

****ATTENTION****

Beginning Monday, January 24th, 2022, the format of the City Council meetings will be in a hybrid format that includes both: In-Person AND in a virtual videoconferencing environment (Zoom). Councilmembers may choose to attend the meeting virtually or in-person in the City Hall Council Chambers. In order to honor the Right of Participation and the Right to Know in Article II, sections 8 and 9, of the Montana Constitution, the City of Billings and City Council are making every effort to meet the requirements of the open meeting laws.

Citizens are invited to:

- Review the Agenda Packet on the City's website at: <https://ci.billings.mt.us/117/Agendas-Minutes>
- View the meeting:
 - On Community 7 TV - Channel 7 or Channel 507 -- Spectrum Cable
 - On evenings when there is a conflict with School District No. 2 Board meetings, the City Council meeting will be broadcast on Channel 8 - Spectrum Cable.
 - Online at www.comm7tv.com and click on the "Watch Live" icon. Community 7 also has links to their Facebook page and YouTube channel in which to view the meeting.
 - On the City's website at <https://ci.billings.mt.us> and click on "Watch Meetings Online".
 - In-Person.
 - Virtually via Zoom (see the link below)

Citizens may submit public comment via the following methods:

- Mail: City Clerk, P. O. Box 1178, Billings, MT 59103
- Email: Council@billingsmt.gov.
 - Emails received after 3:00 PM on the day of the meeting, may be posted on the Council's webpage the following day for public viewing.
- Attend the meeting in person.
- Attend virtually through Zoom by registering through the link below. This platform will allow "attendees" to give public comment in the meeting. After registering a link to join the meeting will be sent, to allow attendance and viewing on a computer, laptop or smart phone. Public comment may be made by using the "raise your hand" feature, during the appropriate time and being allowed to speak.

Please click this URL to join. <https://us02web.zoom.us/j/88150941825?pwd=VE5uR1laczhOenlLSzIBK1M4eFBjUT09>

↳ Passcode: 087950

Or join by phone:

↳ Dial (for higher quality, dial a number based on your current location):

US: +1 253 215 8782

Webinar ID: 881 5094 1825

Passcode: 087950

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



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

REVISED ATTACHMENT ADDED TO CONSENT AGENDA ITEM 1G

**CITY COUNCIL
REGULAR BUSINESS MEETING**

AGENDA

COUNCIL CHAMBERS

JANUARY 24, 2022

5:30 P.M.

CALL TO ORDER: Mayor Cole

PLEDGE OF ALLEGIANCE: Mayor Cole

INVOCATION: Councilmember Shaw

ROLL CALL: Councilmembers present on roll call were: Shaw, Gulick, Neese, Owen, Joy,
 Choriki, Tidswell, Purinton, Boyett, Rupsis

MINUTES:

- December 20, 2021
- January 10, 2022

COURTESIES:

PROCLAMATIONS:

- Ag Celebration Week - January 24-28, 2022

COUNCIL REPORTS:

ADMINISTRATOR REPORTS - CHRIS KUKULSKI

PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Items: 1 and 4b 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. **Grant Application Request** to submit FY22-FY23, Montana State Historic Preservation Office Certified Local Government (CLG) grant application; \$6,000.
 - C. **Grant Application Request** to submit Montana Trail Stewardship Grant Program (MTSGP) application for paving the Riverfront Park Connection Trail; up to \$75,000.
 - D. **Extension to execute** TIF Assistance Development Agreement with Halsten Holdings, LCC (Burger Dive).
 - E. **Extension to execute** TIF Assistance Development Agreement with Montana Rescue Mission.
 - F. **Utility Right-of-Way Easement** with Tractor & Equipment Co. for water and sanitary main improvements located along Harnish Boulevard.
 - G. **Second/Final Reading Ordinance** amending Sections 2-211 and 2-226, Billings, Montana City Code

(BMCC), Council Meeting Dates.

- H. **Second/Final Reading Ordinance** expanding Ward I (Annexation 21-14): a parcel located west of Alkali Creek Road.
- I. **Bills for the Weeks of:**
1. December 20, 2021
 2. December 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. **PUBLIC HEARING AND RESOLUTION** approving and adopting FY2022 budget amendments. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

- *Presented by: Andy Zoeller, Finance Director*

Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve and adopt the FY2022 budget amendments, as recommended by staff.

3. **PUBLIC HEARING AND SECOND/FINAL READING ORDINANCE FOR ZONE CHANGE 1003:** a zone change for a new Planned Neighborhood Development for 104.42 acres of land to be annexed in three phases south of Alkali Creek Road, north and east of the Billings Airport, and west of Foothill Drive. Alkali Timbers, LLC, owner; IMEG, Kolten Knatterud, P.E. and Anna Vickers, agents. Zoning Commission recommends approval and adoption of the 10 criteria. (Action: approval or disapproval of the Zoning Commission recommendation.) * **Quasi-Judicial**

- *Presented by: Nicole Cromwell, Zoning Coordinator*

Recommended Motion: Having conducted two public hearings, considered written and spoken testimony, I move to approve the second reading for Zone Change 1003 and adopt the findings of the 10 criteria, as approved by the City Council on first reading January 10, 2022.

4. **DORN REAL ESTATE AND DEVELOPMENT PROPERTY:**

- a. **JOINT PUBLIC HEARING FOR ANNEXATION 21-15 AND ZONE CHANGE 1004:**

- i. **RESOLUTION FOR ANNEXATION 21-15:** a parcel located south of Central Avenue and west of Shiloh Road. Dorn Real Estate and Development, petitioner. Staff recommends conditional approval. (Action: approval or disapproval of staff recommendation.) * **Quasi-Judicial**

- *Presented by: Monica Plecker, Planning Division Manager*

Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to conditionally approve Annexation 21-15, as recommended by staff.

- ii. **FIRST READING ORDINANCE FOR ZONE CHANGE 1004:** a zone change for a new Planned Neighborhood Development for 27.81 acres of land currently zoned Agriculture (A) in the county, to be annexed and zoned N2, NX1, NX3 and Public 1, located south of Bell Avenue and north of Monad Road and the Bannister Drain and west of Shiloh Road. Dorn Lowe, LLC (Rick Dorn) and Robert & Bonnie Bell, owners. The Zoning Commission voted 2-2 to recommend approval and adoption of the staff proposed findings of the 10 criteria. The tie vote results in "no recommendation" from the Zoning Commission. (Action: approval or disapproval.) * **Quasi-Judicial**

- *Presented by: Nicole Cromwell, Zoning Coordinator*

Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve Zone Change 1004 and adopt the findings of the 10 criteria.

- b. **DEVELOPMENT AGREEMENT** with Dorn Real Estate and Development for improvements north of Monad Road and west of Shiloh Road. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

- *Presented by: Debi Meling, Public Works Director*

Recommended Motion: I move to approve the Development Agreement with Dorn Real Estate and Development, as recommended by staff.

- c. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward V to include recently annexed property in Annexation 21-15: a parcel located south of Central Avenue and west of Shiloh Road. Dorn Real Estate and Development, petitioner. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

- *Presented by: Monica Plecker, Planning Division Manager*

Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve the First Reading Ordinance expanding the boundaries of Ward V, as recommended by staff.

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.

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**\* 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.*

**City Council Regular Business Meeting****Meeting Date:** 01/24/2022**Title:** Annual Certified Local Government Grant Program for Historic Preservation**Presented by:** Lora Mattox**Department:** Planning & Community Services **Division:** Planning**RECOMMENDATION**

Staff recommends the City Council authorize submitting an application to the State Historic Preservation Office for a \$6,000 Certified Local Government grant for the FY22-FY23 funding cycle.

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

The City Council is being asked to authorize the application for the FY22-FY23 grant cycle for the Certified Local Government (CLG) grant for historic preservation. The Montana State Historic Preservation Office has designated the City of Billings as a CLG for historic preservation activities. As a CLG, the City is eligible annually to receive state funding to coordinate historic preservation efforts in the local area. Applications for the FY22-FY23 funding cycle from the State are due February 15, 2022. The City of Billings has been utilizing CLG funding for activities that support the efforts of the Yellowstone Historic Preservation Board (YHPB) since 1997. A description of these activities is provided in the Work Plan attached to this staff report. Recent projects being overseen by the Yellowstone Historic Preservation Board include research and preparation of a National Register nomination for McKinley Elementary School and Pioneer Park. In addition, the YHPB initiated the research and development of a National Register nomination for Riverside Park in Laurel.

The Cities of Billings and Laurel, Yellowstone County, and the Crow Tribal Council entered into an inter-local agreement in July 1993 establishing the Yellowstone Historic Preservation Board (YHPB). Along with the inter-local agreement, the four governmental entities adopted ordinances setting up a multi-government YHPB, appointed nine (9) qualified board members, and a Historic Preservation Officer. Since that time, the YHPB has been meeting monthly as warranted and has continued to develop and refine an encompassing Historic Preservation Program. The board continues to implement the 2016 Growth Policy for the Billings Urbanized Area. An area of the policy identified as "Place Makers" is a community goal and states, "The Billings area should continue to make places that we all enjoy by preserving and improving public space as well as the natural and historic landscapes to bring the community together where people are comfortable and share activities. These places are ones that you go back to, share with visitors and recall when someone asks you to describe your community". One of the objectives includes protection and preservation, such as historic preservation controls, preservation of view sheds, preservation of natural areas and the preservation of historic places.

**ALTERNATIVES**

City Council may:

- Agree to participate in the State CLG program and approve submitting a CLG grant application that provides funding to coordinate historic preservation activities; or
- Decline to participate in the State CLG program and not authorize a CLG grant application. Declining participation would potentially limit historic preservation activities in Billings and Yellowstone County, and/or require other funding sources to be accessed for historic preservation activities.

**FISCAL EFFECTS**

City Council approval would allow the City of Billings to apply for \$6,000 in State of Montana Certified Local Government funding.

- The local cash match for the Certified Local Government grant will be \$44,740. The cash match includes funds from the Planning Division of \$43,271, including a portion of the Historic Preservation Officer's salary of \$42,240 and \$1,031 in cash that will go toward consultant fees. The Yellowstone Historic Preservation Board will request \$1,000 from Yellowstone County and \$469 from the City of Laurel that will also be used for consultant fees.
- There is also an in-kind match of \$2,822.08 generated from board members' time, use of the Planning Division conference room, and other incidentals for a total match of \$47,562.08.
- The total funding package is \$53,562.08 (\$47,562.08 (Match) + \$6,000 (CLG Grant))(See attached CLG Application).
- The total cash funding package for the grant program is \$8,500 (\$6,000+\$2,500(local cash contribution)) that is

used for consulting services provided by the Western Heritage Center to perform activities identified in the Yellowstone Historic Preservation Board Annual Work Plan.

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**Attachments**

CLG Application  
YHPB Work Plan

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**Certified Local Government  
Grant Application**

**For the grant period  
April 1, 2022 to March 31, 2023**

**Application Deadline**

**February 15, 2022**

**Montana State Historic Preservation Office  
PO Box 201202  
Helena, MT 59620-1202  
(406) 444-7715**

## 2022-2023 GRANT APPLICATION

### CERTIFIED LOCAL GOVERNMENT PROGRAM

Certified Local Government: City of Billings/Yellowstone County

Address: 2825 3<sup>rd</sup> Avenue North, 4<sup>th</sup> Floor, Billings, MT 59101

Contact Person: Lora Mattox, AICP, Historic Preservation Officer, Transportation Planner

Tax ID: 816001237

Period of Grant Request: April 1, 2022 to March 31, 2023

**Scope of Work:** The National Park Service asks we grant funds to CLGs for kinds and levels of work that reflect increasing sophistication, skills, and roles by the Preservation Officers, in other words, tasks that reflect improvement in community thinking. For this section, please itemize regular work duties, special projects, products or projects starting or completing, meetings to be attended, etc., and specifically, ways in which the federal grant funds will help the local program to grow and develop. Please tie your tasks to your community's Preservation Plan. If not, please explain.

Check if Scope of Work is continued on additional pages.)

The Cities of Billings and Laurel, Yellowstone County, and the Crow Tribal Council entered into an inter-local agreement in July 1993 establishing the Yellowstone Historic Preservation Board (YHPB). Along with the inter-local agreement, the four governmental entities adopted ordinances setting up a multi-government YHPB, appointed nine (9) qualified board members, and a Historic Preservation Officer. Since that time, the YHPB has been meeting monthly as warranted and has continued to develop and refine an encompassing Historic Preservation Program. The board continues to implement the 2016 Growth Policy for the Billings Urbanized Area. An area of the policy identified "Place Makers" as a community goal and states, "The Billings area should continue to make places that we all enjoy by preserving and improving public space as well as the natural and historic landscapes to bring the community together where people are comfortable and share activities. These places are ones that you go back to, share with visitors and recall when someone asks you to describe your community". One of the objectives includes protection and preservation such as historic preservation controls, preservation of view sheds, preservation of natural areas and the preservation of historic places.

2021 was again a challenging year with COVID and its variants. Meetings for the first part of the year were held virtually until July and we were forced to move the annual YHPB Roundtable to September. We will resume the Roundtable to March this year. We also continue to offer a virtual option for board members that are out of town or ill and still want to participate.

This year the CLG funding for half-time staff is \$6,000. The local cash match for these funds is provided by the City of Billings, City of Laurel, and Yellowstone County in the amount of \$2,500. This amount combined with the \$6,000 from the CLG provides \$8,500 for consulting services provided by the Western Heritage Center. In addition to the local funds, the Planning Division also provides in-kind match through the HPO salary, room usage, all though we anticipate to continue using Zoom for meetings, and supplies. Also, Historic Preservation Board member's time is also counted toward the in-kind match. As mentioned above, the CLG and local funds are used to contract services with the Western Heritage Center and assist in carrying out the following activities:

- Assist the Board and Historic Preservation officer in undertaking action to meet short and long-range goals established by the Board. See Attachment A.
- Provide professional services to assist the Board, Historic Preservation Officer, and the City in performing duties and responsibility identified in the City's Historic Preservation Ordinance MCA 27-500.
- Act as a historic preservation center by providing technical assistance, direction, and literature on the following:
  - Historic preservation tax credits
  - National Register
  - Federal historic preservation regulations, and
  - Secretary of Interior Standards related to historic preservation activities.
- Attend community meetings related to preservation activities, on behalf of the Board upon request.
- Plan and coordinate activities and publicity during National Preservation Week in May.
- Carry out the responsibilities for the CLG program as outlined in "The Certified Local Government Program in Montana".
- Submit semi-annual reports on the historic preservation efforts of the community carried out by the City under the CLG grant.

**BUDGET**

| 4-1-2022 to<br>3-31-2023 Budget                                                                                     | Cash Amount | Cash Source                                     | In-kind<br>Amount                                                        | In-kind Source | Total       |
|---------------------------------------------------------------------------------------------------------------------|-------------|-------------------------------------------------|--------------------------------------------------------------------------|----------------|-------------|
| <b>A. Salaries, Wages,<br/>Benefits</b>                                                                             | \$42,240.00 | HPO-\$44/hr x<br>80 hrs/mo x<br>12 mos<br>CI/CO |                                                                          |                | \$42,240.00 |
| <b>B. Office Rental</b>                                                                                             |             |                                                 | \$400.00<br>Conference<br>room @ 2<br>hrs/mo x<br>\$50/hr x 8<br>mtgs/yr | CI/CO          | \$400.00    |
| <b>C. Equipment</b>                                                                                                 |             |                                                 | *                                                                        | CI/CO          |             |
| <b>D. Supplies &amp;<br/>Materials</b><br>Itemize major<br>categories                                               |             |                                                 | *                                                                        | CI/CO          |             |
| <b>E. Postage</b>                                                                                                   |             |                                                 | *                                                                        | CI/CO          |             |
| <b>F. Telephone<br/>&amp; Internet</b>                                                                              |             |                                                 | *                                                                        | CI/CO          |             |
| <b>G. Photocopies</b>                                                                                               |             |                                                 | *                                                                        | CI/CO          |             |
| <b>H. Preservation<br/>Commission</b><br>Number of hours X<br>* rate X number of<br>members X number of<br>meetings |             |                                                 | \$2,422.08<br>6 members x<br>2 hrs/mo x<br>\$25.23 x 8<br>mtgs/year      | YHPB           | \$2,422.08  |
| <b>I. Volunteers</b><br>Hours X * rate X<br>number of volunteers.                                                   |             |                                                 |                                                                          |                |             |

|                                                                                                                                               |                          |            |            |       |             |
|-----------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|------------|------------|-------|-------------|
| <b>J. Travel Mileage</b><br>Number of miles X<br>\$0.56. Include funds<br>for HPO and/or<br>Commissioners to<br>attend CLG annual<br>training |                          |            | *          | CI/CO |             |
| <b>K. Travel Meals</b><br># of Meals X rate:<br>Breakfast - \$7.50<br>Lunch - \$8.50<br>Dinner - \$14.50                                      |                          |            | *          | CI/CO |             |
| <b>L. Lodging</b><br>\$96.00 plus tax<br>X number of nights                                                                                   |                          |            | *          | CI/CO |             |
| <b>M. Project (s)<br/>Expenses</b> – fully<br>itemized                                                                                        | \$6,000.00<br>\$2,500.00 | F<br>CI/CO |            |       | \$8,500.00  |
| <b>N. Other Expenses</b> –<br>fully itemized.                                                                                                 |                          |            |            |       |             |
| <b>M. Total Expenses</b>                                                                                                                      | \$50,740.00              |            | \$2,822.08 |       | \$53,562.08 |

**SOURCE KEY:**

F-Federal

CI-City

CO-County

NP- Private/Non-Profit

\* Federally approved minimum rate for volunteers is \$25.23 per hour.

**SOURCES OF REVENUE/FUNDING**

**AMOUNT**

**Itemized Cash Match Source**

|                                               |                    |
|-----------------------------------------------|--------------------|
| <u>City of Billings (Tax ID #: 816001237)</u> | <u>\$ 1,031.00</u> |
| <u>City of Billings</u>                       | <u>\$42,240.00</u> |
| <u>City of Laurel</u>                         | <u>\$ 469.00</u>   |
| <u>Yellowstone County</u>                     | <u>\$ 1,000.00</u> |

**Itemized In-Kind Match Source**

|                                       |                   |
|---------------------------------------|-------------------|
| <u>Room rental for board meetings</u> | <u>\$ 400.00</u>  |
| <u>YHPB member time</u>               | <u>\$2,422.08</u> |

**Federal HPF Grant Request from SHPO**

|                  |                   |
|------------------|-------------------|
| <u>CLG Funds</u> | <u>\$6,000.00</u> |
|------------------|-------------------|

**TOTAL REVENUE**

\$53,562.08

**Certified Local Government**  
**Historic Preservation Commission Chairperson or President**

Signature \_\_\_\_\_ Date \_\_\_\_\_

Name (typed) \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_

\*\*\*\*\*

**Certified Local Government**  
**Chief Elected Official**

Signature \_\_\_\_\_ Date \_\_\_\_\_

Name (typed) William A. Cole

Title Mayor, City of Billings

Address Mayor, City of Billings

Telephone 406-657-8433

(The local government administrator may sign **in addition** to the Chief Elected Official.)

\*\*\*\*\*

**Certified Local Government**  
**Historic Preservation Officer**

Signature Lora Mattox Date 1/29/2021

Name (typed) Lora Mattox

Address 2825 3<sup>rd</sup> Avenue North, 4<sup>th</sup> Floor, Billings, MT 59101

Telephone 406-247-8622

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Please attach the meeting minutes (or an alternate way in writing) at which your application was discussed and approved by the Preservation Board/Commission.

Please attach a list of the historic preservation board members' names citizen membership, terms (year ending), their professional discipline or status as a citizen member on the board, and contact information.

## **Yellowstone Historic Preservation Board Work Plan 2021-2022**

### Goals & Objectives:

- I. Promote the preservation of historic buildings, sites or neighborhoods.
- II. Increase community awareness on the benefits of historic preservation activities.
- III. Promote increased awareness of preservation activities and the work of the YHPB through the four governing bodies represented on the Board.
- IV. Comply with the duties and responsibilities of historic preservation organizations under the State Certified Local Government Program and the requirements of the Inter-local Agreement.

### **2021-2022 Projects**

#### **1. Complete a National Registration Riverside Park in Laurel.**

Time Frame: Throughout 2021 – Draft nomination by fall 2021  
Who: YHPB Board, HPO/WHC, City of Laurel  
Status: YHPB has allocated hours to allow the WHC to work on the nomination. Board has also volunteered to assist in reading over narratives and other tasks associated with the creation of the nomination. In progress.

#### **2. YHPB and the WHC will explore the potential of reworking the Electronic Downtown Walking Tour into a more modern platform. The current electronic tour is broken. WHC will explore using ThinkLink, a platform that allows photography and programs to include information regarding the item in the photograph. This link shows an example of the program: <https://www.ywhc.org/exhibit/be-tween-the-lines-bees-their-people/>**

Time Frame: Throughout 2021  
Who: YHPB, WHC, HPO,  
Status: The YHPB was provided an anonymous cash donation that the HPO has discretion in spending. Working with WHC, a portion of those funds could be used to assist in creating a Downtown Walking Tour.

#### **3. YHPB will continue to explore additional Yellowstone County, Billings, Laurel and Crow Tribe historic and cultural resources that could be eligible for listing to the National Register of Historic Places. Examples include: Multiple listing of historic barns in Yellowstone County, Huntley Irrigation System, North or South Park in Billings, Laurel resources outside the historic district and working with the Crow Tribe, identify potential sites in Yellowstone County for listing.**

Time Frame: Throughout 2021  
Who: YHPB, WHC, HPO, Crow Tribe,  
Status: Discussion will begin early spring on potential resources to look at.

- 4. YHPB is interested in providing a program or education opportunity during Preservation Month in May. A suggested subject is the History of Riverside Park, Laurel Montana.**

Time Frame: May 2021 - Preservation month (May) is a possible time. Held in Laurel  
Who: YHPB, WHC, HPO  
Status: Completed

### **Annual Board Activities**

- 1. Continue the review of building permits submitted for properties located within the designated historic district.**

Time Frame: Ongoing  
Who: Committee and HPO

- 2. Continue the review of Community Development Block Grant rehabilitation projects as needed.**

Time Frame: Ongoing  
Who: YHPB/WHC

- 3. Continue to review and update the information relating to the Downtown Billings Electronic Walking Tour. Discuss with the City of Laurel to include its new downtown historic district in the application.**

Time Frame: Yearly  
Who: Committee/WHC

- 4. To continually update the local governing bodies of the activities undertaken by the YHPB, annual PowerPoint Presentations will be made to the City of Billings, the City of Laurel and Yellowstone County.**

Time Frame: Yearly  
Who: Chair/WHC/HPO  
Status: The scheduling of these meetings will take place yearly during spring.

- 5. To provide up to date information to the general public, continually update the web site and social media sites on activities and programs.**

Time Frame: Ongoing  
Who: WHC

- 6. Provide resources to property owners who are interested in listing a property to the National Register. Including State Historic Preservation Office contacts, literature and technical assistance.**

Time Frame: Ongoing  
Who: YHPB Board/HPO/WHC

**7. Expand YHPB meetings to alternate locations. To take advantage of some of our many historic venues, the board wishes to expand meetings to alternate locations.**

Time Frame: Ongoing  
Who: HPO/WHC

**8. Due to a loss of potential historic buildings within the City of Billings, an effort is being made to notify WHC and a member of the board about upcoming demolitions. The Building Division notifies HPO on the release of demolition permits, HPO notifies members of the demolition and a determination is made to either document/photograph building.**

Time Frame: Ongoing  
Who: HPO/WHC/Board

**9. Continue exploration of grant opportunities to provide additional funds to the YHPB for historic preservation projects.**

Time Frame: Ongoing  
Who: HPO/WHC

**10. Consultant, Historic Preservation Officer and YHPB will attend training meetings as needed. Historic Preservation Officer will attend the required annual Montana State Historic Preservation Conference.**

Time Frame: Ongoing  
Who: WHC/HPO

**11. To provide a forum for Historic Preservationist to share their successes and discuss projects and to present historic preservation awards, continue to host the Historic Preservation Roundtable yearly.**

Time Frame: Yearly  
Who: WHC/HPO/Board  
Status: Preservation Month - March

**12. Celebrate National Historic Preservation Month. Board will decide on a program, speakers and other events to commemorate this event.**

Time Frame: Yearly  
Who: Committee/WHC  
Status: This event will occur yearly during May.

**City Council Regular**

**Date:** 01/24/2022  
**Title:** Montana Trail Stewardship Grant Program Application  
**Presented by:** Elyse Monat  
**Department:** Planning & Community Services  
**Presentation:** No

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**RECOMMENDATION**

Staff recommends the City Council approve submitting a Montana Trail Stewardship Grant Program (MTSGP) application to provide funding for paving the Riverfront Park Connection Trail. The grant is due February 15, 2022.

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

The City of Billings is seeking Montana Trail Stewardship Grant Program (MTSGP) funding for the Riverfront Park Trail Connection. MTSGP is "a state program that provides funding for the development, renovation, and maintenance of motorized and non-motorized recreational trails and trailside facilities throughout Montana and in its communities." Montana Fish, Wildlife, and Parks administers the MTSGP.

The Riverfront Park Trail Connection will be located on City property in Riverfront Park. The trail is one of the missing sections of the Marathon Loop which will one day encircle Billings. This trail is partially funded by oil spill funds paid to the City as part of the Exxon Mobile settlement from the 2011 spill. Settlement funds fall short of building the entire project to the desired standard. The whole project will include approximately 4,500 linear feet of trail and a bridge over the City/County Drain. As a result of the funding shortfall, the Planning Division is working closely with the Parks, Recreation, and Public Lands Department (Parks) on this MTSGP application to supplement available funds. The Engineering Division is also assisting on this project by helping Parks to manage the project.

The MTSGP offers up to \$75,000 in funding and requires a local match equal to 10% of the overall project. The oil spill funding will be used as the City's match. The City will apply for the full amount of \$75,000 and will designate approximately \$8,333 of the oil spill funding as match. Grant funds will go to paving approximately half a mile of trail. Without grant funds, this paving would not be possible. Paving the trail will make it more accessible to people with disabilities, seniors, and families. All other existing sections of the Marathon Loop are paved.

Parks is bidding this trail project in summer 2022 with construction expected between summer-winter 2022. If awarded, MTSGP funds will become available July 1, which fits well into the current trail construction timeline. Paving will be bid as an additive alternate in the bid package so that the rest of the construction project can be kept on track while waiting for news of the MTSGP award.

**ALTERNATIVES**

City Council may:

- Approve submittal of the MTSGP application; or,
- Not Approve submittal of the MTSGP application.

There is no disadvantage to the City in submitting this grant application. If the grant is not awarded, staff will continue to look for other options to pave the Riverfront Park Connection Trail.

**FISCAL EFFECTS**

Staff is writing the MTSGP to provide funding for the paving of approximately half a mile of the Riverfront Park Connection Trail. The City will apply for \$75,000 of grant funds. This project is already being partially funded by funds from an oil spill settlement. The oil spill funds will also be used as the local match for the grant, so no City funds will be required for the match. Engineering, design, and some construction costs are covered by the oil spill funds. Parks and Engineering staff are already dedicating their time to this project, so there will not be extra staff time required to manage the construction project if the grant is awarded. Staff has spent time writing the application as part of regular job duties. If successful, staff will also dedicate a small amount of time to managing the grant.

If the grant is awarded, the COB will likely get a better price on paving costs, as the paving costs will be bid as an additive alternate on the trail construction package instead of bidding paving separately later. Paving the trail will improve access for all users and help reduce maintenance costs of the trail as paved trails require less ongoing maintenance than soft surface trails.

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**City Council Regular**

**Date:** 01/24/2022  
**Title:** Extension to Execute TIF Assistance Development Agreement - Burger Dive - 2712 Minnesota Avenue  
**Presented by:** Wyeth Friday  
**Department:** Planning & Community Services  
**Presentation:** No

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**RECOMMENDATION**

Staff recommends the City Council provide an extension for the time to execute the TIF Assistance Development Agreement with the Halsten Holdings, LCC (Burger Dive) until Halsten Holdings receives approval from the National Park Service of its tax credit application or no later than December 31, 2022.

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

The City Council in December 2020 approved up to a maximum reimbursement of \$466,373 from Downtown Urban Renewal tax increment finance district funds to the Halsten Holdings, LLC (Burger Dive) for demolition/renovation of the applicant's property at 2712 Minnesota Avenue. One of the conditions of approval was that the applicant sign a development agreement (DA) with the City of Billings and Downtown Billings Partnership (DBP) within 90 days of City Council's approval. The applicant has been unable to execute the DA as required because of delays in completing its historic tax credit application process with the National Park Service who oversees the historic tax credit program. The project cannot start until Halsten Holdings receive the tax credit approval because all the other funding mechanisms for the project are contingent on the Historic Tax Credits.

Given that it is not known exactly when the tax credit process will be completed for the project, staff is recommending the City approve an extension of execution of the DA until Halsten Holdings receives approval from the National Park Service of its tax credit application or no later than December 31, 2022. Nothing else has changed with the project plans or the content of the original TIF application the DBP and City acted upon.

The Burger Dive plans to revitalize the Western & Wheel Bars Building, which is located at 2712/2714 Minnesota Avenue, a key section of Minnesota Avenue in downtown Billings that has been vacant for several years. This project eliminates blight by rehabilitating four buildings that have come under serious disrepair, addressing concerns of dilapidation, unsanitary conditions, and a deteriorating site. The Burger Dive is an award-winning and nationally known and reputable local gourmet burger restaurant that is looking to expand after 10 years at its present location on 27th Street. The new location will increase the seating capacity by 2 & ½ times, expand the kitchen, add a retail shop, outdoor dining area, "speakeasy-like" basement bar, and an event space. There will be commercial space for a tenant to offer more business or retail at the street level, and above the Burger Dive portion of the project, the old boarding house rooms will be re-purposed and combined into six new, energy efficient residential apartments. Two additional new apartments also will be built in a new, second-story addition above the old Wheel building making it a total of eight new apartments as part of the project.

The Burger Dive plans to use the approved TIF funds to reimburse it for improvements and modifications, including some demolition, building structural stabilization, infrastructure (water and sewer replacement/connections), safety and accessibility for the public, and exterior improvements including removing old stucco, repairing the brick, rehabilitating and improving existing windows, and restoring the overall historic character. The total reimbursement approved was \$466,373. If the total value of cash invested (\$3,119,497) and land and buildings (\$292,000) are factored into the request, the private investment is 85% and the public investment is 15%, or about a 7 to 1 ratio. Even if the building acquisition is removed from the total project cost, bringing the project total to \$2,831,497, the private investment remains at about 84% and public investment is about 16%, or about a 6:1 ratio.

The City Council and DBP Board both supported this application request, recognizing this project will make a significant commitment and investment in Downtown Billings and transform another portion of Minnesota Avenue, making the area safer, more active and more valuable as an asset in the community.

**ALTERNATIVES**

City Council may:

- Approve the extension of the time to execute the TIF Assistance Development Agreement with the Halsten Holdings, LCC (Burger Dive); or

- Not approve the extension of the time to execute the TIF Assistance Development Agreement with the Halsten Holdings, LCC (Burger Dive). If the extension is not approved, the applicant will have to re-apply for TIF funds through the process as the condition of executing the DA may not be met.

#### **FISCAL EFFECTS**

The City has already approved the expenditure of TIF funds for this project up to a maximum of \$466,373 and the City and DBP have this reimbursement request factored into the Downtown District budget for FY22.

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#### **Attachments**

Burger Dive Project Narrative

Meeting Date: Friday, November 20, 2020, 7:30 am

Location: Remotely via Zoom

*RE: Halsten Holdings, LLC TIFD Assistance*

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**Proposal:**

Halsten Holding, LLC is pursuing to own and revitalize the Western & Wheel Bars Building, which is located at 2712/2714 Minnesota Avenue. Andi & Brad Halsten own and operate the award-winning Burger Dive, a nationally known and reputable local favorite gourmet burgers, fries, and milkshakes establishment. After 10 years of service, they look to further grow their business as well as expand their offerings and hours by moving from their current location to their new permanent home. The new capacity will increase their seating by 2 & ½ times, expand their kitchen, add a retail shop, outdoor dining area, “speakeasy-like” basement bar, and event space. Additionally, there will be commercial space for a tenant to offer more business or retail at the street level. Above the Burger Dive, the old boarding house rooms will be repurposed and combined into six new, energy efficient residential apartments. Furthermore, two new apartments will be built in a new, second-story addition above the old Wheel building making it a total of eight new workforce apartments as part of the project.

This project eliminates blight by rehabilitating four buildings that have come under serious disrepair, addressing concerns of dilapidation, unsanitary conditions, and a deteriorating site. The buildings have been vacant for several years to decades and this project will fill four empty storefronts. This will increase the density of activity, visitation, and aesthetic appeal of the downtown. The building facades will receive a complete overhaul, removing old stucco, repairing the brick, rehabilitating and improving existing windows, and restoring the overall historic character. This project will also reactivate underutilized taxable properties leading to increased value for the buildings and their neighbors and ultimately, revenue for the City.

The Burger Dive is a destination and with the new facade improvements, signage, and streetscape improvements - including street trees - the restaurant will only become more so, effectively filling the underutilized diagonal and parallel parking in the neighborhood. By regularly filling parking spaces, the street feels narrower for drivers which is a proven traffic calming strategy for reducing speeds and increasing pedestrian safety. The South-facing patio space has one-of-a-kind potential with the right application of greenery, lighting, and art, the patio will become a true amenity for not just the restaurant but also the alley. Bringing public eyes, lighting, and public art are CPTED approved strategies. The Burger Dive is also a job creator, and with the expanded services and hours of operation, additional staff is expected to be hired to cover the demand. Not to mention the leasable commercial space that the project is incorporating to provide room for synergistic retail business to further energize business development downtown and on Minnesota Avenue.

Halsten Holdings, LLC is requesting TIFD assistance in the amount of \$466,373 dollars on a 5:1 matching basis. The total project is projected at \$3,119,497. If approved, this TIFD assistance request will be subject to available Fund 203 cash and will only be applied to qualified expenditures.

### **Financial Breakdown Details**

| <b>Private Investment</b>        | <b>TIF Request</b> | <b>Ratio %</b> |
|----------------------------------|--------------------|----------------|
| Property Acquisition = \$239,579 |                    |                |
| Construction = \$2,879,918       |                    |                |
| Total = \$3,119,497              | \$466,373          | 15%            |

### **Financials**

If approved, reimbursement funds are available in the fiscal year following the year of project completion.

DBP Development Committee recommends approval of this project by the Board of Directors with the following contingencies:

1. The Applicant shall sign a development contract with the City of Billings and DBP within 90 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.

**DBP board of directors has authority to approve, modify and approve, or disapprove the recommendation prepared by the Development Committee.**

**Motion to approve:** I make a motion to approve the recommendation of the Development Committee to award this applicant a reimbursement grant not to exceed \$466,373 so long conditions above are met.

**Motion to disapprove:** I make a motion to disapprove the recommendation of the Development Committee in awarding this applicant a reimbursement grant of up to \$466,373.



Historic "Western Bar" ca. 1940  
2712 Minnesota Ave, Billings, MT

**City Council Regular**

**Date:** 01/24/2022  
**Title:** Extension to Execute TIF Assistance Development Agreement - Montana Rescue Mission - 2822 Minnesota Avenue  
**Presented by:** Wyeth Friday  
**Department:** Planning & Community Services  
**Presentation:** No

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**RECOMMENDATION**

Staff recommends the City Council provide an extension for the time period to execute the TIF Assistance Development Agreement with the Montana Rescue Mission until December 31, 2022 for its redevelopment project on Minnesota Avenue.

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

The City Council in April 2021 approved up to a maximum reimbursement of \$420,000 from Downtown Urban Renewal tax increment finance district funds to the Montana Rescue Mission for qualified expenses for demolition and renovation of the property at 2822 Minnesota Avenue. One of the conditions of approval was that the applicant sign a development agreement (DA) with the City of Billings and Downtown Billings Partnership (DBP) within 150 days of City Council's approval. The applicant has been unable to execute the DA as required in this time frame because of delays in finalizing project financing and other project logistics. The TIF assistance request will be applied to qualified expenditures including exterior restoration, foundational/structural improvements, Crime Prevention Through Environmental Design (CPTED) elements within landscaping, lighting and streetscape improvements.

The Montana Rescue Mission (MRM) is embarking on a project to create a Unified Campus for its operations and services. This project will encompass several buildings on Minnesota Avenue; some of which have been operational but not as optimal as they can be while other properties have been underutilized and in dire need of revitalization. This project involves properties between South 29th St and South 28th St (west to east), as well as Minnesota Ave and 1st Ave South (north to south). This effort will streamline MRM's services in addition to contributing to the momentum of redeveloping and reactivating Minnesota Avenue. This new campus is a holistic approach to combat homelessness and guide vulnerable populations through the challenges of being re-established in the community. The new space will offer more privacy for its tenants, increase capacity, and offer low-income housing. Low-income tenants are still expected to meet the conditions associated with low-income housing requirements, and are subject to availability of units. This campus will also offer an outdoor green space, car and bike parking, playground and pet area, on-site daycare, vocational training, library lounge, exercise facility, community auditorium, medical clinic, computer lab, class and office spaces, and a barber/beauty shop.

This project was supported by the City Council and the DBP as it addresses many of the goals of the Downtown Billings Strategic Plan and Urban Renewal Plan, such as enhancing the pedestrian experience, contributing to public safety, activating vacant spaces, and providing natural surveillance. Additionally, this project uses existing infrastructure and resources to restore health and vitality for the benefit of downtown life and the surrounding neighborhood. The total reimbursement of \$420,000 in qualified expenses is well below the City TIF Policy's recommended ratio of 5:1 private investment to public investment given the project's total estimated \$12 million cost.

**ALTERNATIVES**

City Council may:

- Approve an extension for the time period to execute the TIF Assistance Development Agreement with the Montana Rescue Mission for its redevelopment project on Minnesota Avenue; or,
- Not Approve an extension for the time period to execute the TIF Assistance Development Agreement with the Montana Rescue Mission for its redevelopment project on Minnesota Avenue. If the extension is not approved, the applicant will have to re-apply for TIF funds through the process as the condition of executing the DA may not be met.

**FISCAL EFFECTS**

The approved reimbursement is for up to a maximum of \$420,000 to be reimbursed to the Montana Rescue Mission for the identified building remodel work. The estimated total project cost is \$12 million, making the private to public

investment ratio for this project 24:1. This project is to be reimbursed in two phases over several fiscal years, starting the fiscal year after the project is completed. Currently, the project is estimated for completion in 2023. Since the City has approved this project, this reimbursement request is already factored into the Downtown District budget planning for future fiscal years.

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### **Attachments**

MRM DBP Project Description

Meeting Date: Friday, March 26, 2020, 7:30 am

Location: Remotely via Zoom

*RE: Montana Rescue Mission TIFD Assistance*

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**Proposal:**

The Montana Rescue Mission (MRM) is embarking on a project to create a Unified Campus for their operations and services. This project will encompass several buildings on Minnesota Avenue; some of which have been operational but not as optimal as they can be while other properties have been underutilized and in dire need of revitalization. This project involves properties between S 29th St and S 28th St (west to east) as well as Minnesota Ave and 1st Ave S (north to south). This effort will streamline MRM's services in addition to contributing to the energetic momentum of reactivating Minnesota Avenue. This new campus is a holistic approach to combat homelessness and guide vulnerable populations through the challenges of being re-established in the community.

The plan dictates releasing the Women's Shelter building from their ownership and consolidating all operations within the new campus. The new space will offer more privacy for its tenants, increase capacity, and offer low-income housing. Low-income tenants are still expected to meet the conditions associated with low-income housing requirements and are subject to availability of units. This campus will also offer an outdoor green space, car and bike parking, playground and pet area, on-site daycare, vocational training, library lounge, exercise facility, community auditorium, medical clinic, computer lab, class and office spaces, and a barber/beauty shop. By reinvigorating this existing space as well as releasing the Women's Shelter building back into a tax-paying entity, this project addresses many of the goals of the Downtown Billings Strategic Plan and Urban Renewal Plan such as enhancing the pedestrian experience, contributing to public safety, activating vacant spaces, and providing natural surveillance. Additionally, this project uses existing infrastructure and resources to restore health and vitality for the benefit of downtown life and the surrounding neighborhood.

MRM is requesting TIFD assistance in the amount of \$1.5M dollars on a 5:1 matching basis. Their private investment is \$10.5M, which includes federal low-income housing tax credits and private fundraising. The total project will cost \$12M and below is a breakdown of TIF eligible expenses. Following a lengthy extensive review of the program goals, the proposal's merits, the projected funds available, and the applicant's desire for short term disbursement, the Development Committee is recommending a grant allocation of \$420,000 toward blight elimination to be paid in two equal consecutive installments following completion of the project. If approved, this TIFD assistance request will be subject to available Fund 203 cash and will only be applied to qualified expenditures, such as demolition, exterior restoration (exterior windows, doors, lighting, signage, awnings), foundational/structural improvements, landscaping and streetscaping.

**Eligible TIF expenses:**

Exterior improvements: \$782,742  
Exterior sitework: \$797,848  
Structural upgrades: \$967,389  
**Subtotal: \$2,547,979**

**Privately funded expenses**

East building interior improvements  
Middle building interior improvements  
West building interior improvements  
Building 21 interior improvements  
**Subtotal: \$9,458,062**

**Financials**

If approved, reimbursement funds are available for reimbursement starting in the fiscal year following the fiscal year in which the project is completed. Reimbursement is to be in at least two consecutive installments of \$210,000 a year.

DBP Development Committee recommends approval of this project by the Board of Directors with the following contingencies:

1. The Applicant shall sign a development contract with the City of Billings and DBP within 90-150 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.

**DBP board of directors may approve, modify and approve, or disapprove the recommendation prepared by the Development Committee.**

**Motion to approve:** I make a motion to approve the recommendation of the Development Committee to award this applicant a reimbursement grant not to exceed \$420,000 so long conditions above are met.

**Motion to disapprove:** I make a motion to disapprove the recommendation of the Development Committee...

**Motion to Modify:** I make a motion to...

**City Council Regular**

**Date:** 01/24/2022  
**Title:** Acceptance of Utility Right-of-Way Easement from Tractor & Equipment Co.  
**Presented by:** Debi Meling  
**Department:** Public Works  
**Presentation:** No

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**RECOMMENDATION**

Staff recommends that City Council accept the Utility Right-of-Way Easement from Tractor & Equipment Co.

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

As part of the development of the recently annexed area south of I-90, proposed to be developed as the Coca-Cola bottling facility, water and sewer mains will be extended by the developer to serve the facility. A water main and sanitary sewer main will be constructed, generally to the west from East Lane to Parcel 11A of Certificate Survey 1391, located along Harnish Boulevard (the proposed Coca-Cola bottling site). A portion of the water and sanitary mains are proposed to be located along the north side of Tracts 1A and 1B of Certificate of Survey 1391, which is owned by Tractor & Equipment Company. City staff has reviewed this portion of the route for the water and sanitary sewer mains. Tractor & Equipment Co. has agreed to grant to the City a 30-foot wide utility easement through their property for the construction of the water and sanitary sewer mains. In addition, the easement will allow the City perpetual access to maintain the water and sanitary sewer mains.

