Urban Renewal Plan of the North 27th Street District approved by the City Council on July 11, 2005 and modified on November 13, 2006 is hereby included by reference as part of this amended Plan and shall remain applicable hereto except to the extent the original plan is explicitly or impliedly amended by this Plan. It is recognized as part of this Plan that the basic vision of the document known as Downtown Billings Framework Plan, adopted by the Billings City Council on December 22, 1997 and by the Yellowstone County Commissioners on December 23, 1997, is still valid and should be considered a part hereof. The terms defined in "Part I – DEFINITIONS" of the North 27th Street District Plan shall have the same meanings in this Plan unless a contrary meaning is expressed herein. The expanded district proposed in this Plan is hereafter referred to as the Expanded North 27th Street District - 2008 or the "District."

SECTION 2 – BACKGROUND

The original Downtown Redevelopment District, a downtown tax increment finance district, was created on December 20, 1975 by a resolution which cited hazardous conditions existing in the district due to overhead utility wires, inefficient land use, problems of access and circulation, physical constraints to development, random location of mixed uses and deteriorated building

conditions, and found that rehabilitation and redevelopment of the District would be in the public interest. That original district (hereafter "1975 District") comprised one hundred and twenty four (124) blocks in the city center after the 1985 south expansion and the 2004 east expansion. The 1975 District expired March 1, 2008 but the Urban Renewal Plan and the Framework Plan used for that district, in many parts and in relation to this District remain valid.

Because the 1975 District has terminated, but many of the undesirable conditions continue to exist, it was determined that it would be in the best interest of the City to expand the North 27th Tax Increment District to assist the construction of public improvements, stabilize and grow the tax base, increase the parking inventory, increase the inventory of downtown residential property, stimulate multi-use development ("Multi-Use Facility Projects"), fill street level vacancies, provide expanded security, develop safe event locations with appropriate traffic control devices, expand the Business Improvement District, make modifications to street and intersection lighting, increase traffic calming and reduce the noise in the district through Quiet Zone management and further implement the vision of the Downtown Framework Plan.

Currently, there is a need to expand the North 27th Street District to encompass development needs on the North 27th Street corridor, the North Broadway corridor, the Old Town Neighborhood and the Montana Avenue Historic District (including expansion of the Historic District to include areas south of the railroad tracks), the Civic District, areas adjacent to the Medical Corridor, adjacent to the East Billings Urban Renewal Area and other underutilized properties within the Central Business District of Billings. Although there has been significant improvement in the valuation of property in much of the 1975 District, the area defined by this proposed expanded tax increment district has major properties that have been neglected for many years and continue to show signs of serious blight and tax base decline. Many parcels have been removed from the tax rolls and/or are delinquent on payments of taxes and fees. The Expanded North 27th Street District creates an opportunity to continue redevelopment of the center of downtown with a mixture of public and private investment in a roughly seventy-one-square-

block district (just over half of the size of the 1975 expanded district) encompassing the existing North 27th Street District.

The area has several pockets of low taxable value, with several lots of the land being owned by government and other non-profit entities and several buildings that are over 50% vacant.

The creation of the Expanded North 27th Street District is essential to any planned development at 4th Avenue North and North Broadway, redevelopment of the vacant Northern Hotel, improving security and expanding the clean safe and vibrant programs of the Business Improvement District, continuing redevelopment of the Civic Plaza area, developing the boundary areas of the Medical Corridor and the East Billings Urban Renewal Area, and expanding the Historic District. It could also assist with the essential remodeling of the Northern Hotel, the Babcock Theatre, the Westwood Building, the Lincoln Hotel Building. Public infrastructure construction within this expanded District could assist with the renovation and/or relocation of various City facilities, such as the public library. It is currently expected that the expanded North 27th Street District may help fund the following projects:

I. Business Programs and Projects

a. Business Retention
    i. Targeted assistance and review of existing street level businesses
    ii. Retail market survey
b. Business Recruitment
    i. Development of a "chainlet" network
    ii. Business plan development assistance
    iii. Association networking
    iv. Business Improvement District support
    v. Business cluster analysis
    vi. Pedestrian study
        1. demographics
        2. directions
        3. linkages
        4. destinations
        5. wayfinding

II. Parking and Transportation

a. Increase use of public transit
b. Parking structures to support current and future needs

c. Explore parking linkages to adjacent destinations
d. Explore parking management practices and programs
    i. Off street parking
    ii. On street parking

III. Crime Prevention and Public Safety

a. Cooperative Security Program
b. Business Watch Program
c. Crime and Fraud prevention programs
    i. Geared towards street level businesses

IV. Management, Implementation and Maintenance

a. Downtown Billings Partnership, Inc. or its successor, management agreement
    i. Project development
    ii. Public awareness
    iii. Advocacy and liaison between public and private sectors
b. Business Improvement District expansion and development
    i. Cooperative work agreements with PMDs
    ii. Development and promotion of Conference Corridor
    iii. BID expansion
    iv. "Green" Management
        1. Recycling programs
        2. Tree management

V. Infrastructure Improvements

a. Public
    i. Expansion of Historic District
    ii. New Library
    iii. New Planning Department Offices
    iv. Public Parking and Greenspace
    v. Intersection Lighting by Public Works
    vi. New SILMDs for mid-block lighting
    vii. Streetscapes and traffic calming plans
    viii. Sidewalks, curbs and gutter improvements
        1. stabilization of vaults
    ix. Relocation of public and private utility lines
b. Public infrastructure improvements that would support the following development projects/programs
    i. Workforce housing development
    ii. Loft and Condo development
    iii. Lodging development
    iv. Conference Facilities

v. Entertainment venues

SECTION 3 – SUMMARY OF BLIGHT FINDINGS

The area in the proposed expansion of the North 27th Street District contains a great deal of blight. Within the district there is substantial structural deterioration, long-term land vacancy, a railroad spur line that has been abandoned and a major rail line that continues to divide the Central Business District. Several of the commercial buildings in the district are deteriorated and/or vacant and need demolition or renovation. Many of the storefronts and upper floors are vacant or under-occupied. Sidewalks are cracked; alleys are deteriorated, and, in general, much of the area is below accepted standards. In contrast to the above, there are certain properties within the district in good repair but included in the district to allow for a contiguous block of land within the district and because pockets of revitalization cannot be sustained if areas of neglect and blight surround them. Over time, without continued managed urban renewal, even these success stories will once again decline in taxable value. Most of the district falls into the blighted, neglected and under-utilized categories.

SECTION 4 – DESCRIPTION OF BLIGHTED AREA

The expanded urban renewal area described in this amended Plan incorporates most of the Central Business District. Within the district there are several older, single-story structures that have been retrofitted for offices and warehousing, numerous surface parking lots, and several vacant structures. Many of these structures are unsuited to their current uses because of age obsolescence and physical deterioration.

Montana‘s Urban Renewal Law (Montana Code Annotated Title 7, Chapter 15, Parts 42 and 43) provides the authority to declare the existence of blighted areas and to target them for improvements. “Blighted area” is defined in Section 7-15-4206(2), M.C.A., as follows:

> *[A]n area that is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime; substantially impairs or arrests the sound growth of the city or its environs; retards the provision of housing accommodations; or constitutes an economic or social liability or is detrimental*

or constitutes a menace to the public health, safety, welfare, and morals in its present condition and use, by reason of:

- *(a) the substantial physical dilapidation; deterioration; defective construction, material, and arrangement; or age obsolescence of buildings or improvements, whether residential or nonresidential;*
- *(b) inadequate provision for ventilation, light, proper sanitary facilities, or open spaces as determined by competent appraisers on the basis of an examination of the building standards of the municipality;*
- *(c) inappropriate or mixed uses of land or buildings;*
- *(d) high density of population and overcrowding;*
- *(e) defective or inadequate street layout;*
- *(f) faulty lot layout in relation to size, adequacy, accessibility, or usefulness;*
- *(g) excessive land coverage;*
- *(h) unsanitary or unsafe conditions;*
- *(i) deterioration of site;*
- *(j) diversity of ownership;*
- *(k) tax or special assessment delinquency exceeding the fair vale of the land;*
- *(l) defective or unusual conditions of title;*
- *(m) improper subdivision or obsolete platting;*
- *(n) the existence of conditions that endanger life or property by fire or other causes; or*
- *(o) any combination of the factors listed in this subsection (2).*