**ALTERNATIVES**

The City Council may:

- Approve the easement; or
- Not approve the easement. If not approved, the developer will be required to propose a different route for the water and sanitary sewer mains which will raise the cost of construction considerably.

**FISCAL EFFECTS**

There is no cost to the City for acceptance of the easement. However, because the city is paying for the oversizing of the mains in accordance with city policy, the cost to the city for an alternate route would increase.

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**Attachments**

Easement

Return to:  
The City of Billings  
P.O. Box 1178  
Billings, MT 59103

## UTILITY RIGHT-OF-WAY EASEMENT

THIS INDENTURE, made and entered into this \_\_\_ day of \_\_\_\_\_, 2021, by and between the following:

*Tractor & Equipment Co.*  
*17035 West Valley Highway*  
*Tukwila, WA 98188*

Hereinafter referred to as GRANTOR

And

CITY OF BILLINGS, a Municipal Corporation  
City Hall – 210 North 27<sup>th</sup> Street  
P.O. Box 1178  
Billings, Montana 59101

Hereinafter referred to as GRANTEE

**FOR VALUABLE CONSIDERATION**, the receipt of which is hereby acknowledged.

**WITNESS THAT GRANTOR** does hereby grant and convey unto the GRANTEE, a 30-foot-wide perpetual easement and right-of-way, over, across, under, and through certain real property located in the Harnish Development Park, Yellowstone County, Montana, more particularly described as follows, to wit:

*A 30-foot wide access and utility easement being south of the northern property line of Parcels 1A and 1B of Certificate of Survey 1391 located in Section 24, Township 01S, Range 25E, PMA, Yellowstone County, Montana; the northern thirty feet from the northeastern corner of Parcel 1B, proceeding west to the northwestern corner of parcel 1A. The south sideline of said easement being extended or shortened to intersect with the east property line of Parcel 1B and the west property line of Parcel 1A. Hereinafter referred to as the "Easement Area" and set forth in Exhibit A, attached and incorporated herein.*

This perpetual easement to Grantee is for the purpose of constructing, reconstructing, maintaining, operating, servicing, repairing, and replacing public sanitary sewers and/or water service lines over, across, under, and through the said real property, together with the right of free ingress and egress at all times for the purpose of constructing, reconstructing, maintaining, operating, servicing, repairing, and replacing said sanitary sewers and/or water lines and appurtenances, and adding additional sanitary sewer and/or water lines.

Grantor shall continue to have the right to use and enjoy the above-described property, except as to the rights herein granted, subject to the following restrictions:

1. Grantor and their successors agree not to construct, nor cause to be constructed, within the easement right-of-way, any type of building or structure, such as, but not limited to, houses, garages, sheds, kennels, fences, nor any other fixed objects of any kind, shape or form, except as many be licensed by Grantee.
2. Grantor agrees not to plant, nor cause to be planted within the easement right-of-way, any trees, bushes, shrubs, hedges nor any other plantings of a similar nature, except as may be licensed by Grantee.

IN WITNESS WHEREOF, the GRANTOR has hereunto set their hand the day and year herein above written.

GRANTOR

By: \_\_\_\_\_

Brian Heeb

Title: Vice President & Chief Financial Officer

STATE OF WASHINGTON)

: ss

County of King )

On this 22<sup>nd</sup> day of December, 2021, before me, a Notary Public in and for the State of Washington, personally appeared Brian Heeb known to me to be the person who signed the foregoing instrument as the Vice President & Chief Financial Officer of **GRANTOR** and who acknowledged to me that said company executed the same.

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



*Jagoda Nichols*

Notary Public in and for the State of Washington

Printed name: Jagoda Nichols

Residing at: King County, Washington

My commission expires: 04-15-2024

**ACKNOWLEDGEMENT AND ACCEPTANCE OF  
CONVEYANCE**

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

“CITY”

CITY OF BILLINGS, MONTANA

By: \_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk

STATE OF MONTANA            )  
                                          : ss  
County of Yellowstone        )

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

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

\_\_\_\_\_  
Notary Public in and for the State of \_\_\_\_\_  
Printed Name \_\_\_\_\_  
Residing at \_\_\_\_\_  
My commission expires \_\_\_\_\_



**City Council Regular**

**Date:** 01/24/2022  
**Title:** Second reading - Ordinance amending BMCC sections 2-211 and 2-226  
**Presented by:** Gina Dahl  
**Department:** Legal  
**Presentation:** No

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**RECOMMENDATION**

Staff recommends Council approve moving city council meetings from Mondays to Tuesdays on second reading of the Ordinance amending sections 2-211 and 2-226 of Billings, Montana City Code.

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

During the December 6, 2021, work session, Council directed staff to modify city code to consider shifting regular business meetings and work sessions from Mondays to Tuesdays. January 10, 2022, this change was approved on first reading. Our goal is to maximize the effectiveness of our city council meetings by improving meeting preparation. We are also trying to maximize the consistency and predictability of when council meetings are held. Whenever a holiday falls on a Sunday or Monday, council meetings are moved to Tuesdays. Four national holidays are always on Mondays, in 2022, five (5) holidays are observed on Mondays and no (0) holidays are on Tuesdays. In Montana, we observe election day for our federal elections (every other year).

One of the concerns expressed about the shift is that we may be creating more scheduling conflicts by moving to Tuesdays. I reached out to several church congregations (6), SD2, Billings Central, MSUB and Rocky Mountain College to discuss their event calendars. I will share there feedback once I have it. In the conversations I've had so far, both the churches and schools recognize Sundays and Wednesday evenings are popular church activities, however most have events most days of the week.

From a practical standpoint, I believe this change will provide additional time for staff and council to prepare for council meetings. This statement is predicated on the observation that Council members most commonly read their council packet over the weekend, resulting in clarification questions being received prior to the start of business on Monday mornings. If this is accurate, staff and the council will have two business days to exchange information and prepare for the meeting vs one. This also helps staff to address council members' questions and concerns about agenda items and packet materials during normal business hours instead of over the weekend. This change will also remove a scheduling conflict for citizens who may have an interest in attending both the city council and a school district two meeting since both local boards currently meet at the same time.

A few boards that currently meet on Tuesday's will likely move their meetings from Tuesdays to a different night of the week. This will be the case for the planning board since it is common that staff is needed for both the city council and planning/zoning meetings. Over time, we may see the neighborhood task forces also move their meetings away from Tuesday's. All in all, I believe the positive impact of moving council meetings to Tuesdays will out way the inconvenience of these other meeting shifts.

**STAKEHOLDERS**

Mayor and Council  
 City staff  
 Members of the public

**ALTERNATIVES**

City Council may:

- Approve; or,
- Not Approve

**FISCAL EFFECTS**

There is no direct cost associated with this change.

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**Attachments**

Ordinance 2-211 and 2-226



## ORDINANCE 22-5792

### AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE BILLINGS, MONTANA CITY CODE (BMCC) BE AMENDED BY REVISING SECTIONS 2-211 AND 2-226

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

**Section 1.** That Section 2-211 of the Billings, Montana City Code (BMCC) is amended so that such sections shall read as follows:

**Sec. 2-211. Calling to order; quorum.**

The city council shall hold a regular meeting for the transaction of city business on the second and fourth Tuesdays in each month. If the regular meeting falls on a day recognized as a holiday by the city, the meeting will not be held on that date but will be held on the following day. Any regular meeting may be canceled or rescheduled by majority vote of the council at any time prior to the date scheduled for such meeting. Regular meetings shall convene and be called to order by the mayor at 5:30 p.m., unless otherwise ordered.

The mayor or any three (3) councilmembers may request that a special meeting be called. The request shall be submitted to the city administrator who shall prepare the agenda and notice in writing, which notice shall be delivered or mailed to all city councilmembers and the mayor. The notice shall be delivered within a reasonable period of time prior to the meeting. If there is not sufficient time to prepare and deliver or mail the notice, the city administrator, within his discretion, may use whatever means of notification available considering the circumstances. Notice of a special meeting shall be deemed sufficient if given at a regular or special council meeting; provided, that notice in writing shall be delivered to any absent councilmember and the mayor, if absent. At any regular or special council meeting, the city clerk shall proceed to call the roll, and record in the minutes the names of all members present. The mayor shall announce whether or not a quorum is present. A simple majority of the members of the council duly elected and qualified, is necessary to constitute a quorum.

**Section 2.** That Section 2-226 of the Billings, Montana City Code (BMCC) is amended so that such sections shall read as follows:

**Sec. 2-226. City council work sessions.**

(a) In addition to its regular business meetings, the city council may also meet for work sessions. The purpose of these meetings shall be to provide an opportunity for the mayor and city councilmembers to hold

more in-depth discussions on policy matters, give input or feedback to the city administrator and his staff, and hear presentations on current issues and projects.

(b) Work sessions, if held, will be scheduled on the 1st and 3rd Tuesdays of each month at 5:30 p.m.

(c) The city administrator shall prepare the agenda for work sessions to be used in public notices based upon input from the mayor, city councilmembers, and city staff. Work sessions shall be informal meetings conducted by the mayor who may alter the agenda during the meeting based upon the consensus of those present.

(d) The attendance of work sessions by the mayor and city councilmembers shall not be mandatory and attendance will not be taken. No formal action may be taken by the mayor and city council at these proceedings even if a quorum of the city council is present.

**Section 3. EFFECTIVE DATE.** This ordinance shall be effective April 1, 2022, after second reading and final adoption as provided by law.

**Section 4. REPEALER.** All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

**Section 5. 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 the 10<sup>th</sup> day of January, 2022.

PASSED, ADOPTED and APPROVED on second reading this 24<sup>th</sup> day of January, 2022.

CITY OF BILLINGS

BY: \_\_\_\_\_  
William A. Cole, Mayor

Attest:

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

**City Council Regular**

**Date:** 01/24/2022  
**Title:** Ward Boundary Expansion Ordinance Second Reading - Annexation 21-14  
**Presented by:** Monica Plecker  
**Department:** Planning & Community Services  
**Presentation:** No

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**RECOMMENDATION**

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

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

David and Ali Mitchell submitted a petition to annex land using the provisions of Section 7-2-4600, MCA. The property is located west of Alkali Creek Road. The property is described by a metes and bounds description which is included in the ordinance attached to this report. Only Phase 1 is being included in Ward I at this time. Additional ordinance amendments will be required at the time future phases are annexed. The property is zoned Agricultural Open Space, a county zone that is not recognized by the City of Billings. There is an accompanying zone change application to change the property to Neighborhood PND.

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 public hearing was held on January 10. Council approved the action and second reading will occur on January 24, 2022.

**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 application has no impact on the Planning Division Budget.

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**Attachments**

Ward Boundary Ordinance

**ORDINANCE NO. 22-\_\_\_\_\_**

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:

AN IRREGULAR SHAPED PIECE OF LAND BEING A PORTION OF TRACTS A AND B OF CERTIFICATE OF SURVEY NO. 3795, RECORDED AS DOCUMENT NO. 3985813, RECORDS OF YELLOWSTONE COUNTY, LOCATED IN THE NE1/4, SE1/4, SW1/4 AND NW1/4 OF SECTION 19, TOWNSHIP 1 NORTH, RANGE 26 EAST, PRINCIPAL MERIDIAN MONTANA, YELLOWSTONE COUNTY, MONTANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EASTERLYMOST CORNER OF TRACT A OF CERTIFICATE OF SURVEY NO. 3795 ON THE CENTERLINE OF ALKALI CREEK ROAD AND BEING A POINT ON A NON-TANGENT CURVE WITH A RADIAL BEARING OF S34°37'41"W, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE THE FOLLOWING THREE (3) COURSES ALONG THE EASTERLY BOUNDARY OF SAID TRACT A: AN ARC DISTANCE OF 234.94 FEET ALONG SAID NON-TANGENT CURVE TO THE LEFT, OF RADIUS 1400.00 FEET AND DELTA 9°36'55" TO A POINT ON A TANGENT LINE; THENCE ALONG SAID TANGENT LINE, N64°59'13"W, 748.64 FEET TO A TANGENT POINT OF CURVATURE; THENCE AN ARC DISTANCE OF 261.23 FEET ALONG SAID TANGENT CURVE TO THE RIGHT, OF RADIUS 1150.00 FEET AND DELTA 13°00'54" TO A POINT ON A NON-TANGENT LINE; THENCE DEPARTING SAID EASTERLY BOUNDARY, S78°19'53"W, 505.03 FEET; THENCE S03°16'08"W, 164.11 FEET; THENCE S83°30'07"W, 40.12 FEET; THENCE N65°45'25"W, 128.76 FEET TO A POINT ON A NON-TANGENT CURVE, SAID POINT HAVING A RADIAL BEARING OF N45°39'08"W; THENCE AN ARC DISTANCE OF 55.66 FEET ALONG SAID NON-TANGENT CURVE TO THE RIGHT, OF RADIUS 50.00 FEET AND DELTA 63°46'57" TO A POINT ON A NON-TANGENT LINE; THENCE ALONG SAID NON-TANGENT LINE, S55°00'01"W, 200.00 FEET; THENCE

N34°59'59"W, 141.40 FEET; THENCE S55°00'01"W, 272.10 FEET, THENCE S43°40'41"W, 292.79 FEET, MORE OR LESS, TO A POINT ON THE LINE COMMON TO TRACTS A AND B OF SAID CERTIFICATE OF SURVEY NO. 3795; THENCE ALONG SAID COMMON LINE, S47°53'34"W, 392.21 FEET; THENCE DEPARTING SAID COMMON LINE, S68°55'38"W, 90.76 FEET; THENCE S18°02'15"W, 200.07 FEET; THENCE S35°42'22"E, 98.92 FEET, MORE OR LESS, TO A CORNER COMMON TO SAID TRACTS A AND B; THENCE ALONG THE COMMON LINE OF SAID TRACTS A AND B, S53°01'08"E, 31.79 FEET; THENCE DEPARTING SAID COMMON LINE, S32°07'15"W, 369.88 FEET; THENCE N72°31'48"E, 185.49; THENCE N51°08'15"E, 168.60 FEET; THENCE N36°31'50"E, 263.57 FEET, MORE OR LESS, TO A POINT ON THE COMMON BOUNDARY LINE OF SAID TRACTS A AND B; THENCE THE FOLLOWING TWO (2) COURSES ALONG SAID COMMON LINE: N58°12'21"E, 451.31 FEET; THENCE N44°12'09"E, 204.37 FEET; THENCE DEPARTING SAID COMMON LINE, S07°30'20"E, 157.12 FEET; THENCE N89°30'34"E, 145.84 FEET, MORE OR LESS, TO A POINT ON COMMON BOUNDARY LINE OF SAID TRACTS A AND B; THENCE ALONG SAID COMMON BOUNDARY, S41°12'34"E, 143.81 FEET; THENCE DEPARTING SAID COMMON LINE, S34°47'53"E, 154.20; THENCE S48°16'04"W, 280.00 FEET; THENCE S41°43'56"E, 250.93 FEET; THENCE N48°16'04"E, 72.93 FEET; THENCE S41°43'56"E, 179.96 FEET; THENCE S68°11'34"E, 194.22 FEET, MORE OR LESS, TO A POINT ON THE COMMON BOUNDARY OF TRACTS B AND D OF SAID CERTIFICATE OF SURVEY NO. 3795; THENCE ALONG SAID COMMON BOUNDARY, N21°48'26"E, 373.20 FEET TO THE CORNER COMMON TO TRACTS A, B AND D OF SAID CERTIFICATE OF SURVEY NO. 3795; THENCE THE FOLLOWING THREE (3) COURSES ALONG THE COMMON BOUNDARY LINE OF TRACTS A AND D: S84°55'52"E, 410.18 FEET; THENCE N53°25'53"E, 772.89 FEET; THENCE N34°15'15"E, 385.55 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 56.26 ACRES, MORE OR LESS.

(# 21-14) See Phase 1, Exhibit "A" Attached

2. EFFECTIVE DATE. This ordinance shall be effective either thirty (30) days after second reading and final adoption as provided by law, or upon the effective date of Resolution No. 22-\_\_\_\_\_ approving the annexation of the above territory, whichever date is later.
3. REPEALER. All other ordinances, sections of the Billings Municipal Code and ordinances inconsistent herewith are hereby repealed.
4. 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.

PASSED by the City Council on the first reading this 10<sup>th</sup> day of January, 2022.

PASSED by the City Council on the second reading this 24<sup>th</sup> day of January, 2022.

THE CITY OF BILLINGS:

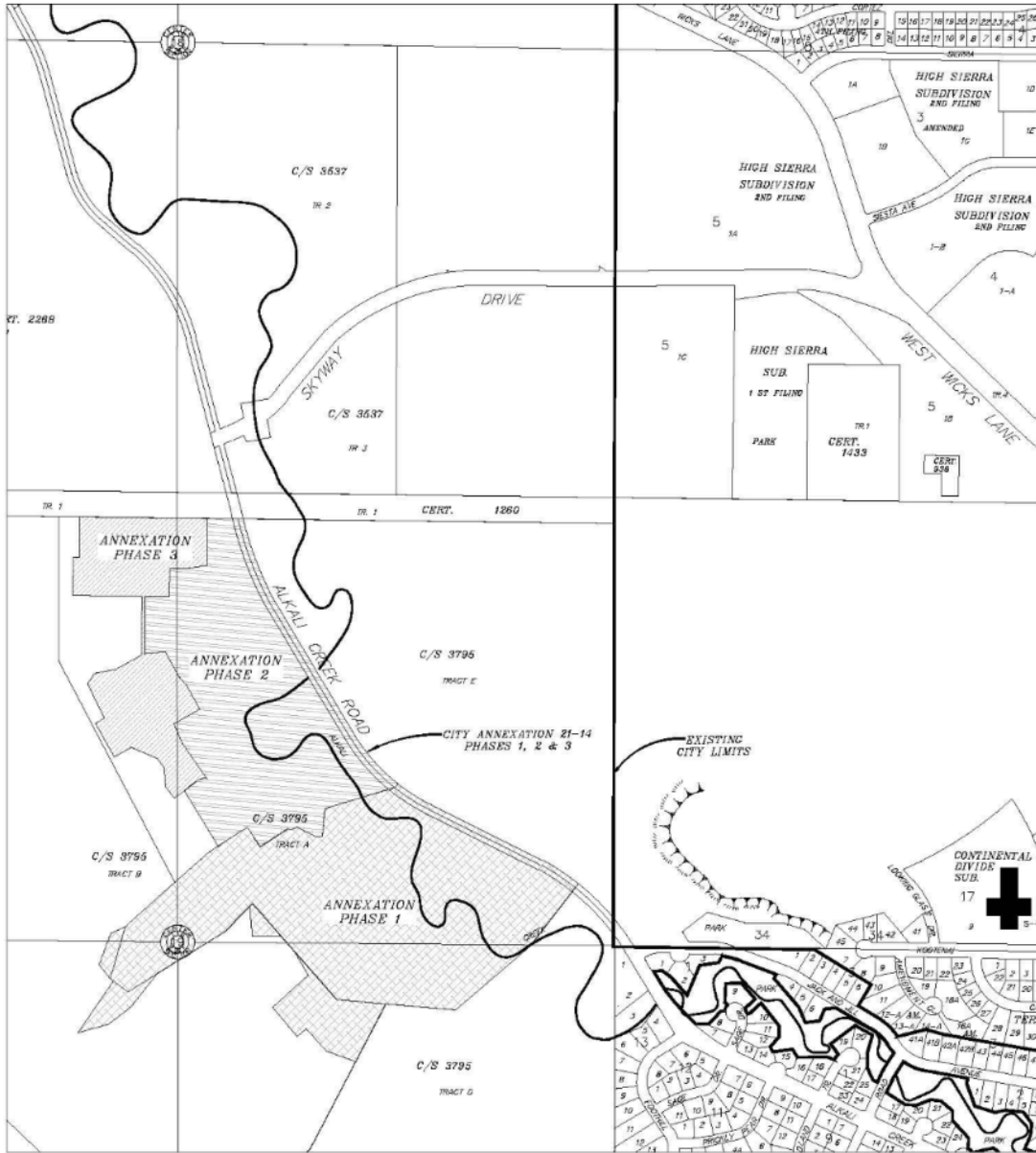
\_\_\_\_\_  
William A. Cole, MAYOR

ATTEST:

BY: \_\_\_\_\_  
Denise Bohlman, CITY CLERK

(#21-14)

# EXHIBIT "A"



**City Council Regular**

**Date:** 01/24/2022  
**Title:** Payment of claims for week of December 20, 2021  
**Presented by:** Andy Zoeller, Finance Director  
**Department:** Finance  
**Presentation:** No

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**RECOMMENDATION**

Staff recommends Council approve the Payment of Claims

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

Claims in the amount of \$5,539,073.23 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 is 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.

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**Attachments**

Councilmemo wk of 12202021

| Check Date | Check# | Name                 | Fund Name      | Amount      | Item Desc                                                     |
|------------|--------|----------------------|----------------|-------------|---------------------------------------------------------------|
| 12/20/2021 | ACH    | A & I Distributors   | Airport        | \$ 1,937.44 | Invoice #3710442. DEF, 10W-30, 15W40                          |
| 12/20/2021 | ACH    | A & I Distributors   | Fleet          | \$ 3,653.19 | 3709810 PO NUM 313278                                         |
| 12/20/2021 | ACH    | A & I Distributors   | Fleet          | \$ 282.42   | 3710263 PO NUM 313278                                         |
| 12/20/2021 | ACH    | A & I Distributors   | Fleet          | \$ 275.34   | 3710332 PO NUM 313278                                         |
| 12/20/2021 | ACH    | A & I Distributors   | Fleet          | \$ 141.21   | 3710719 PO NUM 313278                                         |
| 12/20/2021 | ACH    | A & I Distributors   | Fleet          | \$ 2,015.67 | 3713121 PO NUM 313278                                         |
| 12/20/2021 | ACH    | A & I Distributors   | Fleet          | \$ 681.24   | 3717044 PO NUM 313278                                         |
| 12/20/2021 | ACH    | A & I Distributors   | Fleet          | \$ 187.00   | 3717044 PO NUM 313278                                         |
| 12/20/2021 | ACH    | A & I Distributors   | Fleet          | \$ 4,126.40 | 3719039 PO NUM 313278                                         |
| 12/20/2021 | ACH    | A & I Distributors   | Public Safety  | \$ 49.10    | 3709810                                                       |
| 12/20/2021 | ACH    | A & I Distributors   | Public Safety  | \$ 93.50    | 3715549 FIRE 5 - 55 GALLONS DEF DELIVERED                     |
| 12/20/2021 | ACH    | A & I Distributors   | Public Safety  | \$ 93.50    | 3715551 FIRE 2: 55 GALLONS DEF DELIVERED 11/16/2021           |
| 12/20/2021 | ACH    | A & I Distributors   | Public Safety  | \$ 93.50    | 3715554 FIRE 1: 55 GALLONS DEF DELIVERED 11/16/2021           |
| 12/20/2021 | ACH    | A & I Distributors   | Solid Waste    | \$ 49.77    | 3709810                                                       |
| 12/20/2021 | ACH    | A & I Distributors   | Solid Waste    | \$ 561.00   | 330 gal def tote. Collections.                                |
| 12/20/2021 | ACH    | A & I Distributors   | Solid Waste    | \$ 561.00   | 330 gal def tote. Landfill.                                   |
| 12/20/2021 | ACH    | A & I Distributors   | Solid Waste    | \$ 392.20   | Coupler and grease. Landfill.                                 |
| 12/20/2021 | ACH    | A & I Distributors   | Solid Waste    | \$ 561.00   | DEF Tote. Collections.                                        |
| 12/20/2021 | ACH    | A & I Distributors   | Solid Waste    | \$ 45.00    | Drum Funnel. Landfill.                                        |
| 12/20/2021 | ACH    | A & I Distributors   | Street/Traffic | \$ 49.10    | 3709810                                                       |
| 12/20/2021 | ACH    | A & I Distributors   | Street/Traffic | \$ 935.00   | 3713945                                                       |
| 12/20/2021 | ACH    | A & I Distributors   | Transit        | \$ 380.94   | 3718481. Fluid for Lifts                                      |
| 12/20/2021 | ACH    | A & I Distributors   | Water          | \$ 65.07    | WATER PARTS AND SUPPLIES PO NUM 313390                        |
| 12/20/2021 | 848482 | Avery Dennison       | Street/Traffic | \$ 783.00   | ink cartridges for sign machine                               |
| 12/20/2021 | 848482 | Avery Dennison       | Street/Traffic | \$ 2,727.00 | sheeting for signs                                            |
| 12/20/2021 | 848492 | Business Tax Section | Airport        | \$ 7,871.61 | AIP-73 Terminal Expansion - Eligible for Reimbursement        |
| 12/20/2021 | 848492 | Business Tax Section | Airport        | \$ 665.93   | AIP-73 Terminal Expansion - Ineligible for Reimbursement      |
| 12/20/2021 | 848492 | Business Tax Section | Arterial Str   | \$ 2,662.06 | S 32nd Street W; 1 WO2012-Re-enter, Pymt mistakenly canceled. |
| 12/20/2021 | 848492 | Business Tax Section | Arterial Str   | \$ 5,537.79 | S 32nd Street W; 4 WO2012 KnifeRiver                          |
| 12/20/2021 | 848492 | Business Tax Section | SID Const      | \$ 3,127.08 | SID 1417 Elysian Rd                                           |
| 12/20/2021 | 848492 | Business Tax Section | SID Const      | \$ -        | SID 1417 Elysian Road                                         |
| 12/20/2021 | 848492 | Business Tax Section | Sidewalk Const | \$ 3,102.79 | S 32nd Street W; 4 WO2012 KnifeRiver                          |
| 12/20/2021 | 848492 | Business Tax Section | Storm Sewer    | \$ 316.75   | WO 20-24 54th to Grand to 48th Drainage Corridor              |
| 12/20/2021 | 848492 | Business Tax Section | Wastewater     | \$ 448.98   | S 32nd Street W; 4 WO2012 KnifeRiver                          |

| Check Date | Check# | Name                 | Fund Name        | Amount        | Item Desc                                                             |
|------------|--------|----------------------|------------------|---------------|-----------------------------------------------------------------------|
| 12/20/2021 | 848492 | Business Tax Section | Wastewater       | \$ 784.13     | WO 20-11 Lake Hills Lift Station Rehabilitation                       |
| 12/20/2021 | 848492 | Business Tax Section | Wastewater       | \$ 556.50     | WO 22-13 Bypass Pumping for Heights Trunk Sewer Repair                |
| 12/20/2021 | 848492 | Business Tax Section | Water            | \$ 570.17     | S 32nd Street W; 4 WO2012 KnifeRiver                                  |
| 12/20/2021 | 848494 | Carahsoft Technology | Building         | \$ 64,787.17  | 2nd year subscription fee renewal: Eplansoft and GoPost public portal |
| 12/20/2021 | 848502 | Cop Construction     | Gas Tax          | \$ 12,552.78  | WO 21-12 Harrow Drive Reconstruction                                  |
| 12/20/2021 | 848502 | Cop Construction     | Sidewalk Const   | \$ 5,515.81   | WO 21-12 Harrow Drive Reconstruction                                  |
| 12/20/2021 | 848502 | Cop Construction     | Wastewater       | \$ 1,531.41   | WO 21-12 Harrow Drive Reconstruction                                  |
| 12/20/2021 | 848502 | Cop Construction     | Water            | \$ 28,671.84  | W.O. 21-15 Lead Service Replacements                                  |
| 12/20/2021 | 848502 | Cop Construction     | Water            | \$ 272.55     | West End Raw Water Pipeline Project                                   |
| 12/20/2021 | 848502 | Cop Construction     | Water            | \$ 1,609.92   | West End Raw Water Pipeline Project                                   |
| 12/20/2021 | 848502 | Cop Construction     | Water            | \$ 8,193.05   | WO 21-12 Harrow Drive Reconstruction                                  |
| 12/20/2021 | 848508 | Desert Mt Corp       | Street/Traffic   | \$ 4,748.31   | ice slicer                                                            |
| 12/20/2021 | 848508 | Desert Mt Corp       | Street/Traffic   | \$ 4,644.53   | ice slicer                                                            |
| 12/20/2021 | 848509 | DOWL                 | Arterial Str     | \$ 5,922.50   | 24th St W/Central Ave Signal Improvements                             |
| 12/20/2021 | 848509 | DOWL                 | Wastewater       | \$ 24,986.33  | Schedules 1 & 2: Water & Sanitary Sewer Main Replacements             |
| 12/20/2021 | 848509 | DOWL                 | Water            | \$ 21,648.74  | Schedules 1 & 2: Water & Sanitary Sewer Main Replacements             |
| 12/20/2021 | 848512 | EBMS                 | City Ins Fund    | \$ 4,890.35   | EBMS January 2022                                                     |
| 12/20/2021 | 848512 | EBMS                 | City Ins Fund    | \$ 59,573.52  | EBMS January 2022                                                     |
| 12/20/2021 | 848512 | EBMS                 | City Ins Fund    | \$ 1,165.00   | EBMS January 2022                                                     |
| 12/20/2021 | 848512 | EBMS                 | City Ins Fund    | \$ 29,301.65  | EBMS January 2022                                                     |
| 12/20/2021 | 848512 | EBMS                 | City Ins Fund    | \$ 1,344.00   | EBMS January 2022                                                     |
| 12/20/2021 | 848512 | EBMS                 | City Ins Fund    | \$ 4,969.00   | EBMS January 2022                                                     |
| 12/20/2021 | 848512 | EBMS                 | Payroll Clearing | \$ 10,871.28  | EBMS January 2022                                                     |
| 12/20/2021 | 848513 | Eco-Counter          | Planning         | \$ 3,530.00   | Invoice 120571                                                        |
| 12/20/2021 | 848513 | Eco-Counter          | Planning         | \$ 150.00     | invoice 121030                                                        |
| 12/20/2021 | ACH    | Eldorado National CA | Transit          | \$ 371,982.00 | 9 Replacement 30-foot Diesel MET Transit Buses                        |
| 12/20/2021 | 848522 | First Montana Title  | CDBG             | \$ 10,000.00  | FTHB Andrew McCarroll 626 S. 38th Street W. Unit 49                   |
| 12/20/2021 | 848523 | Fisher Sand & Gravel | Street/Traffic   | \$ 455.95     | asphalt                                                               |
| 12/20/2021 | 848523 | Fisher Sand & Gravel | Street/Traffic   | \$ 389.95     | asphalt                                                               |
| 12/20/2021 | 848523 | Fisher Sand & Gravel | Street/Traffic   | \$ 1,900.80   | asphalt                                                               |
| 12/20/2021 | 848526 | Forterra Concrete    | Wastewater       | \$ 6,453.07   | WO 22-13 Heights Trunk Sewer Repair                                   |
| 12/20/2021 | 848528 | Gaertner             | PD Program       | \$ 4,419.09   | Reimbursement for 10 week Body Farm training in Oak Ridge, TN.        |
| 12/20/2021 | 848530 | Go Play Golf         | Storm Sewer      | \$ 42,093.31  | Stormwater Improvements and maintenance Agreement                     |
| 12/20/2021 | 848531 | Golden Engineering   | PD Program       | \$ 11,110.00  | Bomb X-Ray software & equipment upgrade.                              |

| Check Date | Check# | Name                   | Fund Name        | Amount       | Item Desc                                                  |
|------------|--------|------------------------|------------------|--------------|------------------------------------------------------------|
| 12/20/2021 | 848538 | HDR, Inc               | Wastewater       | \$ 16,741.05 | WO 19-21 WRF Influent Lift Station                         |
| 12/20/2021 | 848538 | HDR, Inc               | Wastewater       | \$ 4,194.90  | WO 20-11 Lloyd Mangrum & Lake Hills Lift Station Rehab     |
| 12/20/2021 | 848538 | HDR, Inc               | Wastewater       | \$ 20,225.28 | WO 20-44 WRF Nutrient Recovery Improvements Project        |
| 12/20/2021 | 848538 | HDR, Inc               | Water            | \$ 933.29    | WO 18-22 Leavens Reservoir Expansion & Zone 1 Improvements |
| 12/20/2021 | 848538 | HDR, Inc               | Water            | \$ 2,398.81  | WO 18-23 Water Master Plan Update                          |
| 12/20/2021 | 848538 | HDR, Inc               | Water            | \$ 73,975.40 | WO 19-12 West End Reservoir                                |
| 12/20/2021 | 848540 | High Point Network     | IT Resources     | \$ 3,500.00  | Security Services- Building an Incident response Plan      |
| 12/20/2021 | 848540 | High Point Network     | Phone System     | \$ 3,555.00  | Qty 15 Mitel IP Phone IP480                                |
| 12/20/2021 | 848540 | High Point Network     | Phone System     | \$ 3,500.00  | Security Services- Building an Incident response Plan      |
| 12/20/2021 | 848540 | High Point Network     | Water            | \$ 1,268.00  | EX2300 -12P switch -WRF Electricians building              |
| 12/20/2021 | 848542 | Hughes Fire Equipment  | Public Safety    | \$ 3,039.73  | 570332                                                     |
| 12/20/2021 | 848542 | Hughes Fire Equipment  | Public Safety    | \$ 435.81    | 570352                                                     |
| 12/20/2021 | 848544 | Iaff                   | Payroll Clearing | \$ 4,930.62  | Payroll Summary                                            |
| 12/20/2021 | 848545 | InfoSend Inc           | P.W. Admin       | \$ 13,427.08 | Billings services                                          |
| 12/20/2021 | 848545 | InfoSend Inc           | P.W. Admin       | \$ 2,995.28  | Billings services                                          |
| 12/20/2021 | 848546 | Ingram Library Service | Library          | \$ (0.20)    | 55581124                                                   |
| 12/20/2021 | 848546 | Ingram Library Service | Library          | \$ 18.00     | 55629496                                                   |
| 12/20/2021 | 848546 | Ingram Library Service | Library          | \$ 17.70     | 55629497                                                   |
| 12/20/2021 | 848546 | Ingram Library Service | Library          | \$ 11.39     | 55629498                                                   |
| 12/20/2021 | 848546 | Ingram Library Service | Library          | \$ 10.61     | 55629499                                                   |
| 12/20/2021 | 848546 | Ingram Library Service | Library          | \$ 18.00     | 55629500                                                   |
| 12/20/2021 | 848546 | Ingram Library Service | Library          | \$ 15.93     | 55629501                                                   |
| 12/20/2021 | 848546 | Ingram Library Service | Library          | \$ 16.49     | 55629502                                                   |
| 12/20/2021 | 848546 | Ingram Library Service | Library          | \$ 4.19      | 55629502                                                   |
| 12/20/2021 | 848546 | Ingram Library Service | Library          | \$ 19.78     | 55629502                                                   |
| 12/20/2021 | 848546 | Ingram Library Service | Library          | \$ 82.47     | 55629503                                                   |
| 12/20/2021 | 848546 | Ingram Library Service | Library          | \$ 14.74     | 55629504                                                   |
| 12/20/2021 | 848546 | Ingram Library Service | Library          | \$ 47.15     | 55629505                                                   |
| 12/20/2021 | 848546 | Ingram Library Service | Library          | \$ 98.68     | 55629506                                                   |
| 12/20/2021 | 848546 | Ingram Library Service | Library          | \$ 14.72     | 55629506                                                   |
| 12/20/2021 | 848546 | Ingram Library Service | Library          | \$ 5.89      | 55629506                                                   |
| 12/20/2021 | 848546 | Ingram Library Service | Library          | \$ 26.34     | 55657390                                                   |
| 12/20/2021 | 848546 | Ingram Library Service | Library          | \$ 26.96     | 55657390                                                   |
| 12/20/2021 | 848546 | Ingram Library Service | Library          | \$ 35.19     | 55657391                                                   |

| Check Date | Check# | Name                   | Fund Name | Amount    | Item Desc |
|------------|--------|------------------------|-----------|-----------|-----------|
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 28.59  | 55657391  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 21.24  | 55657391  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 32.20  | 55657391  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 24.74  | 55657392  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 117.34 | 55657392  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 9.59   | 55657392  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 267.97 | 55657393  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 9.57   | 55657394  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 65.32  | 55657394  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 10.78  | 55657394  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 85.21  | 55657394  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 205.39 | 55657394  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 24.23  | 55657395  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 15.43  | 55708514  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 7.80   | 55708515  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 81.41  | 55708516  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 26.66  | 55708516  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 9.60   | 55708516  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 21.20  | 55708516  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 17.47  | 55708517  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 69.00  | 55708517  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 21.79  | 55708518  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 90.16  | 55708519  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 10.19  | 55708520  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 11.20  | 55708520  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 49.51  | 55708521  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 11.37  | 55708522  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 16.52  | 55708523  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 20.65  | 55708524  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 60.74  | 55708524  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 32.29  | 55708525  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 17.69  | 55708526  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 20.65  | 55708527  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 15.91  | 55708528  |

| Check Date | Check# | Name                   | Fund Name | Amount    | Item Desc |
|------------|--------|------------------------|-----------|-----------|-----------|
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 12.97  | 55708529  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 756.10 | 55708531  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 427.51 | 55708531  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 43.98  | 55708531  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 62.44  | 55708531  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 189.24 | 55708531  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 8.97   | 55809177  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 41.40  | 55809177  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 13.19  | 55809178  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 47.62  | 55809178  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 25.18  | 55837135  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 19.20  | 55837136  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 14.72  | 55837137  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 26.04  | 55837137  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 38.32  | 55837138  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 23.60  | 55837139  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 51.24  | 55837139  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 11.20  | 55837139  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 5.30   | 55837140  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 23.97  | 55837141  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 10.20  | 55837141  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 10.59  | 55837141  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 68.44  | 55837142  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 16.49  | 55837142  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 164.07 | 55837143  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 63.64  | 55837143  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 17.70  | 55837143  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 11.20  | 55837143  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 10.17  | 55837144  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 10.61  | 55837145  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 16.52  | 55837145  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 51.29  | 55837145  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 29.67  | 55837146  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 34.20  | 55837147  |

| Check Date | Check# | Name                   | Fund Name | Amount    | Item Desc |
|------------|--------|------------------------|-----------|-----------|-----------|
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 42.63  | 55837148  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 16.51  | 55837148  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 15.93  | 55837149  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 15.93  | 55837149  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 10.99  | 55837151  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 10.77  | 55859501  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 11.99  | 55859501  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 11.79  | 55859501  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 38.35  | 55859502  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 55.45  | 55859502  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 55.45  | 55859502  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 17.67  | 55859503  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 17.69  | 55859504  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 17.67  | 55859505  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 11.99  | 55859506  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 7.80   | 55859507  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 9.43   | 55859508  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 587.65 | 55859509  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 400.70 | 55859509  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 204.05 | 55859509  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 43.77  | 55859509  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 43.03  | 55859509  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 50.28  | 55867246  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 15.62  | 55867246  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 18.35  | 55867247  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 10.79  | 55867248  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 192.85 | 55867249  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 9.59   | 55867249  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 63.06  | 55867250  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 29.78  | 55867250  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 87.67  | 55867250  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 164.80 | 55867250  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 19.22  | 55867250  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 46.40  | 55867251  |

| Check Date | Check# | Name                   | Fund Name | Amount    | Item Desc |
|------------|--------|------------------------|-----------|-----------|-----------|
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 73.15  | 55867252  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 26.30  | 55867252  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 27.38  | 55867252  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 109.84 | 55867252  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 37.70  | 55867253  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 95.90  | 55867254  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 135.00 | 55867255  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 53.68  | 55977937  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 91.50  | 55977937  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 32.43  | 55977937  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 17.69  | 55977938  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 17.70  | 55977939  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 9.43   | 55977940  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 23.58  | 55977941  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 50.76  | 55977941  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 22.40  | 55977941  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 19.25  | 55977942  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 11.97  | 55977943  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 5.99   | 55977943  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 33.96  | 55977943  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 17.08  | 55977944  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 14.74  | 55977944  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 24.75  | 55977945  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 16.52  | 55977946  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 107.30 | 55977946  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 10.19  | 55977946  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 10.19  | 55977947  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 16.51  | 55977948  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 5.99   | 55977949  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 17.10  | 55977949  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 219.75 | 55977950  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 11.99  | 56101437  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 37.17  | 56101437  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 61.51  | 56101437  |

| Check Date | Check# | Name                   | Fund Name | Amount    | Item Desc |
|------------|--------|------------------------|-----------|-----------|-----------|
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 10.61  | 56135483  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 17.70  | 56135485  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 11.79  | 56135486  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 28.89  | 56135486  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 17.70  | 56135486  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 27.88  | 56135486  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 132.33 | 56135487  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 11.20  | 56135487  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 9.57   | 56135488  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 10.59  | 56135489  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 42.93  | 56135489  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 8.40   | 56135489  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 16.52  | 56135490  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 18.60  | 56135490  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 15.31  | 56135491  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 16.51  | 56135491  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 43.03  | 56135491  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 9.60   | 56135492  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 378.11 | 56135493  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 515.83 | 56135493  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 54.60  | 56135493  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 99.08  | 56135493  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 280.15 | 56135493  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 59.86  | 56135493  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 8.84   | 56135494  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 5.39   | 56135495  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 22.00  | 56135496  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 28.04  | 56147683  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 34.00  | 56147684  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 24.83  | 56147685  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 25.44  | 56147686  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 38.48  | 56147686  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 14.67  | 56147686  |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 89.20  | 56147686  |

| Check Date | Check# | Name                   | Fund Name | Amount    | Item Desc                         |
|------------|--------|------------------------|-----------|-----------|-----------------------------------|
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 54.18  | 56147686                          |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 14.97  | 56147687                          |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 27.49  | 56147688                          |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 15.62  | 56147689                          |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 5.39   | 56147689                          |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 36.75  | 56147690                          |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 280.89 | 56147691                          |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 17.36  | 56147691                          |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 34.99  | 56147691                          |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 198.18 | 56147691                          |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 21.15  | 56147692                          |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 140.20 | 56147693                          |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 14.90  | 56147694                          |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 16.50  | 56147695                          |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 32.99  | 56147696                          |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 13.54  | 56272395                          |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 9.60   | 56272396                          |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 9.43   | 56272397                          |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 23.60  | 56272397                          |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 17.70  | 56272398                          |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 70.38  | 56272399                          |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 598.30 | 56272399                          |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 307.05 | 56272399                          |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 31.96  | 56272399                          |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 17.19  | 56272399                          |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 11.98  | 56272400                          |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 9.00   | 56297611                          |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 18.60  | 56297611                          |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 16.51  | 56297612                          |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 23.59  | 56297613                          |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 129.78 | 56297614                          |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 16.52  | 59135484                          |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 73.55  | 55708530 Books and Babies Program |
| 12/20/2021 | 848546 | Ingram Library Service | Library   | \$ 861.30 | 55837150 OBB                      |

| Check Date | Check# | Name                  | Fund Name      | Amount        | Item Desc                                                   |
|------------|--------|-----------------------|----------------|---------------|-------------------------------------------------------------|
| 12/20/2021 | 848548 | Insight Public Sector | Building       | \$ 91.87      | 4-Surface i5, 8GB RAM, 128GB SSD, dock, adapters            |
| 12/20/2021 | 848548 | Insight Public Sector | Building       | \$ 459.35     | 5-Surface Pro 7, i5, 8GB, 256GB SSD, Docks, Keyboard covers |
| 12/20/2021 | 848548 | Insight Public Sector | General        | \$ 4,331.51   | 3-Surface Pros, i5, 8GB, 256GB, Docks, keyboard covers      |
| 12/20/2021 | 848548 | Insight Public Sector | Street/Traffic | \$ 168.20     | Surface Pro 7, i5, 8GB RAM, 256GB SSD, docking station      |
| 12/20/2021 | 848548 | Insight Public Sector | Street/Traffic | \$ 93.17      | Surface Pro 7, i5, 8GB RAM, 256GB SSD, docking station      |
| 12/20/2021 | 848552 | Invoice Cloud         | Building       | \$ 47.86      | For Service Period of 11/01/2021 through 11/30/2021         |
| 12/20/2021 | 848552 | Invoice Cloud         | City Ins Fund  | \$ 244.23     | For Service Period of 11/01/2021 through 11/30/2021         |
| 12/20/2021 | 848552 | Invoice Cloud         | Parking        | \$ 317.34     | For Service Period of 11/01/2021 through 11/30/2021         |
| 12/20/2021 | 848552 | Invoice Cloud         | Solid Waste    | \$ 9,815.40   | For Service Period of 11/01/2021 through 11/30/2021         |
| 12/20/2021 | 848552 | Invoice Cloud         | Wastewater     | \$ 10,507.37  | For Service Period of 11/01/2021 through 11/30/2021         |
| 12/20/2021 | 848552 | Invoice Cloud         | Water          | \$ 12,361.62  | For Service Period of 11/01/2021 through 11/30/2021         |
| 12/20/2021 | 848543 | I-State Truck         | Public Safety  | \$ 224.20     | C251322331.01                                               |
| 12/20/2021 | 848543 | I-State Truck         | Public Safety  | \$ 263.26     | C251322750.01                                               |
| 12/20/2021 | 848543 | I-State Truck         | Public Safety  | \$ 25.10      | C251322815.01                                               |
| 12/20/2021 | 848543 | I-State Truck         | Public Safety  | \$ 25.10      | C251322818.01                                               |
| 12/20/2021 | 848543 | I-State Truck         | Public Safety  | \$ 2,965.90   | C251323090.01                                               |
| 12/20/2021 | 848543 | I-State Truck         | Public Safety  | \$ (575.00)   | C251323581.01                                               |
| 12/20/2021 | 848543 | I-State Truck         | Solid Waste    | \$ 516.75     | C251322373.01                                               |
| 12/20/2021 | 848543 | I-State Truck         | Solid Waste    | \$ 20.35      | C251322519.01                                               |
| 12/20/2021 | 848543 | I-State Truck         | Solid Waste    | \$ 329.91     | C251322954.01                                               |
| 12/20/2021 | 848543 | I-State Truck         | Street/Traffic | \$ 258.70     | C251322500.01                                               |
| 12/20/2021 | 848543 | I-State Truck         | Street/Traffic | \$ 67.68      | C251322509.01                                               |
| 12/20/2021 | 848561 | Knife River           | Arterial Str   | \$ 548,240.40 | S 32nd Street W; 4 WO2012 KnifeRiver                        |
| 12/20/2021 | 848561 | Knife River           | SID Const      | \$ 309,581.11 | SID 1417 Elysian Road                                       |
| 12/20/2021 | 848561 | Knife River           | SID Const      | \$ -          | SID 1417 Elysian Road                                       |
| 12/20/2021 | 848561 | Knife River           | Sidewalk Const | \$ 307,175.77 | S 32nd Street W; 4 WO2012 KnifeRiver                        |
| 12/20/2021 | 848561 | Knife River           | Wastewater     | \$ 44,449.35  | S 32nd Street W; 4 WO2012 KnifeRiver                        |
| 12/20/2021 | 848561 | Knife River           | Water          | \$ 56,447.89  | S 32nd Street W; 4 WO2012 KnifeRiver                        |
| 12/20/2021 | 848563 | Kois Brothers         | Fleet          | \$ 985.56     | 124557 PO NUM 313282                                        |
| 12/20/2021 | 848563 | Kois Brothers         | Solid Waste    | \$ 1,045.70   | 124438                                                      |
| 12/20/2021 | 848563 | Kois Brothers         | Street/Traffic | \$ 553.47     | 124170                                                      |
| 12/20/2021 | 848563 | Kois Brothers         | Street/Traffic | \$ 6,009.12   | plow cutting edges                                          |
| 12/20/2021 | 848566 | L N Curtis & Sons     | Public Safety  | \$ 238.00     | CTC521 RESCUE 42 3/8" X 20FT 70 CHAIN GRAB HOOKS            |
| 12/20/2021 | 848566 | L N Curtis & Sons     | Public Safety  | \$ 5,399.00   | CTC6002 RESCUE 42 TELECRIB TRUCK KIT/STATON 2/ ENGINE #2    |

| Check Date | Check# | Name                  | Fund Name        | Amount        | Item Desc                                                  |
|------------|--------|-----------------------|------------------|---------------|------------------------------------------------------------|
| 12/20/2021 | 848566 | L N Curtis & Sons     | Public Safety    | \$ 450.00     | ESTIMATED SHIPPING                                         |
| 12/20/2021 | 848566 | L N Curtis & Sons     | Public Safety    | \$ 578.00     | PN 2531 HORIZONTAL BRACKET FOR SP333EXWT HURST SPREADER    |
| 12/20/2021 | 848566 | L N Curtis & Sons     | Public Safety    | \$ 289.00     | PN 2771 HORIZONTAL BRACKET FOR SC758 COMBI TOOL            |
| 12/20/2021 | 848566 | L N Curtis & Sons     | Public Safety    | \$ 488.00     | PN 2971 HORIZONTAL BRACKET FOR R521EXWT HURST RAM          |
| 12/20/2021 | 848566 | L N Curtis & Sons     | Public Safety    | \$ 512.00     | PN 8031 HORIZONTAL BRACKET FOR S789EXWT                    |
| 12/20/2021 | 848568 | Landscape Structure   | Park Dist 1      | \$ 189,702.00 | playground equipment for terry park                        |
| 12/20/2021 | 848574 | Mail Tech Service     | Central Services | \$ 4,449.66   | November 2021                                              |
| 12/20/2021 | 848574 | Mail Tech Service     | General          | \$ 500.63     | November 2021                                              |
| 12/20/2021 | 848574 | Mail Tech Service     | Parking          | \$ 192.56     | November 2021                                              |
| 12/20/2021 | 848575 | Marketing Specialties | Solid Waste      | \$ 14,403.76  | Removal of underground storage tank                        |
| 12/20/2021 | 848582 | MFPE                  | Payroll Clearing | \$ 2,656.25   | Payroll Summary                                            |
| 12/20/2021 | 848579 | Montana CSED          | Payroll Clearing | \$ 3,471.01   | Payroll Summary                                            |
| 12/20/2021 | 848588 | Morrison Maierle      | Airport          | \$ 48,616.40  | AIP-73 Terminal Expansion - Eligible for Reimbursement     |
| 12/20/2021 | 848588 | Morrison Maierle      | Airport          | \$ 4,112.88   | AIP-73 Terminal Expansion - Ineligible for Reimbursement   |
| 12/20/2021 | 848588 | Morrison Maierle      | Wastewater       | \$ 2,420.00   | WO 20-14 Wastewater Master Plan Update                     |
| 12/20/2021 | 848591 | MPPA                  | Payroll Clearing | \$ 3,786.65   | Payroll Summary                                            |
| 12/20/2021 | 848580 | MT Dakota Utilities   | Airport          | \$ 515.56     | 129 573 1000 1. Mud Wash. December 2021                    |
| 12/20/2021 | 848580 | MT Dakota Utilities   | Airport          | \$ 199.37     | 160 723 3573 6. USDA. December 2021                        |
| 12/20/2021 | 848580 | MT Dakota Utilities   | Airport          | \$ 348.37     | 185 580 1000 7. TSA. December 2021                         |
| 12/20/2021 | 848580 | MT Dakota Utilities   | Airport          | \$ 74.75      | 229 573 1000 0. Detail Bay 1 Hertz. December 2021          |
| 12/20/2021 | 848580 | MT Dakota Utilities   | Airport          | \$ 226.44     | 283 116 0655 3. Alpine Maintenance. December 2021          |
| 12/20/2021 | 848580 | MT Dakota Utilities   | Airport          | \$ 1,404.77   | 285 580 1000 6                                             |
| 12/20/2021 | 848580 | MT Dakota Utilities   | Airport          | \$ 190.34     | 295 580 1000 4. Aero Interiors. December 2021              |
| 12/20/2021 | 848580 | MT Dakota Utilities   | Airport          | \$ 28.71      | 329 573 1000 9. Detail Bay 3 Enterprise. December 2021     |
| 12/20/2021 | 848580 | MT Dakota Utilities   | Airport          | \$ 127.13     | 429 573 1000 8. Detail Bay 4 Avis/Budget. December 2021    |
| 12/20/2021 | 848580 | MT Dakota Utilities   | Airport          | \$ 41.32      | 529 573 1000 7. Detail Bay 5 Thrifty/Dollar. December 2021 |
| 12/20/2021 | 848580 | MT Dakota Utilities   | Airport          | \$ 9,603.77   | 595 580 1000 1                                             |
| 12/20/2021 | 848580 | MT Dakota Utilities   | Airport          | \$ 189.43     | 629 573 1000 . Detail Bay 2 National/Alamo. December 2021  |
| 12/20/2021 | 848580 | MT Dakota Utilities   | Airport          | \$ 1,496.62   | 706 580 1000 7                                             |
| 12/20/2021 | 848580 | MT Dakota Utilities   | Airport          | \$ 1,832.84   | 889 373 1000 6. Car Wash. December 2021                    |
| 12/20/2021 | 848580 | MT Dakota Utilities   | EOC 911          | \$ 80.87      | 082-939-8378-2 STANDBY GENERATOR - 911 CENTER, BILLINGS    |
| 12/20/2021 | 848580 | MT Dakota Utilities   | General          | \$ 137.72     | 112 138 9381 8                                             |
| 12/20/2021 | 848580 | MT Dakota Utilities   | General          | \$ 173.95     | 703 760 1000 8                                             |
| 12/20/2021 | 848580 | MT Dakota Utilities   | General          | \$ 77.33      | 879 660 1000 8                                             |

| Check Date | Check# | Name                    | Fund Name        | Amount       | Item Desc                                        |
|------------|--------|-------------------------|------------------|--------------|--------------------------------------------------|
| 12/20/2021 | 848580 | MT Dakota Utilities     | Park Dist 1      | \$ 148.81    | 501 473 1000 2                                   |
| 12/20/2021 | 848580 | MT Dakota Utilities     | Public Safety    | \$ 307.95    | 668 670 1000 2                                   |
| 12/20/2021 | 848580 | MT Dakota Utilities     | Public Safety    | \$ 220.69    | 672 860 1000 3                                   |
| 12/20/2021 | 848580 | MT Dakota Utilities     | Public Safety    | \$ 26.51     | 930 442 2308 4                                   |
| 12/20/2021 | 848580 | MT Dakota Utilities     | Wastewater       | \$ 76.75     | 596 733 1000 5                                   |
| 12/20/2021 | 848580 | MT Dakota Utilities     | Wastewater       | \$ 71.39     | 713 064 3190 0                                   |
| 12/20/2021 | 848580 | MT Dakota Utilities     | Wastewater       | \$ 75.46     | 843 879 2205 1                                   |
| 12/20/2021 | 848580 | MT Dakota Utilities     | Water            | \$ 206.33    | 162 660 1000 4                                   |
| 12/20/2021 | 848580 | MT Dakota Utilities     | Water            | \$ 21.11     | 373 580 1000 9                                   |
| 12/20/2021 | 848580 | MT Dakota Utilities     | Water            | \$ 21.11     | 373 580 1000 9                                   |
| 12/20/2021 | 848580 | MT Dakota Utilities     | Water            | \$ 417.00    | 541 380 1000 1                                   |
| 12/20/2021 | 848580 | MT Dakota Utilities     | Water            | \$ 70.51     | 921 580 1000 6                                   |
| 12/20/2021 | 848583 | MT Municipal Interlocal | Property Ins     | \$ 55,631.32 | Liability Program for November 2021              |
| 12/20/2021 | 848587 | MT State Firemen        | Payroll Clearing | \$ 4,480.02  | Payroll Summary                                  |
| 12/20/2021 | 848590 | Mt West Holding         | Street/Traffic   | \$ 2,850.00  | guardrail repair on central and shiloh sw corner |
| 12/20/2021 | 848590 | Mt West Holding         | Street/Traffic   | \$ 3,060.00  | guardrail repair sw corner of shiloh & monad     |
| 12/20/2021 | 848597 | NorMont Equipment       | Street/Traffic   | \$ 450.37    | 26296                                            |
| 12/20/2021 | 848597 | NorMont Equipment       | Street/Traffic   | \$ 3,214.44  | 26311                                            |
| 12/20/2021 | 848600 | Northwest Pipe          | Street/Traffic   | \$ 43.50     | 7626399                                          |
| 12/20/2021 | 848600 | Northwest Pipe          | Street/Traffic   | \$ 234.96    | 7629822                                          |
| 12/20/2021 | 848600 | Northwest Pipe          | Street/Traffic   | \$ 263.60    | pipe/cap for sca irrigation                      |
| 12/20/2021 | 848600 | Northwest Pipe          | Wastewater       | \$ 163.52    | Blades and bushings                              |
| 12/20/2021 | 848600 | Northwest Pipe          | Wastewater       | \$ 27.64     | Coupling for Project PUD-2021-04                 |
| 12/20/2021 | 848600 | Northwest Pipe          | Wastewater       | \$ 1,086.12  | Flange and bolts for PD overflow job             |
| 12/20/2021 | 848600 | Northwest Pipe          | Wastewater       | \$ 746.96    | Pipe, elbows and couplings                       |
| 12/20/2021 | 848600 | Northwest Pipe          | Water            | \$ 51.52     | 1" PVC SCH80 SXM ADAPTER (836010)                |
| 12/20/2021 | 848600 | Northwest Pipe          | Water            | \$ 25.99     | 1-1/2" TD METER FLANGES                          |
| 12/20/2021 | 848600 | Northwest Pipe          | Water            | \$ 76.08     | 2 OZ REAL TUFF PIPE DOPE - IN TUBE               |
| 12/20/2021 | 848600 | Northwest Pipe          | Water            | \$ 68.95     | 2" BRASS PLUG                                    |
| 12/20/2021 | 848600 | Northwest Pipe          | Water            | \$ 159.39    | 2" MEASURING CHAMBER COMPLETE                    |
| 12/20/2021 | 848600 | Northwest Pipe          | Water            | \$ 318.78    | 2" MEASURING CHAMBER COMPLETE                    |
| 12/20/2021 | 848600 | Northwest Pipe          | Water            | \$ 209.76    | 2" SCH 80 S X S UNION P/N: 0863100               |
| 12/20/2021 | 848600 | Northwest Pipe          | Water            | \$ 22,041.18 | 3/4" E-CODER WALL CU/FT METER W/RECPT ED2C11REF7 |
| 12/20/2021 | 848600 | Northwest Pipe          | Water            | \$ 14,994.00 | 5/8 X 3/4 E-CODER WALL CU/FT METER               |

| Check Date | Check# | Name                | Fund Name   | Amount       | Item Desc                                    |
|------------|--------|---------------------|-------------|--------------|----------------------------------------------|
| 12/20/2021 | 848600 | Northwest Pipe      | Water       | \$ 12.22     | 5/8 X 3/4 LINER GASKET - 2011 STYLE 8340-072 |
| 12/20/2021 | 848600 | Northwest Pipe      | Water       | \$ 537.00    | 5-1/4" HD 12# DROP LID                       |
| 12/20/2021 | 848600 | Northwest Pipe      | Water       | \$ 127.84    | CAST IRON CURB BOX PLUG 1-1/4"               |
| 12/20/2021 | 848600 | Northwest Pipe      | Water       | \$ 154.96    | CURB BOX LID W/PLUG 1-1/4"                   |
| 12/20/2021 | 848600 | Northwest Pipe      | Water       | \$ 417.60    | Hydrant parts                                |
| 12/20/2021 | 848600 | Northwest Pipe      | Water       | \$ 539.90    | LS TURTURE                                   |
| 12/20/2021 | 848600 | Northwest Pipe      | Water       | \$ 514.06    | MIXER BUILDING. SUPPLY LINE LEAK REPAIRS     |
| 12/20/2021 | 848600 | Northwest Pipe      | Water       | \$ 251.60    | PVC                                          |
| 12/20/2021 | 848600 | Northwest Pipe      | Water       | \$ 58.86     | PVC                                          |
| 12/20/2021 | 848600 | Northwest Pipe      | Water       | \$ 118.00    | PVC                                          |
| 12/20/2021 | 848600 | Northwest Pipe      | Water       | \$ 21,420.00 | R-900 ENHANCED WALL RR - MIU 13341-200       |
| 12/20/2021 | 848600 | Northwest Pipe      | Water       | \$ 2,380.00  | R-900 ENHANCED WALL RR - MIU 13341-200       |
| 12/20/2021 | 848600 | Northwest Pipe      | Water       | \$ 21,420.00 | R-900 ENHANCED WALL RR - MIU 13341-200       |
| 12/20/2021 | 848600 | Northwest Pipe      | Water       | \$ 256.04    | WTP SHOP                                     |
| 12/20/2021 | 848601 | NorthWestern Energy | Building    | \$ 15.72     | 1569631-3                                    |
| 12/20/2021 | 848601 | NorthWestern Energy | General     | \$ 37.57     | 0712387-0                                    |
| 12/20/2021 | 848601 | NorthWestern Energy | General     | \$ 97.02     | 0712536-2                                    |
| 12/20/2021 | 848601 | NorthWestern Energy | General     | \$ 142.87    | 0712538-8                                    |
| 12/20/2021 | 848601 | NorthWestern Energy | General     | \$ 43.73     | 0720818-4                                    |
| 12/20/2021 | 848601 | NorthWestern Energy | General     | \$ 284.74    | 0720821-8                                    |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 1,084.59  | SILMD 10 Acct# 0712546-1                     |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 2,024.77  | SILMD 100 Acct# 0712559-4                    |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 1,713.13  | SILMD 107 Acct# 0712560-2                    |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 4,296.46  | SILMD 109 Acct# 0712561-0                    |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 201.67    | SILMD 113 Acct# 0712562-8                    |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 924.57    | SILMD 114 Acct# 0712563-6                    |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 217.54    | SILMD 115 Acct# 0712564-4                    |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 571.05    | SILMD 116 Acct# 0712565-1                    |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 3,106.55  | SILMD 117 Acct# 0712566-9                    |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 199.16    | SILMD 118 Acct# 0712567-7                    |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 121.29    | SILMD 119 Acct# 0712568-5                    |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 2,447.34  | SILMD 121 Acct# 0712570-1                    |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 183.46    | SILMD 122 Acct# 0712571-9                    |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 326.31    | SILMD 123 Acct# 0712572-7                    |

| Check Date | Check# | Name                | Fund Name   | Amount      | Item Desc                 |
|------------|--------|---------------------|-------------|-------------|---------------------------|
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 951.75   | SILMD 124 Acct# 0712573-5 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 380.68   | SILMD 125 Acct# 0712574-3 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 190.35   | SILMD 126 Acct# 0712575-0 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 687.98   | SILMD 127 Acct# 0712576-8 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 481.59   | SILMD 128 Acct# 0712577-6 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 326.31   | SILMD 129 Acct# 0712578-4 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 4,680.97 | SILMD 13 Acct# 0721276-4  |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 116.57   | SILMD 130 Acct# 0712579-2 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 842.97   | SILMD 131 Acct# 0712580-0 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 216.47   | SILMD 133 Acct# 0712581-8 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 499.56   | SILMD 134 Acct# 0712582-6 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 504.51   | SILMD 135 Acct# 0712583-4 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 462.27   | SILMD 136 Acct# 0712584-2 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 363.37   | SILMD 137 Acct# 0712585-9 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 734.20   | SILMD 138 Acct# 0712586-7 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 244.74   | SILMD 139 Acct# 0712587-5 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 2,255.34 | SILMD 14 Acct# 0721277-2  |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 571.05   | SILMD 143 Acct# 0712588-3 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 27.17    | SILMD 144 Acct# 0712589-1 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 458.65   | SILMD 145 Acct# 0712590-9 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 353.49   | SILMD 146 Acct# 0712591-7 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 429.25   | SILMD 147 Acct# 0712592-5 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 1,571.20 | SILMD 149 Acct# 0712593-3 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 733.85   | SILMD 150 Acct# 0712594-1 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 625.42   | SILMD 151 Acct# 0712595-8 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 4,220.73 | SILMD 152 Acct# 0712596-6 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 527.44   | SILMD 153 Acct# 0712597-4 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 1,192.51 | SILMD 154 Acct# 0712598-2 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 489.46   | SILMD 155 Acct# 0712599-0 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 894.37   | SILMD 157 Acct# 0712600-6 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 788.57   | SILMD 158 Acct# 0712601-4 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 947.18   | SILMD 159 Acct# 0712602-2 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 707.02   | SILMD 160 Acct# 0712603-0 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 1,031.98 | SILMD 161 Acct# 0712604-8 |

| Check Date | Check# | Name                | Fund Name   | Amount      | Item Desc                 |
|------------|--------|---------------------|-------------|-------------|---------------------------|
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 46.29    | SILMD 162 Acct# 0712605-5 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 749.85   | SILMD 163 Acct# 0712606-3 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 366.92   | SILMD 164 Acct# 0712607-1 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 870.17   | SILMD 165 Acct# 0712608-9 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 229.35   | SILMD 167 Acct# 0712609-7 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 1,128.46 | SILMD 17 Acct# 0712553-7  |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 550.38   | SILMD 171 Acct# 0712610-5 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 499.58   | SILMD 172 Acct# 0712611-3 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 1,146.63 | SILMD 173 Acct# 0712612-1 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 963.17   | SILMD 174 Acct# 0712613-9 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 321.04   | SILMD 175 Acct# 0712614-7 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 33.06    | SILMD 176 Acct# 0712615-4 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 252.26   | SILMD 178 Acct# 0712616-2 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 504.51   | SILMD 179 Acct# 0712617-0 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 98.48    | SILMD 18 Acct# 0712554-5  |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 343.99   | SILMD 180 Acct# 0712618-8 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 1,658.75 | SILMD 181 Acct# 0712619-6 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 573.33   | SILMD 182 Acct# 0712620-4 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 1,146.64 | SILMD 183 Acct# 0712621-2 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 366.92   | SILMD 184 Acct# 0712622-0 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 137.60   | SILMD 185 Acct# 0712623-8 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 680.56   | SILMD 186 Acct# 0712624-6 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 229.35   | SILMD 187 Acct# 0712625-3 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 275.19   | SILMD 188 Acct# 0712626-1 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 229.35   | SILMD 189 Acct# 0712627-9 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 1,192.51 | SILMD 190 Acct# 0712628-7 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 409.30   | SILMD 191 Acct# 0712629-5 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 298.11   | SILMD 192 Acct# 0712630-3 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 733.85   | SILMD 193 Acct# 0712631-1 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 298.49   | SILMD 194 Acct# 0712632-9 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 238.79   | SILMD 195 Acct# 0712633-7 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 76.27    | SILMD 196 Acct# 0712634-5 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 76.27    | SILMD 197 Acct# 0712635-2 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 114.66   | SILMD 198 Acct# 0712636-0 |

| Check Date | Check# | Name                | Fund Name   | Amount      | Item Desc                 |
|------------|--------|---------------------|-------------|-------------|---------------------------|
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 116.94   | SILMD 200 Acct# 0712637-8 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 481.59   | SILMD 201 Acct# 0712638-6 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 633.93   | SILMD 202 Acct# 0712639-4 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 20.35    | SILMD 203 Acct# 0712640-2 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 432.77   | SILMD 204 Acct# 0712641-0 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 26.46    | SILMD 205 Acct# 0712642-8 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 321.04   | SILMD 206 Acct# 0712643-6 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 366.92   | SILMD 207 Acct# 0712644-4 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 254.82   | SILMD 208 Acct# 0712645-1 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 527.44   | SILMD 209 Acct# 0712646-9 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 91.53    | SILMD 210 Acct# 0712647-7 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 50.86    | SILMD 211 Acct# 0712648-5 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 50.86    | SILMD 212 Acct# 0712649-3 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 30.52    | SILMD 213 Acct# 0712650-1 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 370.16   | SILMD 214 Acct# 0712651-9 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 137.60   | SILMD 216 Acct# 0712652-7 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 387.72   | SILMD 217 Acct# 0712653-5 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 279.23   | SILMD 220 Acct# 0712654-3 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 6.61     | SILMD 221 Acct# 0712655-0 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 80.64    | SILMD 222 Acct# 0712656-8 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 122.05   | SILMD 223 Acct# 0712657-6 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 1,400.85 | SILMD 224 Acct# 0712658-4 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 420.84   | SILMD 225 Acct# 0712659-2 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 232.62   | SILMD 226 Acct# 0712660-0 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 695.24   | SILMD 227 Acct# 0712661-8 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 788.57   | SILMD 228 Acct# 0712662-6 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 407.89   | SILMD 229 Acct# 0712663-4 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 951.76   | SILMD 230 Acct# 0712664-2 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 571.05   | SILMD 231 Acct# 0712665-9 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 2,474.53 | SILMD 232 Acct# 0712666-7 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 899.30   | SILMD 233 Acct# 0712667-5 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 504.01   | SILMD 234 Acct# 0712668-3 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 563.71   | SILMD 235 Acct# 0712669-1 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 179.10   | SILMD 236 Acct# 0712670-9 |

| Check Date | Check# | Name                | Fund Name   | Amount      | Item Desc                 |
|------------|--------|---------------------|-------------|-------------|---------------------------|
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 389.86   | SILMD 237 Acct# 0712671-7 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 13.22    | SILMD 238 Acct# 0712672-5 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 91.74    | SILMD 239 Acct# 0712673-3 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 429.83   | SILMD 240 Acct# 0712674-1 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 572.06   | SILMD 241 Acct# 0712675-8 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 81.58    | SILMD 242 Acct# 0712676-6 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 108.78   | SILMD 244 Acct# 0712677-4 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 72.49    | SILMD 245 Acct# 0712678-2 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 326.31   | SILMD 246 Acct# 0712679-0 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 961.86   | SILMD 247 Acct# 0712680-8 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 2,692.08 | SILMD 249 Acct# 0718734-7 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 214.90   | SILMD 250 Acct# 0719001-0 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 3,812.16 | SILMD 251 Acct# 0718801-4 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 543.85   | SILMD 252 Acct# 0719162-0 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 1,788.51 | SILMD 253 Acct# 0719644-7 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 161.27   | SILMD 254 Acct# 0719763-5 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 173.09   | SILMD 255 Acct# 0720813-5 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 958.98   | SILMD 257 Acct# 0720360-7 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 2,567.45 | SILMD 258 Acct# 0720606-3 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 1,564.43 | SILMD 259 Acct# 0720810-1 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 489.46   | SILMD 261 Acct# 0720705-3 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 3,042.25 | SILMD 262 Acct# 0720937-2 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 1,076.45 | SILMD 263 Acct# 0720716-0 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 175.93   | SILMD 264 Acct# 0721427-3 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 356.99   | SILMD 265 Acct# 0721556-9 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 60.29    | SILMD 266 Acct# 0721684-9 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 469.39   | SILMD 270 Acct# 0906944-4 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 939.36   | SILMD 271 Acct# 0995095-7 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 2,785.59 | SILMD 272 Acct# 0905005-5 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 202.14   | SILMD 273 Acct# 0926386-4 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 511.59   | SILMD 276 Acct# 0961926-3 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 839.05   | SILMD 277 Acct# 1058710-3 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 226.84   | SILMD 278 Acct# 1087619-1 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 58.33    | SILMD 279 Acct# 1124127-0 |

| Check Date | Check# | Name                | Fund Name   | Amount      | Item Desc                 |
|------------|--------|---------------------|-------------|-------------|---------------------------|
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 772.21   | SILMD 280 Acct# 1045653-1 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 509.62   | SILMD 283 Acct# 1172743-5 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 320.92   | SILMD 285 Acct# 1206985-2 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 240.48   | SILMD 286 Acct# 1296582-8 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 1,826.95 | SILMD 288 Acct# 1303978-9 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 239.59   | SILMD 289 Acct# 1685375-6 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 164.80   | SILMD 290 Acct# 1433921-2 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 598.23   | SILMD 292 Acct# 1481532-8 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 229.35   | SILMD 293 Acct# 1481534-4 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 458.65   | SILMD 294 Acct# 1481535-1 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 108.78   | SILMD 295 Acct# 1481536-9 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 1,215.45 | SILMD 296 Acct# 1481537-7 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 206.40   | SILMD 297 Acct# 1481539-3 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 183.46   | SILMD 298 Acct# 1481540-1 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 402.39   | SILMD 300 Acct# 1662840-6 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 5,398.51 | SILMD 301 Acct# 1687005-7 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 385.80   | SILMD 302 Acct# 1607534-3 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 1,043.62 | SILMD 305 Acct# 1695873-8 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 263.90   | SILMD 306 Acct# 1740353-6 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 3,593.42 | SILMD 307 Acct# 2049005-8 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 267.19   | SILMD 308 Acct# 2072459-7 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 406.96   | SILMD 309 Acct# 2001311-6 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 272.21   | SILMD 310 Acct# 2060519-2 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 322.66   | SILMD 311 Acct# 3014475-2 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 313.99   | SILMD 312 Acct# 3146127-0 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 564.53   | SILMD 315 Acct# 3305804-1 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 1,194.80 | SILMD 316 Acct# 3291842-7 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 104.45   | SILMD 317 Acct# 3253826-6 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 800.95   | SILMD 318 Acct# 3372018-6 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 58.67    | SILMD 320 Acct# 0712569-3 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 598.86   | SILMD 321 Acct# 3338917-2 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 120.97   | SILMD 322 Acct# 3402033-9 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 839.97   | SILMD 323 Acct# 3597170-4 |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint | \$ 470.96   | SILMD 324 Acct# 1246537-3 |

| Check Date | Check# | Name                | Fund Name      | Amount       | Item Desc                          |
|------------|--------|---------------------|----------------|--------------|------------------------------------|
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint    | \$ 298.43    | SILMD 325 Acct# 3587598-8          |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint    | \$ 150.03    | SILMD 326 Acct# 3840455-4          |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint    | \$ 183.46    | SILMD 327 Acct# 3810801-5          |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint    | \$ 898.96    | SILMD 328 Acct# 3894879-0          |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint    | \$ 378.08    | SILMD 8 Acct# 0712544-6            |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint    | \$ 350.77    | SILMD 9 Acct# 0712545-3            |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint    | \$ 532.42    | SILMD 95 Acct# 0712556-0           |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint    | \$ 9,593.78  | SILMD 97 Acct# 0712557-8           |
| 12/20/2021 | 848602 | NorthWestern Energy | Light Maint    | \$ 1,079.14  | SILMD 99 Acct# 0712558-6           |
| 12/20/2021 | 848601 | NorthWestern Energy | Park Dist 1    | \$ 27.90     | 0813489-2                          |
| 12/20/2021 | 848601 | NorthWestern Energy | Park Dist 1    | \$ -         | 1191404-1                          |
| 12/20/2021 | 848601 | NorthWestern Energy | Park Dist 1    | \$ 9.83      | 1849408-8                          |
| 12/20/2021 | 848601 | NorthWestern Energy | Park Dist 1    | \$ 26.89     | 1904944-4                          |
| 12/20/2021 | 848601 | NorthWestern Energy | Park Dist 1    | \$ 56.58     | 3241436-9                          |
| 12/20/2021 | 848601 | NorthWestern Energy | Parking        | \$ 34.39     | 3835890-9                          |
| 12/20/2021 | 848601 | NorthWestern Energy | Parks Maint    | \$ 6.64      | 0881455-0                          |
| 12/20/2021 | 848601 | NorthWestern Energy | Parks Maint    | \$ 1.34      | 1265177-4                          |
| 12/20/2021 | 848601 | NorthWestern Energy | Parks Maint    | \$ 1.22      | 1948667-9                          |
| 12/20/2021 | 848601 | NorthWestern Energy | Parks Maint    | \$ 5.29      | 2055817-7                          |
| 12/20/2021 | 848601 | NorthWestern Energy | Public Safety  | \$ 363.17    | 0720817-6                          |
| 12/20/2021 | 848601 | NorthWestern Energy | Street/Traffic | \$ 49.56     | 1045820-6                          |
| 12/20/2021 | 848601 | NorthWestern Energy | Street/Traffic | \$ 44.51     | 3930354-0                          |
| 12/20/2021 | 848602 | NorthWestern Energy | Street/Traffic | \$ 13,997.24 | Signal Bills 12.13.2021            |
| 12/20/2021 | 848601 | NorthWestern Energy | Transit        | \$ 2,129.81  | 0100473-8. Monad Rd. December 2021 |
| 12/20/2021 | 848601 | NorthWestern Energy | Transit        | \$ 444.29    | 0719225-5                          |
| 12/20/2021 | 848601 | NorthWestern Energy | Wastewater     | \$ 64,783.24 | 0100591-7                          |
| 12/20/2021 | 848601 | NorthWestern Energy | Wastewater     | \$ 189.80    | 389 62nd St Lift                   |
| 12/20/2021 | 848601 | NorthWestern Energy | Water          | \$ 1,821.88  | 0722264-9                          |
| 12/20/2021 | 848601 | NorthWestern Energy | Water          | \$ 2,338.76  | 0723040-2                          |
| 12/20/2021 | 848601 | NorthWestern Energy | Water          | \$ 11.06     | 0723059-2                          |
| 12/20/2021 | 848601 | NorthWestern Energy | Water          | \$ 136.08    | 1142253-2                          |
| 12/20/2021 | 848601 | NorthWestern Energy | Water          | \$ 6.00      | 1160807-2                          |
| 12/20/2021 | 848601 | NorthWestern Energy | Water          | \$ 4.20      | 1346673-5                          |
| 12/20/2021 | 848601 | NorthWestern Energy | Water          | \$ 234.17    | 805 Constituion                    |

| Check Date | Check# | Name                  | Fund Name      | Amount          | Item Desc                                                           |
|------------|--------|-----------------------|----------------|-----------------|---------------------------------------------------------------------|
| 12/20/2021 | 848610 | Perform Eng & Consult | Storm Sewer    | \$ 8,400.05     | Bitterroot Drive and Wicks Lane Corridor Drainage Improvements      |
| 12/20/2021 | 848613 | Praetorian Digital    | Public Safety  | \$ 9,515.00     | Annual renewal for online training/certification.                   |
| 12/20/2021 | 848615 | Public Utilities      | Airport        | \$ 6,116.50     | 136516                                                              |
| 12/20/2021 | 848615 | Public Utilities      | Facilities     | \$ 510.31       | 158260                                                              |
| 12/20/2021 | 848615 | Public Utilities      | Park Dist 1    | \$ 99.41        | 255552                                                              |
| 12/20/2021 | 848615 | Public Utilities      | Parking        | \$ 93.57        | 102086                                                              |
| 12/20/2021 | 848615 | Public Utilities      | Parking        | \$ 232.02       | 102980                                                              |
| 12/20/2021 | 848615 | Public Utilities      | Parking        | \$ 10.65        | 102981                                                              |
| 12/20/2021 | 848615 | Public Utilities      | Street/Traffic | \$ 670.59       | 271609                                                              |
| 12/20/2021 | 848615 | Public Utilities      | Wastewater     | \$ 9.60         | 180645                                                              |
| 12/20/2021 | 848616 | PW Administration     | Water          | \$ 800.00       | PWU Nov Engineering Permits                                         |
| 12/20/2021 | 848616 | PW Administration     | Water          | \$ 3,000.00     | PWU Nov Engineering Permits - Watermain Repair                      |
| 12/20/2021 | 848618 | Rain For Rent         | Wastewater     | \$ 22,139.91    | WO 22-13                                                            |
| 12/20/2021 | 848619 | RDO Equipment         | Solid Waste    | \$ 2,471.16     | P8457212                                                            |
| 12/20/2021 | 848619 | RDO Equipment         | Solid Waste    | \$ 177.72       | P8492912                                                            |
| 12/20/2021 | 848619 | RDO Equipment         | Solid Waste    | \$ 2,455.25     | W3221912                                                            |
| 12/20/2021 | 848619 | RDO Equipment         | Solid Waste    | \$ 175.00       | W3221912                                                            |
| 12/20/2021 | 848621 | Record Steel Const    | Wastewater     | \$ 1,288,699.81 | WO 19-21: WRF Influent Lift Station                                 |
| 12/20/2021 | 848622 | River Oaks Commun     | Engineering    | \$ 2,649.50     | Reviewing regulations for Macro Cell Towers, standards & guidelines |
| 12/20/2021 | 848626 | Sanderson Stewart     | Arterial Str   | \$ 943.00       | WO 0912 Inner Belt Loop                                             |
| 12/20/2021 | 848626 | Sanderson Stewart     | Arterial Str   | \$ 720.09       | WO 0912 Inner Belt Loop                                             |
| 12/20/2021 | 848626 | Sanderson Stewart     | Gas Tax        | \$ 3,225.00     | WO 22-02 2022 Misc Developer                                        |
| 12/20/2021 | 848626 | Sanderson Stewart     | Storm Sewer    | \$ 2,073.50     | Survey and pothole all utilities for proposed culvert alignments    |
| 12/20/2021 | 848626 | Sanderson Stewart     | Storm Sewer    | \$ 6,864.50     | Survey and pothole all utilities for proposed culvert alignments    |
| 12/20/2021 | 848626 | Sanderson Stewart     | Tax Incrmnt S  | \$ 53,771.00    | WO 21-42 SBURA Streets improvements, Phase 1                        |
| 12/20/2021 | 848626 | Sanderson Stewart     | Water          | \$ 7,833.00     | WO 20-30 Hallowell Lane Improvement                                 |
| 12/20/2021 | 848631 | Sletten Construction  | Airport        | \$ 779,289.50   | AIP-73 Terminal Expansion - Eligible for Reimbursement              |
| 12/20/2021 | 848631 | Sletten Construction  | Airport        | \$ 65,926.88    | AIP-73 Terminal Expansion - Ineligible for Reimbursement            |
| 12/20/2021 | 848632 | Solid Waste System    | Fleet          | \$ 112.18       | 137784 PO NUM 313624                                                |
| 12/20/2021 | 848632 | Solid Waste System    | Fleet          | \$ 564.79       | 138019 PO NUM 313624                                                |
| 12/20/2021 | 848632 | Solid Waste System    | Fleet          | \$ 801.45       | 138129 PO NUM 313624                                                |
| 12/20/2021 | 848632 | Solid Waste System    | Solid Waste    | \$ 497.51       | 137841                                                              |
| 12/20/2021 | 848632 | Solid Waste System    | Solid Waste    | \$ 1,233.26     | 138109                                                              |
| 12/20/2021 | 848632 | Solid Waste System    | Solid Waste    | \$ 101.11       | 138134                                                              |

| Check Date | Check# | Name                  | Fund Name        | Amount       | Item Desc                                          |
|------------|--------|-----------------------|------------------|--------------|----------------------------------------------------|
| 12/20/2021 | 848641 | Tire-Rama             | Solid Waste      | \$ 3,003.50  | Tire repair and purchase. Collections.             |
| 12/20/2021 | 848641 | Tire-Rama             | Solid Waste      | \$ 3,682.00  | Tire repair and purchase. Collections.             |
| 12/20/2021 | 848641 | Tire-Rama             | Solid Waste      | \$ 3,107.00  | Tire repair and purchase. Collections.             |
| 12/20/2021 | 848641 | Tire-Rama             | Solid Waste      | \$ 2,681.00  | Tire repair and purchase. Landfill.                |
| 12/20/2021 | 848641 | Tire-Rama             | Solid Waste      | \$ 1,089.00  | Tire Repair. Collections.                          |
| 12/20/2021 | 848641 | Tire-Rama             | Street/Traffic   | \$ 219.00    | 1050025776                                         |
| 12/20/2021 | 848641 | Tire-Rama             | Street/Traffic   | \$ 1,821.20  | 105 0024418                                        |
| 12/20/2021 | 848638 | T-O Engineers         | Transit          | \$ 2,750.00  | 210738-1                                           |
| 12/20/2021 | 848646 | Town & Country Supply | Fleet            | \$ 26,054.16 | 423272 PO NUM 313626                               |
| 12/20/2021 | 848646 | Town & Country Supply | Fleet            | \$ 17,374.08 | 423276 PO NUM 313628                               |
| 12/20/2021 | 848647 | Tractor & Equipment   | Solid Waste      | \$ 260.00    | 13267801                                           |
| 12/20/2021 | 848647 | Tractor & Equipment   | Solid Waste      | \$ 406.76    | BLCS0767060                                        |
| 12/20/2021 | 848647 | Tractor & Equipment   | Solid Waste      | \$ 1,181.16  | BLCS0767228                                        |
| 12/20/2021 | 848647 | Tractor & Equipment   | Solid Waste      | \$ 881.76    | BLCS0768063                                        |
| 12/20/2021 | 848647 | Tractor & Equipment   | Solid Waste      | \$ 169.28    | BLCS0768788                                        |
| 12/20/2021 | 848647 | Tractor & Equipment   | Solid Waste      | \$ 899.64    | BLCS0769334                                        |
| 12/20/2021 | 848647 | Tractor & Equipment   | Solid Waste      | \$ 25.00     | BLCS0769334                                        |
| 12/20/2021 | 848647 | Tractor & Equipment   | Solid Waste      | \$ 1,413.12  | BLCS0769335                                        |
| 12/20/2021 | 848647 | Tractor & Equipment   | Solid Waste      | \$ 81.00     | BLWO0212939                                        |
| 12/20/2021 | 848647 | Tractor & Equipment   | Solid Waste      | \$ 2,384.96  | BLWO0212939                                        |
| 12/20/2021 | 848647 | Tractor & Equipment   | Solid Waste      | \$ 2,922.00  | BLWO0212939                                        |
| 12/20/2021 | 848648 | Unemployment Ins      | Payroll Clearing | \$ 52,308.32 | Unemployment for quarter ending September 30, 2021 |
| 12/20/2021 | 848651 | Verizon Wireless      | Airport          | \$ 51.70     | Airport                                            |
| 12/20/2021 | 848651 | Verizon Wireless      | Engineering      | \$ 136.60    | PW-Engineering                                     |
| 12/20/2021 | 848651 | Verizon Wireless      | Fleet            | \$ 115.02    | Motor Pool                                         |
| 12/20/2021 | 848651 | Verizon Wireless      | General          | \$ 99.02     | City Administrator                                 |
| 12/20/2021 | 848651 | Verizon Wireless      | Park Dist 1      | \$ 57.01     | PRPL-PARKS                                         |
| 12/20/2021 | 848651 | Verizon Wireless      | Parking          | \$ 27.32     | Parking                                            |
| 12/20/2021 | 848651 | Verizon Wireless      | Parking          | \$ 54.48     | PRKING Enforcement (Parking)                       |
| 12/20/2021 | 848651 | Verizon Wireless      | PD Program       | \$ 406.10    | CCSIU Cell/PTT                                     |
| 12/20/2021 | 848651 | Verizon Wireless      | PD Program       | \$ 54.64     | CCSIU MDT                                          |
| 12/20/2021 | 848651 | Verizon Wireless      | PD Program       | \$ 80.02     | CCSIU RAVEN                                        |
| 12/20/2021 | 848651 | Verizon Wireless      | Public Safety    | \$ 268.32    | Fire MDT                                           |
| 12/20/2021 | 848651 | Verizon Wireless      | Public Safety    | \$ 480.63    | MDT Toughbooks                                     |

| Check Date | Check# | Name                    | Fund Name      | Amount       | Item Desc                                              |
|------------|--------|-------------------------|----------------|--------------|--------------------------------------------------------|
| 12/20/2021 | 848651 | Verizon Wireless        | Public Safety  | \$ 106.01    | Police                                                 |
| 12/20/2021 | 848651 | Verizon Wireless        | Public Safety  | \$ 80.02     | Police iPads                                           |
| 12/20/2021 | 848651 | Verizon Wireless        | Public Safety  | \$ 40.01     | Police MiFi                                            |
| 12/20/2021 | 848651 | Verizon Wireless        | Public Safety  | \$ 41.61     | Police -Mike Robinson                                  |
| 12/20/2021 | 848651 | Verizon Wireless        | Solid Waste    | \$ 27.32     | PW Dozer Trimble Dozer                                 |
| 12/20/2021 | 848651 | Verizon Wireless        | Solid Waste    | \$ 109.28    | PW-Solid Waste                                         |
| 12/20/2021 | 848651 | Verizon Wireless        | Solid Waste    | \$ 207.51    | PW-SW-ON CALL Solid Waste On Call                      |
| 12/20/2021 | 848651 | Verizon Wireless        | Solid Waste    | \$ 80.81     | PW-SW-ON CALL Solid Waste On Call                      |
| 12/20/2021 | 848651 | Verizon Wireless        | Solid Waste    | \$ 492.59    | Solid Waste Tablets -Routware                          |
| 12/20/2021 | 848651 | Verizon Wireless        | Street/Traffic | \$ 163.92    | PW-Streets City Works                                  |
| 12/20/2021 | 848651 | Verizon Wireless        | Street/Traffic | \$ 81.96     | PW-Streets iPad                                        |
| 12/20/2021 | 848651 | Verizon Wireless        | Street/Traffic | \$ 199.21    | PW-STRT TRFC Streets                                   |
| 12/20/2021 | 848651 | Verizon Wireless        | Transit        | \$ 309.02    | MET AVL                                                |
| 12/20/2021 | 848651 | Verizon Wireless        | Wastewater     | \$ -         | PW-DIS-COLL Cityworks 60/40                            |
| 12/20/2021 | 848651 | Verizon Wireless        | Wastewater     | \$ (7.64)    | PW-Distribution Collection Tablets 60/40               |
| 12/20/2021 | 848651 | Verizon Wireless        | Water          | \$ 27.32     | PW Belknap Meter Shop                                  |
| 12/20/2021 | 848651 | Verizon Wireless        | Water          | \$ 90.06     | PW Environmental iPads                                 |
| 12/20/2021 | 848651 | Verizon Wireless        | Water          | \$ 27.32     | PWBLKNP Water Treatment                                |
| 12/20/2021 | 848651 | Verizon Wireless        | Water          | \$ 54.64     | PWBLNP Comm-Meter CityWorks/Neptune                    |
| 12/20/2021 | 848651 | Verizon Wireless        | Water          | \$ (11.47)   | PW-Distribution Collection Tablets 60/40               |
| 12/20/2021 | 848652 | Western Municipal Const | Storm Sewer    | \$ 31,358.65 | WO 20-24 54th to Grand to 48th Drainage Corridor       |
| 12/20/2021 | 848652 | Western Municipal Const | Wastewater     | \$ 77,628.38 | WO 20-11 Lake Hills Station Rehabilitation             |
| 12/20/2021 | 848654 | Wilbur Ellis Co         | Park Dist 1    | \$ 6,400.00  | fertilizer-14754905                                    |
| 12/20/2021 | 848657 | Xylem Dewatering        | Wastewater     | \$ 55,093.50 | WO 22-13 Bypass Pumping for Heights Trunk Sewer Repair |
| 12/20/2021 | 848658 | Xylem Water Solutions   | Wastewater     | \$ 8,579.91  | Shiloh crossing pump station rebuild                   |
| 12/20/2021 | 848661 | Ylwstn Co Treas         | GO Const       | \$ 12,856.49 | Stillwater Building                                    |
| 12/20/2021 | 848661 | Ylwstn Co Treas         | GO Const       | \$ 91,771.11 | Stillwater Building                                    |

**City Council Regular**

**Date:** 01/24/2022  
**Title:** Payment of claims for week of December 28, 2021  
**Presented by:** Andy Zoeller, Finance Director  
**Department:** Finance  
**Presentation:** No

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**RECOMMENDATION**

Staff recommends Council approve the Payment of Claims

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

Claims in the amount of \$2,110,496.02 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 is 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.