The land being added to the Plan area includes 405 (Exhibit A) property tax codes plus a segment of centrally assessed BN Railroad property. The complete, expanded Urban Renewal Area will have 481 property tax codes plus the segment of BN Railroad property. Within that total area, and as noted in the 2006 approved Urban Renewal Plan, there are many "target areas" that should be immediately considered for redevelopment. The properties on N. Broadway between 4th Avenue North and 6th Avenue North will need additional parking to facilitate the construction of a Stockman Bank facility. The area adjacent to the Northern Hotel on North Broadway is in need of parking due to the closure of the privately owned parking structure in that area due to unsafe and blighted conditions of the structure. The area east of the Yellowstone County Courthouse Lawn is targeted for a new federal courthouse and will need additional parking and green spaces. The area between the new MET transit facility on N. 25th Street and to the east boundary of the East Billings Urban Renewal Area (N. 22nd Street) is in need of redevelopment that could include workforce housing and parking. The status of the Battin Federal Courthouse is still unclear. The facility is contaminated with asbestos and is destined to become vacant with the completion of a new federal courthouse and office building. This

vacancy will present a redevelopment opportunity in the near future. The area surrounding City of Billings Park IV contains many surface parking lots that could be developed if Park IV is sold to a private developer. This area lacks high-rise housing with mixed use occupancy on the first floor. The future use of the Lincoln Center is unclear and it could be a redevelopment opportunity if the school district ceases its administrative and continuing education functions in the building. The properties on 1st Ave. S. and Minnesota Avenue are not currently in a Historic District and values remain stagnant as compared to the Montana Avenue area. The redevelopment of the south side of the railroad tracks has not kept up with the redevelopment north of the tracks and should be a target area. Several properties located between Montana Avenue and 1st Avenue North are severely underutilized and in need of redevelopment. Without attention to some of this blight, over time, the value of the Montana Avenue redevelopment will most likely be negatively impacted.

SECTION 5 – DETERMINATION OF BLIGHT

The proposed expansion area of the North 27th Street District contains a number of underdeveloped properties. The Council previously determined that the property included in the North 27th Street District was "blighted" within the meaning of the Act in Resolution 05-18276 adopted June 13, 2005 and Resolution 06-18488, adopted September 25, 2006. The Redevelopment Area, including the portion that is to be expanded to form the Expanded North 27th Street District - 2008, was previously determined to be blighted and an appropriate area for an urban renewal project in Resolution No. 12107 dated January 5, 1976. Deficiencies in public and private properties located in the district lead to a determination that the area continues to be blighted, as defined by state statute. Specific areas of blight on the site are listed below:

Deficient Structures in Expanded Area

There are several buildings that are over 50 years in age and do not qualify as being historically significant. Many are in poor repair and may contain potentially hazardous asbestos and lead paint.

Deficient Public Facilities in Extended Area

The streets, curbs, gutters and sidewalks in much of the area are in satisfactory repair. However, sewer and water utilities in the area are aging and have required frequent repairs in recent years. Several parking lots generally do not meet code requirements for paving, striping and landscaping. Many of them are cracked and crumbling. The city owned parking ramps within the area, except for Park IV have extensive "waiting lists" and public parking for adjacent office and commercial structures continues to be inadequate. Demand for parking will continue and additional and expanded parking structures will be required to accommodate commercial growth.

Deficient Land Use in Extended Area

In general, the area is under-utilized due to the significant amount of surface parking areas and a large number of single-story structures. The taxable value of this district must be stabilized and encouraged to grow.

SECTION 6 – THE SITE AND ITS RELATIONSHIP TO THE CITY

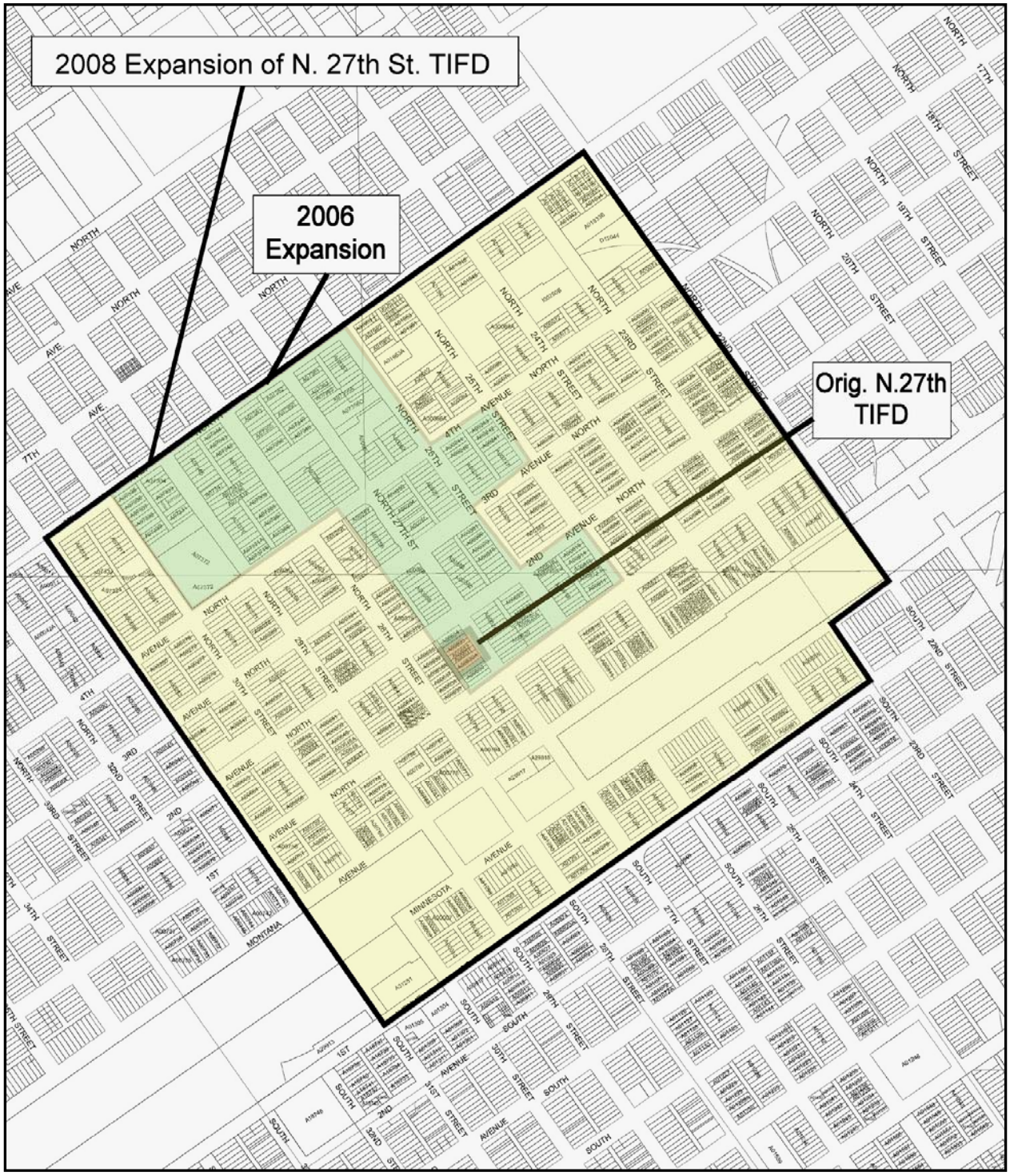
As noted, the expanded North 27th Street Urban Renewal Area comprises most of the Central Business District (CBD) of the City of Billings.