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**Attachments**

Councilmemo wk of 12282021

| Check Date | Check# | Name                | Fund Name    | Amount       | Item Desc                                                             |
|------------|--------|---------------------|--------------|--------------|-----------------------------------------------------------------------|
| 12/28/2021 | 848662 | 3 Bull Contracting  | Park Dist 1  | \$ 17,820.00 | Erect a picnic shelter and construct concrete sidewalks in Terry Park |
| 12/28/2021 | 848663 | 360 Office Solution | Library      | \$ 354.00    | 1094583-0 material to recover "star" bench                            |
| 12/28/2021 | 848663 | 360 Office Solution | Library      | \$ 6,075.80  | Beaufurn Letters for Children's seating area                          |
| 12/28/2021 | 848664 | Advanced Employment | Solid Waste  | \$ 3,883.13  | Contract labor for Landfill.                                          |
| 12/28/2021 | 848664 | Advanced Employment | Solid Waste  | \$ 3,920.81  | Contract labor for landfill.                                          |
| 12/28/2021 | 848664 | Advanced Employment | Solid Waste  | \$ 56.55     | Contract labor for Landfill.                                          |
| 12/28/2021 | 848664 | Advanced Employment | Solid Waste  | \$ 188.50    | Contract labor for Landfill.                                          |
| 12/28/2021 | 848670 | Askin Construction  | Gas Tax      | \$ 4,356.00  | Gleneagles Blvd; 4F SID 1416 Askin                                    |
| 12/28/2021 | 848670 | Askin Construction  | SID Const    | \$ 2,561.65  | Gleneagles Blvd; 4F SID1416 Askin                                     |
| 12/28/2021 | 848671 | AT & T Corp         | Airport      | \$ 727.25    | Airport -                                                             |
| 12/28/2021 | 848671 | AT & T Corp         | Airport      | \$ 25.09     | MET Transit Tablets                                                   |
| 12/28/2021 | 848671 | AT & T Corp         | Building     | \$ 25.42     | Building Inspector Surface                                            |
| 12/28/2021 | 848671 | AT & T Corp         | Building     | \$ 599.07    | PW-Building Cell Phones                                               |
| 12/28/2021 | 848671 | AT & T Corp         | Building     | \$ 31.20     | PW-Building Tablets (Planning) and Surfaces                           |
| 12/28/2021 | 848671 | AT & T Corp         | Building     | \$ 361.26    | PW-Building Tablets (Planning) and Surfaces                           |
| 12/28/2021 | 848671 | AT & T Corp         | Building     | \$ 93.60     | PW-Building Tablets (Planning) and Surfaces                           |
| 12/28/2021 | 848671 | AT & T Corp         | CDBG         | \$ 145.50    | Comm Dev                                                              |
| 12/28/2021 | 848671 | AT & T Corp         | Court Grants | \$ 211.31    | Muni Court DC                                                         |
| 12/28/2021 | 848671 | AT & T Corp         | Engineering  | \$ 34.84     | Engineering Tablets + Two new tablets                                 |
| 12/28/2021 | 848671 | AT & T Corp         | Engineering  | \$ 109.36    | Engineering Tablets + Two new tablets                                 |
| 12/28/2021 | 848671 | AT & T Corp         | Engineering  | \$ 100.37    | PW-Engineering Cell Phones and MiFi                                   |
| 12/28/2021 | 848671 | AT & T Corp         | Engineering  | \$ 118.23    | PW-Engineering Cell Phones and MiFi                                   |
| 12/28/2021 | 848671 | AT & T Corp         | Facilities   | \$ 94.79     | Facilities BOC                                                        |
| 12/28/2021 | 848671 | AT & T Corp         | Facilities   | \$ 92.94     | Facilities BOC/CH                                                     |
| 12/28/2021 | 848671 | AT & T Corp         | Facilities   | \$ 30.98     | Facilities BOC/CH                                                     |
| 12/28/2021 | 848671 | AT & T Corp         | Facilities   | \$ 49.65     | Facilities City Hall                                                  |
| 12/28/2021 | 848671 | AT & T Corp         | Facilities   | \$ 160.26    | Facilities Managers                                                   |
| 12/28/2021 | 848671 | AT & T Corp         | General      | \$ 95.59     | City Attorney -Legal                                                  |
| 12/28/2021 | 848671 | AT & T Corp         | General      | \$ 316.86    | Code Enforcement                                                      |
| 12/28/2021 | 848671 | AT & T Corp         | General      | \$ 135.69    | Legal Dept -Domestic Violence -Added two lines                        |
| 12/28/2021 | 848671 | AT & T Corp         | General      | \$ 45.41     | Municipal Court                                                       |
| 12/28/2021 | 848671 | AT & T Corp         | General      | \$ 304.35    | PRPL - Recreation Division                                            |
| 12/28/2021 | 848671 | AT & T Corp         | General      | \$ 37.94     | Rec Seasonal and Parks Seasonal                                       |
| 12/28/2021 | 848671 | AT & T Corp         | General      | \$ 54.60     | REC Tablets                                                           |

| Check Date | Check# | Name        | Fund Name     | Amount      | Item Desc                                   |
|------------|--------|-------------|---------------|-------------|---------------------------------------------|
| 12/28/2021 | 848671 | AT & T Corp | IT Resources  | \$ 50.18    | IT Department -On call Phone -added hotspot |
| 12/28/2021 | 848671 | AT & T Corp | Library       | \$ 222.81   | Library                                     |
| 12/28/2021 | 848671 | AT & T Corp | Library       | \$ 107.15   | Library Out Reach                           |
| 12/28/2021 | 848671 | AT & T Corp | P.W. Admin    | \$ 27.32    | PWBLKNP OFFICE -60/40                       |
| 12/28/2021 | 848671 | AT & T Corp | P.W. Admin    | \$ 40.97    | PWBLKNP OFFICE -60/40                       |
| 12/28/2021 | 848671 | AT & T Corp | Park Dist 1   | \$ 571.08   | Parks Dept.                                 |
| 12/28/2021 | 848671 | AT & T Corp | Park Dist 1   | \$ (44.68)  | Parks Dept.                                 |
| 12/28/2021 | 848671 | AT & T Corp | Park Dist 1   | \$ 124.20   | PRPL Parks Tablets                          |
| 12/28/2021 | 848671 | AT & T Corp | Park Dist 1   | \$ 452.92   | PRPL Parks Tablets                          |
| 12/28/2021 | 848671 | AT & T Corp | Park Dist 1   | \$ 17.33    | Rec Seasonal and Parks Seasonal             |
| 12/28/2021 | 848671 | AT & T Corp | Parking       | \$ 77.63    | Parking Division Meter Maintenance          |
| 12/28/2021 | 848671 | AT & T Corp | Parking       | \$ 43.79    | Parking Phones and scanner                  |
| 12/28/2021 | 848671 | AT & T Corp | Parking       | \$ 148.24   | Parking Phones and scanner                  |
| 12/28/2021 | 848671 | AT & T Corp | Parking       | \$ 270.84   | Parking Phones and scanner                  |
| 12/28/2021 | 848671 | AT & T Corp | PD Program    | \$ 80.28    | CCSIU Toughbook                             |
| 12/28/2021 | 848671 | AT & T Corp | PD Program    | \$ 45.41    | Domestic Violence                           |
| 12/28/2021 | 848671 | AT & T Corp | Phone System  | \$ 49.68    | IT iPads                                    |
| 12/28/2021 | 848671 | AT & T Corp | Phone System  | \$ 3.46     | Metro Cell Account                          |
| 12/28/2021 | 848671 | AT & T Corp | Phone System  | \$ 17.33    | TeleComm Manager                            |
| 12/28/2021 | 848671 | AT & T Corp | Phone System  | \$ 50.18    | TeleComm Manager                            |
| 12/28/2021 | 848671 | AT & T Corp | Phone System  | \$ (8.23)   | TeleComm Manager                            |
| 12/28/2021 | 848671 | AT & T Corp | Planning      | \$ 62.47    | PLANNING                                    |
| 12/28/2021 | 848671 | AT & T Corp | Public Safety | \$ 272.50   | Animal Control Cell Phones                  |
| 12/28/2021 | 848671 | AT & T Corp | Public Safety | \$ 240.84   | Animal Control -MDT                         |
| 12/28/2021 | 848671 | AT & T Corp | Public Safety | \$ 272.77   | Comm. Center 9-1-1                          |
| 12/28/2021 | 848671 | AT & T Corp | Public Safety | \$ 40.14    | Detective Chartier -Toughbook               |
| 12/28/2021 | 848671 | AT & T Corp | Public Safety | \$ 1,231.84 | Fire Department Cell Phones                 |
| 12/28/2021 | 848671 | AT & T Corp | Public Safety | \$ 487.76   | Fire iPads -Inspections and Training        |
| 12/28/2021 | 848671 | AT & T Corp | Public Safety | \$ 85.55    | ICAC -Campbell and Spare                    |
| 12/28/2021 | 848671 | AT & T Corp | Public Safety | \$ 1,238.74 | MDT Fire                                    |
| 12/28/2021 | 848671 | AT & T Corp | Public Safety | \$ 3,105.30 | Police Department Cell Phone                |
| 12/28/2021 | 848671 | AT & T Corp | Public Safety | \$ 3,692.88 | Police MDT Toughbooks and Loaner MDT's      |
| 12/28/2021 | 848671 | AT & T Corp | Public Safety | \$ 401.40   | Police MDT Toughbooks and Loaner MDT's      |
| 12/28/2021 | 848671 | AT & T Corp | Public Safety | \$ 272.23   | Police -Resource Officers                   |

| Check Date | Check# | Name             | Fund Name      | Amount        | Item Desc                                                          |
|------------|--------|------------------|----------------|---------------|--------------------------------------------------------------------|
| 12/28/2021 | 848671 | AT & T Corp      | Public Safety  | \$ 200.70     | Yellowstone County Cellular Charges -Three cradlepoints -Fire Dept |
| 12/28/2021 | 848671 | AT & T Corp      | Solid Waste    | \$ 90.28      | SOLID WASTE SUPERINTENDANT                                         |
| 12/28/2021 | 848671 | AT & T Corp      | Street/Traffic | \$ 372.66     | School Flashers                                                    |
| 12/28/2021 | 848671 | AT & T Corp      | Street/Traffic | \$ 34.84      | Street Traffic iPads                                               |
| 12/28/2021 | 848671 | AT & T Corp      | Street/Traffic | \$ 66.47      | Street Traffic iPads                                               |
| 12/28/2021 | 848671 | AT & T Corp      | Street/Traffic | \$ 273.24     | Street Traffic iPads                                               |
| 12/28/2021 | 848671 | AT & T Corp      | Transit        | \$ 10.04      | MET Supervisor Cell Phones                                         |
| 12/28/2021 | 848671 | AT & T Corp      | Transit        | \$ 40.14      | MET Supervisor Cell Phones                                         |
| 12/28/2021 | 848671 | AT & T Corp      | Transit        | \$ 100.36     | MET Supervisor Cell Phones                                         |
| 12/28/2021 | 848671 | AT & T Corp      | Transit        | \$ 100.36     | MET Supervisor Cell Phones                                         |
| 12/28/2021 | 848671 | AT & T Corp      | Transit        | \$ 50.18      | MET Supervisor Cell Phones                                         |
| 12/28/2021 | 848671 | AT & T Corp      | Transit        | \$ 1,042.42   | MET Transit Max Transit                                            |
| 12/28/2021 | 848671 | AT & T Corp      | Transit        | \$ 426.44     | MET Transit Tablets                                                |
| 12/28/2021 | 848671 | AT & T Corp      | Transit        | \$ 642.24     | MET Transit Tablets                                                |
| 12/28/2021 | 848671 | AT & T Corp      | Transit        | \$ 25.09      | MET Transit Tablets                                                |
| 12/28/2021 | 848671 | AT & T Corp      | Wastewater     | \$ 180.56     | PW Environmental                                                   |
| 12/28/2021 | 848671 | AT & T Corp      | Wastewater     | \$ 288.74     | PWBELKNAP-DIST COLL CELL PHONES 60/40                              |
| 12/28/2021 | 848671 | AT & T Corp      | Wastewater     | \$ 474.30     | PWBLKNP Electricians -Phones                                       |
| 12/28/2021 | 848671 | AT & T Corp      | Wastewater     | \$ 27.57      | PWBLKNP STORES -75/25                                              |
| 12/28/2021 | 848671 | AT & T Corp      | Wastewater     | \$ 859.95     | PWBLNP-WWTRMNT1 Wastewater Treatment Plant                         |
| 12/28/2021 | 848671 | AT & T Corp      | Wastewater     | \$ 276.08     | PW-Distribution Collection Tablets 60/40                           |
| 12/28/2021 | 848671 | AT & T Corp      | Wastewater     | \$ 69.68      | PW-Environmental                                                   |
| 12/28/2021 | 848671 | AT & T Corp      | Water          | \$ 433.10     | PWBELKNAP-DIST COLL CELL PHONES 60/40                              |
| 12/28/2021 | 848671 | AT & T Corp      | Water          | \$ 1,041.44   | PWBELKNAP-WT Water Treatment                                       |
| 12/28/2021 | 848671 | AT & T Corp      | Water          | \$ 609.89     | PWBLKNP COMM-METER CityWorks/Neptune                               |
| 12/28/2021 | 848671 | AT & T Corp      | Water          | \$ 234.22     | PWBLKNP MTRSHOP CELL PHONE AND IPADS                               |
| 12/28/2021 | 848671 | AT & T Corp      | Water          | \$ 156.14     | PWBLKNP MTRSHOP CELL PHONE AND IPADS                               |
| 12/28/2021 | 848671 | AT & T Corp      | Water          | \$ 238.21     | PWBLKNP MTRSHOP CELL PHONE AND IPADS                               |
| 12/28/2021 | 848671 | AT & T Corp      | Water          | \$ 82.70      | PWBLKNP STORES -75/25                                              |
| 12/28/2021 | 848671 | AT & T Corp      | Water          | \$ 414.12     | PW-Distribution Collection Tablets 60/40                           |
| 12/28/2021 | 848681 | Billings Tourism | Tourism BID #2 | \$ 737,736.00 | Paid November Distributed December 2021                            |
| 12/28/2021 | 848683 | Border States    | Street/Traffic | \$ 231.58     | Cell modern power supply                                           |
| 12/28/2021 | 848683 | Border States    | Wastewater     | \$ 2,489.96   | Analog                                                             |
| 12/28/2021 | 848683 | Border States    | Wastewater     | \$ 109.20     | Control panel componenets                                          |

| Check Date | Check# | Name                  | Fund Name      | Amount        | Item Desc                                                  |
|------------|--------|-----------------------|----------------|---------------|------------------------------------------------------------|
| 12/28/2021 | 848683 | Border States         | Wastewater     | \$ 73.99      | FR BIBS. CHARLES                                           |
| 12/28/2021 | 848683 | Border States         | Wastewater     | \$ 162.88     | FR Coat ordered by Harold Wagner                           |
| 12/28/2021 | 848683 | Border States         | Wastewater     | \$ 4,368.88   | hardware for changing out breakers in SPS                  |
| 12/28/2021 | 848683 | Border States         | Wastewater     | \$ 333.34     | Repair and calibration                                     |
| 12/28/2021 | 848683 | Border States         | Wastewater     | \$ 3.26       | round box cover for old box above headworks                |
| 12/28/2021 | 848683 | Border States         | Wastewater     | \$ 8.01       | TOOLS                                                      |
| 12/28/2021 | 848683 | Border States         | Wastewater     | \$ 2,814.39   | TRP computer replacements                                  |
| 12/28/2021 | 848683 | Border States         | Water          | \$ 109.20     | Control panel componenets                                  |
| 12/28/2021 | 848683 | Border States         | Water          | \$ 39.72      | Control panel relays                                       |
| 12/28/2021 | 848683 | Border States         | Water          | \$ 469.53     | Fittings                                                   |
| 12/28/2021 | 848683 | Border States         | Water          | \$ 74.00      | FR BIBS. CHARLES                                           |
| 12/28/2021 | 848683 | Border States         | Water          | \$ 162.88     | FR Coat ordered by Harold Wagner                           |
| 12/28/2021 | 848683 | Border States         | Water          | \$ 263.70     | RELAY TERM BLOCK                                           |
| 12/28/2021 | 848683 | Border States         | Water          | \$ 333.33     | Repair and calibration                                     |
| 12/28/2021 | 848683 | Border States         | Water          | \$ 8.01       | TOOLS                                                      |
| 12/28/2021 | 848683 | Border States         | Water          | \$ 147.54     | Wall plate                                                 |
| 12/28/2021 | 848685 | Business Tax Section  | Gas Tax        | \$ 44.00      | Gleneagles Blvd; 4F SID1416 Askin                          |
| 12/28/2021 | 848685 | Business Tax Section  | Gas Tax        | \$ 1,203.26   | WO 21-04 City ADA Project                                  |
| 12/28/2021 | 848685 | Business Tax Section  | Gas Tax        | \$ 465.42     | WO20-02 MISSING SIDEWALK                                   |
| 12/28/2021 | 848685 | Business Tax Section  | Park Dist 1    | \$ 180.00     | 3 Bull-Terry park install shelter and sidewalks            |
| 12/28/2021 | 848685 | Business Tax Section  | SID Const      | \$ 25.86      | Gleneagles Blvd; 4F SID1416 Askin                          |
| 12/28/2021 | 848685 | Business Tax Section  | Sidewalk Const | \$ 631.21     | WO20-02 MISSING SIDEWALK                                   |
| 12/28/2021 | 848685 | Business Tax Section  | Transit        | \$ 134.85     | Fuel Management System Upgrade for METroplex               |
| 12/28/2021 | 848685 | Business Tax Section  | Wastewater     | \$ 13,017.17  | WO 19-21: WRF Influent Lift Station                        |
| 12/28/2021 | 848685 | Business Tax Section  | Wastewater     | \$ 9.23       | WO 21-05 CCTV Support for WWMP                             |
| 12/28/2021 | 848685 | Business Tax Section  | Water          | \$ 6.88       | WTP - RELAY CONFIGURATION UPDATE                           |
| 12/28/2021 | 848687 | Carahsoft Technology  | General        | \$ 13,028.21  | DocuSign Yearly Renewal; FY 2022                           |
| 12/28/2021 | 848688 | Carol Flemming Design | General        | \$ 2,500.00   | PRPL mascot for special events-Homer                       |
| 12/28/2021 | 848697 | Cummins Rocky Mt      | Water          | \$ 3,353.66   | MAINTENANCE GENERATOR                                      |
| 12/28/2021 | 848700 | Dell Marketing Lp     | Water          | \$ 6,721.52   | Replacement for WTP-Lab 1, WTP lab 2, WTP-Lab 3, WTP-Lab 4 |
| 12/28/2021 | 848703 | Dixie Petro-Chem      | Water          | \$ 13,464.00  | BULK CHLORINE WTP                                          |
| 12/28/2021 | 848703 | Dixie Petro-Chem      | Water          | \$ 1,125.00   | BULK CHLORINE WTP                                          |
| 12/28/2021 | 848705 | Downtown Billings BID | Downtown BID   | \$ 194,009.40 | BID Assessment; Paid November Distributed December 2021    |
| 12/28/2021 | 848708 | Ecoverse Industries   | Solid Waste    | \$ 948.78     | 2190152                                                    |

| Check Date | Check# | Name                  | Fund Name     | Amount       | Item Desc                                            |
|------------|--------|-----------------------|---------------|--------------|------------------------------------------------------|
| 12/28/2021 | 848708 | Ecoverse Industries   | Solid Waste   | \$ 16,747.38 | 2190152                                              |
| 12/28/2021 | 848714 | Facts On File Inc     | Library       | \$ 4,527.21  | INV422822 Online database renewal                    |
| 12/28/2021 | 848718 | First Am Title        | CDBG          | \$ 15,000.00 | FTHB Thomas liams 310 4th Ave W                      |
| 12/28/2021 | 848721 | Galles Filter Service | Fleet         | \$ 232.31    | P1-10187.01 PO NUM 313281                            |
| 12/28/2021 | 848721 | Galles Filter Service | Fleet         | \$ 414.34    | P1-10297.01 PO NUM 313281                            |
| 12/28/2021 | 848721 | Galles Filter Service | Fleet         | \$ 318.98    | P1-10411.01 PO NUM 313281                            |
| 12/28/2021 | 848721 | Galles Filter Service | Fleet         | \$ 5.10      | P1-10442.01 PO NUM 313281                            |
| 12/28/2021 | 848721 | Galles Filter Service | Fleet         | \$ 2.04      | P1-10512.01 PO NUM 313281                            |
| 12/28/2021 | 848721 | Galles Filter Service | Fleet         | \$ 6.28      | P1-10529.01 PO NUM 313281                            |
| 12/28/2021 | 848721 | Galles Filter Service | Fleet         | \$ 64.49     | P1-10585.01 PO NUM 313281                            |
| 12/28/2021 | 848721 | Galles Filter Service | Fleet         | \$ 144.50    | P1-10726.01 PO NUM 313281                            |
| 12/28/2021 | 848721 | Galles Filter Service | Fleet         | \$ 91.08     | T-99701 PO NUM 313281                                |
| 12/28/2021 | 848721 | Galles Filter Service | Public Safety | \$ 96.25     | P1-10701.01                                          |
| 12/28/2021 | 848721 | Galles Filter Service | Solid Waste   | \$ 222.78    | Outer Air Element: RS3700                            |
| 12/28/2021 | 848721 | Galles Filter Service | Solid Waste   | \$ 376.02    | Outer Air Element: RS3700                            |
| 12/28/2021 | 848721 | Galles Filter Service | Solid Waste   | \$ 409.52    | Outer Air Element: RS3512                            |
| 12/28/2021 | 848721 | Galles Filter Service | Transit       | \$ 74.76     | P1-10732-01 PO NUM 313281. Oil Filters               |
| 12/28/2021 | 848721 | Galles Filter Service | Wastewater    | \$ 13.08     | NONSTOCKING ITEMS-P.U.D.                             |
| 12/28/2021 | 848721 | Galles Filter Service | Wastewater    | \$ 13.58     | NONSTOCKING ITEMS-P.U.D.                             |
| 12/28/2021 | 848721 | Galles Filter Service | Wastewater    | \$ 52.30     | NONSTOCKING ITEMS-P.U.D.                             |
| 12/28/2021 | 848721 | Galles Filter Service | Water         | \$ 35.70     | AIR FILTER UNIT 7352                                 |
| 12/28/2021 | 848721 | Galles Filter Service | Water         | \$ (4.68)    | CREDIT PARTS                                         |
| 12/28/2021 | 848721 | Galles Filter Service | Water         | \$ (35.70)   | CREDIT UNIT 7352                                     |
| 12/28/2021 | 848721 | Galles Filter Service | Water         | \$ 59.76     | NONSTOCKING ITEMS-P.U.D.                             |
| 12/28/2021 | 848721 | Galles Filter Service | Water         | \$ 18.28     | NONSTOCKING ITEMS-P.U.D.                             |
| 12/28/2021 | 848721 | Galles Filter Service | Water         | \$ 133.63    | NONSTOCKING ITEMS-P.U.D.                             |
| 12/28/2021 | 848721 | Galles Filter Service | Water         | \$ 88.77     | NONSTOCKING ITEMS-P.U.D.                             |
| 12/28/2021 | 848721 | Galles Filter Service | Water         | \$ 120.09    | NONSTOCKING ITEMS-P.U.D.                             |
| 12/28/2021 | 848721 | Galles Filter Service | Water         | \$ 30.33     | NONSTOCKING ITEMS-P.U.D.                             |
| 12/28/2021 | 848721 | Galles Filter Service | Water         | \$ 6.84      | NONSTOCKING ITEMS-P.U.D.                             |
| 12/28/2021 | 848721 | Galles Filter Service | Water         | \$ 26.63     | NONSTOCKING ITEMS-P.U.D.                             |
| 12/28/2021 | 848721 | Galles Filter Service | Water         | \$ 13.41     | NONSTOCKING ITEMS-P.U.D.                             |
| 12/28/2021 | 848721 | Galles Filter Service | Water         | \$ 26.75     | NONSTOCKING ITEMS-P.U.D.                             |
| 12/28/2021 | 848721 | Galles Filter Service | Water         | \$ 23.88     | WINDSHIELD WASHER SOLVENT - PREMIXED WINTER MIX/GALL |

| Check Date | Check# | Name                   | Fund Name    | Amount       | Item Desc                             |
|------------|--------|------------------------|--------------|--------------|---------------------------------------|
| 12/28/2021 | 848726 | Hawkins Inc            | Water        | \$ 2,548.99  | Sodium                                |
| 12/28/2021 | 848728 | HDR, Inc               | Solid Waste  | \$ 1,855.95  | WO 17-12 Landfill Drop Off Facility   |
| 12/28/2021 | 848728 | HDR, Inc               | Wastewater   | \$ 20,000.00 | WO 19-21 WRF Influent Lift Station    |
| 12/28/2021 | 848730 | High Point Network     | IT Resources | \$ 2,724.00  | Juniper 3400-24P POE -Fire Station #7 |
| 12/28/2021 | 848734 | Idexx Distribution     | Wastewater   | \$ 3,276.83  | Microbiology equipment                |
| 12/28/2021 | 848735 | Ingram Library Service | Library      | \$ 14.72     | 54673748                              |
| 12/28/2021 | 848735 | Ingram Library Service | Library      | \$ 10.19     | 54673750                              |
| 12/28/2021 | 848735 | Ingram Library Service | Library      | \$ 25.16     | 54673751                              |
| 12/28/2021 | 848735 | Ingram Library Service | Library      | \$ 51.26     | 54673752                              |
| 12/28/2021 | 848735 | Ingram Library Service | Library      | \$ 10.00     | 54673752                              |
| 12/28/2021 | 848735 | Ingram Library Service | Library      | \$ 23.94     | 54673752                              |
| 12/28/2021 | 848735 | Ingram Library Service | Library      | \$ 14.15     | 54673754                              |
| 12/28/2021 | 848735 | Ingram Library Service | Library      | \$ 43.63     | 54673754                              |
| 12/28/2021 | 848735 | Ingram Library Service | Library      | \$ 30.60     | 54673754                              |
| 12/28/2021 | 848735 | Ingram Library Service | Library      | \$ 16.52     | 54673755                              |
| 12/28/2021 | 848735 | Ingram Library Service | Library      | \$ 75.91     | 54676753                              |
| 12/28/2021 | 848735 | Ingram Library Service | Library      | \$ 9.00      | 54676753                              |
| 12/28/2021 | 848735 | Ingram Library Service | Library      | \$ 14.74     | 56240321                              |
| 12/28/2021 | 848735 | Ingram Library Service | Library      | \$ 33.14     | 56240322                              |
| 12/28/2021 | 848735 | Ingram Library Service | Library      | \$ 16.51     | 56240323                              |
| 12/28/2021 | 848735 | Ingram Library Service | Library      | \$ 10.61     | 56240324                              |
| 12/28/2021 | 848735 | Ingram Library Service | Library      | \$ 29.44     | 56240325                              |
| 12/28/2021 | 848735 | Ingram Library Service | Library      | \$ 162.20    | 56240326                              |
| 12/28/2021 | 848735 | Ingram Library Service | Library      | \$ 20.99     | 56240327                              |
| 12/28/2021 | 848735 | Ingram Library Service | Library      | \$ 43.78     | 56240328                              |
| 12/28/2021 | 848735 | Ingram Library Service | Library      | \$ 88.27     | 56240328                              |
| 12/28/2021 | 848735 | Ingram Library Service | Library      | \$ 14.72     | 56240329                              |
| 12/28/2021 | 848735 | Ingram Library Service | Library      | \$ 14.44     | 56240330                              |
| 12/28/2021 | 848735 | Ingram Library Service | Library      | \$ 68.76     | 56240330                              |
| 12/28/2021 | 848735 | Ingram Library Service | Library      | \$ 11.99     | 56240330                              |
| 12/28/2021 | 848735 | Ingram Library Service | Library      | \$ 23.91     | 56240331                              |
| 12/28/2021 | 848735 | Ingram Library Service | Library      | \$ 53.71     | 56240332                              |
| 12/28/2021 | 848735 | Ingram Library Service | Library      | \$ 16.52     | 56240332                              |
| 12/28/2021 | 848735 | Ingram Library Service | Library      | \$ 17.10     | 56240333                              |

| Check Date | Check# | Name                   | Fund Name      | Amount       | Item Desc                                                    |
|------------|--------|------------------------|----------------|--------------|--------------------------------------------------------------|
| 12/28/2021 | 848735 | Ingram Library Service | Library        | \$ 31.23     | 56240333                                                     |
| 12/28/2021 | 848735 | Ingram Library Service | Library        | \$ 20.65     | 56240333                                                     |
| 12/28/2021 | 848735 | Ingram Library Service | Library        | \$ 16.51     | 56240334                                                     |
| 12/28/2021 | 848735 | Ingram Library Service | Library        | \$ 8.84      | 56240334                                                     |
| 12/28/2021 | 848735 | Ingram Library Service | Library        | \$ 10.17     | 56240335                                                     |
| 12/28/2021 | 848735 | Ingram Library Service | Library        | \$ 23.98     | 56437346                                                     |
| 12/28/2021 | 848735 | Ingram Library Service | Library        | \$ 17.70     | 56473747                                                     |
| 12/28/2021 | 848735 | Ingram Library Service | Library        | \$ 25.20     | 56473749                                                     |
| 12/28/2021 | 848735 | Ingram Library Service | Library        | \$ 89.60     | 56473756                                                     |
| 12/28/2021 | 848735 | Ingram Library Service | Library        | \$ 15.59     | 56473758                                                     |
| 12/28/2021 | 848735 | Ingram Library Service | Library        | \$ 52.64     | 56473760                                                     |
| 12/28/2021 | 848735 | Ingram Library Service | Library        | \$ 440.35    | 56473760                                                     |
| 12/28/2021 | 848735 | Ingram Library Service | Library        | \$ 18.29     | 56473760                                                     |
| 12/28/2021 | 848735 | Ingram Library Service | Library        | \$ 86.66     | 56473760                                                     |
| 12/28/2021 | 848735 | Ingram Library Service | Library        | \$ 59.42     | 56473760                                                     |
| 12/28/2021 | 848735 | Ingram Library Service | Library        | \$ 51.51     | 56473760                                                     |
| 12/28/2021 | 848735 | Ingram Library Service | Library        | \$ 11.20     | 56473761                                                     |
| 12/28/2021 | 848735 | Ingram Library Service | Library        | \$ 4.12      | 56473762                                                     |
| 12/28/2021 | 848735 | Ingram Library Service | Library        | \$ 3.59      | 56473763                                                     |
| 12/28/2021 | 848735 | Ingram Library Service | Library        | \$ 1,077.30  | 56473757 OBB                                                 |
| 12/28/2021 | 848735 | Ingram Library Service | Library        | \$ 23.76     | 56473759 Community Crates                                    |
| 12/28/2021 | 848738 | Jacobs Engineering     | Wastewater     | \$ 29,880.00 | Fats, Oils & Grease (FOG) Receiving & Capacity Study for WRF |
| 12/28/2021 | 848739 | Jares Fence Co         | Public Safety  | \$ 2,658.95  | Invoice # 34255 and Invoice #FC 106                          |
| 01/01/2022 | 848816 | Johnson                | Sidewalk Debt  | \$ 7,500.00  | Bond Payments January 1, 2022                                |
| 12/28/2021 | 848743 | Knife River            | Wastewater     | \$ 10,044.48 | 5,000 tons 3/4" Road Material & 300 tons MC-250 Cold Mix AC  |
| 12/28/2021 | 848743 | Knife River            | Water          | \$ 15,066.71 | 5,000 tons 3/4" Road Material & 300 tons MC-250 Cold Mix AC  |
| 12/28/2021 | 848746 | Krueger International  | Library        | \$ 21,817.82 | NASPO State Contract Library Furniture                       |
| 12/28/2021 | 848748 | Landfill Solutions     | Solid Waste    | \$ 500.00    | Additional shipping charge.                                  |
| 12/28/2021 | 848748 | Landfill Solutions     | Solid Waste    | \$ 5,000.00  | Estimated shipping.                                          |
| 12/28/2021 | 848748 | Landfill Solutions     | Solid Waste    | \$ 20,240.00 | Landfill alternative daily cover for refuge.                 |
| 12/28/2021 | 848751 | Mail Tech Service      | General        | \$ 3,398.16  | tabbing, permit and postage for winter brochure-5440         |
| 12/28/2021 | 848751 | Mail Tech Service      | Library        | \$ 122.79    | LIBR Library mailing November 2021                           |
| 12/28/2021 | 848752 | Mccain Traffic Supply  | Street/Traffic | \$ 9,800.00  | signal supplies per attached quote                           |
| 12/28/2021 | 848760 | Morrison Maierle       | Airport        | \$ 1,262.45  | AIP 64 Runway 7-25 Phase 1 Design - Federal Share            |

| Check Date | Check# | Name                     | Fund Name     | Amount       | Item Desc                                             |
|------------|--------|--------------------------|---------------|--------------|-------------------------------------------------------|
| 12/28/2021 | 848760 | Morrison Maierle         | Airport       | \$ 7,524.02  | AIP-69 Commercial Concrete Ramps - CA - Federal Share |
| 12/28/2021 | 848760 | Morrison Maierle         | Airport       | \$ 2,739.00  | Furniture RFP Terminal Construction - Amendment #11   |
| 12/28/2021 | 848760 | Morrison Maierle         | Airport       | \$ 699.07    | FY 22 Amendment 28. On call Engineering Services      |
| 12/28/2021 | 848762 | Moulton Bellingham       | General       | \$ 22.50     | Inv.#144768 Stone et al v. COB Health Ins. Litigation |
| 12/28/2021 | 848762 | Moulton Bellingham       | General       | \$ 880.00    | Inv.#144769 Houser WWFF                               |
| 12/28/2021 | 848762 | Moulton Bellingham       | General       | \$ 7,940.00  | Inv.#144770 Abromeit et al v. COB                     |
| 12/28/2021 | 848762 | Moulton Bellingham       | General       | \$ 1,597.50  | Inv.#144771 Contract Dispute Heights Water            |
| 12/28/2021 | 848759 | MT Dakota Utilities      | Airport       | \$ 949.11    | 179 053 7751 5. New Concourse. December 2021          |
| 12/28/2021 | 848759 | MT Dakota Utilities      | Airport       | \$ 24.17     | 846 093 3091 9. East Terminal Rooftops. December 2021 |
| 12/28/2021 | 848759 | MT Dakota Utilities      | Engineering   | \$ 287.72    | 595 373 1000 1                                        |
| 12/28/2021 | 848759 | MT Dakota Utilities      | Facilities    | \$ 3,513.30  | 929 780 1000 4                                        |
| 12/28/2021 | 848759 | MT Dakota Utilities      | General       | \$ 457.36    | 437 780 1000 9                                        |
| 12/28/2021 | 848759 | MT Dakota Utilities      | Library       | \$ 4,939.90  | 219 924 4851 0                                        |
| 12/28/2021 | 848759 | MT Dakota Utilities      | P.W. Admin    | \$ 71.93     | 595 373 1000 1                                        |
| 12/28/2021 | 848759 | MT Dakota Utilities      | Parking       | \$ 153.28    | 303 725 2591 2                                        |
| 12/28/2021 | 848759 | MT Dakota Utilities      | Parking       | \$ 24.29     | 717 353 1000 6                                        |
| 12/28/2021 | 848759 | MT Dakota Utilities      | Parking       | \$ 128.77    | 799 152 1209 0                                        |
| 12/28/2021 | 848759 | MT Dakota Utilities      | Public Safety | \$ 23.39     | 062 907 9494 7                                        |
| 12/28/2021 | 848759 | MT Dakota Utilities      | Public Safety | \$ 980.15    | 169 233 1000 3                                        |
| 12/28/2021 | 848759 | MT Dakota Utilities      | Public Safety | \$ 144.21    | 514 117 0478 9                                        |
| 12/28/2021 | 848759 | MT Dakota Utilities      | Public Safety | \$ 593.70    | 533 653 1000 1                                        |
| 12/28/2021 | 848759 | MT Dakota Utilities      | Public Safety | \$ 70.91     | 602 589 7178 1                                        |
| 12/28/2021 | 848759 | MT Dakota Utilities      | Public Safety | \$ 1,049.21  | 885 880 1000 4                                        |
| 12/28/2021 | 848759 | MT Dakota Utilities      | Transit       | \$ 1,858.90  | 962 880 1000 0                                        |
| 12/28/2021 | 848759 | MT Dakota Utilities      | Wastewater    | \$ 10,790.74 | 293 780 1000 2                                        |
| 12/28/2021 | 848759 | MT Dakota Utilities      | Wastewater    | \$ 5,395.37  | 293 780 1000 2                                        |
| 12/28/2021 | 848759 | MT Dakota Utilities      | Wastewater    | \$ 5,395.37  | 293 780 1000 2                                        |
| 12/28/2021 | 848759 | MT Dakota Utilities      | Wastewater    | \$ 70.02     | 735 453 1000 2                                        |
| 12/28/2021 | 848759 | MT Dakota Utilities      | Water         | \$ 71.82     | 076 225 9180 3                                        |
| 01/01/2022 | 848818 | MT Municipal Cooperative | SID Fund      | \$ 5,543.75  | Bond Payments January 1, 2022                         |
| 01/01/2022 | 848818 | MT Municipal Cooperative | SID Fund      | \$ 44,718.00 | Bond Payments January 1, 2022                         |
| 01/01/2022 | 848818 | MT Municipal Cooperative | SID Fund      | \$ 1,938.00  | Bond Payments January 1, 2022                         |
| 01/01/2022 | 848818 | MT Municipal Cooperative | SID Fund      | \$ 16,593.75 | Bond Payments January 1, 2022                         |
| 01/01/2022 | 848818 | MT Municipal Cooperative | SID Fund      | \$ 14,220.00 | Bond Payments January 1, 2022                         |

| Check Date | Check# | Name                     | Fund Name      | Amount      | Item Desc                                              |
|------------|--------|--------------------------|----------------|-------------|--------------------------------------------------------|
| 01/01/2022 | 848818 | MT Municipal Cooperative | Sidewalk Debt  | \$ 2,125.00 | Bond Payments January 1, 2022                          |
| 01/01/2022 | 848818 | MT Municipal Cooperative | Sidewalk Debt  | \$ 3,797.50 | Bond Payments January 1, 2022                          |
| 01/01/2022 | 848818 | MT Municipal Cooperative | Sidewalk Debt  | \$ 2,029.04 | Bond Payments January 1, 2022                          |
| 12/28/2021 | 848763 | Mt West Holding          | Street/Traffic | \$ 2,975.00 | guardrail repair zimmerman trail near north roundabout |
| 12/28/2021 | 848763 | Mt West Holding          | Street/Traffic | \$ 2,850.00 | repair guardrail along alkali creek bike path          |
| 12/28/2021 | 848769 | Northwest Pump & Equip   | Water          | \$ 866.31   | Chapple seal                                           |
| 12/28/2021 | 848769 | Northwest Pump & Equip   | Water          | \$ 485.31   | Chapple seal rebuild kit                               |
| 12/28/2021 | 848769 | Northwest Pump & Equip   | Water          | \$ 4,326.00 | Repair kit for LSPS #2 pumps                           |
| 12/28/2021 | 848770 | NorthWestern Energy      | Airport        | \$ 2,356.51 | 0100483-7. Runway Lights. December 2021                |
| 12/28/2021 | 848770 | NorthWestern Energy      | Airport        | \$ 1,470.07 | 0100484-5. ARFF Facility. December 2021                |
| 12/28/2021 | 848770 | NorthWestern Energy      | Airport        | \$ 85.48    | 1138926-9. Aero Interiors. December 2021               |
| 12/28/2021 | 848770 | NorthWestern Energy      | Airport        | \$ 105.80   | 1647695-4. De Icer. December 2021                      |
| 12/28/2021 | 848770 | NorthWestern Energy      | Airport        | \$ 474.14   | 1669567-8. TSA. December 2021                          |
| 12/28/2021 | 848770 | NorthWestern Energy      | Airport        | \$ 1,211.04 | 1993430-6. Car Wash. December 2021                     |
| 12/28/2021 | 848770 | NorthWestern Energy      | Airport        | \$ 380.87   | 2001846-1. Mud Wash. December 2021                     |
| 12/28/2021 | 848770 | NorthWestern Energy      | Airport        | \$ 374.80   | 2001848-7. Detail Bay 1 Hertz. December 2021           |
| 12/28/2021 | 848770 | NorthWestern Energy      | Airport        | \$ 164.32   | 2001855-2. Detail Bay 2 National/Alamo. December 2021  |
| 12/28/2021 | 848770 | NorthWestern Energy      | Airport        | \$ 80.43    | 2001862-8. Detail Bay 3 Enterprise. December 2021      |
| 12/28/2021 | 848770 | NorthWestern Energy      | Airport        | \$ 164.70   | 2001865-1. Detail Bay 4 Avis/Budget. December 2021     |
| 12/28/2021 | 848770 | NorthWestern Energy      | Airport        | \$ 112.58   | 2001867-7. Detail Bay 5 Thrifty/Dollar. December 2021  |
| 12/28/2021 | 848770 | NorthWestern Energy      | Airport        | \$ 116.84   | 3085107-5. Employee Parking. December 2021             |
| 12/28/2021 | 848770 | NorthWestern Energy      | Airport        | \$ 232.46   | 3446396-8. USDA. December 2021                         |
| 12/28/2021 | 848770 | NorthWestern Energy      | Airport        | \$ 104.93   | 3733186-5. Airport Storage. December 2021              |
| 12/28/2021 | 848770 | NorthWestern Energy      | Facilities     | \$ 1,811.90 | 0975808-7                                              |
| 12/28/2021 | 848770 | NorthWestern Energy      | Facilities     | \$ 757.45   | 1160802-3                                              |
| 12/28/2021 | 848770 | NorthWestern Energy      | Facilities     | \$ 2,119.69 | 1160804-9                                              |
| 12/28/2021 | 848770 | NorthWestern Energy      | Facilities     | \$ 2,615.07 | 1269391-7                                              |
| 12/28/2021 | 848770 | NorthWestern Energy      | Park Dist 1    | \$ -        | 0722268-0                                              |
| 12/28/2021 | 848770 | NorthWestern Energy      | Park Dist 1    | \$ 526.09   | 0722287-0                                              |
| 12/28/2021 | 848770 | NorthWestern Energy      | Park Dist 1    | \$ 740.47   | 0723045-1                                              |
| 12/28/2021 | 848770 | NorthWestern Energy      | Park Dist 1    | \$ 8.70     | 0723090-7                                              |
| 12/28/2021 | 848770 | NorthWestern Energy      | Park Dist 1    | \$ 209.95   | 0925496-2                                              |
| 12/28/2021 | 848770 | NorthWestern Energy      | Park Dist 1    | \$ 21.74    | 1836666-6                                              |
| 12/28/2021 | 848770 | NorthWestern Energy      | Public Safety  | \$ 932.90   | 0871546-8                                              |

| Check Date | Check# | Name                               | Fund Name      | Amount        | Item Desc                                      |
|------------|--------|------------------------------------|----------------|---------------|------------------------------------------------|
| 12/28/2021 | 848770 | NorthWestern Energy                | Solid Waste    | \$ 1,742.95   | 3252194-0                                      |
| 12/28/2021 | 848770 | NorthWestern Energy                | Street/Traffic | \$ 0.47       | 1740357-7                                      |
| 12/28/2021 | 848770 | NorthWestern Energy                | Street/Traffic | \$ 1.34       | 1748896-6                                      |
| 12/28/2021 | 848770 | NorthWestern Energy                | Wastewater     | \$ 1,833.05   | 0100606-3                                      |
| 12/28/2021 | 848770 | NorthWestern Energy                | Water          | \$ 873.80     | 0100485-2                                      |
| 12/28/2021 | 848770 | NorthWestern Energy                | Water          | \$ 6,892.37   | 0100540-4                                      |
| 12/28/2021 | 848770 | NorthWestern Energy                | Water          | \$ 5,499.14   | 0100606-3                                      |
| 12/28/2021 | 848770 | NorthWestern Energy                | Water          | \$ 139,311.42 | 0100606-3                                      |
| 12/28/2021 | 848770 | NorthWestern Energy                | Water          | \$ 1,547.66   | 1116452-2                                      |
| 12/28/2021 | 848770 | NorthWestern Energy                | Water          | \$ 2,232.58   | 5809 Canyon Woods Dr - Zone 4                  |
| 12/28/2021 | 848771 | Nwestco LLC                        | Transit        | \$ 13,349.82  | Fuel Management System Upgrade for METroplex   |
| 12/28/2021 | 848774 | Polydyne Inc                       | Wastewater     | \$ 4,420.00   | Chemical supplies                              |
| 12/28/2021 | 848776 | Public Utilities                   | Wastewater     | \$ 2,823.20   | 111176                                         |
| 12/28/2021 | 848777 | Public Works Belknap               | Wastewater     | \$ 2,577.60   | 320 Loads-October 2021                         |
| 01/01/2022 | 848817 | Purinton Family Trust              | Sidewalk Debt  | \$ 3,875.00   | Bond Payments January 1, 2022                  |
| 01/01/2022 | 848817 | Purinton Family Trust              | Sidewalk Debt  | \$ 28,375.00  | Bond Payments January 1, 2022                  |
| 01/01/2022 | 848817 | Purinton Family Trust              | Sidewalk Debt  | \$ 2,750.00   | Bond Payments January 1, 2022                  |
| 12/28/2021 | 848780 | Riverside Contracting              | Gas Tax        | \$ 46,076.77  | WO20-02 MISSING SIDEWALK                       |
| 12/28/2021 | 848780 | Riverside Contracting              | Sidewalk Const | \$ 62,490.06  | WO20-02 MISSING SIDEWALK                       |
| 12/28/2021 | 848781 | Rocky Mt Compost                   | Park Dist 1    | \$ 6,240.00   | playground chips for Amend Park - 20668        |
| 01/01/2022 | 848815 | Royal C. Johnson Irrevocable Trust | SID Fund       | \$ 495.00     | Bond Payments January 1, 2022                  |
| 01/01/2022 | 848815 | Royal C. Johnson Irrevocable Trust | SID Fund       | \$ 1,200.00   | Bond Payments January 1, 2022                  |
| 01/01/2022 | 848815 | Royal C. Johnson Irrevocable Trust | SID Fund       | \$ 742.50     | Bond Payments January 1, 2022                  |
| 01/01/2022 | 848815 | Royal C. Johnson Irrevocable Trust | Sidewalk Debt  | \$ 16,125.00  | Bond Payments January 1, 2022                  |
| 01/01/2022 | 848815 | Royal C. Johnson Irrevocable Trust | Sidewalk Debt  | \$ 46,200.00  | Bond Payments January 1, 2022                  |
| 12/28/2021 | 848783 | S & S Machine                      | Wastewater     | \$ 2,079.00   | Gear box repair                                |
| 12/28/2021 | 848783 | S & S Machine                      | Water          | \$ 6,901.00   | H2-1 PUMP CAP REPAIR                           |
| 12/28/2021 | 848784 | S-Bar-S Supply                     | Water          | \$ 8,400.00   | 8x14x11 Frontier Storage Shed                  |
| 12/28/2021 | 848787 | Simply Family Magazine             | General        | \$ 4,561.30   | winter brochure insert in magazine - 2021-5877 |
| 12/28/2021 | 848789 | Sprockets Machine & Welding        | Airport        | \$ 3,100.00   | Invoice #221757. ENC Brake Tools               |
| 12/28/2021 | 848795 | Terracon Consult                   | Gas Tax        | \$ 3,337.50   | WO 20-28 Song Bird                             |
| 12/28/2021 | 848795 | Terracon Consult                   | Gas Tax        | \$ 95.00      | WO 21-04 Alderson - 8th Street West            |
| 12/28/2021 | 848795 | Terracon Consult                   | Gas Tax        | \$ 2,178.75   | WO 21-12 Rimrock & Harrow                      |
| 12/28/2021 | 848795 | Terracon Consult                   | Gas Tax        | \$ 115.65     | WO 21-25 3025 Boulder Ave                      |

| Check Date | Check# | Name                   | Fund Name      | Amount        | Item Desc                                                     |
|------------|--------|------------------------|----------------|---------------|---------------------------------------------------------------|
| 12/28/2021 | 848795 | Terracon Consult       | Sidewalk Const | \$ 569.35     | WO 21-25 3025 Boulder Ave                                     |
| 12/28/2021 | 848798 | Town & Country Supply  | Transit        | \$ 16,637.77  | 423280 PO NUM 313645. 6001 Gallons Dyed #2 Diesel             |
| 12/28/2021 | 848798 | Town & Country Supply  | Transit        | \$ 5,451.31   | 423113 PO NUM 313645. 1992 Gallons Unleaded                   |
| 12/28/2021 | 848800 | Trihydro Corporation   | Solid Waste    | \$ 5,912.10   | Waste Characterization Study-Landfill                         |
| 12/28/2021 | 848804 | Veripic Inc            | Public Safety  | \$ 4,211.00   | VP-SLMA 1 year of subscription License Maintenance Agreement. |
| 12/28/2021 | 848805 | Warren Transport       | Gas Tax        | \$ 119,123.02 | WO 21-04 City ADA Project                                     |
| 12/28/2021 | 848812 | Ylwn Co Finance        | Building       | \$ 6,853.89   | Miller Building; January Rent; Building Dept.                 |
| 12/28/2021 | 848812 | Ylwn Co Finance        | CDBG           | \$ 5,330.52   | Miller Building; January Rent; Community Development          |
| 12/28/2021 | 848812 | Ylwn Co Finance        | General        | \$ 2,132.82   | Miller Building; January Rent; Code Enforcement               |
| 12/28/2021 | 848812 | Ylwn Co Finance        | Planning       | \$ 4,566.03   | Miller Building; January Rent; Planning Dept.                 |
| 12/28/2021 | 848813 | Ylwn Valley An Shelter | Public Safety  | \$ 23,000.00  | city contract                                                 |

**City Council Regular**

**Date:** 01/24/2022  
**Title:** Public Hearing and Resolution for FY2022 Budget Amendments  
**Presented by:** Andy Zoeller, Finance Director  
**Department:** Finance  
**Presentation:** Yes

**RECOMMENDATION**

Staff recommends City Council adopt the proposed Budget Amendments for FY2022

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

On June 30, 2021, the City of Billings ended fiscal year 2021 with a General Fund Balance of \$33,457,280. Of this amount \$12,198,022 is recommended minimum reserve, leaving \$21,259,258 unassigned. Council adopted the FY2022 budget with anticipation of spending much of the unassigned General Fund balance on the purchase and construction of the Stillwater Building for a Law and Justice Center/City Hall. Additionally, after successful passage of the Public Safety Mill Levy, the City intended to ask Council for budget authority to spend a portion of these reserves to begin implementing the strategies related to the Public Safety Levy. Provided below is a description of the two budget amendments.

**Stillwater Building Purchase - General Fund - \$8,750,560**

The FY22 Budget was adopted anticipating a purchase of a building for the Law and Justice Center. The original amount that was included in the FY22 budget was \$11.6 million, which was based upon the market analysis that was done by the City. On 10/11/21 City Council approved a purchase agreement for the Stillwater Building. The total purchase amount of \$13,500,000. was established by the City's appraisal process. On December 20, 2021 City Council approved a design contract with JLG Architects for Phase 1 of the design work for a total cost of \$207,500.

During presentations related to the purchase of the Stillwater Building, the total anticipated General Fund costs to purchase, design, construct, and carry while vacant was \$20,350,560. Council was made aware that a budget amendment would be needed if the purchase was completed. As a result a General Fund budget amendment for \$8,750,560 is being requested.

|                                                                           |                     |
|---------------------------------------------------------------------------|---------------------|
| General Fund costs to purchase, design, construct, and carry while vacant | \$ 20,350,560       |
| Less: Amount originally budgeted in FY2022                                | 11,600,00           |
| <b>FY2022 General Fund Budget Request</b>                                 | <b>\$ 8,750,560</b> |

**Public Safety Mill Levy - General Fund \$207,210 and Public Safety Fund \$1,741,222**

During presentations related to the 2021 Public Safety Mill Levy (PSML), staff stated their intent to being implementation of the PSML expenses as soon as possible, should the citizens approve the mill levy. While funds related to the mill levy will not begin to be received by the City until December 2022, it is the intent of staff to being implementation with cash on hand. The attached budget amendments are all related to the implementation of the strategies associated with the PSML.

**Fire - \$90,440 - EMS Chief.** In order to begin developing the Mobile Response Teams, the EMS Chief has been hired to start developing the program. This budget amendment will cover the salary and equipment costs for 6 months. All additional costs will be included in the FY23 budget.

**Police - \$1,650,782 -** The Police Department is requesting budget authority to hire 7 Police Officers, 3 CSO's, 3 Sergeants, and 4 support staff. Additionally, the funding is being requested for the needed vehicles and equipment related to these staff positions. These positions are a portion of the total positions that were included in the FY2022 PSML.

**Legal - \$101,507 -** The Legal Department is requesting budget authority to begin hiring an additional attorney and victim witness specialist. A temporary space will be needed to place the new employees until a permanent office is established.

**Code Enforcement - \$84,000 -** The Code Enforcement Division is seeking this budget request to begin acquiring

vehicles and equipment for 3 additional code enforcement officers. The PSML contains funding for 3 additional code enforcement officers. Code Enforcement has just recently hired a new manager and will begin working on developing strategies to hire the new staff. Due to the delays in acquiring equipment, CE is requesting budget authority to begin purchasing this equipment in order for it to be available when the new employees are hired.

**Court - \$21,703** - The Senior Courtroom Collection clerk will be a newly created position. This individual will assist the newly elected Judge in the courtroom starting in Calendar Year 2024. This position requires a significant amount of training in the courtroom, and the court would like them fully trained before the newly elected Judge starts in 2023. This individual will also assist with court retention records, identifying and clean-up of old cases, and the assistance with a new court schedule for the newly elected Judge.

#### **ALTERNATIVES**

City Council may:

- Approve; or,
- Not Approve the budget amendments.

#### **FISCAL EFFECTS**

The total budget amendments are \$10,698,992

The total of all of these will come from the General Fund reserves.

On June 30, 2021, the City of Billings ended fiscal year 2021 with a General Fund Balance of \$33,457,280. Of this amount \$12,198,022 is a recommended minimum reserve for operating expenses, leaving \$21,259,258 unassigned. Council adopted the FY2022 budget with anticipation of spending much of the unassigned General Fund balance on the purchase and construction of the Stillwater Building for a Law and Justice Center. Additionally, after successful passage of the Public Safety Mill Levy, the City intends to ask Council for budget authority to spend a portion of these reserves to begin implementing the strategies related to the Public Safety Levy.

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#### **Attachments**

Budget Amendment Resolution

RESOLUTION 22-

A RESOLUTION ADOPTING FISCAL YEAR 2022 ADJUSTMENTS TO APPROPRIATIONS PURSUANT TO M.C.A. 7-6-4006 AS AMENDED, AND PROVIDING TRANSFERS AND REVISIONS WITHIN THE GENERAL CLASS OF SALARIES AND WAGES, MAINTENANCE AND SUPPORT AND CAPITAL OUTLAY.

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

WHEREAS, based upon a Budget Review (**FY 2022**), it is necessary to alter and change said appropriations.

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

That the attached transfers or revisions are hereby adopted.

(SEE EXHIBIT A)

PASSED AND APPROVED by the City Council, this 24th day of January 2022

THE CITY OF BILLINGS:

BY: \_\_\_\_\_  
William A. Cole, MAYOR

ATTEST:

BY: \_\_\_\_\_  
Denise R. Bohlman, CITY CLERK

**EXHIBIT A**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |  |                           |                                         |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|---------------------------|-----------------------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |  |                           |                                         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |  | <b><u>Expenditure</u></b> |                                         |
| <b>Stillwater Building Purchase</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |  |  |                           |                                         |
| <p>The FY22 Budget was adopted anticipating a purchase of a building for the Law and Justice Center. The original amount that was included in the FY22 budget was \$11.6 million, which was based upon the market analysis that was done by the City. On 10/11/21 City Council approved a purchase agreement for the Stillwater Building. The total purchase amount of \$13,500,000. On December 20, 2021 City Council approved a design contract with JLG Architects for Phase 1 of the design work for a total cost of \$207,500.</p> <p>During presentations related to the purchase of the Stillwater Building, the total anticipated General Fund costs to purchase, design, construct, and carry while vacant was \$20,350,560. Council was made aware that a budget amendment would be needed if the purchase was completed. As a result a General Fund budget amendment for \$8,750,560 is being requested.</p> <p>The budget amendment is a transfer from the General Fund to the capital construction fund, which is being used to separately account for the purchase and construction of the Stillwater Building.</p> |  |  |                           |                                         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |  |                           |                                         |
| General Fund                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |  | 8,750,560                 | Transfer to City Hall Construction Fund |
| City Hall Construction Fund                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |  | 8,750,560                 | Capital Outlay                          |

| <b>EXHIBIT A (Continued)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |  |           |                                                    |
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| <b>Public Safety Mill Levy</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |           |                                                    |
| <p>During presentations related to the 2021 Public Safety Mill Levy (PSML), staff stated their intent to being implementation of the PSML expenses as soon as possible, should the citizens approve the mill levy. While funds related to the mill levy will not begin to be received by the City until December 2022, it is the intent of staff to being implementation with cash on hand. The attached budget amendments are all related to the implementation of the strategies associated with the PSML.</p> <p>Fire - \$90,440 - EMS Chief. In order to begin developing the Mobile Response Teams, the EMS Chief has been hired to start developing the program. This budget amendment will cover the salary and equipment costs for 6 months. All additional costs will be included in the FY23 budget.</p> <p>Police - \$1,650,782 - The Police Department is requesting budget authority to hire 7 Police Officers, 3 CSO's, 3 Sergeants, and 4 support staff. Additionally, the funding is being requested for the needed vehicles and equipment related to these staff positions. These positions are a portion of the total positions that were included in the FY2022 PSML.</p> <p>Legal - \$101,507 - The Legal Department is requesting budget authority to begin hiring an additional attorney and victim witness specialist. A temporary space will be needed to place the new employees until a permanent office is established.</p> <p>Code Enforcement - \$84,000 - The Code Enforcement Division is seeking this budget request to begin acquiring vehicles and equipment for 3 additional code enforcement officers. The PSML contains funding for 3 additional code enforcement officers. Code Enforcement has just recently hired a new manager and will begin working on developing strategies to hire the new staff. Due to the delays in acquiring equipment, CE is requesting budget authority to begin purchasing this equipment in order for it to be available when the new employees are hired.</p> <p>Court - \$21,703 - The Senior Courtroom Collection clerk will be a newly created position. This individual will assist the newly elected Judge in the courtroom starting in Calendar Year 2024. This position requires a significant amount of training in the courtroom, and the court would like them fully trained before the newly elected Judge starts in 2023. This individual will also assist with court retention records, identifying and clean-up of old cases, and the assistance with a new court schedule for the newly elected Judge.</p> |  |           |                                                    |
| General Fund                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |  | 207,210   | Salaries, Operation and Maintenance, and Equipment |
| General Fund                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |  | 1,741,222 | Transfer to Public Safety Fund                     |
| Public Safety Fund                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  | 1,741,222 | Salaries, Operation and Maintenance, and Equipment |

**City Council Regular**

**Date:** 01/24/2022  
**Title:** Zone Change 1003 - The Timbers Alkali Creek Rd - Mixed Residential PND - Public Hearing and Second Reading  
**Presented by:** Nicole Cromwell  
**Department:** Planning & Community Services  
**Presentation:** Yes

**RECOMMENDATION**

The Zoning Commission recommends approval and adoption of the findings of the ten review criteria for Zone Change 1003, a Mixed Residential Planned Neighborhood Development zone change from Agriculture (A) to Suburban Residential Neighborhood (N3), Mixed Residential 1 (NX1), Neighborhood Mixed Use (NMU) and Public 1 (P1). The City Council held a public hearing and approved the zone change on first reading of the ordinance on January 10, 2022. A second reading public hearing is required for the zone change ordinance.

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

This is a zone change request for a new Planned Neighborhood Development zone change for 104.42 acres of land to be annexed in three phases south of Alkali Creek Road, north and east of the Billings Airport, and west of Foothill Drive. The proposed Mixed Residential PND will include 64.1 acres of N3, 4.9 acres of NX1, .9 acres of NMU zoning, and about 14.7 acres of open space (P1). The first Phase will consist of 56.52 acres on the eastern portion of the property with N3, NX1 and Public 1 zoning districts. The PND is a new zoning tool to help guide the coordination of annexation, subdivisions, and master planning for new city neighborhoods. The previous zoning code allowed urban-type zoning districts in both the city and the county. In many cases, developers were "pre-zoning" parcels in the county prior to annexation. The new PND tool will allow developers to process all the zoning with the City Council, phase the annexation of the property (if necessary), and coordinate both of these processes with subdivision or master site plan review. The new tool applies a level of certainty to all stakeholders, including the surrounding property owners.

This zone change is for a Mixed Residential PND and includes some mixed residential zoning (NX1) in the southeast corner of the property (5%), Suburban Residential Neighborhood (N3) zoning for about 62% of the net land area and the remaining area in Neighborhood Mixed Use (NMU) and Open Space (P1 - 14%) districts. There are neighborhood scale open spaces shown on the plan as required by the PND regulations as well as an open space conservation area in Public 1 zoning for Alkali Creek. A master plan for the use and development of this open space is not yet completed. The applicant also owns another 139+ acres of land to the south and west that is remaining in the county and is zoned A - Agriculture. The owner recently sold 72.8 acres of land to the Billings Airport as an area to be protected from development due to its proximity to the main runway.

**APPLICATION DATA**

**OWNER:** Alkali Timbers, LLC - Ali and David Mitchell  
**AGENT:** IMEG, Kolten Knatterud, P.E. and Anna Vickers  
**LEGAL DESCRIPTION:** Portions of C/S 3795 Tracts A & B  
**ADDRESS:** Generally located south of Alkali Creek Rd and northeast of Billings Airport  
**CURRENT ZONING:** Agriculture (County) - A  
**EXISTING LAND USE:** Agriculture - vacant land  
**PROPOSED USE:** New Mixed Residential Neighborhood  
**SIZE OF PARCEL:** 104.42 acres (all three Phases)

**CONCURRENT APPLICATIONS:**

- Petition for Annexation 21-14 (annexed on 1/10/22)
- The Timbers Subdivision

**SURROUNDING ZONING AND LAND USE:**

**NORTH:** Zoning: Agriculture (A)  
 Land Use: Agriculture - vacant land  
**SOUTH:** Zoning: Agriculture (A)  
 Land Use: Agriculture - vacant land  
**EAST:** Zoning: Agriculture (A)

Land Use: Agriculture and vacant residential land

WEST: Zoning: Agriculture (A)

Land Use: Agriculture - vacant land

This area of Billings in the Heights has not experienced any new major development in several years. The High Sierra Subdivision to the north and east has been building out for about 15 years. The anticipation of the connection of the Inner Belt Loop near this area of Billings will bring additional development. Development on the west side of Main Street tends to be mostly single family and two-family dwellings with few other housing options planned or developed. There is a great demand for other housing options in Billings Heights including independent living units for aging residents who want to "downsize" from a maintenance heavy single family dwelling on a large lot to unit ownership or townhomes as well as rental apartments. The 2010 Census indicated Billings, like many other urban areas, saw a reduction in average household size to 2.3 persons. Smaller households, aging residents and the higher costs of all housing has driven the demand for apartments, townhomes, and smaller multi-family products. Housing types in the immediate area do not include many options for attached single family dwellings, smaller dwellings on small lots (less than 1/4 acre), or apartments of any kind. Many of the neighborhoods in the area were developed as County subdivisions and then annexed to the city when septic systems or on-site water supplies failed. The closest neighborhood - Sun Valley Subdivision - is still in the County and does not have access to water or sewer services. This neighborhood is zoned N4 - Large Lot Suburban Residential Neighborhood.

There are challenges to an area of urban development that is on the edge of the city limits. These challenges include ensuring the adjacent county property owners and uses are protected as much as possible from conflicts with the new urban neighborhood residents and uses. This is not meant to ensure similarity or homogenous development patterns between the city and county, but the development plan includes buffering, connectivity where and when needed, and recognition of similar goals for both types of property. The 2016 Billings Growth Policy and the 2006 Billings Heights Neighborhood Plan goals and policies support the proposed Mixed Residential PND. The Billings Heights Neighborhood Plan goals and objectives stated the need to develop housing patterns that are compatible with existing neighborhoods, encourage high density multi-family development along arterial routes and maintain similar housing in established neighborhoods. The proposed zone change supports these goals. The 2016 Billings Growth Policy included a land use planning scenario for this area of Billings Heights due to the alignment of the Inner Belt Loop and the potential of immediate development in the area. The "Public Preferred Growth Scenario" included a mix of housing types although a denser pattern than previous patterns as well as some limited commercial development. In general, the 2016 Growth Policy supports a broad range of housing choices, encourages more walkable neighborhoods with connectivity to other transportation options, and building the community fabric through urban designed public spaces. The proposed zone change supports these goals as well.

## **STAKEHOLDERS**

The applicant and agent conducted a pre-application neighborhood meeting on September 27th and September 28th, 2021 and about 27 surrounding owners attended. The meeting on September 27th was held in a virtual format and the meeting on September 28th was held in person to accommodate owners without internet formats. The surrounding owners asked questions about the proposed improvements, connections to the city water and sewer for existing homes, and the type of proposed development. Concerns ranged from noise, to crime, forced annexation, sidewalks, wildlife and protection for Alkali Creek. A summary of the meeting is included as an attachment. A PND zone change requires notification of all owners within 1/4-mile of the subject property. The list for this zone change includes over 100 owners.

As part of the PND zone change process, the applicant is also required to hold a pre-application Concept Review meeting with city staff to address any concerns with the street layout, zone districts, access, parks, utilities and similar infrastructure provisions. Staff was generally supportive of the proposed street layout and distribution of the zone districts.

Planning staff did not receive any comments prior to completing the staff report for the zone change. The Zoning Commission received one email of concern on December 7, 2021 from an owner on Foothill Drive in the County. The owner was concerned the city would force them to annex. Staff and the Zoning Commission clarified there would be no forced annexation of property as part of this application or development even though city utilities will be going in Alkali Creek Rd adjacent to County neighborhoods.

The Zoning Commission conducted its public hearing and received the Planning staff recommendation of approval, and testimony from the owners and agent. The applicant's agent requested an error in the legal descriptions be updated and to amend a portion of the Zoning Master Plan to accommodate a required connection to a parcel to the south and east of the subdivision. This parcel would move out of the P1 designation and be placed in the N3 zone district. This was a minor adjustment to the zoning plan and the Zoning Commission agreed to these changes. The Zoning Commission voted 5-0 on a motion to recommend approval and adoption of the findings of the ten review criteria.

The City Council held a joint public hearing to review the zone change and associated petition for annexation at its meeting on January 10. Testimony was received from the applicant's agent, Kolten Knatterud. The Council approved the zone change on first reading of the ordinance.

## **ALTERNATIVES**

The City Council may:

- Approve the zone change and adopt the findings of the ten review criteria as recommended by the Zoning Commission for Zone Change 1003; or,
- Deny the zone change and adopt different findings of the ten review criteria for Zone Change 1003; or,
- Delay action on the zone change request for up to 30 days; or,
- Allow the applicant to withdraw the zone change request.

## **FISCAL EFFECTS**

Approval or denial of the proposed zone change will not have an effect on the Planning Division budget.

## **SUMMARY**

Before making a decision on the request zone change the City Council shall consider the following findings of the ten review criteria as recommended by the Zoning Commission for Zone Change 1003:

1) Is the new zoning designed in accordance with the Growth Policy?

The proposed zone change is consistent with the following guidelines of the 2016 Growth Policy and the Billings Heights Neighborhood Plan (2006):

The Billings Heights Neighborhood Plan goals and objectives stated the need to locate compatible uses and offer a range of housing choices and development densities. The Billings Heights Plan adopted a number of Goals, Policies, and Implementation Strategies. The proposed Mixed Residential PND for The Timbers subdivision is consistent with the following adopted policies in the plan including the following:

- To provide safe, good quality and affordable housing in the Heights.
- Develop housing patterns that are compatible with existing neighborhoods.
- Encourage high density multi-family development along arterial routes.
- Maintain similar housing in established neighborhoods.

The proposed PND is compatible with goals of the Billings Heights Neighborhood Plan. The proposed zone change and street layout will accommodate uses that are compatible in a mixed-residential environment. The proposed development will also have good access to outdoor activities and is in proximity to a natural greenway park (Pow Wow Park) Alkali Creek Road is an arterial street but there are no nearby neighborhood services or higher density housing. The proposed PND will accommodate a couple of small areas for these uses to begin to fill out these needs. The proposed amendment is also in line with the adopted 2016 Growth Policy goals for:

### **Strong Neighborhoods:**

- Zoning regulations that allow a mixture of housing types provide housing options for all age groups and income levels
- Walkable neighborhoods that permit convenient destinations such as neighborhood services, open space, parks, schools and public gathering spaces foster health, goodwill 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
- Neighborhoods that are safe and attractive and provide essential services are much desired Implementation of the Infill Policy is important to encourage development of underutilized properties

### **Home Base:**

- A mix of housing types that meet the needs of a diverse population is important
- The Housing Needs Assessment is an important tool to ensure Billings recognizes and meets the demands of future development
- Common to all types of housing choices is the desire to live in surroundings that are affordable, healthy and safe
- Planning and construction of interconnected sidewalks and trails are important to the economy and livability of Billings
- Public safety and emergency service response are critical to the well-being of Billings' residents

- Homes that are safe and sound support a healthy community

The proposed layout for the Timbers Subdivision will allow the higher density housing - the NX1 - in a small 4.9-acre area on the south and east portion of the 56.52 acre Phase 1 annexed parcel. The NX1 zone allows 1-4 family dwellings and these can develop on fee simple lots or on larger lots in a common area arrangement or unit ownership. A majority of the neighborhood will be zoned for single family dwellings (N3 - 60%). The proposed Public zoned area is contiguous and surrounding Alkali Creek. There is no master plan for this 16+ acres as of this time but it will include trails and connectivity to Alkali Creek Road. These areas as shown meet the minimum requirements for the PND zone process.

2) Is the new zoning designed to secure from fire and other dangers?

The zoning requires minimum setbacks, open and landscaped areas and building separations. The zoning assembly and street layout is designed to secure the development from fire and other dangers. The Planning staff may recommend minor adjustments of the street layout during the subdivision review process.

3) Whether the new zoning will promote public health, public safety and general welfare?

Public health and public safety will be promoted by the proposed change. Approval of the overall zoning plan and street layout will provide certainty both for the property owner and the surrounding owners. Annexation and provision of public health and safety services from the city will promote the general welfare of the area.

4) Will the new zoning facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirement?

Transportation: The applicant will prepare a traffic impact study in coordination with City Engineering and as part of the subdivision review process. This will ensure access from the full build-out of the development will be safe and have adequate traffic controls and management in place. The city and county will need to coordinate management of Alkali Creek Rd since the right of way jurisdiction will not be continuous from the existing city limits to the subject property.

Water and Sewer: The City will provide water and sewer to the property. There will be no additional impacts to the system from the proposed changes.

Schools and Parks: Schools and parks may be effected by the proposed zone change and development of a new city neighborhood. SD #2 did not provide any comments.

Fire and Police: The subject property will be served by city public safety services. The Police and Fire Departments had no concerns with the zone change.

5) Will the new zoning provide adequate light and air?

The proposed zoning provides for sufficient setbacks to allow for adequate separation between structures and adequate light and air.

6) Will the new zoning effect motorized and non-motorized transportation?

Non-motorized travel -- walking and biking -- is an essential part of the circulation plan both within the proposed development and future connections to adjacent areas including Pow Wow Park along Alkali Creek. Alkali Creek crosses Alkali Creek Rd approximately 750 feet east of the subject property. There are no pedestrian facilities along this section of Alkali Creek Road. It is a connecting road from Main Street to Highway 3 (Molt Road) to the west and has a posted speed limit of 45 mph. Alkali Creek Rd only carries about 770 vehicle trips per day in the most recent traffic counts (2020). The Inner Belt Loop Corridor Study indicated this volume is expected to increase to about 1,900 vehicles trips per day using historic growth information and up to about 3,500 vehicles trips per day under an "aggressive" growth model. The design of the intersections for the subdivision will need to accommodate the traffic for a worst-case scenario.

7) Will the new zoning will promote compatible urban growth?

The proposed increase in the overall development density is compatible with urban growth and the provision of city level services to the new residents. The proposed zone district boundaries are consistent with the urban growth in this area and will be compatible with the surrounding neighborhoods.

8) Does the new zoning consider the character of the district and the peculiar suitability of the property for particular uses?

The proposed zoning does consider the character of the district and the suitability of the property for the proposed use. This area northeast of the Billings Airport and close to the Inner Belt Loop alignment will be a new growth area for Billings. There is a demand for a wide range of housing choices and the proposed zoning is suitable for this area.

9) Will the new zoning conserve the value of buildings?

The property is an agricultural parcel. There are no existing buildings on the property. The closest structure is the Morledge home at 1562 Alkali Creek Rd, 750 feet to the east. There should be no effect on the value of this structure

from the proposed zoning. It can continue to be used for residential and agricultural purposes. Approval of the zone change will provide predictability to surrounding landowners and may help to maintain property values of adjacent buildings.

10) Will the new zoning encourage the most appropriate use of land throughout the City of Billings?  
The proposed Mixed Residential PND will encourage the most appropriate use of this land in Billings.

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### **Attachments**

ZC 1003 Corrected Ordinance  
Zoning map and site photos  
Zoning History  
Zoning App and Letter  
Pre app meeting notes

**ORDINANCE 22-\_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF BILLINGS,  
PROVIDING THE ZONE CLASSIFICATION ON portions of  
Tracts A and B of C/S 3795, to be known as the Timbers  
Subdivision, BE AMENDED**

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

**Section 1. RECITALS.** *Title 76, Chapter 2, Part 3, MCA, and Sections 27-302 and 27-1502, BMCC,* provide for amendment to the City Zoning Map from time to time. The City Zoning Commission and staff have reviewed the proposed zoning for the real property hereinafter described. The Zoning Commission and staff have considered the ten (10) criteria required by Title 76, Chapter 2, Part 3, MCA. The recommendations of the Zoning Commission and staff have been submitted to the City Council, and the City Council, in due deliberation, has considered the ten (10) criteria required by state law.

**Section 2. DESCRIPTION.** **Tracts A and B of C/S 3795** is presently zoned **Agriculture (A)**, a county zoning district, and is shown on the official zoning map within these zones.

**Section 3. PLANNED NEIGHBORHOOD DEVELOPMENT.** The owners have proposed to master plan a new mixed residential Planned Neighborhood Development (PND) to be annexed to the City of Billings. The development and review of the PND is in accordance with BMCC 27-800. Phase 1 of the annexation and PND includes AN IRREGULAR SHAPED PIECE OF LAND BEING A PORTION OF TRACTS A AND B OF CERTIFICATE OF SURVEY NO. 3795, RECORDED AS DOCUMENT NO. 3985813, RECORDS OF YELLOWSTONE COUNTY, LOCATED IN THE NE1/4, SE1/4, SW1/4 AND NW1/4 OF SECTION 19, TOWNSHIP 1 NORTH, RANGE 26 EAST, PRINCIPAL MERIDIAN MONTANA, YELLOWSTONE COUNTY, MONTANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EASTERLYMOST CORNER OF TRACT A OF CERTIFICATE OF SURVEY NO. 3795 ON THE CENTERLINE OF ALKALI CREEK ROAD AND BEING A POINT ON A NON-TANGENT CURVE WITH A RADIAL BEARING OF S34°37'41"W, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE THE FOLLOWING THREE (3) COURSES ALONG THE EASTERLY BOUNDARY OF SAID TRACT A: AN ARC DISTANCE OF 234.94 FEET ALONG SAID NON-TANGENT CURVE TO THE LEFT, OF RADIUS 1400.00 FEET AND DELTA 9°36'55" TO A POINT ON A TANGENT LINE; THENCE ALONG SAID TANGENT LINE, N64°59'13"W, 748.64 FEET TO A TANGENT POINT OF CURVATURE; THENCE AN ARC DISTANCE OF 261.23

FEET ALONG SAID TANGENT CURVE TO THE RIGHT, OF RADIUS 1150.00 FEET AND DELTA 13°00'54" TO A POINT ON A NON-TANGENT LINE; THENCE DEPARTING SAID EASTERLY BOUNDARY, S78°19'53"W, 505.03 FEET; THENCE S03°16'08"W, 164.11 FEET; THENCE S83°30'07"W, 40.12 FEET; THENCE N65°45'25"W, 128.76 FEET TO A POINT ON A NON-TANGENT CURVE, SAID POINT HAVING A RADIAL BEARING OF N45°39'08"W; THENCE AN ARC DISTANCE OF 55.66 FEET ALONG SAID NON-TANGENT CURVE TO THE RIGHT, OF RADIUS 50.00 FEET AND DELTA 63°46'57" TO A POINT ON A NON-TANGENT LINE; THENCE ALONG SAID NON-TANGENT LINE, S55°00'01"W, 200.00 FEET; THENCE N34°59'59"W, 141.40 FEET; THENCE S55°00'01"W, 272.10 FEET, THENCE S43°40'41"W, 292.79 FEET, MORE OR LESS, TO A POINT ON THE LINE COMMON TO TRACTS A AND B OF SAID CERTIFICATE OF SURVEY NO. 3795; THENCE ALONG SAID COMMON LINE, S47°53'34"W, 392.21 FEET; THENCE DEPARTING SAID COMMON LINE, S68°55'38"W, 90.76 FEET; THENCE S18°02'15"W, 200.07 FEET; THENCE S35°42'22"E, 98.92 FEET, MORE OR LESS, TO A CORNER COMMON TO SAID TRACTS A AND B; THENCE ALONG THE COMMON LINE OF SAID TRACTS A AND B, S53°01'08"E, 31.79 FEET; THENCE DEPARTING SAID COMMON LINE, S32°07'15"W, 369.88 FEET; THENCE N72°31'48"E, 185.49; THENCE N51°08'15"E, 168.60 FEET; THENCE N36°31'50"E, 263.57 FEET, MORE OR LESS, TO A POINT ON THE COMMON BOUNDARY LINE OF SAID TRACTS A AND B; THENCE THE FOLLOWING TWO (2) COURSES ALONG SAID COMMON LINE: N58°12'21"E, 451.31 FEET; THENCE N44°12'09"E, 204.37 FEET; THENCE DEPARTING SAID COMMON LINE, S07°30'20"E, 157.12 FEET; THENCE N89°30'34"E, 145.84 FEET, MORE OR LESS, TO A POINT ON COMMON BOUNDARY LINE OF SAID TRACTS A AND B; THENCE ALONG SAID COMMON BOUNDARY, S41°12'34"E, 143.81 FEET; THENCE DEPARTING SAID COMMON LINE, S34°47'53"E, 154.20; THENCE S48°16'04"W, 280.00 FEET; THENCE S41°43'56"E, 250.93 FEET; THENCE N48°16'04"E, 72.93 FEET; THENCE S41°43'56"E, 179.96 FEET; THENCE S68°11'34"E, 194.22 FEET, MORE OR LESS, TO A POINT ON THE COMMON BOUNDARY OF TRACTS B AND D OF SAID CERTIFICATE OF SURVEY NO. 3795; THENCE ALONG SAID COMMON BOUNDARY, N21°48'26"E, 373.20 FEET TO THE CORNER COMMON TO TRACTS A, B AND D OF SAID CERTIFICATE OF SURVEY NO. 3795; THENCE THE FOLLOWING THREE (3) COURSES ALONG THE COMMON BOUNDARY LINE OF TRACTS A AND D: S84°55'52"E, 410.18 FEET; THENCE N53°25'53"E, 772.89 FEET; THENCE N34°15'15"E, 385.55 FEET TO THE TRUE POINT OF BEGINNING (this ordinance).