SECTION 7 – LEGAL DESCRIPTION

The legal description of the proposed Expanded North 27th Street District – 2008 is as follows:

Beginning at a point at the intersection of the centerlines of 6th Avenue North and North 31st St. proceeding east along the centerline of 6th Ave. North to a point at the intersection of the centerlines of 6th Avenue North and N. 22nd Street proceeding south along the centerline of North 22nd Street, crossing the centrally assessed Burlington Northern Railroad property, to a point at the intersection of South 22nd Street and Minnesota Avenue proceeding west along the centerline of Minnesota Avenue to a point at the intersection of Minnesota Avenue and South 23rd Street proceeding south along the centerline of South 23rd Street to a point at the intersection of South 23rd Street and 1st Avenue South proceeding west along the centerline of 1st Avenue South to a point at the intersection of the centerlines of 1st Avenue South and South 31st Street proceeding north along the centerline of South 31st Street, crossing the centrally assessed Burlington Northern Railroad property, to the starting point at the intersection North 31st Street and 6th Avenue North encompassing all parcels and tax codes therein, all inclusive.

Map of entire Expanded N. 27th District



SECTION 8 – PROPERTY DEVELOPERS

New development in the proposed tax increment district will also be accomplished through the implementation of the Downtown Framework Plan. These Projects are described in Section 2 of this plan.

SECTION 9 – PROJECT RELATIONSHIP TO THE FRAMEWORK PLAN

The proposed urban renewal area and expanded tax increment district is located generally in the center of the City and encompasses most of the "districts" as defined by the Billings Framework Plan ("Framework Plan"). One goal of the Framework Plan was to remove barriers to downtown circulation and development created by 4th Avenue North and 6th Avenue North and establish the area between the avenues as both a discreet district and a recognized extension of the CBD, thereby allowing potential ties to the medical corridor and MSU-Billings from the CBD. Generally, the Framework Plan stressed the downtown's ability to make a positive impact on the entire city. The Framework Plan also recommended a private non-profit organization to assist the City of Billings with the management of the Tax Increment District through an annual work plan and contract. This Expanded N 27th Street District may be managed in a similar manner and could make use of the redevelopment and facilitation established through that management entity.

Framework Plan Recommendation: Housing

The Framework Plan states that housing should be a top priority and that the City should continue to work with builders and developers to encourage downtown housing through various methods. Specifically, the plan states that high-rise housing is to be located in the east transition zone and portions of the north transition zone.

The formation of an expanded tax increment district will help to raise funds that can be used for construction or rehabilitation of public infrastructure necessary to attract and retain housing in the area.

Framework Plan Recommendation: Priorities

The top priorities identified in the Framework Plan include the following:

- Development incentives, including business retention and recruitment
- Housing – demonstration projects
- Streetscape Kit of Parts – expand kit to include Minnesota Avenue
- Events Kit of Parts – Modern and safer traffic control devices may be needed
- Paring configuration adjustments – several one-way streets could be converted to 2-way
- 5th Avenue North Corridor preservation and enhancement

This amendment to the Plan and the urban renewal projects that it contemplates specifically address all six of these priorities.

SECTION 10 – CONFORMANCE TO THE GROWTH POLICY

One of the requirements of Montana's Urban Renewal Law (Title 7, Chapter 15, Parts 42 and 43) is that the urban renewal plan must conform to the community's growth policy. The Yellowstone County and City of Billings Growth Policy ("Growth Policy") refers to and promotes downtown redevelopment in a variety of ways. This amendment to the Plan is consistent with the current Growth Policy.

SECTION 11 – CERTAIN PLAN FEATURES AND FINANCIAL MATTERS

Section 7-15-4217, M.C.A., of the Act requires cities to make certain findings when they adopt an urban renewal plan and approve Urban Renewal Projects. These are addressed below:

1. Most of the District contains no existing dwelling units or housing, and planned projects would not displace any persons from housing. Accordingly, there is no need to have a workable and feasible plan for substitute housing until and unless such a project is developed in the future.

2. This amended Plan conforms to the Growth Policy for the City as a whole and to the

Framework Plan.

3. This Modified Plan affords maximum opportunity, consistent with the needs of the City as a whole, for the rehabilitation or redevelopment of the Expanded North 27th Street District by private enterprise. It is unreasonable to expect that the district will be remain stabilized and/or redeveloped without substantial public support. Numerous properties within the area are dilapidated. As presently constituted, property in the district is not conducive to any sort of uniform or integrated development and, as presently existing, cannot compete with other areas of the City for substantial developments, particularly areas at the outskirts of the City. Experience has validated the foregoing facts and observations. This amended Plan is intended to facilitate the identification and construction of significant Urban Renewal Projects, which would not be possible without this Plan.

4. A sound and adequate financial program exists for financing projects, which include the sale and issuance by the City of the Bonds in an amount not to exceed the costs of the project, including administration costs and costs of issuance of the Bonds. Any approved Development Project will require commitments of substantial private financing that will provide the primary means for funding construction of the improvements.

5. This Expanded N. 27th Street District - 2008 may be modified at any time by the City Council as necessary to eliminate and prevent the development or spread of blighted areas, and encourage urban rehabilitation. The process for plan modification shall follow the procedures set forth in 7-15-4212 through 7-15-4219 MCA, with respect to initial adoption of this plan. For purposes of urban renewal district boundary changes only, the notice of public hearing, as described in 7-15-4215 MCA, may be mailed only to those owners whose properties are situated within the area of expansion or contraction of the Urban Renewal District boundaries. In cases where the boundaries are not modified, but the contents of the urban renewal plan are substantially modified, notification shall be mailed to all owners of property within the Urban Renewal District area.

SECTION 12 – TAX INCREMENT

Tax increment financing is necessary to encourage private reinvestment within the District, which will further encourage economic growth in the District and Downtown Billings, create substantial employment opportunities, and increase the tax base of the City and other taxing jurisdictions. The expanded North 27th Street District is hereby established as a tax increment financing urban renewal area within the meaning of the Act, and, in particular, Section 7-15-4282 through 7-15-4293 of the Act. This Section constitutes a tax increment provision within the meaning of the Act. In connection therewith:

1. For the purpose of calculating the incremental taxable value each year for the life of the district, the base taxable value shall be calculated as current base taxable value of the district plus the base taxable value of all real and personal property added to the district by this amended plan and as show in Exhibit B as of **January 1, 2008.**

2. The City is hereby authorized to segregate the tax increment derived in the district and use and deposit such increment into the tax increment fund of the district for use as authorized by the Act and as authorized herein from time to time, including, without limitation, pledging the tax increment to repayment of Bonds.

3. The tax increment received from the district may be used to pay directly costs of an approved Development Project as may from time to time be approved by the Council. The Council also hereby authorizes the use of tax increment in the district to pay debt service on Bonds issued to finance a portion of the costs of these Development Projects, and costs associated with the sale and security of such Bonds in compliance with the Act, subject to any limitations imposed by the Montana Constitution and federal law.

4. The tax increment provision of the district will terminate upon the latter of:
   a. The fifteenth (15th) year following the original creation of the district; or
   b. The payment or provision for payment in full or discharge of all Bonds, and the payment of interest thereon, for which the tax increment has been pledged.

After termination of the tax increment provision, all taxes shall continue to be levied upon the actual taxable value of the taxable property in the district, but shall be paid into funds of the taxing bodies levying taxes within the district.

SECTION 13 – CONCLUSIONS

The creation of this expanded North 27th Street Urban Renewal District will have a positive impact on Downtown Billings and no impact on the total taxable value flowing to the taxing entities from the now expired 1975 Urban Renewal District.

Expansion of the North 27th Street District is an essential first-step in completing what may be a number of urban renewal projects. If completed, mixed use projects approved within the first two years could stimulate over $30 million in new construction, and possibly as much as $15 million in re-sales and redevelopment. Approximately 500 new employees and new downtown residents could be located on the commercial and upper floors of possible mixed use projects. Thus, expansion of the district, in addition to further stabilizing the tax base, eliminating blight and providing renaissance to the CBD, will also bring new employees and residents to the CBD.