Phase 2 of the PND consists of additional acres within Tracts A and B . The zoning master plan includes zoning for Phase 2 and Phase 3 that will be adopted by separate ordinance at the time Phase 2 and Phase 3 are annexed. The Resolution of Annexation for Phase 1 references Phase 2 and Phase 3 as a future development. This ordinance also references the Zoning Master Plan for Phase 2 and Phase 3 for the PND. This ordinance references

the zoning master plan for the PND, that shows four zone districts including **Suburban Neighborhood Residential (N3), Mixed Residential 1 (NX1), Neighborhood Mixed Use (NMU)** and **Public 1, Parks and Recreation (P1)**.

**Section 4. ZONE DISTRICT AMENDMENT.** The official zoning map is hereby amended and the zoning for 56.26 acres of land within **Tracts A and B of C/S 3795** as described above and as shown on the attached Zoning Master Plan, is hereby changed from **Agriculture (A), to Suburban Neighborhood Residential (N3), Mixed Residential 1 (NX1) and Public 1, Parks and Recreation (P1) as shown on the attached Planned Neighborhood Development exhibit, Phase One**, and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining to **Suburban Neighborhood Residential (N3), Mixed Residential 1 (NX1) and Public 1, Parks and Recreation (P1)**, as set out in the Billings, Montana City Code.

**Section 5. EFFECTIVE DATE.** This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law, or upon effective date of Resolution 22-\_\_\_\_\_ approving the annexation of the above territory, whichever is later.

**Section 6. REPEALER.** All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

**Section 7. 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 10<sup>th</sup> day of January, 2022.

PASSED, ADOPTED and APPROVED on second reading this 24<sup>th</sup> day of January, 2022.

CITY OF BILLINGS

BY: \_\_\_\_\_

William A. Cole, Mayor








Attest:

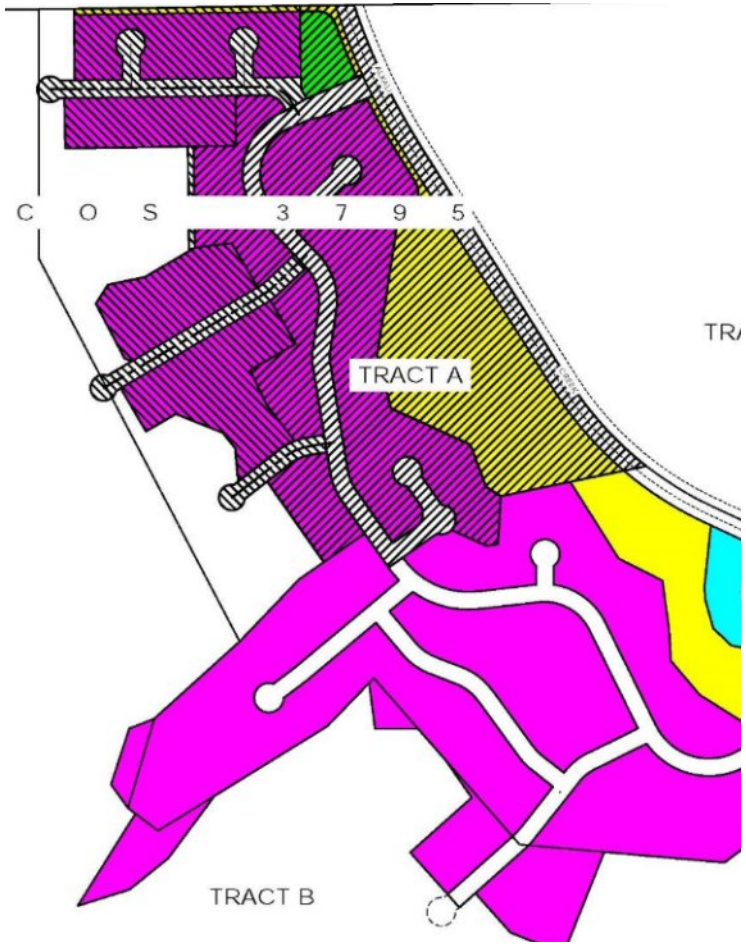
BY: \_\_\_\_\_

Denise R. Bohlman, City Clerk

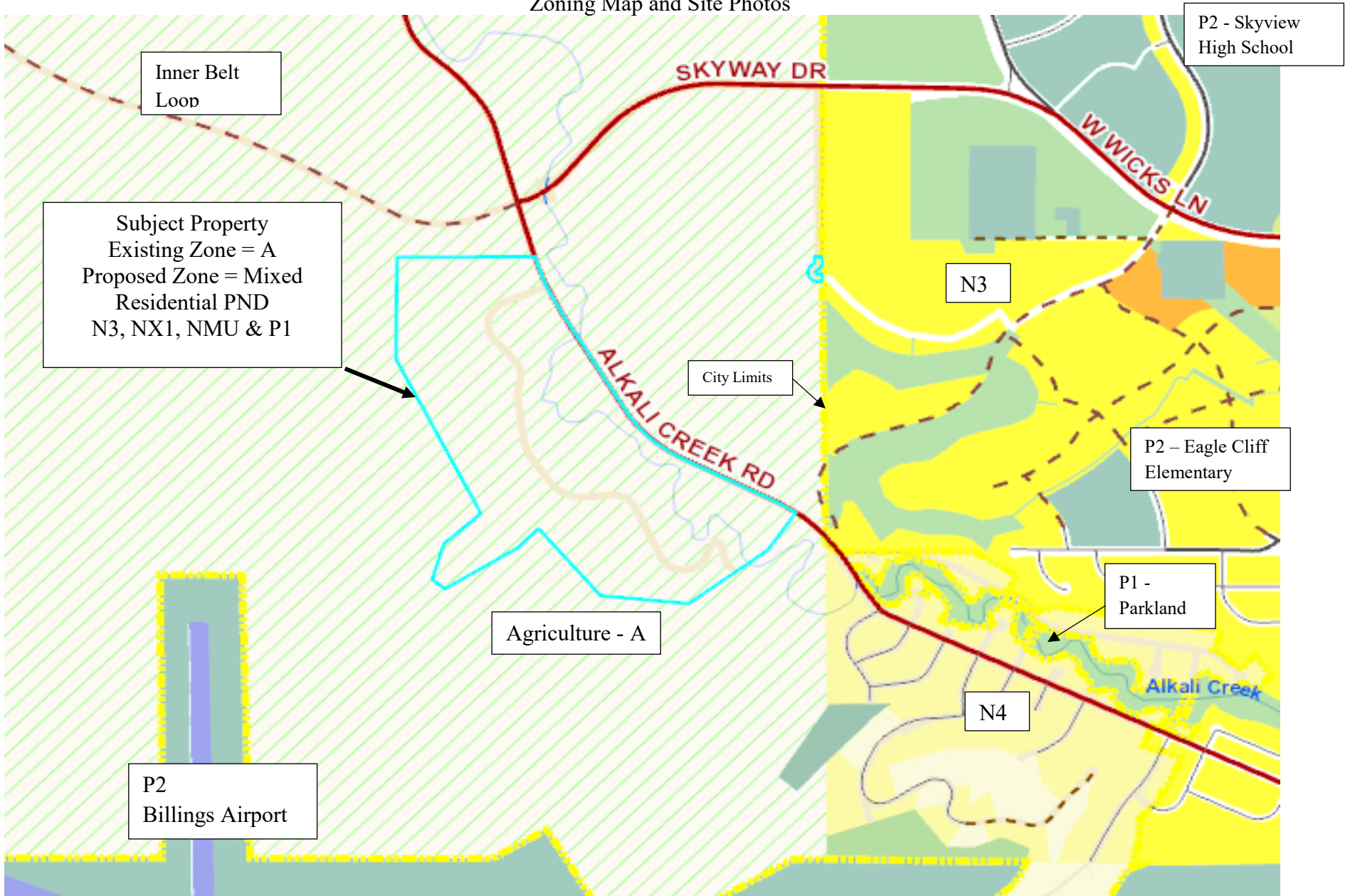
Zone Change 1003, The Timbers C/S 3795 Tracts A and B - Phase One

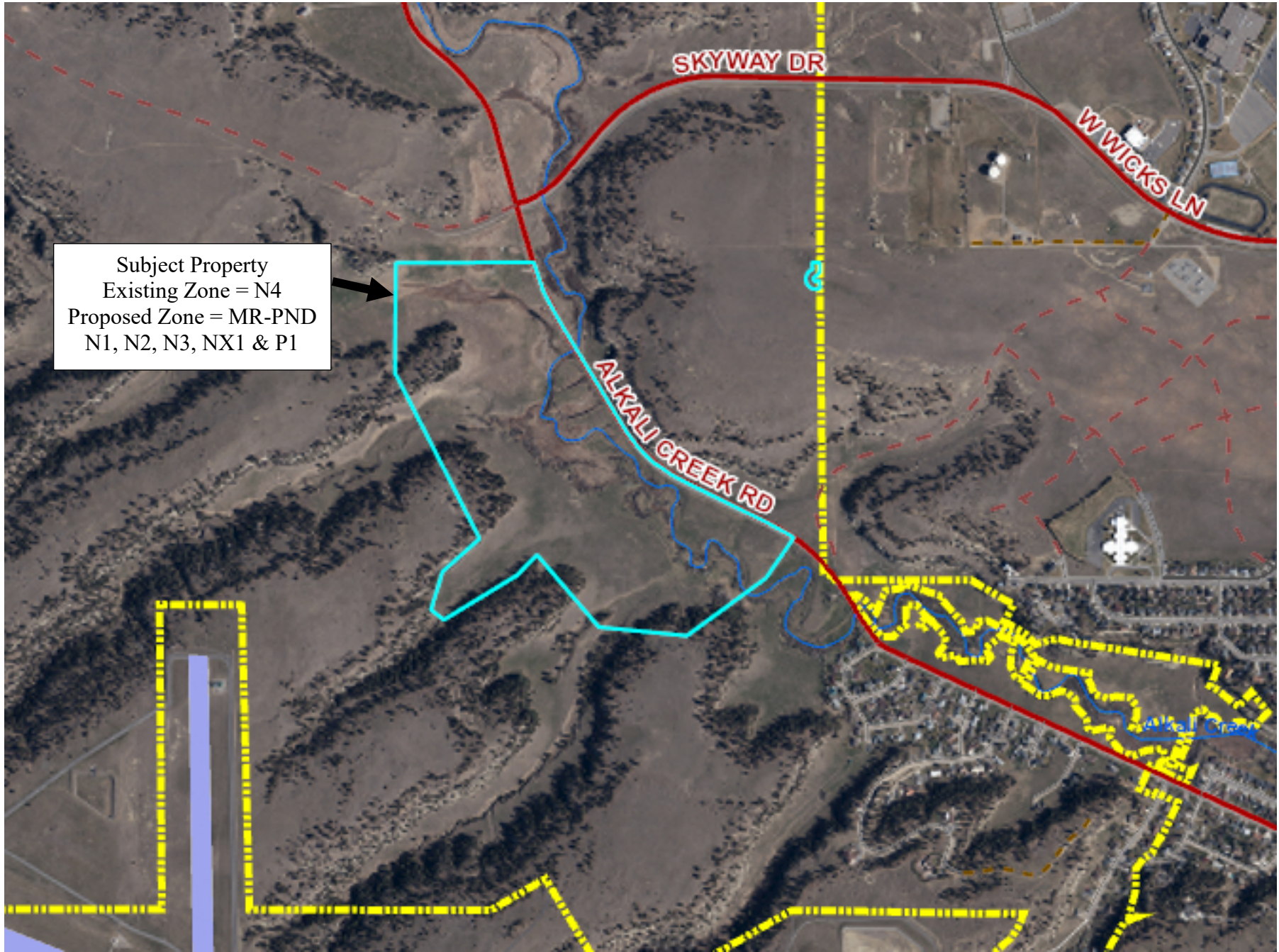
Zone Change 1003 – Exhibit

- ZONE NX1  4.9 AC / 215,178 SF TOTAL
- ZONE N3  64.1 AC / 2,792,872 SF TOTAL
- ZONE NMU  0.9 AC / 39,500 SF TOTAL
- PARK  14.7 AC / 639,893 SF TOTAL
- PHASE 1 
- PHASE 2 
- PHASE 3 










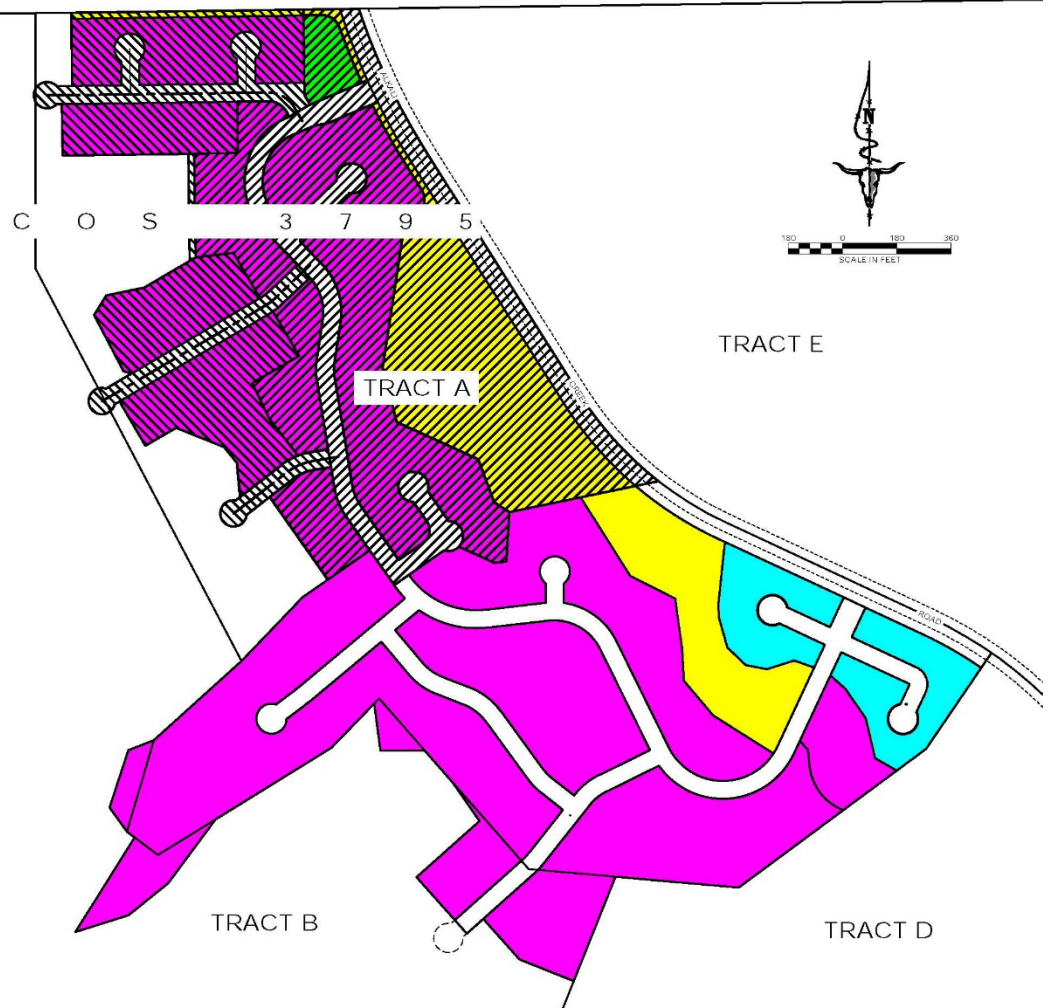
City Zone Change 1003 – The Timbers – Mixed Residential-PND  
Zoning Map and Site Photos





Subject Property  
Existing Zone = N4  
Proposed Zone = MR-PND  
N1, N2, N3, NX1 & P1

- ZONE NX1  4.9 AC / 215,178 SF TOTAL
- ZONE N3  64.1 AC / 2,792,872 SF TOTAL
- ZONE NMU  0.9 AC / 39,500 SF TOTAL
- PARK  14.7 AC / 639,893 SF TOTAL
- PHASE 1 
- PHASE 2 
- PHASE 3 









| <b>SUBJECT PROPERTY</b>                                                                    | <b>Zone Change #</b> | <b>DATE</b> | <b>FOR</b>                                                                                                      | <b>APPROVED (Y/N)</b> | <b>ADDITIONAL DATA</b> |
|--------------------------------------------------------------------------------------------|----------------------|-------------|-----------------------------------------------------------------------------------------------------------------|-----------------------|------------------------|
| None                                                                                       |                      |             |                                                                                                                 |                       |                        |
| <b>SURROUNDING PROPERTY</b>                                                                | <b>Zone Change #</b> | <b>DATE</b> | <b>FOR</b>                                                                                                      | <b>APPROVED (Y/N)</b> | <b>ADDITIONAL DATA</b> |
| High Sierra, 1 <sup>st</sup> Filing<br>Lots 1-14, Blk 2                                    | 496                  | 4/28/1986   | R-96 to CC                                                                                                      | N                     | Denied                 |
| High Sierra, 1 <sup>st</sup> Filing<br>Lots 1-14, Blk 2                                    | 516                  | 8/24/1987   | R-96 to NC                                                                                                      | N                     | Denied                 |
| High Sierra, 2 <sup>nd</sup> Filing,<br>Lot 1, Block 4                                     | SR 734               | 1/27/2003   | Allow church,<br>preschool, private<br>elementary,<br>Junior/high school<br>and commercial rec<br>uses in R9600 | Y                     |                        |
| High Sierra 2 <sup>nd</sup> Filing,<br>Lot 1, Block 2                                      | 712                  | 4/14/2003   | From R9600 to R-<br>7000                                                                                        | Y                     |                        |
| 825 Wicks Ln,<br>High Sierra 2 <sup>nd</sup> Filing,<br>Lot 1 Blk 1                        | 719                  | 9/8/2003    | From R9600 to R-<br>7000                                                                                        | Y                     |                        |
| High Sierra & Sierra<br>Granda Blvd, High<br>Sierra 2 <sup>nd</sup> Filing, Lot 1<br>Blk 3 | SR 821               | 7/24/2006   | Allow church and<br>senior retirement<br>complex in R9600                                                       | Y                     |                        |
| 3144 Grand Ave,<br>Cardwell Ranch                                                          | 848                  | 10/14/2008  | From A1 to PD (CC<br>& RMF)                                                                                     | Y                     |                        |
| N of Benjamin Blvd,<br>Marisela Sub, Lot 2A,<br>Block 1                                    | 822                  | 10/27/2008  | From A1 to R-70R<br>and R96                                                                                     | Y                     |                        |
| Block 31, Lots 17-25<br>High Sierra 16 <sup>th</sup> filing                                | Variance 1314        | 7/1/2020    | From 40% lot<br>coverage to 50% in<br>R50 zone to allow<br>duplexes                                             | Y                     |                        |
| Eagle Ridge<br>Subdivision,<br>W of St Andrews Dr                                          | 665                  | 2/26/2001   | From R96 to R70                                                                                                 | Y                     |                        |

|                                                                                                         |     |           |                                                                            |   |                                                        |
|---------------------------------------------------------------------------------------------------------|-----|-----------|----------------------------------------------------------------------------|---|--------------------------------------------------------|
| Eagle Ridge Subdivision, W of St Andrews Dr                                                             | 753 | 2/14/2005 | From R70 & R96 to Public                                                   | Y |                                                        |
| Lake Hills 14 <sup>th</sup> , 15 <sup>th</sup> , 16 <sup>th</sup> , 31 <sup>st</sup> Filing and C/S 793 | 875 | 4/25/2011 | From CC, P, R60, RMF to R96, R60-R on various lot                          | Y |                                                        |
| Western Sky Sub                                                                                         | 802 | 5/17/2007 | A1 to CC, RMF-R, R50, R70, R96 & Public                                    | Y | Included entire NW section of 160 acres                |
| Lenhardt Sq Sub 1 <sup>st</sup> Filing, Kind Ave W                                                      | 829 | 4/28/2008 | A1 to PD                                                                   | Y | Initial denial of annexation, reversed and conditioned |
| Lenhardt Sq Sub, PD                                                                                     | 909 | 6/11/2013 | Amend PD to allow increase in the max density from 15 du/acre to 20du/acre | Y | Tract 3A of C/S 2063. With underlying zoning PD-MF-R   |
| St Vincent Healthcare, Shiloh Rd and King Ave W                                                         | 722 | 5/24/2004 | A1 to PD                                                                   | Y | PD for healthcare & Ancillary commercial uses          |
| 645 S 48 <sup>th</sup> St, COS 983                                                                      | 997 | 9/13/2021 | A to MU-PUD                                                                | Y | PND incl CMU1, NX2, N2 and P1                          |
| 2526 Hawthorne Ln                                                                                       | 988 | 2/22/2021 | A to R70                                                                   | N | Did not reach super majority vote                      |



November 1, 2021

City of Billings  
Planning and Community Services Department  
2825 3<sup>rd</sup> Ave North, 4<sup>th</sup> Floor  
Billings, MT 59101

RE: The Timbers, First Filing Zone Change Application

To Whom it May Concern,

We have included all documents necessary for a rezoning to occur at what is legally described as Tracts A and B of COS 3795 located in the Northeast Quarter, Southeast Quarter, Southwest Quarter, and Northwest Quarter of Section 19, and the Northeast Quarter of Section 30, Township 1 North, Range 26 East, Principal Meridian Montana, Yellowstone County Montana. This area contains approximately 316.71 acres of land that is currently zoned, Zone A – Agriculture 10 or more acres within Yellowstone County zoning. We are requesting to rezone this property to three different zoning districts within the City of Billings new Re:Code zoning. These zonings are N3 – Suburban Neighborhood Residential, NX1 – Mixed Residential 1, and NMU – Neighborhood Mixed-Use.

On September 17, 2021 notifications were sent to all parties that were included on the certified list. This notification was provided 10 calendar days before the rezoning meeting occurred. The rezoning meeting was held via Microsoft Teams meeting on September 27, 2021. Due to numerous public comments and concerns for elderly members of the community an additional in-person meeting was also offered. This additional mailing was sent on September 23, 2021 to all parties on the certified list informing of both meeting options. The in-person meeting was held on September 28, 2021. This mailing also included a map displaying the area to be rezoned and names of zoning districts.

This submittal contains the following information and supporting documents to facilitate your review:

- Rezoning application
- Radius map
- List of surrounding property owners certified by the Yellowstone County Clerk and Recorder
- Original List for certification submitted to Yellowstone County Clerk and Recorder
- Mailing labels for each certified property owner that received a notification letter
- Certificate of Mailing from the United States Postal Service
- Sample letter of mailing sent on September 17, 2021
- Sample letter of mailing sent on September 23, 2021
- Zone Map sent with mailing on September 23, 2021
- Meeting Notes from September 27, 2021 (contains list of attendees and minutes)
- Meeting Notes from September 28, 2021 (contains list of attendees and minutes)
- Title 10 Zone Change Criteria

Please feel free to reach out to us if you require any additional information or have any concerns.

Sincerely,  
IMEG Corp.



Kolten Knatterud, P.E.  
Client Executive

[Kolten.I.knatterud@imegcorp.com](mailto:Kolten.I.knatterud@imegcorp.com)



Anna Vickers  
Land Use Planner

[anna.m.vickers@imegcorp.com](mailto:anna.m.vickers@imegcorp.com)

hsc

G:\2020\20006040.00\Design\Civil\2\_PLANNING\Preliminary Plat Application\Rezoning\Letter to Billings Planning RE Rezone Submittal.docx



## Pre-Application Statement of Owner(s) or Agent(s)

The owner(s), contract purchasers (if any) and agents (if any) are required to submit this completed form and any attachments along with a completed zone change application packet, including any required fees, for a zone change to be processed by the Planning Division.

1. **Present Zoning:** Yellowstone County Zoning - Zone A, Agriculture 10+ Acres \_\_\_\_\_
  
2. **Written description of the Zone Change Plan** including existing and proposed new zoning:  
  
Change zoning from County Zone A to City of Billings NX1 - Mixed Residential, NMU - Neighborhood Mixed-Use and N3 - Suburban Neighborhood Residential \_\_\_\_\_
  
3. **Subject Property Map:** please attach to this form
  
4. **Legal Description of Property:**  
  
Tracts A and B of COS 3795 located in the NE1/4, SE1/4, SW 1/4 and NW1/4 of Section 19, and the NE1/4 of Section 30 Township 1 North, Range 26 East, Principal Meridian Montana, Yellowstone County Montana  
\_\_\_\_\_
  
5. **Neighborhood Task Force Area:** Yes ///  No. If Yes, Name of Task Force and mailing address of Chairperson:  
  
\_\_\_\_\_
  
6. **Roster of persons who attended the pre-application neighborhood meeting:** please attach to this form
  
7. **A copy of the meeting notice.** please attach to this form
  
8. **A brief synopsis of the meeting results including any written minutes or audio recording.** please attach to this form
  
9. **The undersigned affirm the following:**
  - 1) The pre-application neighborhood meeting was held on the 27, day of September, 2021.
  - 2) The zone change application is based on materials presented at the meeting.

**Owner (s):** Ali and David Mitchell Telephone: \_\_\_\_\_

Address: 1655 Valley Heights Road Email: d@cbcmontana.com  
Billings, MT 59105 \_\_\_\_\_

**Agent (s):** Anna Vickers and Kolten Knatterud Telephone: 406-545-6420

Address: 175 N 27th St. Ste. 1312 Email: anna.m.vickers@imegcorp.com  
Billings, MT 59101 \_\_\_\_\_

# APPLICATION FORM

CITY ZONE CHANGE      Billings Zone Change # \_\_\_\_\_ - Project # \_\_\_\_\_

The undersigned as owner(s) of the following described property hereby request a Zone Change as outlined in the City of Billings Zoning Regulations.

Present Zoning      Yellowstone County Zoning - Zone A, Agriculture 10+ Acres

Proposed Zoning:      City of Billings NX1 - Mixed Residential, N3 - Suburban Neighborhood Residential, and NMU - Neighborhood Mixed-Use

TAX ID#      000D052500      CITY ELECTION WARD      N/A

Legal Description of Property: Tracts A & B of COS 3795 Section 19 and 30, Township 1 North, Range 26 E, P.M.M.

Address or General Location (If unknown, contact City Engineering): East of Alkali Creek Rd. North of Airport

Size of Parcel (Area & Dimensions):      316.71 acres

Present Land-Use:      Agricultural

Proposed Land-Use:      Residential single family and multifamily

Covenants or Deed Restrictions on Property:    Yes \_\_\_\_\_    No X

If yes, please attach to application

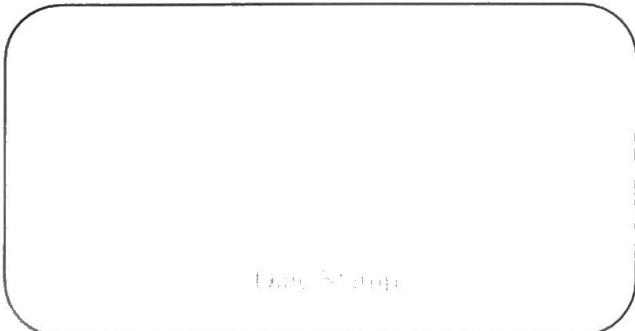
\*\*\* Additional information may be required as determined by the Zoning Coordinator in order to fully evaluate the application.

Owner(s): Ali and David Mitchell  
(Recorded Owner)  
1655 Valley Heights Road, Billings, MT 59105  
(Address)  
(Phone Number) \_\_\_\_\_ (email) d@cbcmontana.com

Agent(s): Anna Vickers and Kolten Knatterud/ IMEG Corp.  
(Name)  
175 N 27th St. Ste. 1312 Billings, MT 59101  
(Address)  
406-248-9000 (Phone Number) \_\_\_\_\_ (email) anna.m.vickers@imegcorp.com

I understand that the filing fee accompanying this application is not refundable, that it pays for the cost of processing, and that the fee does not constitute a payment for a Zone Change. Also, I attest that all the information presented herein is factual and correct.

Signature: *Aliison Mitchell*      Date: 10/31/21  
(Recorded Owner)





## Title 10 Zone Change Criteria

1. Whether the new zoning is designed in accordance with the growth policy:  
**The new zoning is designed in coordination with the growth policy. The property is close to the City of Billings (City) and being annexed into the City. The City is extending water and sewer lines to the development area. The new zoning allows for mixed residential, neighborhood mixed-use, and suburban neighborhood residential. The new zoning will allow for a strong neighborhood to be part of the City. There will be walkability throughout the neighborhood via sidewalks and a nature trail. By part of the new zoning mixed residential, this zoning promotes a mix in housing options to the community. This promotes prosperity and equal opportunity within the area. The new zoning is compliant with the growth policy and promotes most if not all goals of the growth policy.**
2. Whether the new zoning is designed to secure from fire and other dangers:  
**The new zoning will be secure from fire and other dangers. The property being zoned is currently within Yellowstone County (County) but is being annexed into the City. The City of Billings will be extending City water and sewer lines to the subdivision and the developer extending the water and sewer lines throughout the subdivision. The extension of these water lines will allow for fire hydrant installation throughout the subdivision. The fire hydrants will help City of Billings fire department respond to any fires within the neighborhood, should there be any. The annexation of the subdivision into the city means that emergency services will be provided by the City of Billings and Yellowstone County. This new zoning promotes the land to be developed with good design and safety for the public.**
3. Whether the new zoning will promote public health, public safety, and general welfare:  
**The property will be rezoned to mixed residential, NX1, neighborhood mixed use, NMU, and suburban neighborhood residential, N3. These three districts have setbacks for design. The zonings will promote sidewalks, and streets with safety standards. This new zoning will be within the City of Billings. As the property is annexed and zoned for the City of Billings there will be City water and sewer connections extended to the property. The use**

**of water and sewer promotes public health and future welfare for the community. The sidewalks also promote health and welfare for citizens. The street standards and setbacks take into visibility and open spaces to promote happiness and safety for residents.**

4. Whether the new zoning will facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements:  
**The property being zoned is currently within Yellowstone County but is being annexed into the City of Billings. The City of Billings will be extending City water and sewer lines to the subdivision and the developer extending the water and sewer lines throughout the subdivision. The new zoning does promote adequate transportation, schools, parks, public health, safety and general welfare. The property will be developed in accordance with the zoning and subdivision regulations. By having this property that is being annexed zoned into suburban neighborhood residential, N3, mixed residential, NX1, and Neighborhood Mixed-Use, NMU, this will promote development on the property to have adequate provision for transportation, water, schools, parks, and other public requirements.**
5. Whether the new zoning will provide adequate light and air:  
**The new zoning will provide adequate light and air. This property will have three new zonings. The first zoning is mixed residential, NX1. NX1 intends to allow single-family, two-family, and small-scale multiple-family homes with three to four units. These multiple-family homes are intended to match the scale of scale of single-family homes. This will allow for a mix in housing options within the community but the spacing to provide for adequate light and air.**  
**The second zoning is neighborhood mixed-use, NMU. This zoning is intended to accommodate mixed use that are highly walkable and include stores that are necessary for daily primary needs adjacent to neighborhood residences. Allowing for high walkability promotes public health, safety, and welfare and also allows for adequate light and air.**  
**The third zoning is suburban neighborhood residential, N3. This district promotes single-family homes and includes wide lots with attached garages. This zoning like the others has adequate setbacks and height restrictions. This will allow for adequate light and air throughout the subdivision.**
6. Whether the new zoning will affect motorized and nonmotorized transportation:  
**Currently the property is within Yellowstone County but will be annexed into the City of Billings. This new zoning will promote the standards of development that are applicable to the City of Billings. The new zoning will**



**require all development on this property to take into account, dependent on size, the impact on motorized and nonmotorized transportation. This property is proposed to be developed as a subdivision. This subdivision is a major subdivision and will have a traffic impact study completed. The roads in the area will have to be upgraded in accordance with the traffic impact study results, City of Billings standards, and MDT standards. So, new zoning will affect motorized and nonmotorized transportation in a positive way by promoting development standards of motorized and nonmotorized transportation.**

7. Whether the new zoning will promote compatible urban growth:  
**The new zoning will promote compatible urban growth by allowing multiple different zoning districts. The new zoning will be for the City of Billings and in accordance with the City of Billings growth policy. The property will be annexed into the City of Billings to allow for compatible urban growth within the area in accordance with City goals.**
  
8. Whether the new zoning considers the character of the district and peculiar suitability of the property for particular uses:  
**The new zoning was determined by discussions with the City of Billings. The new zoning follows the City of Billings recently implemented new zoning standards. The property will be zoned as mostly suburban neighborhood residential with a small portion of neighborhood mixed use and mixed residential. With the new zoning being mostly suburban neighborhood residential the lot width requirements being the largest of the new zoning standards. The property will be adjacent to agriculture, the airport, and existing subdivisions. The lot sizes of the new subdivision will be larger than many of the other subdivision lot sizes in the area. This larger zoning will provide a good transition between agriculture, the airport, and existing residential.**
  
9. Whether the new zoning will conserve the value of buildings; and  
**The new zoning will conserve the value of buildings due to the lot sizes the new zoning will encourage on the property. There are no existing buildings on the property. However, future development will follow setbacks, lot, sizes, and development standards offered within the new assigned zoning. These larger lot sizes with mixed residential which offers larger lots for multi-dwelling buildings, will allow for future building value to increase in a time where smaller lot sizes are normally developed.**



10. Whether the new zoning will encourage the most appropriate use of land throughout the City of Billings:

**The new zoning will encourage the most appropriate land throughout the City of Billings because this new zoning will be within the City of Billings. The property will be annexed into the City of Billings. The City of Billings needs more housing and is extending municipal facilities in the area. This new zoning encourages development near infrastructure. This new zoning will also provide for transition between agriculture, the airport, public land and existing residential within Yellowstone County.**



## MEETING NOTES

|                       |                                                                                                                                                               |
|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Date</b>           | September 27, 2021                                                                                                                                            |
| <b>Project</b>        | Alkali Creek Rezone                                                                                                                                           |
| <b>Project Number</b> | 20006040                                                                                                                                                      |
| <b>Attendees</b>      | Anna Vickers, Kolten Knatterud, David Mitchell, Adam Simmons, 406-208-0362, 406-252-1761, 406252-2028, 406-661-9200, 406-671-9467, 406-861-0003, 406-861-4520 |

Tony Nave, Jerry Glover, Autumn Maddox, Beverly Stonemach, Gary Coch, Sharon Shannon, Shannon Bobby Triam, Henry and Peggy Hilling, Sonya and Mike, John and Barbara Tircoff, Lee Webber, Jerry Copp, Max Griffin, Melissa, Janine Griffin

Kolten: Everyone that received the first invitation, there will be a second meeting tomorrow night in the IMEG office. And you are welcome to that meeting at 5:30 tomorrow. We'll do development team introduction and summary of project. We'll open up to questions and concerns and respond as best we can. I'm Kolten and Anna will be taking minutes.

I'm Max Griffin. And I'm David Mitchell and Max is my father-in-law. My wife Ali and I and max and his wife are developing the property.

Kolten: For the folks logged in this is the property north of airport along alkali creek road. It's about 80-83 acres. The proposed development would have two accesses off of Alkali Creek Road. One being located further to east closer to light blue area on north side of creek itself and second access would be west of where Alkali Creek crosses Alkali Creek Road. With regards to the colors on the map, February went through a zoning code update. The zoning code that was previously from the 70s. So now you will hear from the city about Project ReCode. As part of new code City of Billings rewrote regulations on annexing into the City. Prior you could take the property and zone the entire area as one zoning. The rules are if you are annexing over 10 acres of property must have two zoning types. If you are annexing over 40 acres at least one of the zoning types must be a multifamily or the city calls an NX. The majority is the purple or pink which is N3 which is the largest zoning the city of billings has which is 15,000 or larger sq ft lot. We are showing one area as green which is neighborhood mixed used commercial district. This is corner stores, restaurants, small pockets that go within a subdivision. These are auxiliary residential usages. The blue area is NX1 which is not desired by the group. But this is the lowest multifamily allowed. This NX1 allows up to fourplexes. We want to clarify that neither of the bigger districts are requested. The group is asking for the least dense which is to satisfy the city. The idea is this would likely be patio homes or duplexes. But again, the district allows up to fourplexes. This meeting is the first step in the annexation in rezone process. We are having this meeting tonight, then having another tomorrow night. Then we will submit and go to the zoning board which will allow additional public comment or opportunity. We are looking

at the council decision being in the month of January. At this time, I'd like Max or David to add anything left out.

Max: We've lived out here for as long as Tony Nave maybe not. We are wanting to build a quality neighborhood. People know us and we don't build anything cheap. We are being required to put multifamily in is one we don't take lightly. We are gearing this multifamily towards patio homes. They are at the entrance we feel this is important to the neighborhood. We like being able to separate this area due to the natural creek. We thought best location, that we could put the zoning we are required to have. We widened entrance to 100' so we can buffer area and eliminate being too tight. We are going to put trees in the area to make it look nice. Make the folks in the area to have a backyard they can enjoy.

Kolten: What I would like to do now is anyone that has a comment please state your name and then you could present any questions, concerns or comments and we will try to address.

Tony Nave: I think a lot of the concerns are not with your intentions but what can be done legally. Concerns is we could see by law that fourplexes that are two and a half story in height. I understand the intent isn't to do that, but my comment would be if your intent is to keep it to duplex/patio homes would you consider adding subdivision covenants to make them enforceable by the covenants. And that would alleviate my concerns.

Max: That certainly something we would take a look at. We're really invested in that area for the last 40 years. I think that's a good suggestion we can take a look at that.

John: Max, I have a question when setting up patio homes will that be setup under HOA that you will be in charge of? Or whoever is in demise? That will be under HOA.

Max: And all common ground and preferably all ground would be commonly taken care of.

John: How is water and sewer being paid for?

David: On June 28 the city approved an allotment to our property line. That does not force anyone to be part of the water of sewer. The city is paying for that.

Melissa: Do we have to connect?

Kolten: The sewer and water would be available, but the City does not intend to force annexation upon anyone. If you have a source of water and sewer that works fine for you, you are not forced to annex unless you want to.

David: They will probably stub in something?



Kolten: In conversations with the city their plans are to have a manhole and a fire hydrant that if any of the streets did want to extend then they could. But there is no plan currently.

John: Is there any conversations about Mr. Boyer what his plans are?

David: My only conversation has been with his agent that his intent was to sell 3-4 acres parcels and keep in the county.

Melissa: I wanted to ask about the complex again. I missed the first part.

Kolten: As part of the annexation because we are annexing over 40 acres, we are required to provide multi-family and we are using NX1 which is least dense which the max unit size is a fourplex. So highest density is a fourplex and right now it's patio home or duplex. And there was even conversation into putting this in the covenants. That will be explored further.

Lee: Will the multi-family be owned by the people that live there?

David: Any multi-family there would be some renters there just as any multi-family. But our intention is not to do fourplexes.

Melissa: So, in regards you are building complex, and you are increasing traffic by a lot. My concern is that you know 2-4 kids per family and are you allowing pets. I can see a lot of issues. We already have enough wrecks. My question is there other roads put in? What are we looking at here?

David: I don't think we can put any more roads on Alkali Creek Road. As far as allowing pets, whatever is allowed per city is whatever we allowed. And as far as kids we can't prohibit kids.

Melissa: There is motorcycles going 100 mph. I'm concerned about kids and pets being hit.

Kolten: The yellow puts a path in the yellow area. (Referring to provided zoning map.)

Melissa: You are extending walkway on the bridge or what?

Kolten: This will only be in our development. I will say as part of the subdivision process, we are required to do a traffic impact study. To make sure we have met turning lanes, stop lights, etc. Schools are allowed to comment on whether they have capacity to take on the students. So, the city has those processes in place to address your concerns.

Sonya and Mike: The walkway stops at about Strawberry and ends then. This could be a way to extend the walkway and provide safer transportation.



David: We can't control the sidewalk and walk path, we can only control what's on our property. We are putting sidewalk in our property. You should bring your concerns regarding the sidewalk extension up to the city.

Adam: We have this section of county road that isn't maintained, and it bring up lowest quality from the county. It would be good to have things be all maintained. The county doesn't do any of the stuff but the city does.

Max: We are hoping that anyone that moves in the area will share the concerns that you all have a trail system in that area will be a wonderful idea. We will certainly put ours in and do the best we can.

Adam: I'm hoping it will encourage the rest of us to connect.

Kolten: I do know as part of 3000 ft extension the city is putting in, the city is not going to try and save any of the existing asphalt. The city is going to put in a new full road surface for 3000 feet they are installing. They are planning on that.

Adam: You said the traffic study has been completed and submitted. When will that be shared with you?

Kolten: When it becomes fully public available is the first public meeting that all of that will be public data. It will be available through city website in a couple months. We can discuss that internally if there is any interest in seeing that. The interesting part of that area is the inner belt loop is not numbers as of today plus what city says will be added with inner belt loop project plus what the city says will be added with this project.

Tony: I would like to comment that as one of the residents that has been out here longest. I'm very pleased with what I see on the majority of this subdivision. I think this will be a real asset to the community. It's a beautiful add to the community. Some of the road issues are not your concerns. I like everything except the multi-family.

Max: Thank you Tony; and Ali and David will live there so they'll be very conscience.

Dan: I had a couple of comments. We talked to one of the people from the survey companies that they said one of the 5000 cars per day from inner belt loop. And that will put a lot of pressure on alkali creek road. I'm interested on the rental thing, are you selling the lots to individual people and other contractors to build whatever they want? Is there possibility you could have 29 different contractors? Are you just selling lots over where your big lots are at or are you doing model homes?

David: We are having a design and architecture review committee. That will have an approval of colors and pitches. As far as the smaller area. We don't think we'll have 29 different home builders.



Max: We'll have pretty strict covenants on building types, heights, sizes, and make sure this is a great representation for the neighborhood behind it.

Dan: I see you're starting one building down in the bottom there. What is your timeline to start? What is timeline to break ground?

Kolten: We will be going through the review periods and our hope is to have annexation, rezone, and preliminary plat approval in early January. At that time, it's when infrastructure can be put in the ground. The goal is early 2022 is when infrastructure is put in and allow for spring 2022 and allow final plat to be filed and building construction to be started. The one place you see is David and Ali's home that is being constructed. There will be no more houses going up until final plat is filed.

Dan: Has anyone had any concerns of the water from Alkali Creek? With the high water?

Melissa: My concern is the ground paction and the water. And my concern is when putting sheets of metal down with a hammer and you don't have to use it. It's a big concern there may be no ground under that.

Kolten: The floodplain and wetland are concerns are going through the process with county floodplain and the army core of engineers. The yellow path is within 100-year floodplain area. We cannot do anything there. If you walk the site, you will see what it is floodplain. The floodplain does align well if the bench and the survey data does corroborate that. With the regards to soils, you are correct. There is clay and gumbo soil. Rimrock Geotech has done a number of soil borings out there. They have made recommendations for structural fill, peers, etc. You're right the standard footing is not acceptable.

Melissa: The culverts are huge. And I would take that into account. And when someone's house floods? Who's responsible? Is it the city or the county?

Max: Having been out there I've seen all the floods. One of the good notes is the airport has put in some of the retention ponds. We've been through some bad floods.

Melissa: The flood rolls down the hill.

Dan: Max and David, I wanted to wish you guys and say I hope everything comes out good.

New: Is this the only NX1 development you are going to do? I know you have 3 phases.

Max: I think we've met the requirement.

Kolten: Yes, that's correct. We have met the requirement. The reason that nothing is being shown south of there we get back into the canyons and a lot of unknown as to



what should be city and what should stay in county. Not going into gullies or one of the bluffs.

New: I want to speak, and I've been down here 44 years now. Flooding is mitigated because of ponds at airport. And they built a drainage tube down from sun valley road that's 28inch pipe and a 32-inch pipe. And a lot of problems will be solved by that. I think this development will add to everyone's property value if we can maintain the looks and control that it will add to property value.

Melissa: I think it's a great plan. I'm happy for you guys and I'm excited. I think it's great that you guys are building and not someone else.

Max: We will be your neighbors there and in future.

Sonya and Mike: Question about preserving the night sky?

Kolten: As part of the initial development no streetlights are required because it is a residential development. If any streetlights were put in and probably put in on alkali creek road. There would be night sky requirements for the city street lights. As far as this development there are no streetlights proposed on those interior streets.

John: How long will it take to do first phase?

Max: I'm not planning on being around through whole project.

David: Kolten we anticipate all infrastructure done by next summer? As far as built out, 30-40 lots within the first year hopefully.

Dan: It'll take 5-10 years. I think it'll be fine.

Bobby: I just have a curious question about the Russian olive trees. They are through the area. Will they stay or not?

David: Let me ask if you like Russian olive trees? We are working with Army Corp of Engineers, and we have improve the embankments and will have to remove some of the Russian olive trees. We do plan to plant trees.

Bev: I have a question. When the city comes through with the water and sewer and we live not directly on alkali. If one or two of us wanted to take advantage of that we would have to pay to have it run up here? Have it run from alkali to our driveway and pay to have it run into our house?

Kolten: Not knowing exactly where your home is to speak generally.

Bev: We are on prickly pear.



Kolten: I guess if you and a number of your neighbors were interested in having that run is the city would have to include that as part of their project and determine value of the section and do what's called a RSID which is a residential subdivision improvement district. You can pay it one time. Or over 20 years of taxes. But it's cheaper to do it with the existing project. The city would expect the property owners to pay.

Bev: How would we find out?

Kolten: Travis Harris is running project. My recommendation would be to reach out and see the process.

Melissa: This doesn't apply to everyone?

Kolten: No, it would have to be a neighborhood lead project. If you are utilizing city services, you'll have to connect. And pay city taxes.

Bev: We would be annexed in?

Kolten: That's where it gets interesting. The city likely won't do it if it's just you. Extending water main to just one person is not feasible. There is a certain percentage of people that would need to want to annex.

Bev: Is it 75% or 50%?

Kolten: That's a city of Billings call I don't know the magic number. You'd need to find out from them.

Tony: I'm signing off.

Kolten: Before we end meeting does anyone have any additional comments? Additional meeting tomorrow at our office if you want any further comments.

Guest: That's in Wells Fargo building on 27<sup>th</sup>?

Kolten: Yes, 13<sup>th</sup> floor, suite 1312.

Question: In regard to building process, how long are you planning on living or owning out there?

David: My wife and I have our own home. And the remaining lots will be sold off and we will probably be there long term.





## MEETING NOTES

|                       |                     |
|-----------------------|---------------------|
| <b>Date</b>           | September 28, 2021  |
| <b>Project</b>        | Alkali Creek Rezone |
| <b>Project Number</b> | 20006040            |

### Sign in Sheet

| Name                        | Phone #      | Email                                                                |
|-----------------------------|--------------|----------------------------------------------------------------------|
| Bobbie & Dan Tryan          | 406-208-0362 | <a href="mailto:dantryan@msn.com">dantryan@msn.com</a>               |
| Lee Webber                  | 406-861-2195 | <a href="mailto:Lee.webber@DNOW.com">Lee.webber@DNOW.com</a>         |
| Michael Glunt & Sonya Smith | 406-202-1731 | <a href="mailto:Mike_glunt@hotmail.com">Mike_glunt@hotmail.com</a>   |
| Melissa                     | 406-860-7717 | <a href="mailto:melissakernie@yahoo.com">melissakernie@yahoo.com</a> |

### Main Points & Concerns

- Concerns on NW1
  - Can it go somewhere else?
  - Like patio homes-no fourplexes
- Can larger lots have shop?
- How park is being maintained
- Can we be forced to annex?
- Cell & Internet reliability
- Will property taxes go up?
- Concerns about crime rate & drugs
- Nice to have Griffins doing this
- Would like noise ordinance
- Concerns about streetlamps
- Concern about sidewalk along Alkali
- Concerns about vinyl privacy fences
- Making fencing wildlife friendly



**Matt Suek-The Timbers Meeting Notes with Tony Nave-Project # 20006040-September 20, 2021**

Tony Nave-252-1761 (Home Phone)

Alkali Creek & Foothill Creek Sunvalley 3<sup>rd</sup> Filing-1518 Alkali Creek-Where he lives.

Former Clerk & Recorder, retired in 2011

Questions

- Density & Subdivision Plan-No exhibit provided
- County resident-Worried about annexation. Wants to stay
  - We will provide update on how annex. effects neighbors
- Current home building & septic situation
  - David & Ali-building currently hooked to city water & sewer
- Opposition to 5,000 SF lots
  - Tony expressed he and others will express opposition to 5,000 SF lots. Doesn't fit with what is there already. Used to be R96. Matt Suek provided subdivision phasing with ariel and zoning exhibit with descriptions of NX1, N3 NMW.

## Anna M. Vickers

---

**From:** Anna M. Vickers  
**Sent:** Monday, September 27, 2021 6:45 PM  
**To:** 'gordon forster'  
**Cc:** Kolten L. Knatterud  
**Subject:** RE:  
**Attachments:** 2021-09-15.Timbers Zone Exh.pdf

Hi Gordon,

Thank you for submitting your comment. I will be sure to add this to our records for the rezoning. You may have received a second letter there will be an in person meeting held tomorrow at our office in Billings. The address is 175 N27th Suite 1312 (Wells Fargo Building). This will be held in person if you would like to attend you are welcome to attend. I have attached our zoning exhibit for you as well. Just a few quick notes, the City of Billings does require that any parcel that is annexed into the City of Billings over 40 acres in size to have some form of multifamily within. Our developers have chosen the smallest multifamily designation allowed within the City of Billings zoning code. This designation is NX1 and allows for 4plexes as the maximum density. However, it is our developer's intent to keep this area as duplexes or patio homes. You will see this small area in light blue on the attached exhibit. The remainder of the lots are intended as single family homes with the smallest lot size being 18,000 square feet. I hope this helps alleviate some of your concerns. Again, we really do appreciate your comments and intend to add them to our records and submittal to the City of Billings.

Wishing you well!

**Anna M. Vickers**  
Land Use Planner



**IMEG Corp.**  
1817 South Ave West | Suite A | Missoula, MT 59801

(225) 603-1371

[anna.m.vickers@imegcorp.com](mailto:anna.m.vickers@imegcorp.com)

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---

**From:** gordon forster <[bearbutte1@LIVE.COM](mailto:bearbutte1@LIVE.COM)>  
**Sent:** Monday, September 27, 2021 6:36 PM  
**To:** Anna M. Vickers <[Anna.M.Vickers@imegcorp.com](mailto:Anna.M.Vickers@imegcorp.com)>  
**Subject:**

**CAUTION:** Email originated outside of the organization.

Re: zone change , The Timbers

I appreciate the opportunity to express my concern with the proposed zoning of Phase 1 of the above proposal. This area with lots sold would be fine with the exception, to me, are way too small for what one can build on it. We purchased our home on HillTop Road with 12000 sf and that is the smallest in this neighborhood. This zone q would change the complexion of this entire area. Too I am aware of other landowners that would like to zone their properties with this small area allowed.

Thank you for accepting these thoughts concerning the zone change.

Gordon Forster , 1532 FootHill Dr.

## Anna M. Vickers

---

**From:** Anna M. Vickers  
**Sent:** Thursday, October 7, 2021 3:34 PM  
**To:** morscheckbonnes@gmail.com  
**Cc:** Kolten L. Knatterud  
**Subject:** Alkali Creek Zoning

Hi Bonne,

Thank you for reaching out regarding the zoning information. I'm sorry you were not available for the two meetings we held. The zoning explanations are listed out below.

- Zone NX1 (Aqua): Mixed Residential 1 – single-family, two-family, and small scale three to four unit homes. The Multi-family homes are intended to match the scale of the neighborhood single-family homes with similar characteristics such as building width, parking, and garage locations.
- Zone N3 (Magenta): Suburban Neighborhood Residential – single-family homes of the largest lot size allowed in City of Billings zoning with one primary dwelling. This includes wide lots and attached garages.
- Zone NMU (Lime): Neighborhood Mixed-Use - located primarily along neighborhood corridor this area is designed to be highly walkable and accessible to pedestrians, ground story use focuses on daily needs for the adjacent neighborhood residents such as personal services, small restaurants, or corner store.

Other important notes from the meeting were as follows.

- Your house will not be required to annex into the City of Billings just because this subdivision will be in the City of Billings.
- Traffic studies have been performed and will be made available to the public when the City of Billings reviews the subdivision and releases information.
- The yellow area is a park with a walking path. All roads within our subdivision will have walking paths. Connecting to existing City paths outside of the property will be the City's responsibility if they chose to do so.

Cordially,  
**Anna M. Vickers**  
Land Use Planner



**IMEG Corp.**  
1817 South Ave West | Suite A | Missoula, MT 59801

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**City Council Regular**

**Date:** 01/24/2022  
**Title:** Joint Public Hearing and Resolution- Annexation 21-15  
**Presented by:** Monica Plecker  
**Department:** Planning & Community Services  
**Presentation:** Yes

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**RECOMMENDATION**

Staff recommends the City Council hold a public hearing. In this case, a joint public hearing that considers both the annexation and the associated Planned Neighborhood Development (PND) zone change. Upon completion of the hearing, staff recommends the City annex the petitioned property with the staff recommended conditions of approval.

NOTE: Though a joint hearing is being held, individual action will need to be taken on each item.

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

Dorn Real Estate Development submitted a petition to annex land on behalf of Dorn/Lowe LLC and Robert and Bonnie Bell Family Trust using the provisions of Section 7-2-4600, MCA. The property is located south of Central Avenue and West of Shiloh Road. The property is described as Parcel 1 and 2 of Certificate of Survey 2828. The land is legally described as Tracts of Land situated in the NE 1/4 of Section 10, T.1S., R.25E, P.M.M., Yellowstone County, Montana, more particularly described as: Being Tracts 1 and 2 of Certificate of Survey No. 2828, recorded December 20, 1994, under Document No. 1767966; Also including that portion of the Shiloh Drain / Banister Drain adjacent to the south line of said Tracts 1 and 2. Said annexation containing 27.810 gross and net acres. The property is zoned Agricultural Open Space, a zone not recognized by the City of Billings. Therefore, an associated zone change application is being submitted for the use of a Planned Neighborhood Development. The property owner intends to construct twin homes and multi-family housing on the property.

It is the City's custom to have staff prepare a brief analysis of predicted impacts to services and facilities. Staff finds the proposed annexation complies with the adopted Annexation Policy criteria as follows:

1. The area is located within the City's Annexation Petition Area on its Limits of Annexation Map.
2. The City is able to provide adequate city services within a time period mutually agreed to by the property owners requesting annexation and the city.
3. Existing or proposed public improvements within the area to be annexed will meet City standards.
4. All property owners within the area to be annexed must sign a Waiver of Right to Protest future Special Improvement Districts
5. If annexed, any proposed land use will comply with the zoning.

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

- **Water and Sanitary Sewer:** Public water and sanitary sewer service is available to this site. Developer Tracts will be served by extending the existing 24-inch sanitary sewer main within a 30-foot-wide public easement or public right-of-way along the entire south boundary of Tracts 1 and 2 of Certificate of Survey 2828 and along the entire south boundary of Tract 1 of Certificate of 3358. The Developer Tracts will be served by existing water mains located in Bell Avenue and Monad Road.
- **Storm water:** The developer will manage storm drainage within the Developer Tracts in accordance with the City of Billings Stormwater Management Manual (2018). The Developer shall dedicate to the public the area along Developer Tracts fronting Monad Road for the existing Monad Drain/Shiloh Drain.
- **Transportation:** The subject property is accessed by way of Bell Avenue and Monad Road.
- **Fire Stations:** The subject property is currently served by the Billings Fire Department through the Billings Urban Fire Service Area and the Billings Fire Department will continue to serve the property upon annexation. The Billings Fire Department stated that as this and other annexations are built out, additional fire department resources will be needed. This property will be served by Fire Station 7 located near Grand Avenue and 54th Street West. The subject property is approximately 5 minutes away from Fire Station 7 or 2.78 miles.
- **Parks:** Parkland will be handled with a future subdivision. If parkland is public a maintenance RSID will be required. Private parkland may be maintained in other ways.
- **School facilities:** Residential growth does place additional needs on the school system, though new housing does not always mean new residents. Some residents may be new, but some may also move within the school

district.

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

- **Transit:** Property is not directly served by a transit route; closest routes are: 7-Broadwater within .25 miles to the east, traveling north and south on Shiloh Rd, most likely access via Monad Rd and Shiloh and 13-Westend approximately .5 miles to the east traveling southbound through the intersection of Monad Rd and 38th St W. This route is also within .5 miles to the south, traveling East on King Ave W with most likely access to route occurring at King Ave W and Saint Mary's Way. Due to the growth in the area and the high proliferation of higher density housing, MET would anticipate service in the area to continue in the foreseeable future.
- **Police:** There is sufficient ingress/egress to this property and close to properties already in the city. There would be no need to modify beat structure. Despite passage of a recent safety levy, continued development and annexation will affect our ability to deliver service.
- **Public Utilities:** The Public Works-- Distribution and Collection Division had no concerns with the annexation request.
- **Public Works -Street and Traffic Division:** The Street and Traffic Division stated that it has no concerns with serving the property.
- **Public Works-Solid Waste:** The Solid Waste Division had no concerns with annexing the property.
- **Ambulance Service:** The City does not provide ambulance service, however it does dictate the level of service provided by American Medical Response (AMR). By City ordinance, 90% of ambulance calls must be answered within 8 minutes. This property may be within the area of acceptable response time.
- **Legal and Finance:** General Fund services, such as the Legal and Finance Departments should not be negatively impacted by this annexation.

Other Departments: City/County services including Library, Planning, and Environmental Health are only slightly affected by the annexation since they will continue to serve the property whether it is in the City or the County. The Planning Division staff supports the annexation because staff find the annexation policy criteria have been met.

## STAKEHOLDERS

Annexation by petition does not require notification of adjoining landowners; however, it does require that the City Council conduct a public hearing, advertise the hearing, and post the property with information on the annexation petition and public hearing. Notice of the public hearing was posted on the property on January 7, 2021. The hearing was legally advertised in the *Yellowstone County News*.

## ALTERNATIVES

The City Council may approve or deny the petition for annexation. Denial of the petition will mean the City Council cannot consider any other associated items with this annexation.

- On December 6, 2021, the annexation petition was submitted to the Planning Division by the owner's agent.
- On January 24, 2022, the City Council is scheduled to take action on the petition, Zone Change and Development Agreement.

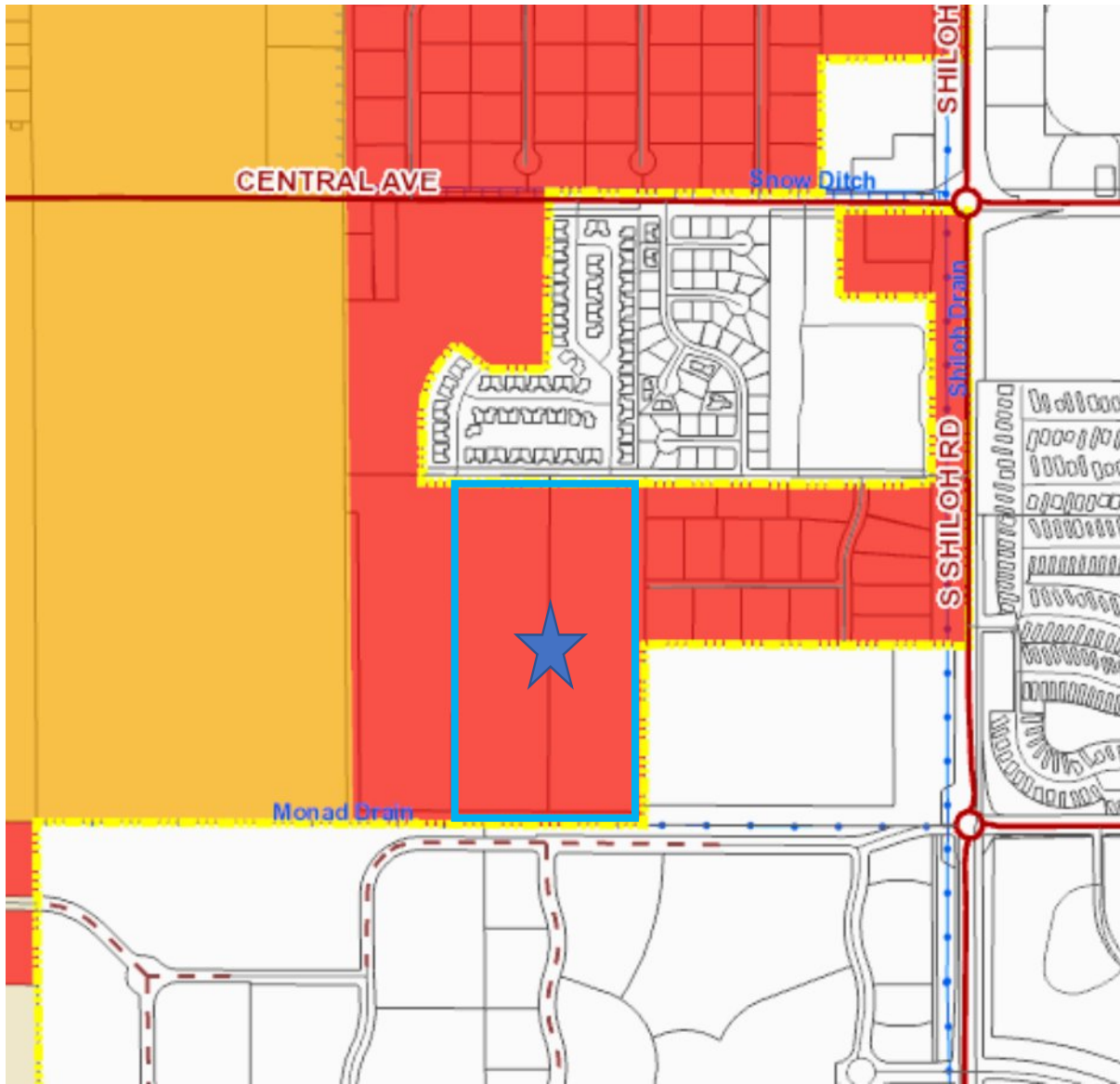
## FISCAL EFFECTS

This application has no impact on the Planning Division Budget.

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## Attachments

Limits of Annexation Map  
Annexation Resolution



Limits of Annexation Map

## RESOLUTION NO. 22 -

### A RESOLUTION APPROVING PETITION FOR ANNEXATION AND ANNEXING TERRITORY TO THE CITY.

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

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

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

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

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

Tracts of Land situated in the NE 1/4 of Section 10, T.1S., R.25E, P.M.M., Yellowstone County, Montana, more particularly described as:

Being Tracts 1 and 2 of Certificate of Survey No. 2828, recorded December 20, 1994, under Document No. 1767966;

Also including that portion of the Shiloh Drain / Banister Drain adjacent to the south line of said Tracts 1 and 2.

Said annexation containing 27.810 gross and net acres.

(# 21-15) See Exhibit "A" Attached

2. CONDITIONS. The annexation is approved, subject to the following conditions:

- Within 45 working days and prior to site development, a mutually acceptable Development Agreement shall be executed between the owner(s) and the City that shall stipulate specific infrastructure improvements and right-of-way dedication, provide guarantees for said improvements, and include a Waiver of Right to Protest the Creation of Special Improvement Districts which will be recorded with the Yellowstone County Clerk and Recorder.

If the above conditions are not satisfied as set forth herein, the annexation will not be effective and any subsequent requests for annexation of the property legally described within this resolution shall be processed as a new petition for annexation.

4. EFFECTIVE DATE. This resolution to annex the above-described territory shall be effective immediately upon satisfaction of all conditions. If the above condition(s) are not satisfied, this resolution shall be null and void and shall have no effect.
5. PROCEDURE. All procedures as required under M.C.A., Title 7, Chapter 2, Part 46, have been duly and properly followed and taken.

ADOPTED AND APPROVED by the City Council of the City of Billings, Montana, on the 24th day of January, 2022.

CITY OF BILLINGS:

BY: \_\_\_\_\_

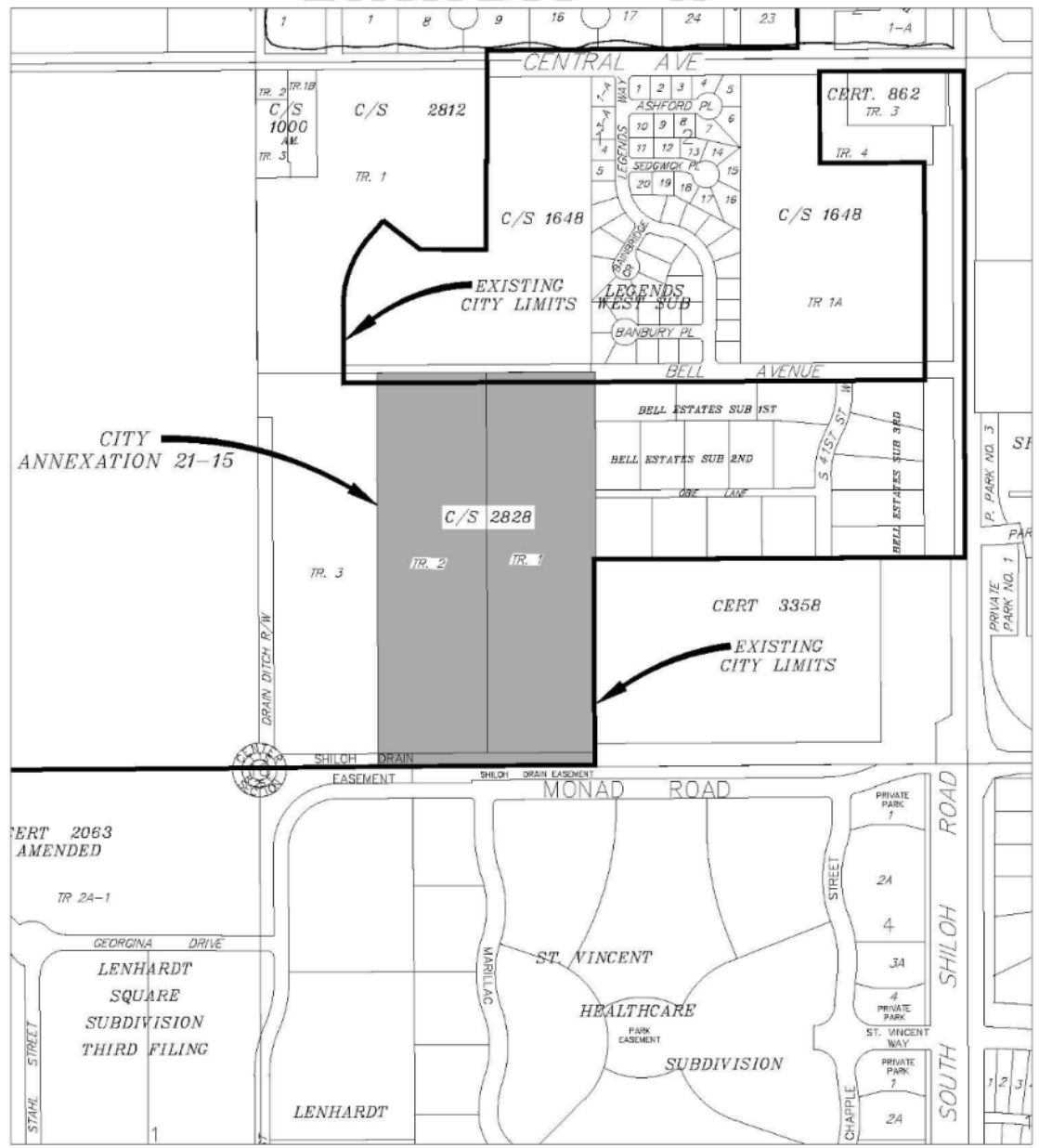
William A. Cole, Mayor

ATTEST:

BY: \_\_\_\_\_

Denise R. Bohlman, City Clerk  
(# 21-15)

# EXHIBIT "A"



**City Council Regular**

**Date:** 01/24/2022  
**Title:** Zone Change 1004 - Bell Avenue - Mixed Residential PND - from A to N2, NX1, NX3 and Public 1  
**Presented by:** Nicole Cromwell  
**Department:** Planning & Community Services  
**Presentation:** Yes

**RECOMMENDATION**

The City Zoning Commission has no recommendation to the City Council based on a 2-2 vote on a motion to recommend approval of Zone Change 1004. Planning staff made a recommendation to approve the zone change and provided draft findings of the ten review criteria to the Zoning Commission. Those proposed findings are included with this report as well as a summary of the Zoning Commission public hearing discussion on the proposed zone change.

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

This is a zone change request using the Planned Neighborhood Development (PND) zone change process for a proposed annexation of a 27.81 acre parcel located south of Bell Avenue and north of Monad Road and the Bannister Drain generally located west of Shiloh Road. The proposed Mixed Residential PND will include 19.46 acres of Mixed Residential 3 (NX3), 2.055 acres of Mid-Century Neighborhood (N2), 1.632 acres of Mixed Residential 1 (NX1) and about .691 acres of open space (P1). The PND is a new zoning tool to help guide the coordination of annexation, subdivisions, and master planning for new city neighborhoods. The previous zoning code allowed urban-type zoning districts in both the city and the county. In many cases, developers were "pre-zoning" parcels in the county prior to annexation. The new PND process is allowing developers to process all the zoning with the City Council, phase the annexation of the property (if necessary), and coordinate both of these processes with subdivision or master site plan review. The new tool applies a level of certainty to all stakeholders, including the surrounding property owners.

This zone change is for a Mixed Residential PND and includes two types of mixed residential zoning (NX3 and NX1), an N2 zoned area adjacent to the County residences on Obie Lane along with the minimum required Public 1 zoning of at least 2% of the net area.

**APPLICATION DATA**

**OWNER:** Dorn Lowe, LLC (Rick Dorn) and Robert & Bonnie Bell  
**AGENT:** Sanderson Stewart, Rick Leuthold, P.E.  
**LEGAL DESCRIPTION:** Tracts 1 & 2 of C/S 2828 and the adjacent Bannister Drain right of way  
**CURRENT ZONING:** Agriculture (A)  
**EXISTING LAND USE:** Agriculture  
**PROPOSED USE:** Mixed Residential development with 1-2 family dwellings as well as multi-family residences  
**SIZE OF PARCEL:** 27.8117 acres (gross) and 23.838 acres (net)

**CONCURRENT APPLICATIONS:**

Petition for Annexation 21-15

**SURROUNDING ZONING AND LAND USE:**

**NORTH:** Zoning: N2 - Mid-Century Neighborhood  
 Land Use: Two-family dwellings

**SOUTH:** Zoning: Lenhardt Square Planned Development and St Vincent's Healthcare Planned Development  
 Land Use: Rocky Vista University (medical college under construction in St Vincent's Healthcare) and multi-family apartments (Lenhardt Square)

**EAST:** Zoning: RR1 - Rural Residential 1 and P2 - Public 2

Land Use: Low density single family dwellings on lots of at least 1 acre (Obie Lane) and Emmanuel Baptist Church

**WEST:** Zoning: Agriculture (A)

Land Use: Agricultural

This area of Billings has experienced a great deal of growth and development in the past decade. This includes three Planned Development zones, customized zoning for specific parcels, that include mixed uses, residential development and medical facilities. Housing demand has reached a high level while supply of all types of housing choices has not kept up with the demand. At least two decades ago, local planning and growth policy documents

indicated a need for independent living units for aging residents who want to "downsize" from a maintenance heavy single family dwelling on a large lot to unit ownership or townhomes as well as rental apartments. The 2010 Census indicated Billings, like many other urban areas, saw a reduction in average household size to 2.3 persons. Smaller households, aging residents and the higher costs of all housing has driven the demand for apartments, townhomes, and smaller multi-family products. Developers have made robust investments in multi-family dwelling choices in Lenhardt Square already including the InterUrban and Interpointe Apartments, and the KWO Apartments. A new multi-family project is underway for the northern piece of Lenhardt Square. Several other multi-family developments have come on-line in the last 15 years around King Avenue West and Shiloh Road including Long Beach Apartments, Affinity at Billings (age restricted), and Hoop Dreams Apartments and condominiums. Apartments, townhomes and unit ownership housing choices are still in high demand in Billings especially in areas close to shopping, schools and recreational opportunities. The Ridgeline Subdivision and zoning was approved early this year and will include areas for mixed residential and two-family townhomes as well as a small commercial node at King Ave West and 48th St West.

There are challenges to an area of urban development that is on the edge of the city limits. These challenges include ensuring the adjacent county property owners and uses are protected as much as possible from conflicts with the new urban neighborhood residents and uses. This is not meant to ensure similarity or homogenous development patterns between the city and county, but the development plan includes buffering, connectivity where and when needed, and recognition of similar goals for both types of property. The findings proposed by the Planning staff state the 2016 Billings Growth Policy and the 2001 West Billings Neighborhood Plan goals and policies supported the proposed Mixed Residential PND zoning for different housing types. The West Billings Neighborhood Plan goals and objectives stated the need to locate compatible uses and offer a range of housing choices and development densities. The 2016 Billings Growth Policy supports a broad range of housing choices, encourages more walkable neighborhoods with connectivity to other transportation options, and building the community fabric through urban designed public spaces. Planning staff believes the proposed zone change supports these goals and prepared findings for the Zoning Commission.

## **STAKEHOLDERS**

The applicant conducted a pre-application neighborhood meeting on November 23, 2021 at the offices of Sanderson Stewart at 1300 N Transtech Way. Thirty-three persons attended the meeting including the applicants, Rick Dorn, Scott & Bonnie Bell. The required notification area for all new PND zone changes is 1/4-mile from the property boundary. In this case, over 180 individual property owners and interested parties were notified of the pending zoning application. The summary of the meeting is included in the attachments. In general, the questions from the surrounding owners included interest in impacts from the new traffic on public and private streets. Nearby property owners expressed concern about the existing intersection of Bell Avenue with Shiloh Road especially where the bike path crosses Bell Avenue right before the right-turn only curb cut on to Shiloh Road. Traffic conditions and impacts from the development will be required to be addressed via the annexation or subdivision agreement with the City. If there is no subdivision, then a formal development agreement will cover similar issues such as traffic impacts and mitigation, construction of infrastructure and any waivers for future improvements that benefit the development.

Planning staff received five letters of comment and opposition on the proposed zone change before the Zoning Commission hearing. In addition, the applicant provided a letter of initial findings of a traffic impact study based on a concept development plan that included up to 434 dwelling units on the property. City staff and departments had no negative comments on the proposed annexation and zoning plan. These documents are attached to this report.

The Zoning Commission conducted a public hearing on January 4, 2022 and received the Planning staff report and recommendation, testimony from the applicant's agent, Rick Leuthold of Sanderson Stewart, and from several surrounding property owners including Ed Hofmann of 4246 Central Avenue (county resident), Judi and Lincoln Powers of 4185 Obie Lane (county residents), Dave Nordel of 3 Twin Pines Loop (city resident), Toby Erickson of 4142 Banbury Place (city resident), Mike Henthorn of 4160 Bell Ave (county resident), Roger Fuhrman of Casper Wyoming who owns a home at 191 Legends Way, and Vicki Dunaway of 112 Legends Way (city resident). Comments from surrounding property owners expressed concern with non-owner occupied dwellings (apartments & townhomes), disposal of contaminated stormwater, the park/walking path connection to Obie Lane, the lack of certainty from the developer on the number of dwellings or apartments, the potential impact to local residential streets and private streets in Twin Pines, the developer's responsibility (or not) for improving Bell Avenue due to traffic impacts, the under-construction of the Bell Avenue and Shiloh Road right-in/right-out intersection, the incompatibility of apartments with owner-occupied single family and townhome dwellings, the unsafe pedestrian environment that already exists on Bell Avenue, and sparsity of play space and parks north of Monad Rd.

Mr. Leuthold provided comment and answers to some of the questions and concerns from the Zoning Commission and the public testimony. Mr. Leuthold stated the zoning assembly meets the requirement of the PND regulations for 2% of the net area for open space. These are shown on the proposed zoning map as linear spaces to establish public walk trails through and adjacent to the development. This is a zoning requirement. He stated the development will be

done without a subdivision, so no other or additional parkland is required by law. He stated there will be outdoor spaces within the apartment complex for activities such as a swimming pool, barbecue area, and a small fenced area for a dog park. These spaces will not be zoned public because they will generally not be open to the public. He stated the linear park that runs from the dead end of Obie Lane to the west was intended to create a connection to benefit the current county residents in Bell Estates. He stated normally the planning regulations would require a vehicle connection to Obie Lane, but in respect to the county subdivision residents, only a pedestrian connection was proposed. He stated it is possible to remove the connection, but this would isolate the County neighborhood from all the surrounding properties, except for the one vehicle access from S 41st St W to Bell Avenue.

Mr. Leuthold stated all of the storm water will be eventually discharged to the Bannister Drain. This drain is owned by the city and is intended now to receive stormwater from surrounding city developments. He stated the city has strict regulations on the amount and quality of storm water that may be discharged to the drain. This includes ensuring the storm water discharged will not be harmful to the drain or to the Yellowstone River.

Mr. Leuthold stated the demographic of the real estate market has changed in the past five years and there is much more demand for rental dwellings than ever before. He stated these residents are no different from the nearby residents who own their dwellings. Many in the current market are older residents who do not want the burden and inflexibility of owning a home. He stated these are people who want or need the flexibility to move whenever or wherever they want to go. He stated these apartments and townhomes will be market rate - probably on the higher end of the market. He stated the preliminary traffic study indicates there will likely be required improvements to Bell Avenue and those will be done as required by the City Engineer as a result of the full traffic study recommendations. Mr. Leuthold stated a full traffic study is always required prior to final City Engineering approval for a development of this size and scope. He stated it is not usually done while the owner is still in the development entitlement phase such as an annexation and zone change. He stated the owner has not proceeded without consideration for the residents of Bell Avenue. He stated the section of Bell Avenue that fronts on the County residential lots (1,200 feet from 4180 Bell Avenue east to the multi-use trail crossing at Shiloh Rd) would not be subject to improvements by this developer. The County residents that front this section of right of way could petition to have improvements done, but those would be the financial responsibility of those owners. He stated the developer would build out all required Bell Avenue improvements that front this property, as well as the public and private right of ways proposed for the development. He stated private roads are required to be built to the same standard as a public road except for sidewalks and curbing. He stated again, any required mitigation from a final traffic impact study would also be done at the direction of the City Engineer. He stated he understands current residents believe that Bell Avenue is not wide enough, however he measured the existing pavement and according to city street requirements, the pavement and driving surface is wide enough for parking on the north side of Bell Avenue and two full driving lanes (one east/one west). He stated this is the requirement of the City's fire department for access and if the road did not meet this requirement, the previous developments of Morning Star, Legends West and Twin Pines would have been required to build Bell Avenue wider. He stated there is a difference of the most "direct" route north to Central Avenue and the most "convenient" route to Central Avenue. He stated the preliminary traffic information estimates up to 8% of the new traffic would venture through the existing Legends West neighborhood to access points north and west on Central Avenue. He stated this was based on a "convenience" estimate although both Legends Way and the private street in Twin Pines that connect to Central Avenue are curvilinear and do not appear to provide the most direct route. He stated most of the new traffic will be traveling out and to the east, either on Bell Avenue or south to Monad Road. He stated there will be fewer trips using Bell Avenue due to the limited access (south only on Shiloh). He stated he is willing and available to discuss any of the traffic impact concerns with the adjacent residents and the HOA of Twin Pines. He stated the roads in Twin Pines are private and could have restrictions based on approvals from City Engineering and public safety officials.

Zoning Commission member Greg McCall stated he understood the comments of the surrounding owners. He stated he has been in their shoes before. He stated living on the fringe of the city limits can be unpredictable and change can be hard. He stated that property owners have strong and protected property rights, especially when those owners proposed a zoning that appears to be in line with the city's regulations and policies. He stated the goal is not to make everyone happy, but to ensure the potential negatives are minimized including how traffic is handled, and how storm water is treated.

Commission member Trina White made a motion to recommend approval of Zone Change 1004 and the adoption of the proposed findings of the ten review criteria. The motion was seconded by Greg McCall.

Zoning Commission member David Goss stated he is the newest member of the commission but has been in real estate for over 40 years, including 25 years as a Planning Commission member in several western communities. He stated zoning is not just for the developers, it should also protect the existing owners. Zoning shows how a property should develop and provides predictability all around. He stated he was concerned the NX3 zoning all the way to the west edge of the property will set the pattern for the next property to the west. This may not be the proper zone for this new street frontage of Big Pine Ct that will connect to Monad Rd. He stated zoning does not follow the developer

so the intentions of this developer should not be considered by the Zoning Commission. He stated the commission should look to what is permissible under the proposed zoning, not just what this owner says they will do. He stated he was also concerned a full traffic study was not completed. Mr. Goss was concerned what would happen if the study showed insurmountable traffic impacts from the final study. He stated the impacts should be more fully understood before he could vote in favor. He stated both the residents and the applicant have valid points for support and opposition of the proposal. He stated the goal of providing higher density and housing choices is a good direction. He stated he would like to ensure this zoning is compatible and will fit in with the existing neighborhoods.

Zoning commission member Trina White stated as a real estate agent she can attest to the demand for rental housing. She stated she gets dozens of calls each week from clients or people in search of decent and safe rental units. She stated the biggest demand she sees is for the twin homes or town home units.

Commission member Greg McCall stated he appreciates the effort of this applicant to incorporate more housing choices. He stated to continue with the homogenous pattern of large lot single family or two-unit townhomes is not how we build resilient and financially sustainable communities. Homogenous sprawling subdivisions do not pay their way in taxes or fees.

Commission Chair Mike Larson stated this is one of those applications that checks all the boxes for level of difficulty for the decision makers. He stated there have been similar PNDs recommended for approval by the commission and eventually approved by the City Council. This one is different since it has existing neighborhoods on three sides so compatibility and good design is essential.

The Zoning Commission voted 2 in favor and 2 opposed to the motion to recommend approval to the City Council. Commission member Dan Brooks was absent from the meeting. A tie vote on a motion results in no recommendation to the City Council on this application.

## **ALTERNATIVES**

The City Council may:

- Approve and adopt the findings of the ten review criteria for Zone Change 1004 as originally recommended by the Planning staff; or,
- Deny and adopt different findings of the ten review criteria for Zone Change 1004; or,
- Delay action on the zone change request for up to 30 days; or,
- Allow the applicant to withdraw the zone change request.

## **FISCAL EFFECTS**

Approval or denial of the proposed zone change will not have an effect on the Planning Division budget.

## **SUMMARY**

Before making a decision on the requested zone change, the City Council shall consider Planning staff proposed findings of the ten review criteria, and if necessary amend one or more of these findings to support the final decision (approve or deny):

1) Is the new zoning designed in accordance with the Growth Policy?

The proposed zone change is consistent with the following guidelines of the 2016 Growth Policy and the West Billings Neighborhood Plan (2001):

The West Billings Neighborhood Plan goals and objectives stated the need to locate compatible uses and offer a range of housing choices and development densities. The West Billings Plan adopted a number of Goals, Policies, and Implementation Strategies. The proposed Mixed Residential PND for the Dorn/Bell property is consistent with the following adopted Policies of Planned Growth Goal 1: Establish Development Patterns that Use Land More Efficiently Policy R "Encourage innovative land-use planning techniques to be used in building higher density and mixed-use developments as well as infill developments."

The proposed zoning is compatible with goals of the West Billings Neighborhood Plan. The proposed zone change and street layout will accommodate uses that are compatible in a mixed-use environment. The proposed development will also have good access to outdoor activities and is in proximity to commercial centers and transportation options.

The proposed amendment is also in line with the adopted 2016 Growth Policy goals for:

**Strong Neighborhoods:**

- Zoning regulations that allow a mixture of housing types provide housing options for all age groups and income levels
- Walkable neighborhoods that permit convenient destinations such as neighborhood services, open space, parks, schools and public gathering spaces foster health, goodwill 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
- Neighborhoods that are safe and attractive and provide essential services are much desired Implementation of the Infill Policy is important to encourage development of underutilized properties

#### Home Base:

- A mix of housing types that meet the needs of a diverse population is important
- The Housing Needs Assessment is an important tool to ensure Billings recognizes and meets the demands of future development Common to all types of housing choices is the desire to live in surroundings that are affordable, healthy and safe
- Planning and construction of interconnected sidewalks and trails are important to the economy and livability of Billings Public safety and emergency service response are critical to the well-being of Billings' residents
- Homes that are safe and sound support a healthy community

The proposed layout for the Dorn/Bell property will allow the higher density housing to be located internal to the property and the dwellings adjacent to the County development to the east will be more similar. The dwellings on the Bell Avenue frontage will be similar to the two-unit dwellings in the Twin Pines development to the north. The layout of the linear parkland will provide pedestrian access from the dead end of Obie Lane to connect through to Monad Rd and the trail systems to the south. Another small linear park is also proposed for the north side of the Bannister Drain that borders the property on the south.

2) Is the new zoning designed to secure from fire and other dangers?

The zoning requires minimum setbacks, open and landscaped areas and building separations. The zoning assembly and street layout is designed to secure the development from fire and other dangers.

3) Whether the new zoning will promote public health, public safety and general welfare?

Public health and public safety will be promoted by the proposed change. Approval of the overall zoning plan and street layout will provide certainty both for the property owner and the surrounding owners. Annexation and provision of public health and safety services from the city will promote the general welfare of the area.

4) Will the new zoning facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirement?