Mixed use development within the Expanded District ties in favorably with and actually stimulates the remodeling plans that are currently underway for several downtown properties. Additionally, like any major new development, the anticipated Stockman Bank construction at 4th Avenue North and North Broadway will have a stimulating effect on the surrounding area. Specific examples of this are:

1. It will tie the CBD to the medical corridor located immediately to the north of the development.
2. The Billings Clinic has purchased the Underriner property to the north and west of the Library. The Clinic's plans at this point have not been determined; however, the development proposed in this amended Plan will enhance and encourage future development by this group.

3. The Framework Plan encourages the development of the 5th Avenue North corridor. An enhanced Library, as accomplished by projects described in this Plan, will provide an excellent entrance to this corridor.
4. Future redevelopment and revitalization of structures like the Northern Hotel and the Babcock Theatre Building are enabled by this district.
5. This expanded district may assist with the completion of and continued modernization of City owned downtown parking structures.

In conclusion, expansion of the North 27th Street Urban Renewal District to include the property described in this amended Plan will have a positive effect on the CBD and the City.

RESOLUTION NO. 18-10750

A RESOLUTION OF THE CITY OF BILLINGS FORMING A POLICY FOR THE ADMINISTRATION OF URBAN RENEWAL AREAS OR DISTRICTS (URD) IN THE CITY.

WHEREAS, MCA, Title 7, Chapter 15, Part 42, Section 51 declares: General powers of municipalities in connection with urban renewal. Every municipality shall have all the power necessary or convenient:

(1) To carry out and effectuate the purposes and provisions of this part and part 43;

(2) To undertake and carry out urban renewal projects within the municipality, to make and execute contracts and other instruments necessary or convenient to the exercise of its powers under this part and part 43, and to disseminate blight clearance and urban renewal information;

(3) To organize, coordinate, and direct, within the municipality, the administration of the provisions of this part and part 43 as they apply to such municipality in order that the objective of remedying blighted areas and preventing the causes thereof within such municipality may be most effectively promoted and achieved and to establish such new office or offices of the municipality or to reorganize existing offices in order to carry out such purpose most effectively;

(4) To exercise all or any part or combination of powers granted in this part or part 43; and

WHEREAS, the City of Billings reviews and adopts Urban Renewal Plans for each of its Urban Renewal Districts, and those Plans specify goals for each Urban Renewal District; and

WHEREAS, the City of Billings may establish local policies that guide the establishment, operations, funding and governance of urban renewal districts; and

WHEREAS, development of TIF (Tax Increment Financing) Policies would be in the best interest of the City.

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 TIF Policy:

CITY OF BILLINGS TAX INCREMENT FINANCE POLICY

1. PERMITTED USES OF TIF FUNDS. TIF funds may be used for costs outlined in MCA, Title 7, Chapter 15, Part 42, Section 88. Urban Renewal Plans adopted by the City may limit what TIF funds may be spent on in any Urban Renewal District. Eligible costs may include, but are not limited to:
   a. Land acquisition and assemblage, demolition and removal of structures, relocation of occupants, analysis to determine needs of an urban renewal area, administrative cost for redevelopment activities.
   b. Public infrastructure, including, but not limited to: streets, storm drains, parking, public buildings, water and sewer lines, sidewalks, utility connections.
   c. Private infrastructure with public benefit, including, but not limited to, building façades, windows, doors, fire suppression or alarm systems, storm drainage, environmental remediation, parking, and ADA access.

2. FINANCIAL ASSISTANCE THROUGH TIF. All financial assistance must be approved by the City Council prior to any activity receiving funding. Financial assistance should be requested prior to beginning construction. All activity (design and construction) must be completed prior to issuance of TIF funds from the City Finance Department. Financial thresholds and assistance tools are as follows:
   a. A minimum of $\geq$ $5 of private investment for every $1 of public investment is the preferred threshold to be met for each TIF application. The City Council reserves the right to approve any application that does not meet this minimum. The City Council also may make exceptions for projects of less than $100,000, and for publicly owned projects, properties or facilities.
   b. Grants may be made for uses listed in Part 1 above benefitting any government owned-land or buildings and for profit and non-profit businesses.
   c. Bonding may be available at the discretion of the City Council.
   d. All TIF grants will be formalized by a development agreement that must be signed by the grantee before the City will reimburse eligible expenses.

3. URD MANAGEMENT. Each URD in the City of Billings will be managed as follows:
   a. Each URD should maintain a non-profit advisory board to make recommendations to the City Council regarding TIF expenditures. Unless specifically authorized by a Memorandum of Understanding (MOU) referenced in 3(b) below, a majority of board members must own or lease property within the district, or must represent such owner or lessee, and may include representation from residential or commercial property owners or lessees. Advisory Boards must carry insurance for their members and provide proof of insurance to the City.
   b. A MOU must be executed between the advisory board and the City Council that defines the board's roles, responsibilities, authority, and processes, including for hiring and maintaining board support staff. The MOU must

contain language addressing conflict of interest situations for board members whose property may directly benefit from a TIF expenditure and for board support staff. The MOU also must include language that if there is the appearance of a conflict of interest the issue will be reviewed by City legal staff before moving forward.

c. Training for all URD advisory boards will be conducted biannually in coordination with City staff and URD support staff. The training must include, but is not limited to: review of URD and TIF laws, Administrative Rules, ethics, conflicts of interest, meeting management, and maintenance of minutes and records.

d. URD financial reporting will be consistent across all URDs and be set by coordination between the City Finance Director and the Planning and Community Services Director, and URD support staff.

e. TIF application review and City Council staff report preparation will be conducted by the Planning and Community Services Department Director, in coordination with the Assistant City Administrator, Finance Director, and URD support staff.

PASSED by the City Council and APPROVED this 9th day of July, 2018.

CITY OF BILLINGS

BY: William A Cole
William A. Cole, Mayor

CITY OF BILLINGS SEAL YELLOWSTONE COUNTY, MONTANA

ATTEST

BY: Denise R. Bohlman
Denise R. Bohlman, City Clerk

BILLING COMMUNITY FOUNDATION

DEVELOPMENT AGREEMENT

This Development Agreement ("Agreement") is entered into as of_____, 2021 by and between the Downtown Billings Partnership, Inc., an I.R.C. S501(c)(4) Montana nonprofit corporation ("DBP"), The City of Billings, Montana, a municipality of the State of Montana ("City"), and 404N30TH, LLC, a Montana limited liability company ("Developer"). DBP, the City and Developer shall each be referred to herein as a "party" and shall collectively be referred to as the "parties."

RECITALS

WHEREAS, DBP is the entity responsible for administration of Tax Increment Financing ("TIF") funds for the City; and

WHEREAS, on or about April 15, 2021, Developer submitted a Funding Application (defined below) to DBP requesting a TIF grant for a project to renovate, rehab, and remodel property located at 404 N 30th Street in downtown Billings (the "Property" as further defined below); and

WHEREAS, on or about June 18, 2021, DBP's Board of Directors approved the Application for a TIF grant; and

WHEREAS, on July 12, 2021, the City of Billings City Council approved a reimbursement grant using TIF funds to Developer in an amount of up to $181,774 (the "TIF Grant") to be dedicated to qualified expenditures for the Project (defined below) and to be disbursed as described in this Agreement; and

WHEREAS, the parties wish to enter into a development agreement, in accordance with DBP's TIF Funding Criteria (defined below), to establish the terms and conditions under which DBP will allocate the TIF Grant funds to Developer from the City in accordance with the DBP agreement with the City regarding urban renewal in Downtown Billings,

NOW, THEREFORE, the parties agree as follows:

SECTION 1
SUBJECT OF AGREEMENT AND DEFINITIONS

1.1 Effect of Recitals. The foregoing Recitals are true and correct and are incorporated into the terms and conditions of this Agreement.

1.2 Purpose of Agreement. The purpose of this Agreement is to set forth the terms and conditions of the TIF Grant to Developer to effectuate the urban renewal project for certain real property located at 404 N 30th Street in Billings, Montana, and legally described on the attached Exhibit A (the "Property"). This Project will eliminate blight and complement and further the objectives of the Expanded North 27th Street Urban Renewal District and Urban Renewal Plan.

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1.3 The Funding Application. The DBP and the City have approved the TIF Grant based on Developer's Downtown Tax Increment Financing Application attached hereto as Exhibit B ("Funding Application"), subject to the terms and conditions of this Agreement. The Funding Application includes a preliminary estimated cost of construction of Developer's Improvements (the "Preliminary Developer's Budget")

1.4 TIF Grant Funding Criteria. The term "TIF Funding Criteria" shall mean the Tax Increment Financial Assistance Program criteria for urban renewal projects in the Expanded North 27" Street Urban Renewal District as set forth in the attached Exhibit C.

1.5 Developer's Improvements. The term "Developer's Improvements" shall mean the improvements described on Exhibit B to be constructed by Developer on the Property pursuant to this Agreement and as described in Section 5.

1.6 Conceptual Design Drawings. The term "Conceptual Design Drawings" shall mean the conceptual preliminary depictions of the Developer's Improvements attached hereto as Exhibit B.

1.7 Project. The term "Project" shall mean the Property as improved by the Developer's Improvements.

1.8 Definitive Documents. The term "Definitive Documents' shall mean this Agreement and all Exhibits attached or to be attached hereto.

SECTION 2
PROPERTY

2.1 Ownership. The Property, described on Exhibit A, is owned by 404N30TH, LLC.

SECTION 3
CONDITIONS PRECEDENT

3.1 Conditions Precedent. The DBP's and the City's obligation to be bound by this Agreement with Developer is subject to satisfaction or written waiver of each of the following conditions to the reasonable satisfaction of DBP ("Conditions Precedent"):

a) Developer has presented DBP proof of ownership of the Property by proof of title insurance reflecting Developer as the fee owner of the Property, subject only to liens and encumbrances satisfactory to DBP.

b) Developer has obtained financing and provided the DBP with proof of financing in the form of commitment letters or loan documents, for the construction of Developer's Improvements in accordance with the Funding Application within the time period set forth in the Performance Schedule (as defined in Section 6).

c) Developer has prepared and submitted a detailed budget setting forth the final estimated cost of construction of Developer's Improvements ("Developer's Budget"). When completed, the Developer's Budget will be made a part of this Agreement and

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will be appended as Exhibit E.

d) Developer has prepared and submitted final design drawings ("Design Drawings") and construction documents for the Developer's Improvements (collectively, the "Final Plans") in accordance with the terms of this Agreement and the Final Plans have been reviewed and approved by DBP and the City and the estimated cost of the approved design is within Developer's Budget. When completed and approved, the Final Plans will be made a part of this Agreement and will be attached as Exhibit F.

e) Developer has provided DBP with proof of zoning compliance and approval by any necessary governmental entities.

f) Developer has executed the Agreement no later than 150 business days following the City Council's approval.

3.2 Satisfaction of Conditions. DBP and DBP's representatives, agents and consultants will work with the Developer to obtain satisfaction of the Conditions Precedent.

3.3 Termination for Failure of Conditions. If the Conditions Precedent are not satisfied or waived within 90 days of the date of this Agreement, then any party may terminate the Definitive Documents by written notice to the others and upon such termination the parties shall have no further liability to one another, however, Developer shall remain responsible for indemnifying DBP and the City in accordance with Section 5.12.

SECTION 4:
GRANT AND RELEASE OF FUNDS

4.1 Use of TIF Grant Funds. The TIF Grant funds which are the subject of this Agreement shall be used only for urban renewal activities, including the renovation and rehabilitation of the Property, in accordance with the Definitive Documents and the Urban Renewal Law of the State of Montana, §§7-15-420l., et seq., Mont. Code Ann.

4.2 Grant of Funds. City, as recommended by DBP, agrees to grant to Developer the TIF Grant in an amount of up to $181,774 from funds in the City's Fund 203 account, release of which shall be conditioned upon satisfaction of the conditions precedent set forth in Section 3.1 above, the conditions set forth in this Section 4, and the Developer's obligations, covenants and warranties set forth in this Agreement and the Definitive Documents.

4.3 Availability of TIF Grant Funds. TIF funds are not available to be encumbered (committed) to the Project by the City until they are received as unencumbered TIF funds.

a) Subject to the availability of unencumbered TIF funds, City agrees that, starting January 1st after the Project is complete and occupied, it will encumber TIF funds to reimburse Developer for the Project during the fiscal years following completion of the Project according to the requirements of this Agreement. Reimbursements will not be greater than $181,774 in total. Reimbursement period will occur in FY23 as long as the project is completed in FY22. The deadline for the reimbursement period to start is June 30, 2022.

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(In the event unencumbered TIF funds are not available to the City to meet the foregoing schedule, the City may continue to fully encumber, in its sole discretion, to the Project available unencumbered TIF funds until the full TIF Grant is encumbered to the Project.)

b) Developer reimbursements shall be limited to only those funds that have been encumbered to Project by the City. Notwithstanding anything to the contrary, the payment of the Developer reimbursements is hereby expressly made subordinate in all respects to any and all bonds issued by the City pursuant to the Resolution No. [20-10878] adopted by the City Council of Billings on [June 22, 2020], as amended and supplemented, and the Development reimbursements are a Subordinate Obligation thereunder.

c) Reimbursements will be made to Developer as explained in Section 4.2 and restricted to TIF funds that have to date been encumbered to the Project.

4.4 Release of Funds following Project Completion. DBP will release the TIF Grant funds approved by the City to the Developer upon the Developer's completion of Developer's Improvements and the Project, determined as follows:

a) Developer has substantially completed construction of Developer's Improvements in accordance with the Funding Application, as supplemented by the Budget and Design Drawings, and the deadline set forth in Section 6.

b) Developer has submitted all paid invoices showing the completion and lien-free status of all expenditures related to this Project and Property, including evidence that all construction liens have been satisfied and/or released.

c) Project costs shall be paid and proof of payment shall be provided in an amount consistent with the Funding Application, as supplemented by the Budget, and this Agreement.

d) The Project satisfies the public benefit provisions of the Funding Application and the TIF Funding Criteria.

e) Developer has received a Certificate of Occupancy from the City for the Project.

f) Developer has received from DBP a Certificate of Satisfaction as defined in Section 5.8 below.

g) Reimbursement cannot begin before the January 1st following the completion of the Project, as defined in Sections 3, 4, 5, and 6 of this Agreement.

4.5 Satisfaction of Project Completion Conditions. DBP and DBP's representatives, agents and consultants may assist the Developer to obtain satisfaction of the conditions for completion of the Project set forth in Section 4.4 (where applicable).

4.6 Extent of Commitment. DBP and the City shall have no obligation for any costs associated with the Project which exceed the amount of the TIF Grant funds approved in accordance with this Agreement.

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SECTION 5:
DEVELOPERS IMPROVEMENTS AND COVENANTS

5.1 Construction of Developer's Improvements. Developer agrees to construct and develop the Developer's Improvements, at its sole cost and expense, consistent with the Design Drawings and the other Definitive Documents.

5.2 Architects and Contractors. Developer will have the right to select its architects, contractor and other subcontractors and consultants in its sole discretion. Developer will require all architects, engineers, or other professional consultants to maintain professional liability insurance in an insurable amount not less than $1,000,000 combined single limit, covering all professional activities performed by them in connection with the Developer's Improvements. Further, Developer shall require its contractor to maintain broad form commercial general liability insurance in an insurable amount of not less than $1,000,000 combined single limit, covering all work performed by contractor in connection with the Developer's Improvements. Developer shall demonstrate proof of coverage to DBP upon request by providing a Certificate of Insurance.

5.3 Insurance. Developer shall maintain fire and casualty insurance covering the Project and the Developer's Improvements in an amount commensurate with the replacement cost of the Project during development and construction of the Project and until issuance of the Certificate of Satisfaction. DBP may, in its sole discretion, recommit funds for reconstruction of the Project in the event Developer determines to reconstruct the Project.

5.4 DBP Access. DBP and DBP's representatives, agents and designees will have the right, at reasonable times and upon reasonable notice to the Developer, to enter upon the Property, in connection with inspection of construction of Developer's Improvements. Upon reasonable notice and request, DBP shall have access to all records and contracts pertaining to the Project. Developer shall keep and maintain accounting records for the Project, and shall make the same available to DBP upon request, including but not limited to all purchase orders, invoices, statements, payment documents, and journals and ledgers related to the Project.

5.5 Governmental Permits. Before commencement of construction of Developer's Improvements, Developer shall obtain all necessary land use, building and other governmental permits. Developer shall maintain all necessary land use, building and other governmental permits during construction of the Project.

5.6 Local, State and Federal Laws. Developer shall carry out the construction of the Developer's Improvements in conformity with all applicable local, state and federal laws.

5.7 Prohibition Against Transfer. Prior to the issuance by DBP of the Certificate of Satisfaction, Developer shall not, except as permitted by this Agreement, without the prior approval of DBP, transfer its interest in the Property or the buildings or structures on the Property. Notwithstanding the foregoing, this prohibition shall not apply to:

a) The transfer of the Property effective after issuance of the Certificate of Satisfaction; or

b) Transfers of property involving transactions in place prior to the date of this Agreement; or

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c) The leasing of space in the Developer's Improvements.

5.8 Certificate of Satisfaction. After substantial completion of Developer's Improvements as determined by DBP, DBP shall furnish Developer with a Certificate of Satisfaction of this Agreement upon written request therefore by the Developer, substantially in the form of Exhibit H. Upon issuance of the Certificate of Satisfaction, Developer and the Property shall be fully relieved of all obligations and restrictions under this Agreement, excluding the obligations to indemnify City and DBP in Sections 4.6, 5.12, 5.13 and 5.14. DBP shall not unreasonably withhold, condition or delay the Certificate of Satisfaction. Such Certificate of Satisfaction shall be a conclusive determination of satisfactory completion of the construction of the Developer's Improvements required by this Agreement as to the Property and such Certificate shall so state. No Certificate of Satisfaction shall constitute a Certificate of Occupancy or evidence thereof under the building permit or codes of the City of Billings.

5.9 No Speculation. Developer represents that its interest in the Property is for redevelopment and not for speculation in land holding.

5.10 Environmental History. To the best of Developer's knowledge, the Property does not contain any hazardous substances found in violation of applicable laws and all mandatory requirements of applicable law with respect to environmental hazards or hazardous substances have been complied with by Developer.

5.11 Compliance with Definitive Documents. Developer has received, reviewed, and approved the Definitive Documents and shall be bound by the terms of the Definitive Documents.

5.12 Control/Indemnification. Developer shall have sole control and responsibility for the construction of the Project. Developer will indemnify, defend and hold the DBP, the City, and their directors, officers, officials, employees and agents harmless for, from and against any and all claims, damages, costs, liabilities and losses arising out of or related in any way to the use, condition, construction or development of the Property, the Project, or the Developer's Improvements, including without limitation to any claims for personal injury, property damage, or for liability to any contractor or its subcontractors, agents or employees.

5.13 Taxes/Assessments. Developer shall pay all applicable taxes, special assessments, and other assessments on the Property and the Developer's Improvements, if any, when due.

5.14 No Tax Protest. Developer shall not protest, or attempt in any way to avoid or dispute, any property taxes, special improvement district assessments, and other assessments on the Property for three (3) years from the date on the Certificate of Occupancy, without prior written consent of DBP, which consent shall not be unreasonably withheld. In the event Developer believes that a property tax or other assessment of the Project is unreasonable, it may request DBP's written consent to protest such assessment to the appropriate authority.

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SECTION 6:

SCHEDULE OF PERFORMANCE

6.1 Deadline. A Schedule of Performance of construction of Developer's Improvements is attached as Exhibit G and incorporated herein (the "Performance Schedule"). Developer shall proceed expeditiously to complete construction of the Project in accordance with the Performance Schedule. All construction work for the Project shall be completed by the completion date set forth in the Performance Schedule of December 31, 2022. Developer will be excused for delays resulting from the following circumstances: an act of God or public enemy, fire; storm; wind; flood; earthquake; epidemic; explosion; lightning; continuous loss of power of other utilities for more than thirty days; nuclear radiation; geological or archeological condition; quarantine restrictions; riot or public discord; act of terrorism; Criminal damage; the suspension of the national or state banking system due to financial crises; a union strike, unanticipated pre-existing but undiscovered conditions; or appeal of governmental permits.

SECTION 7:

WARRANTIES

7.1 Developer Representations and Warranties. Developer Warrants and represents that the information and documentation provided pursuant to Sections 3.1 and 5 are accurate and complete and that Developer will promptly notify DBP of any changes in such information and documentation.

7.2 Joint Representations and Warranties. The following representations and Warranties are made by each party to the others as of the date hereof:

a) Authority. Each party has the legal power, right and authority to enter into this Agreement and the instruments referenced herein, and to consummate this transaction.

b) Actions. All requisite action has been taken by each party in connection with the entering into of this Agreement, the instruments referenced herein, and the consummation of this transaction. No further consent of any partner, shareholder, creditor, investor, judicial or administrative body, governmental authority or other party is required.

c) Due Execution. The individuals executing this Agreement and the instruments referenced herein on behalf of each party and the partners, officers or trustees of each party, if any, have the legal power, right, and actual authority to bind each party to the terms and conditions of those documents.

SECTION 8:

DEFAULTS AND REMEDIES

8.1 Default/General. Subject to the extensions of time set forth in Section 6, and subject to the notice and opportunity to cure provisions contained in this Agreement, the failure or delay by any party to perform any term or provision of this Agreement constitutes a default; however, if the defaulting party commences to cure such default within 60 days after receipt of a notice

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specifying the default, and thereafter diligently prosecutes such cure to completion, then such party shall not be deemed to be in default. The injured party shall give written notice of default to the defaulting party, specifying the default. The injured party may not institute proceedings, whether judicial or otherwise, against the party in default until 60 days after giving such notice. Any failure or delay by any party in asserting any of its rights or remedies as to any default shall not operate as a waiver of any default or of any rights or remedies or deprive such party of its rights to institute and maintain any actions or proceedings which it may deem necessary to protect, assert or enforce any such rights or remedies.

8.2 Rights and Remedies. Subject to the provisions of Section 8.1 hereof, in addition to its other rights or remedies, if Developer fails to cure a default or withdraws from the Project for any reason, DBP and City shall have no obligation to release grant funds to Developer. If the Developer fails to cure a default, or withdraws from the Project for any reason, after funds have been released for the Project, Developer shall repay City the amount of any funds released to Developer for the Project. Either party may seek any legal or equitable remedy to cure, correct or remedy any default, to recover any damages for any default, or to obtain any other remedy consistent with the purpose of this Agreement in accordance with the terms of this Section 8.

8.3 Rights and Remedies Not Cumulative. Except as otherwise expressly stated in this Agreement, the rights and remedies of the parties are not cumulative, and the exercise by any party remedies provided in this Section 8 shall preclude the exercise by it, at a different time, of any other rights or remedies for the same default.

8.4 Dispute Resolution. In the event a dispute arises, whether due to a default or the interpretation of any term of this Development Agreement, the complaining party shall deliver notice of the matter in dispute to the other party at the address and in the manner provided for in Section 9.1 hereof. Each party shall within 7 calendar days thereafter designate a representative to address the matter, which representatives shall attempt, in good faith, to resolve the disputed matter within 7 calendar days of the last designation of a representative.

In the event the designated representatives are unable, despite their good faith efforts, to timely resolve the disputed matter within fourteen calendar days of the initial notice thereof, then, and in that event, either any party may request in writing that the matter be resolved through informal mediation. Informal mediation must be completed within 14 calendar days of the request.

If the matter remains unresolved after mediation, or if the mediation is not timely completed - either party may demand binding arbitration in accordance with § 8.5. A complaining party who refused or failed to timely participate in the informal mediation (i) may not seek binding arbitration (ii) waives any demand, claim, or relief from the other party, and (iii) releases the other party from the complaining party's demand, claim, or relief.

8.5 Arbitration. In the event of any dispute arising between the parties to this Agreement, and the conditions of § 8.4 have been met, any such dispute shall be submitted to binding arbitration as provided herein. The parties shall select an independent and unbiased arbitrator who is not affiliated directly or indirectly with either party within ten days after any party demands arbitration. If the parties fail to select, or cannot agree upon, an arbitrator within this time,

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then either party may apply to the District Court of Yellowstone County pursuant to §27-5-211 et seq. of the Montana Uniform Arbitration Act for an order appointing an arbitrator. Such applications may be made at any time after the ten-day period has expired. Upon application to the court for an arbitrator, the Court shall select a single arbitrator, who shall render his/her decision no later than 60 days after his/her appointment. If the arbitrator requests a hearing prior to rendering his/her decision, such hearing shall be held in Yellowstone County, Montana within 30 days of the arbitrator's appointment. The arbitrator's decision shall be binding on both parties. Each party shall bear its own expenses associated with the arbitration but shall share equally the costs of the arbitrator.

8.6 Authorized mediators/arbitrators. Any formal mediation or arbitration shall select one of the following as the mediator and/or arbitrator unless all are either conflicted or unable to serve: (i) Charles Cashmore (CCashlaw@aol.com); (ii) Russell Fagg (rfagg@icloud.com); (iii) Greg Murphy (greg.murphy10@gmail.com); (iv) Mike Anderson (manderson@a-llaw.com).

8.7 Waiver. Upon written agreement of both parties, any provision of this Section 8 may be waived. Unless waived, the terms of this Section 8 shall be strictly applicable to any dispute between the parties hereto.

SECTION 9:
GENERAL PROVISIONS

9.1 Notices. All notices or other communications required or permitted hereunder must be in writing, and must be personally delivered (including by a professional messenger service) or sent by overnight courier, or sent by registered or certified mail, postage prepaid, return receipt requested to the addresses set forth below. All notices sent by mail will be deemed received 2 (two) days after the date of mailing and all notices sent by other means permitted herein shall be deemed received on the date delivered. Notices will be sent as follows:

Developer: 404N30TH, LLC
Attn: Lauren Wright
Address: 404 N30th Street
Billings, MT 59101
Telephone: (406) 839-5552
Email: lwright@billingscommunityfoundation.org

City: The City of Billings, Montana
Attn: Gina Dahl, City Attorney
Address: 20 North 27th Street
Billings, MT 59101
Telephone; (406) 657-8205
Email: dahlg@billingsmt.gov

DRAFT

DBP: Downtown Billings Partnership, Inc.
Attn: Mehmet Casey
Address: 116 N 29th Street Suite A
Billings, MT 59101
Telephone (406) 294-5060
Email: mehmetc@downtownbillings.com

9.2 Nonliability of Officials and Employees. No director, officer, member, official, employee or agent of Developer, DBP or the City shall be personally liable to any party or any successor-in-interest thereto, in the event of any default or breach by any party or for any amount which may become due to any party or its successor, or any obligations under the terms of this Agreement.

9.3 Headings. Any title of the several parts and sections of this Agreement are inserted for convenience or reference only and shall be disregarded in construing or interpreting any of its provisions.

9.4 Time of Essence. Time is of the essence of this Agreement. All obligations of the parties to one another shall be due at the time specified by the Agreement, or as the same may be extended by mutual agreement of the parties in writing.

9.5 Construction/Governing Law, and Venue. The parties and their respective advisors believe that this Agreement is the product of all of their efforts, that it expresses their agreement and that it should not be interpreted in favor of or against any party. The parties further agree that this Agreement will be construed to effectuate the normal and reasonable expectations of sophisticated parties. The parties hereto expressly agree that this Agreement will be governed by, interpreted under, and construed and enforced in accordance with the laws of the State of Montana. Any action in law or equity, or judicial proceeding for the enforcement of this Agreement or any of the provisions contained herein, shall be instituted and maintained only in Thirteenth Judicial District Court for Yellowstone County, Montana.

9.6 Severability. If any clause, sentence or any other portion of the terms and conditions of this Agreement become illegal, null or void for any reason, or held by any court of competent jurisdiction to be so, the remaining portion will remain in full force and effect.

9.7 No Partnership. Neither anything in this Agreement nor any acts of the parties hereto shall be deemed or construed by the parties hereto, or any of them, or by any third person, to create the relationship of principal and agent, or of partnership, or of joint venture, or of any association between any of the parties to this Agreement.

9.8 Government Rights. Except as provided herein, by making this Agreement, DBP and the City are not obligating themselves or any other agency with respect to any discretionary action relating to the development of the Property or development, operation and use of the improvements to be constructed on the Property, including but not limited to, condemnation, comprehensive planning, re-zoning, variances, environmental clearances or any other governmental agency approvals which are or may be required.

9.9 Non-Waivers. No Waiver of any breach of any covenant or provision contained herein will be deemed a Waiver of any preceding or succeeding breach thereof, or of any other covenant or provision contained herein. No extension of time for performance of any obligation or act will be deemed an extension of the time for performance of any other obligation or act except those of the waiving party, which will be extended by a period of time equal to the period of the delay.

9.10 Entire Agreement/Counterparts. This Agreement, together with the Definitive Documents, integrates all of the terms and conditions mentioned herein or incidental hereto and supersedes all negotiations or previous agreements between the parties or the predecessors in interest with respect to all or any part of the subject matter hereof. This Agreement may be signed by counterparts.

9.11 Successors. This Agreement shall be binding upon and inure the benefit of the parties, their successors and assigns.

DOWNTOWN BILLINGS PARTNERSHIP ("DBP")

By: _____

Its: President

STATE OF MONTANA)
:
County of Yellowstone)

This record was acknowledged before me on _____, 2021 by _____, as President of Downtown Billings Partnership.

_____
Notary Public for the State of Montana

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THE CITY OF BILLINGS, MONTANA ("CITY")

By: _____
Its: Mayor

By: _____
Its: City Clerk

STATE OF MONTANA)
:
County of Yellowstone)

This record was acknowledged before me on _____, 2021 by _____ and _____ as Mayor and City Clerk of the City of Billings, Montana.

_____
Notary Public for the State of Montana

HALSTEN HOLDINGS, LLC, a Montana limited liability company ("DEVELOPER")

By: _____

Its: _____

STATE OF MONTANA)
:
County of Yellowstone)

This record was acknowledged before me on _____, 2021 by _____ as _____ of 404N30TH, LLC, a Montana limited liability company.

_____
Notary Public for the State of Montana

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EXHIBITS

Exhibit A Legal Description

Exhibit B Funding Application (floor plans and conceptual designs included)

Exhibit C TIF Funding Criteria (City TIF Resolution & Scoring Criterion)

Exhibit D DBP Board Minutes and City Council Minutes, showing approval of the grant funds

Exhibit E Developer's Final Budget, supplied by contractor

Exhibit F Final Construction Drawings, submitted for permit

Exhibit G Performance Schedule

Exhibit H Certificate of Satisfaction

Exhibit I W-9, completed and signed at time of Development Agreement

DRAFT

ATTENDED:	Dave Fishbaugh	Norman Miller	Andy Patten	Denis Pitman
Sam Merrick	Chris Montague	Steve Arveschoug	Wyeth Friday	Sean Lynch
Matt Blakeslee	Ignacio Barron Viela	Janna Hafer	Katy Easton	James Chandler
Jenny Ross	Mehmet Casey			
GUESTS:	Lauren Wright	Eric Schmidt	Cori LeFever	
ABSENT	Penny Ronning	Ethan Kanning	Jock West	Marguerite Jodry
Joni Harman	Steve Wahrlich	Chris Kukulski	Steve Tostenrud	

1) Call to Order – Introductions, Courtesies, and Public Comments (3 min. limit) Meeting was called to order at 7:29 AM.

2) Regular Agenda:

a. Minutes – April 23, 2021 meeting minutes, vote to approve minutes - Mr. Lynch made a motion to approve the April 23, 2021 minutes Mr. Pitman seconded all were in favor, none were opposed.

b. Presentations:

i. The Monte TIF Assistance – Ms. LeFever & Eric Schmidt - Ms. LeFever gave a brief history of the Monte and an overview of the experience they hope their guests get when visiting The Monte. Ms. LeFever gave an overview of their remodel plan, that includes plans to remove the brown awning, replace the tinted glass with clear glass to provide better visibility, restore the "chamber" entrance and liven up the 29th corner, as well as add some street trees on 29th street and eventually on 1st depending on what the state is doing. They hope to get a new roof, new mechanical, and pedestrian focused signage. They want to paint a mural on the east side of the building in the alley with Western Security Bank. Ms.LeFever reviewed the interior plans of changing up their seating by the windows, and have long term goals that engage with the community, grow their business and employee base. They feel like these improvements will help connect downtown to MT Ave. Ms. LeFever shared that they are a woman owned business and is a second generation owner of The Monte.

Mr. Lynch asked about their plans for the building that they own next door. Ms. LeFever shared that this project is smaller and more attainable but they do plan to do renovations on that building eventually.

ii. Billings Community Foundation TIF Assistance - Ms. Wright gave an overview of the Billings Community Foundation. She shared they recently purchased the building located at 404 N30th Street and they intend to work with non-profits and other opportunities to engage their community and provide a collaborative center. Ms. Wright shared that they have already started their phase one of their renovations, which include the upstairs location for the Billings Community Foundation offices and are moving on to the streetfront portion of Phase one which she believes is where the TIF dollars are so important. They are requesting funds for the ADA Lift to become ADA compliant in addition to this they learned they are not connected to the sewer line and are needing to resolve this issue quickly. Additionally, there are needed improvements to the roof, exterior of the building as well as the sidewalk and landscaping around the property. Ms. Wright shared an overview of their large project budget breakdown for the board. Mr. Casey invited the board to ask questions.

Mr. Patten asked if the building was going to be tax exempt. Ms. Wright shared that they are a non-profit and tax exempt. Ms. Wright shared that their annual distributions are approximately 850k to 1MM to the community. A discussion was had amongst the board over the clarity on what the Billings Community Foundation is and what they do, including their annual operating budget of 175k-200k.

iii. ArtHouse Cinema TIF Assistance update/request - Mr. Blakeslee shared that a letter was provided to the board with detailed information on their funding and they fully intend to continue to break ground and continue to make renovations and he is asking for a two year extension on their TIF award. Ms. Easton shared that this project is something that she believes is very important. Mr. Blakeslee clarified that the first extension was requested when ArtHouse Cinema acquired operations of the Babcock Theater. This time, the delay of Phase 2 is primarily due to COVID-19 and how the industry is performing as it recovers.

3) Action Items

a. Monte Committee Recommendation - Mr. Patten asked to take up consideration of the Monte Project, Ms. Hafer recused herself. Mr. Lynch asked Ms. LeFever to make a commitment to work on their other two buildings if the funds were approved. Ms. LeFever shared that they are working on the Montana Ave building slowly, she said they can't give a timeline on the Roxy but can confirm that they will be working on the building. Mr. Montague asked about the subcommittee's opinion and their recommendations. Mr. Casey

shared an overview of the report provided on the subcommittee's last meeting and that City Council asked to see the financials in a different format. Mr. Casey shared that most of the items are foundational, structural and electrical. The Committee had discussed the awning and general exterior appearance. They also spoke highly in favor of this and taking it back to the historic look of what it was in the 1930's. Mr. Casey shared that the amount requested is $113,997 and that the development contract would be signed within 150 days of council's approval. Mr. Patten asked about the contingency portion that is listed, and Ms. Easton shared that this checked in house and then again by the city and shared that the cap listed per category and that if they underspend then they receive the amount spent and funds would not be able to allocate the excess to a different category. Ms. LeFever shared that she understands this. Mr. Patten asked for a motion and Mr. Miller made a motion to approve, which was seconded by Mr. Merrick. All were in favor, none were opposed.

b. Billings Community Foundation Committee Recommendation- Mr. Casey provided an overview of the BCF TIF request and he reviewed the list of improvements. The committee saw value in this project and that the committee believes filling the vacancy will provide more activity and life to this area within the downtown corridor. Mr. Casey shared that the Committee reduced the award amount from the original ask to $181,774. Mr. Patten asked about the stance of the City Council's opinion on granting to Non-Profits. Ms. Easton shared that we are a year into this new application cycle and believe that it is going well with the quarterly grant cycle. She shared that one thing the Board might want to consider is calculating the percentage of awards given to nonprofits vs for-profits similar to loan portfolios. Ms. Easton shared that this project is very important especially due to the improvements needed for the plumbing in this particular situation.

Mr. Montague asked about the current percentage with Non-Profits and Mr. Casey shared since May 2019, only one in the traditional fashion was a non-profit that is not paying taxes. Mr. Lynch shared that the Montana Rescue Mission (MRM) had a clause for a building to be sold to a for-profit buyer. Mr. Montague clarified that the MRM, Billings Community Foundation, The Art House and the Alberta Bair Theater are non-profits that have applied. Mr. Lynch shared his concern of granting funds to nonprofits and then the inability to contribute back to the TIF funds.

Mr. Patten asked for a motion, Mr. Montague made a motion to approve and Mr. Barron Viela seconded. A discussion was had expressing concerns about the perception that might arise at the Council level. Mr. Lynch asked Ms. Wright how quickly they needed the funds, Ms. Wright shared that they are currently at a standstill until the funds are approved due to their cash flow status but do have donors that have pledged their support if they were able to get TIF approval and that she would be comfortable going in front of City Council. Mr. Patten shared that this could potentially lead to a difficult situation because this is a non-profit and not due to the project, this group is responsible for making sure that the district has the available funds. Mr. Lynch stated that he thinks this group needs to revisit this application once the percentage portfolio is complete instead of pushing an application through, which might put Ms. Wright in a stronger position. Mr. Lynch asked if they have a plan B if funds are not approved and Ms. Wright shared they will continue to privately fund raise and likely try to work with this board to figure out where they can improve on their proposal. She shared

that this approval will be a catalyst to other fundraising efforts. Mr. Montague asked when we can have the portfolio by, Ms. Easton thought by next month and that this is the appropriate time to determine a for profit and a nonprofit allocation because this is a new fiscal year. Ms. Easton also mentioned that since this application came in under the current procedure that it likely needs to follow the current practice. Mr. Friday brought up that during the budget discussion there was a suggestion brought forth to find a work session time when we can talk about the districts' vision and big picture for all of the districts. Mr. Patten shared that there is a simple motion on the floor which is BCF can move forward or withdraw it and wait for the restructure of the for profit v nonprofit allocation in the future. He encouraged the board to take a step back and understand what is at hand. The board was in favor 7-3. Mr. Lunch, Mr. Pitman, and Mr. Miller were not in favor.

c. ArtHouse Cinema Extension - Ms. Hafer made a motion to approve the extension and Mr. Lynch seconded. Mr. Patten clarified that the motion is to be amended to up to two years. Mr. Fishbaugh asked for clarity since building costs are going up if the $350k was going to be sufficient. Mr. Blakeslee said they have some contingencies in place and that they would not seek more. Mr. Fishbaugh made a motion to approve and My. Lynch seconded and all were in favor and none were opposed.

4) Staff Update/Financials - Mr. Patten asked for questions on the budget. Ms. Easton shared that the finance committee met for two hours this past week and they will be able to report back to everyone in the near future.

Mr. Casey shared that next week, N29th street and N30th street are scheduled to be live as two way streets and he will continue to send out correspondence as he obtains information.

7) Meeting was adjourned at 9:15 AM and everything else on the agenda is contingent on next month's meeting.