**Transportation:** The applicant has started the process of developing a traffic impact study and will coordinate with the City Engineering Division. Concerns were heard at the pre-application meeting about the Bell Avenue intersection with Shiloh Road. This intersection is narrow and just south of the major round-about intersection of Central Avenue and Shiloh Road. In addition, the multi-use path on the west side of Shiloh crosses Bell Avenue on the west side of the Shiloh Drain. Drivers may only turn south on Shiloh Road. Drivers headed south on Shiloh Road may turn right into Bell Avenue. The total width of the Bell Avenue pavement is only 30 feet - about 4 feet less than a standard city local residential street section. The traffic study will analyze each of the adjacent street intersections and determine if mitigation or improvements are needed to accommodate the additional traffic. The City Engineering will determine the required improvements.

**Water and Sewer:** The City will provide water and sewer to the property. There will be no additional impacts to the system from the proposed changes.

**Schools and Parks:** Schools and parks may be effected by the proposed zone change and development of a new city neighborhood. SD #2 did not provide any comments.

**Fire and Police:** The subject property is served by city public safety services. The Police and Fire Departments had no concerns with the zone change.

5) Will the new zoning provide adequate light and air?

The proposed zoning provides for sufficient setbacks to allow for adequate separation between structures and adequate light and air.

6) Will the new zoning effect motorized and non-motorized transportation?

Non-motorized travel -- walking and biking -- is an essential part of the circulation plan both within the proposed development and connecting to adjacent areas including the multi-use trail on Shiloh Road, the trail systems under construction and development in Lenhardt Square and St. Vincent's Healthcare development to the south and to the nearby Shiloh Conservation Area Trail system south of King avenue West. Pedestrian connections will be ensured through the development, and the property is close to a fixed route MET bus line. Traffic counts in the area on King

Ave West are well below the expected volume on a principal arterial street. King Avenue West has an average daily traffic volume of 11,390 vehicles per day at this location, less than Rimrock Road at 17th St West. Shiloh Road just south of the Central Avenue intersection is about 16,300 vehicle trips per day. In comparison, 24th St West at Central Avenue handles almost 30,000 vehicle trips per day. Most local streets average about 2,500 vehicles per day. As development increases in the area, these three arterial streets will need to build in additional controls, management facilities and safety features. MDT retains jurisdiction over the management of King Avenue West and the city manages Shiloh Road and Central Avenue.

7) Will the new zoning will promote compatible urban growth?

The proposed increase in the overall development density is compatible with urban growth and the provision of city level services to the new residents. The proposed zone district boundaries are consistent with the urban growth in this area and will be compatible with the surrounding neighborhoods.

8) Does the new zoning consider the character of the district and the peculiar suitability of the property for particular uses?

The proposed zoning does consider the character of the district and the suitability of the property for the proposed use. This area between King Avenue West and Central Avenue is undergoing rapid urban development and growth. Demand for new housing choices including townhomes and apartments is increasing. Providing a wide range of housing choices is suitable for this area.

9) Will the new zoning conserve the value of buildings?

The property is an undeveloped agricultural parcel. Approval of the zone change will provide certainty to surrounding landowners and may help to maintain property values of adjacent buildings.

10) Will the new zoning encourage the most appropriate use of land throughout the City of Billings?

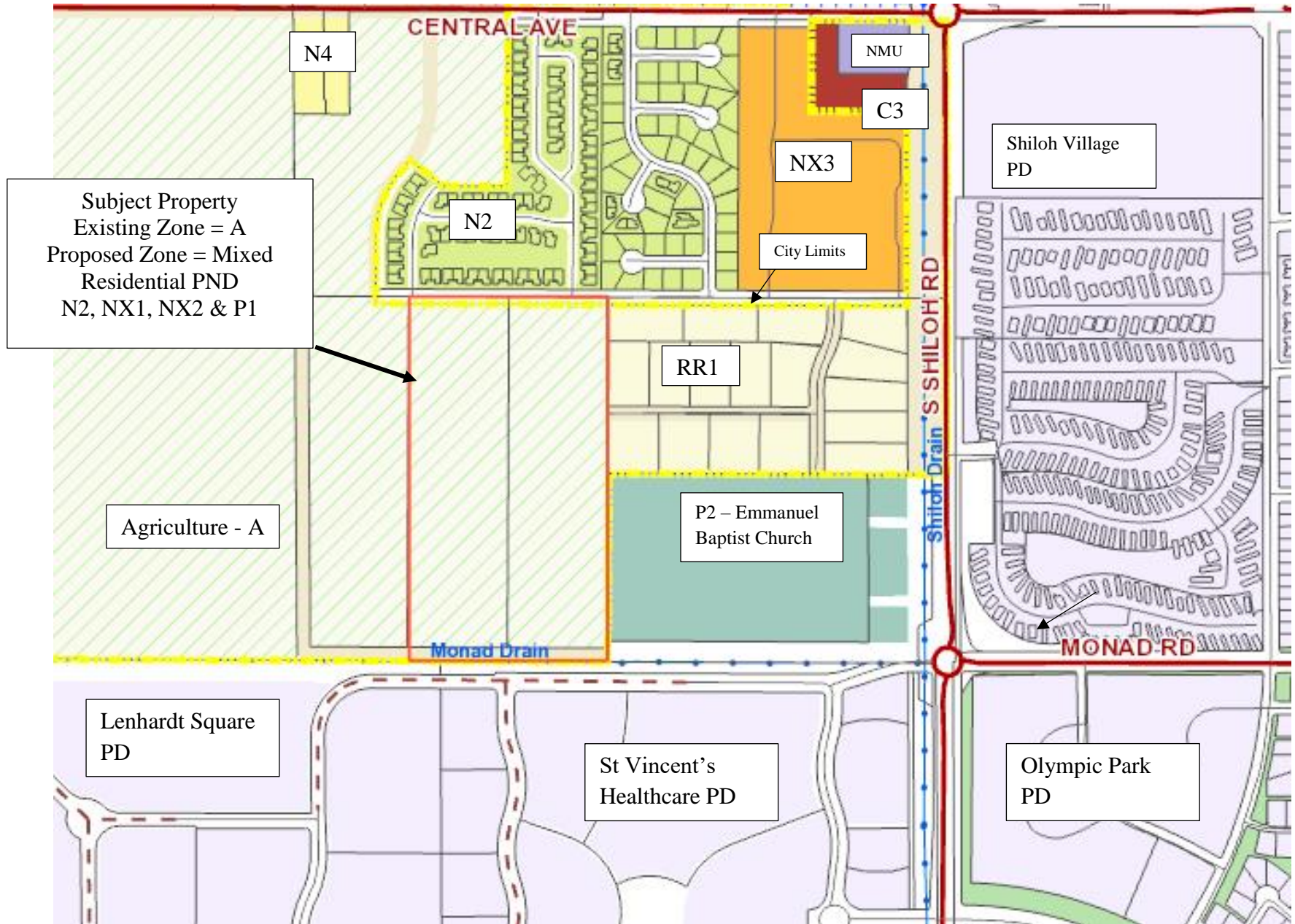
The proposed Mixed Residential PND with N2, NX1, NX3 and Public 1 zoning will encourage the most appropriate use of this land in Billings.

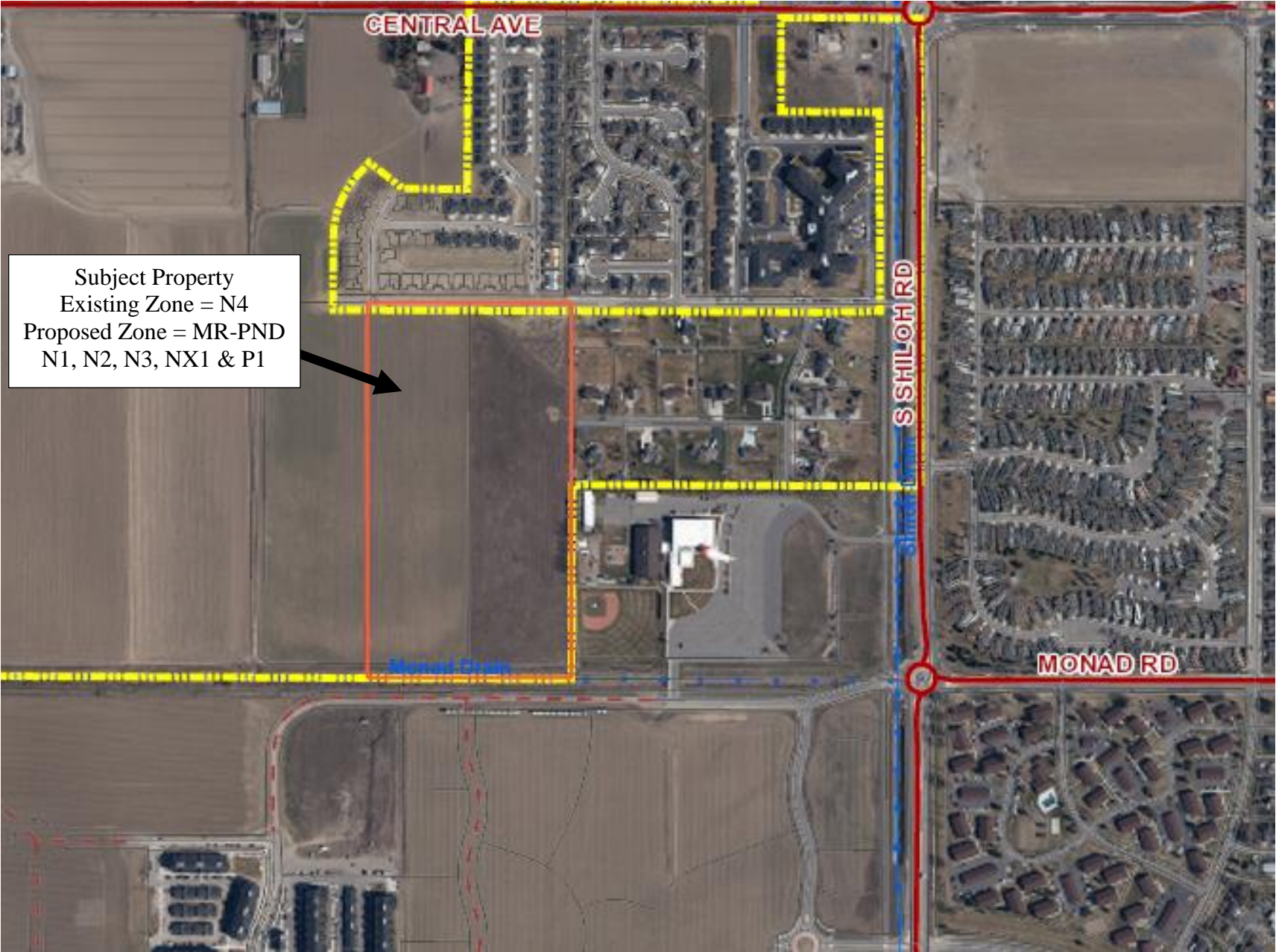
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### Attachments

Zoning Map and Site Photos  
Pre application meeting notes  
Applicant Letter  
Chart of Zoning History  
Zoning Plan  
Public Comment  
Preliminary Traffic Study  
Zoning Ordinance

City Zone Change 1004 – Dorn Bell – Mixed Residential-PND  
Zoning Map and Site Photos





Subject Property  
Existing Zone = N4  
Proposed Zone = MR-PND  
N1, N2, N3, NX1 & P1





Sign posted at Bell Avenue and Shiloh Rd intersection – view west



View south on Shiloh Road at Bell Ave intersection



View north on Shiloh Road at Bell Ave intersection



View east across Shiloh Road at Bell Ave intersection



Subject Property from intersection of Bell Ave and Twin Pines (private road) – view south



View south across subject property



View south across Bell Ave at subject property at Big Pine Ct (private road)



View north across Bell Ave at Twin Pines intersection



View north west across Bell Ave and Twin Pines



View east on Bell Ave at NW corner of subject property

## Pre-Application Statement of Owner(s) or Agent(s)

The owner(s), contract purchasers (if any) and agents (if any) are required to submit this completed form and any attachments along with a completed zone change application packet, including any required fees, for a zone change to be processed by the Planning Division.

1. **Present Zoning:** Agriculture \_\_\_\_\_
2. **Written description of the Zone Change Plan** including existing and proposed new zoning:

Existing use of Agriculture to be changed to Residential use N2, NX1, NX3 AND P1  
\_\_\_\_\_

3. **Subject Property Map:** please attach to this form

4. **Legal Description of Property:**

S10, T01 S, R25 E, C.O.S. 2828, TRACT 1

S10, T01 S, R25 E, C.O.S. 2828, TRACT 2

Drain ROW (legal description attached)

5. **Neighborhood Task Force Area:** Yes /// No . If Yes, Name of Task Force and mailing address of Chairperson:

Yes. West End Task Force. Chairperson: Howard Holz: billingswetf@gmail.com  
\_\_\_\_\_

6. **Roster of persons who attended the pre-application neighborhood meeting:** please attach to this form

7. **A copy of the meeting notice.** please attach to this form

8. **A brief synopsis of the meeting results including any written minutes or audio recording.** please attach to this form

9. **The undersigned affirm the following:**

1) The pre-application neighborhood meeting was held on the 23, day of Nov, 2021, 20\_\_.

2) The zone change application is based on materials presented at the meeting.

**Owner (s):** Robert D & Bonnie E Bell FAMILY TRUST Telephone: (406) 860-4746

Address: 2128 Wyndham Park Dr Email: \_\_\_\_\_  
BILLINGS, MT 59102

**Agent (s):** Dorn/ Lowe LLC Telephone: (406) 652-8232

Address: PO BOX 81524 Email: rick@dornrealestate.com  
BILLINGS, MT 59108-1524

PRE-APPLICATION NEIGHBORHOOD MEETING  
ATTENDANCE SIGN-IN SHEET

Date: November 23, 2021

Time: 5:00 PM

Project: Notice of Pre-Application Neighborhood Meeting for Annexation  
and Planned Neighborhood Development (PND) Zone Change  
Certificate of Survey No. 2828, Tracts 1 and 2.

Project No.: 12004.01

Meeting Location: Sanderson Stewart, 1300 North Transtech Way, Billings, MT 59102

| Name and Title:<br>(Please Print) | Address:            | Phone Numbers: |        | Email Address:          |
|-----------------------------------|---------------------|----------------|--------|-------------------------|
|                                   |                     | Office         | Mobile |                         |
| JAN Ross                          | 4129 Sedgwick Pl    | 406 598 1641   |        | Janaross349@gmail.com   |
| Linda Rekdal                      | 8 Twin Pines Ln     | 406 860-7689   |        |                         |
| Nancy Pederson                    | 26 Twin Pines Ln    | 406 860 0150   |        |                         |
| Doug Nordel                       | 3 Twin Pines        | 307 757 6310   |        | dnordel30@gmail.com     |
| Terr Kaufman                      | 110 Big Pine Ct     | 928-242-7966   |        | kaufmanterr@gmail.com   |
| Roger Fuhrman                     | 191 Legends Way     | 307-267-8052   |        | rifuhrman@msu.com       |
| Toby Erickson                     | 4142 Bunbury Pl     | 281-468-1872   |        | TEricksonmail@gmail.com |
| Ardy + Mary Ann Hall              | 4126 Sedgwick Pl    | 307 763 2455   |        | cahall@wave.com.net     |
| Judi Powers                       | 4185 Orieln         | 406 855-5149   |        | Powersjudi@gmail.com    |
| Ron + Denise Johnson              | 34 Twin Pines       | 406 545-3615   |        | ron.johnson@zeme.com    |
| Tyler J. Jensen                   | 215 S. 4th St W     | 855-3093       |        |                         |
| Brandon Reiter                    | 37 Clark Ave        | 697-2088       |        | breiter55@gmail.com     |
| Rick + Kathy Brookshire           | 4222 Limber Pine Ln | 670-5205       |        | L2ly 59106@gmail.com    |
| Mike Henthorn                     | 4160 Bell Ave       | 656-0977       |        |                         |

**PRE-APPLICATION NEIGHBORHOOD MEETING  
ATTENDANCE SIGN-IN SHEET**

Date: November 23, 2021

Time: 5:00 PM

Project: **Notice of Pre-Application Neighborhood Meeting for Annexation  
and Planned Neighborhood Development (PND) Zone Change  
Certificate of Survey No. 2828, Tracts 1 and 2.**

Project No.: 12004.01

Meeting Location: **Sanderson Stewart, 1300 North Transtech Way, Billings, MT 59102**

| Name and Title:<br>(Please Print) | Address:                  | Phone Numbers:        |                                    | Email Address:                 |
|-----------------------------------|---------------------------|-----------------------|------------------------------------|--------------------------------|
|                                   |                           | Office                | Mobile                             |                                |
| <u>Rick Dorn</u>                  | <u>2680 Overland</u>      | <u>652-8232</u>       | <u>861-1002</u>                    | <u>rick@dornrealestate.com</u> |
| <u>Michael VanHoover</u>          | <u>4115 Deer Lane</u>     | <u>(406) 657 5762</u> | <u>502 419 1041</u>                | <u>mvanhoover@gmail.com</u>    |
| <u>Bonnie Bell</u>                | <u>2128 Wyndam</u>        | <u>534-2846</u>       | <u>_____</u>                       | <u>_____</u>                   |
| <u>Scott Bell</u>                 | <u>2203 Louise Ln</u>     | <u>406 534 1551</u>   | <u>406 860-4746</u>                | <u>_____</u>                   |
| <u>Donna Timmerman</u>            | <u>4129 Ashford Pl</u>    | <u>_____</u>          | <u>406-860-4597</u>                | <u>2golflife@gmail.com</u>     |
| <u>Charlie &amp; Marilyn</u>      | <u>48 Twin Pines Ln</u>   | <u>_____</u>          | <u>_____</u>                       | <u>_____</u>                   |
| <u>Dianne &amp; Vern</u>          | <u>121 Big Pine</u>       | <u>_____</u>          | <u>406-860-5031</u>                | <u>_____</u>                   |
| <u>Steph &amp; Cindy Biggs</u>    | <u>14 Twin Pines Loop</u> | <u>_____</u>          | <u>692-7203</u><br><u>606 6664</u> | <u>_____</u>                   |
| <u>Blaine Poppler</u>             | <u>5403 King</u>          | <u>671-0399</u>       | <u>_____</u>                       | <u>blaine@ccmontana.com</u>    |
| <u>Jack Anne Radden</u>           | <u>4992 2000</u>          | <u>_____</u>          | <u>970-290-9340</u>                | <u>jackradden33@gmail.com</u>  |
| <u>Reference</u>                  | <u>4246 Central</u>       | <u>_____</u>          | <u>406 695 4500</u>                | <u>_____</u>                   |
| <u>BRIAN LEITZ</u>                | <u>4420 CENTRAL</u>       | <u>_____</u>          | <u>928 600 0375</u>                | <u>AZHEAVYCHEVY@GMAIL.COM</u>  |

## MEETING MINUTES

|                                                              |                              |                                    |           |
|--------------------------------------------------------------|------------------------------|------------------------------------|-----------|
| <b>PROJECT: Certificate of Survey #2828 Tracts 1 &amp; 2</b> |                              |                                    |           |
| Project No: 12004.01                                         |                              |                                    |           |
| Meeting Location: 1300 N<br>Transtech Way, Billings, MT      |                              | Meeting Date: 11/22/21 - 5:00 P.M. |           |
| Meeting Subject: Neighborhood<br>Meeting                     |                              | Prepared by: John Halverson        |           |
| Attending:                                                   | (See attached sign-in sheet) |                                    |           |
| Sanderson                                                    | Rick Leuthold                | Dorn Real Estate:                  | Rick Dorn |
| Stewart:                                                     | John Halverson               |                                    |           |
|                                                              |                              |                                    |           |
| Date of Issue: 11/30/21                                      |                              |                                    |           |

### Minutes:

- Rick Leuthold opened by stating the purpose of the meeting is to inform the surrounding neighborhood of the process the property owners have begun on COS 2828, Tracts 1 and 2, to petition for annexation and zone change. He also reviewed the existing surrounding land uses, including N2 at Legends West and Twin Pines.
- Rick then explained that under the new Billings "Recode" a PND (Planned Neighborhood Development) would occur at this location.
- Traffic concerns were brought up by attendees.
- Rick Leuthold noted that traffic concerns would be addressed in the Annexation, Zone change, PND process. He stated that information on the zones included in the site (N2, NX2, NX3, P1) is available on the planning department's website. He discussed the character of these zones, NX2 being composed of 3-to-8-unit buildings of residential character, and that NX3 is larger, 9+-unit buildings of multi-family residential scale. He noted that N2 zoning is included in the site at the west end of Bell Estates as a transitional zone. He stated that the north end of the site zoned NX2 would likely contain town homes with parking at their southern end. Rick also called out the areas on the site

map zoned P1 that will serve as pedestrian paths in the NX3 and Bannister Drain areas.

- Rick stated that anticipated residents per housing unit would be 1.6-1.8, and that those same units would produce about 8-10 trips per unit. He noted that Shiloh experiences 18,000 trips per day and committed to finding relative current traffic numbers for the attendees on adjacent roads.
- Rick explained that the site would be accessed via an extension of Big Pine Court.
- A meeting attendee stated that residents had the option to gate off Big Pine Court north of Bell Avenue as it is a private drive.
- Rick stated that the site will have vehicular access via Monad and 44<sup>th</sup> street (under construction), and that Bell Avenue will never function as a collector because of its right-in-right-out only intersection status at Shiloh.
- An attendee stated shared concerns about traffic, and that bicyclists present a danger at the intersection of Bell Ave. and Shiloh along the multi-use path.
- Rick stated that signage could be installed for cyclists at this location, and that most of the site is expected to be accessed via Monad.
- An attendee noted the Legends West neighborhood to the north of the site cannot gate its streets, as they are public rights of way.
- Attendees voiced further concern about poor existing safety conditions at Bell Avenue, noting that drivers often exceed speeds of 60 mph, that the nearby nursing home uses the street as parking for its staff, and that, rather than use the narrow, winding sidewalk, pedestrians often walk in the street.
- Rick Leuthold stated that new development would have five foot wide sidewalks, that the number of units in the development is yet unknown, and that zoning requires parking and green space.
- Attendees stated their perception that apartment buildings would bring higher crime rates and stated a preference that single family housing be developed in the area.
- Rick Leuthold stated that current demographic trends do not support single family development in this area. He noted that many need smaller housing options as they downsize, and that many cannot afford single-family construction now. He referenced more compact development undertaken by McCall Homes and explained a market shift toward smaller living units and more mobility.

- Attendees re-stated their preference for single-family housing and their concern that anything else would de-value their homes.
- Rick reiterated the need for affordable housing and pointed out that apartments have been developed nearby. He also noted that changes in planning practice have come to favor mixed-density development with a diversity of housing types. He agreed that the infrastructure in the area should support the density at the subject site. He also noted that the site included areas to transition from existing single-family neighborhoods to the more-dense NX3 zone. He stated that the NX3 zoned area of the site will include green space.
- Attendees expressed concern as to what effect new development would have on their property values.
- Rick Leuthold stated that current single-family development is producing homes in the \$275,000-\$300,000 value range, which is not considered entry level housing, and that, in Billings, development tends to occur in 20-acre phases. He stated also that more-dense development uses infrastructure more efficiently and provides people economical access to housing.
- Attendees expressed a perception that development to the south of the subject property (Interurban and Farmstead) used too much street parking, and that crime and theft were rampant at that location.
- Rick noted that city regulations determine the amount of parking in each development.
- Attendees reiterated their opposition to affordable housing in their neighborhood, and a concern that low-income people would live in the proposed development.
- Rick Leuthold stated that rent-controlled units would not be included in this development, and that market rate rents would be charged, which would be approximately \$1800 per month and up. He stated also that issues of overcrowding are controlled by city code.
- Attendees stated that the zoning designation of NX3 “scares everyone in this room,” and expressed a desire for a schematic site plan.
- Rick stated that the processes for Annexation, Land Use Designation, Subdivision, and Site Development would all require notifications to go out to the those that received notice for this meeting.

**From:** Janice Munsell <[janicemunsell@bresnan.net](mailto:janicemunsell@bresnan.net)>  
**Sent:** Wednesday, December 1, 2021 11:11 AM  
**To:** John Halverson <[jhalverson@sandersonstewart.com](mailto:jhalverson@sandersonstewart.com)>; Rick Leuthold <[rleuthold@sandersonstewart.com](mailto:rleuthold@sandersonstewart.com)>  
**Subject:** Certificates of Survey #2828 Tracts 1 & 2

We are writing as neighbors of the above proposed development. After attending the neighborhood pre-ap meeting via Teams, we have the following comments.

1. We acknowledge Billings is similar to other localities in the need for more affordable housing. The goal is to provide additional housing while maintaining the neighborhood character. “Section 27-302 District Descriptions: Neighborhood districts are primarily intended to allow a mix of residential uses within appropriately scaled buildings to maintain and promote the desired physical character of neighborhoods within the city.”
2. We agree with other neighbors in attendance that the extension of Twin Pines Lane south of Bell Avenue would likely lead to non-residents of the Twin Pines development using Twin Pines Lane for access off of Central. Therefore, we oppose the extension of Twin Pines Lane for accessing the northern end of the proposed development.
3. We agree with other neighbors in attendance that Bell Avenue essentially allows one free-flowing lane of traffic due to its dimensions, parking patterns, and neighbors walking dogs or walking side-by-side while using walkers. Therefore, we oppose adding additional traffic to Bell Avenue for accessing the northern end of the proposed development.
4. Since the northern portion of the proposed development is bordered by Twin Pines (N2 twin homes) and Bell Estates (N2 single family homes on larger lots), we suggest zoning the northern portion at N2 and oppose jumping to NX2.
5. Since the southern portion of the proposed development would then be bordered by N2 to the north and cornered by Bell Estates (also N2) to the northeast, we suggest zoning the southern portion at NX1 and oppose jumping to NX3.

Randy Spear & Janice Munsell  
4220 Limber Pine Ln  
Billings MT 59106  
406-208-0258  
[janicemunsell@bresnan.net](mailto:janicemunsell@bresnan.net)

## **Certificate of Survey 2828, Tracts 1 & 2, & Drainage Ditch ROW**

Zone Change Request from Agriculture to N2 Mid-Century Neighborhood Residential, NX1 Mixed Residential 1, NX3 Mixed Residential 3 and P1

### **Statement of Proposal**

Robert D Bell and Bonnie E Bell, with Dorn/ Lowe LLC as their agent, are seeking to Annex and Rezone Tracts 1 and 2 of Survey CS 2828 and A 55-foot wide strip of land adjoining the south line Tracts 1 and 2 of Certificate of Survey 2828, located in the Northeast Quarter of Section 10, Township 1 South, Range 25 East, P.M.M., Yellowstone County, Montana in order to develop duplex, fourplex, townhome, and multi-family residential units, which will allow for a transition between the existing Twin Pines Townhomes and Legends West subdivision to the north and existing county residential lots to the east of the subject parcels. This is in accordance with the general development pattern for adjacent development to the south of the subject parcels.

### **Responses to Questions in Zoning Application**

**In what ways is your proposal consistent with the statutory criteria, guidelines and policies of the adopted Growth Policy?**

#### **The Growth Policy states:**

**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 10 Zone Change Criteria**

**1. Whether the new zoning is designed in accordance with the Growth Policy?**

Yes, tracts 1 and 2 of COS 2828, and the drainage ditch ROW are being developed under the consideration of the Growth Policy statement above. It is a project adjacent to parcels where municipal services exist and is compatible with other recent developments in the area to the south and is in accordance with the newly adopted Recode zoning document.

**2. Whether the new zoning is designed to secure from fire and other dangers?**

The subject parcels will be serviced by City fire and police services and will be designed in accordance with City of Billings rules and regulations thus assuring protection from common dangers.

**3. Whether the new zoning will promote public health, public safety and general welfare?**

All development on Tracts 1 and 2 of COS 2828 and the drainage ditch ROW will be designed under the new City Zoning code which will regulate density and land use transitions. All residential uses will be subject to City of Billings building codes, and the utility and surface infrastructure will be constructed in accordance with City of Billings rules and regulations assuring compliance to this criterion.

**4. Whether the new zoning will facilitate the adequate provision of transportation, water sewerage, schools, parks and other public requirements?**

The modifications proposed by this zone change ensure an area that is desirable for developers, the home buyers, renters and the current demographic and development trends they face. The project will be responsible for extending municipal water, sewer and storm drain to service the new development as well as constructing new asphalt roads and sidewalks to service the new residents.

**5. Whether the new zoning will provide adequate light and air?**

Tracts 1 and 2 COS 2828 and the drainage ditch ROW are being developed in accordance with City of Billings rules and regulations and therefore meets this requirement.

**6. Whether the new zoning will affect motorized and nonmotorized transportation?**

The zone change will continue to support and address growth needs and have additional connections to the local street network while concentrating housing within the established City of Billings projected growth areas.

**7. Whether the new zoning will promote compatible urban growth?**

The zone change is intended to provide a transition from the existing townhome, condo, twin home and single-family residential uses to the north and the single-family uses east of the subject parcels to the existing multi-family residential uses south of the subject parcels.

**8. Whether the new zoning considers the character of the district and the peculiar suitability of the property for the particular use?**

The property is located to the north, across the Monad and Bannister Drain rights of way from the existing multi-family and commercial neighborhood center at Lenhardt Square and the new medical school campus. This development is designed to contribute to that neighborhood center, and provide a transition to single-family and twin home residential uses to the north and single-family uses east of the subject parcels.

**9. Whether the new zoning will conserve the value of buildings?**

Although there is no evidence to suggest that the development of multi-family residential uses has any negative effect on the value of adjacent, existing single-family and twin home residential uses, the design of this development will provide transitional buffer zones of N2 and NX1 between existing single-family twin home uses and proposed NX3 uses.

**10. Whether the new zoning will encourage the most appropriate use of land throughout the City of Billings?**

The City of Billings continues to need projects that provide for a variety of affordable housing types. It is appropriate to continue to promote efficient development in close proximity to the City Limits boundaries. This zone change helps support an appropriate level of development which will serve the City both now and in the future. It is also beneficial to have greater densities near the new medical school campus and other business and commercial uses in order to reduce overall vehicular loads on local area streets.

**Essential Investments (Relating Public and Private Expenditures to Public Values)**

- ***Planning and construction of safe and affordable interconnected sidewalks and trails are important to the economy and livability of Billings.***

This property will provide pedestrian connections to adjacent development on Obie Lane and along the Bannister Drain.

- ***Infill development and development near existing City infrastructure may be the most cost effective***

This property will be annexed and will be served by extensions of existing City and municipal infrastructure adjacent to and within the site. This zone change will allow for efficient use of City and municipal infrastructure improvements and assure that it is secure from fire and other hazards in a cost-effective manner.

- ***Neighborhoods that are safe and attractive and provide essential services are much desired***

This property should not impact public health, safety and welfare any differently than the other area neighborhood developments which are developing in accordance with the City's zoning requirements.

**Place Making (Enhance, Maintain, Preserve, and Improve Existing Public Places)**

- ***A multi-use community recreation facility is desirable***

The project provides public open spaces in the form of pedestrian connections, park space, dog park, and private pool.

- ***The history and heritage of Billings are cornerstones of our community***

Billings has always adapted to the changes in economic drivers and been welcoming of projects that allow the community to continue to grow and prosper in a systematic and planned way. This zone change will follow in that light by supporting a variety of housing units at an attainable price.

**Community Fabric (Attractive, Aesthetically Pleasing, Uniquely Billings)**

- ***Attractive streetscapes provide a pleasant and calming travel experience in urban and suburban neighborhoods***

This property will be developed in accordance with the City’s code regulating street section to include planted boulevards.

- ***Planning and construction of interconnected sidewalks and trails are important to the livability of Billings***

This property will feature sidewalks on all streets, including pedestrian connections to adjacent development and the surrounding pedestrian network.

**Strong Neighborhoods (Livable, Safe, Social and Resilient Neighborhoods)**

- ***Walkable Zoning regulations that allow a mixture of housing types provide housing options for all age groups and income levels***

This property will develop with a range of housing types including duplex, townhome, and apartment. This will allow a greater diversity of income level, demographic, and age among its residents.

- ***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***

By locating a greater density of residences in proximity to the medical school, commercial and business uses to the property’s south, and providing pedestrian connections between them, this project will promote active transportation trips between the two.

- ***Public safety and emergency service response are critical to the well-being of Billings’ residents and businesses***

The property considered under this zone change will use named streets within its bounds to better address locations within and obtain an enhanced level of public safety.

**Prosperity (Promoting Equal Opportunity and Economic Advancement)**

- ***Predictable, reasonable City taxes and assessments are important to Billings’ taxpayers***

The densities that will result from this proposed zone change will promote efficient use of city services and high tax revenues per acre.

- ***Community investments that attract and retain a strong, skilled and diverse workforce also attracts businesses***

This development, the lifestyle and amenities it will offer will attract a diverse demographic of residents seeking housing alternatives to single-family detached residential. The property's proximity to the commercial center developing around the intersection of Shiloh and King will also reduce those residents' transportation costs. The density that will result from the proposed zone change will also provide tax revenues that will support the high-quality services that a quality work force demands.

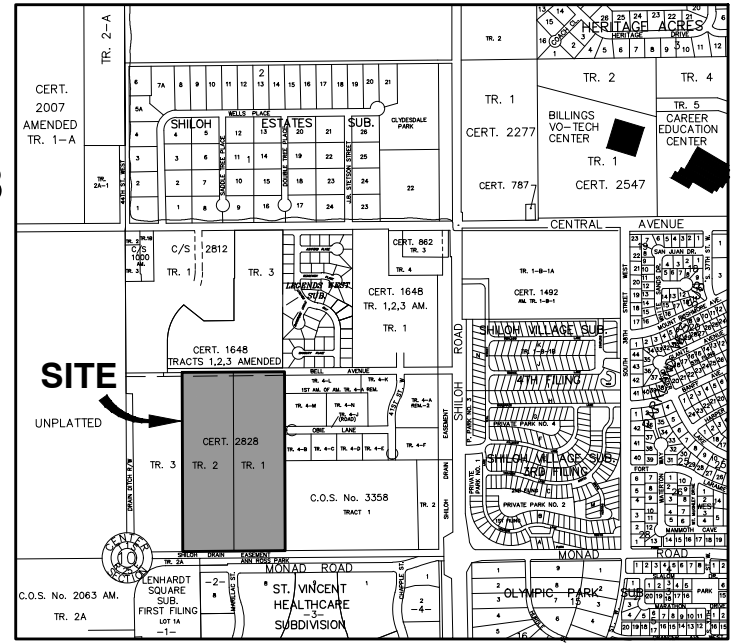
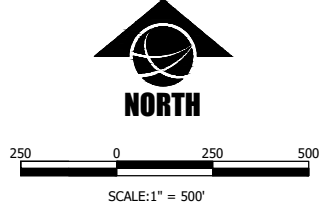
The COS 2828 Tracts 1 and 2 and the drainage ditch ROW Zone Change will help Billings manage its growth by encouraging development within and adjacent to the existing City limits, giving preference to areas where City and municipal infrastructure exists helping to maintain fiscal responsibility for the City. This development will allow the City to increase tax revenue and the City will prosper by further developing a variety of neighborhoods with their own unique character that are governed by City regulations and provide a further choice of housing options and additional housing inventory.

| <b>SUBJECT PROPERTY</b>                             | <b>Zone Change</b> | <b>DATE</b>    | <b>FOR</b>                                                  | <b>APPROVED (Y/N)</b> | <b>ADDITIONAL DATA</b>                               |
|-----------------------------------------------------|--------------------|----------------|-------------------------------------------------------------|-----------------------|------------------------------------------------------|
|                                                     | <b>City ZC 894</b> | 5/12/2012      | A-1 to RMF-R                                                | Withdrawn             |                                                      |
| <b>SURROUNDING PROPERTY</b>                         | <b>Zone Change</b> | <b>DATE</b>    | <b>FOR</b>                                                  | <b>APPROVED (Y/N)</b> | <b>ADDITIONAL DATA</b>                               |
| Ridgeline Development                               | City ZC 997        | 9/13/2021      | A-1 to MU-PND – NX2, N2, CMU1, P1                           | Y                     | First PND zone change                                |
| Lenhardt Square                                     | City ZC 991        | 6/14/2021      | Update to PD agreement                                      | Y                     | Increased density and normalized height measurements |
| Western Sky Sub                                     | City ZC 977        | July 13, 2020  | Adjust Zone District Boundaries                             | Y                     |                                                      |
| Western Sky Sub                                     | City ZC 975        | Jan 27, 2020   | Underlying zoning amendment                                 | Y                     |                                                      |
| Western Sky Sub                                     | City ZC 802        | May 17, 2007   | A-1 to CC, RMF-R, R-50, R-70, R-96 & Public                 | Y                     | Included entire NW section of 160 acres              |
| Western Sky Sub                                     | City ZC 957        | Sept 11, 2017  | CC, RMF-R, R-50, R-70, R-96 & Public to Planned Development | Y                     | Underlying zones CC, NC RMF & RMH                    |
| Hoop Dreams – Apartments                            | City ZC 900        | Aug 13, 2012   | R-50 to RMF-R                                               | Y                     | Apartment Developments at 44th St W and King Ave W   |
| Hoop Dreams – Apartments                            | City ZC 912        | July 8, 2013   | Public & R-50 to RMF-R                                      | Y                     | Additional apartments                                |
| St. Vincent Healthcare<br>Shiloh Rd & King Ave<br>W | City ZC 722        | May 24, 2004   | A-1 to Planned Development                                  | Y                     | PD for healthcare & ancillary commercial uses        |
| St. Vincent Healthcare<br>Shiloh Rd & King Ave W    | City ZC 870        | Jan 24, 2011   | PD Amendment                                                | Y                     | Adjustment to allow flexibility                      |
| Montana Sapphire Sub                                | City ZC 673        | July 9, 2001   | A-1 to Entryway Light Industrial (ELI)                      | Y                     | New industrial park                                  |
| Montana Sapphire Sub                                | City ZC 903        | Sept 24, 2012  | ELI to HC                                                   | Y                     | Affinity of Billings Fuel Fitness Divide Bar & Grill |
| Montana Sapphire Sub<br>Long Beach Apts             | City ZC 878        | Aug 22, 2011   | ELI to HC                                                   | Y                     | New apartments                                       |
| 3815 Hesper Road                                    | City ZC 907        | March 25, 2013 | A-1 to CI                                                   | Y                     | New FedEx Ground Terminal                            |

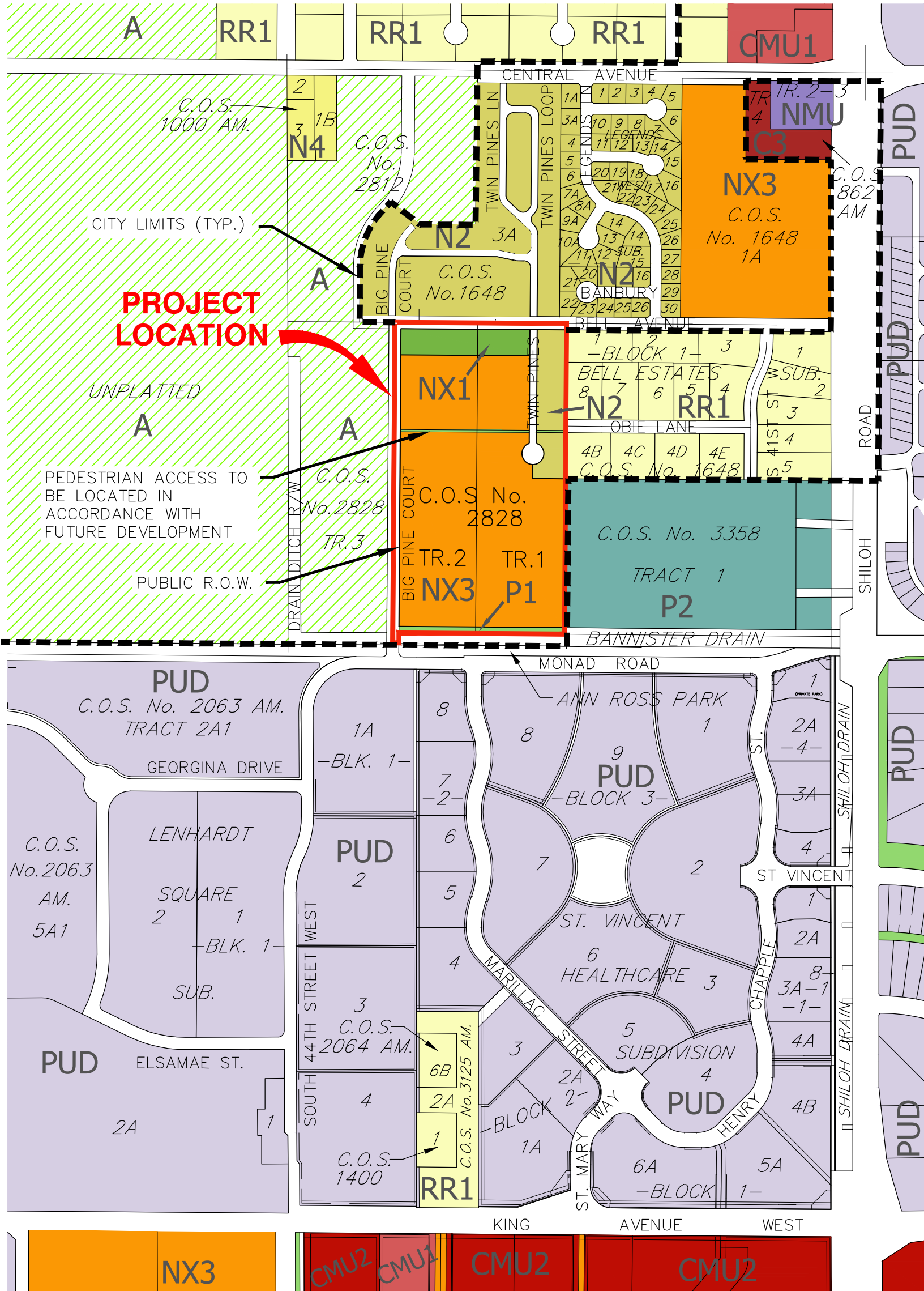
EXHIBIT A  
 LAND USE AND ANNEXATION DETAILS  
**TRACTS 1 & 2, CERTIFICATE OF SURVEY No. 2828**

PREPARED FOR : DORN REAL ESTATE AND DEVELOPMENT  
 PREPARED BY : **SANDERSON STEWART**

BILLINGS, MONTANA  
 NOVEMBER, 2021



**VICINITY MAP**



Cromwell, Nicole

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**From:** Janice Munsell <janicemunsell@bresnan.net>  
**Sent:** Tuesday, December 21, 2021 11:22 AM  
**To:** Bartley, Robbin; Cromwell, Nicole  
**Subject:** [EXTERNAL] City Zone Change 1004, Project # PZX-21-00300

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear City Zoning Commission:

We are writing as neighbors of the above proposed development. After attending the neighborhood pre-ap meeting via Teams and reviewing the MPO's recent mailing, we continue to have the following concerns.

1. We acknowledge Billings is similar to other localities in the need for more affordable housing. The goal is to provide additional housing while maintaining the neighborhood character. "Section 27-302 District Descriptions: Neighborhood districts are primarily intended to allow a mix of residential uses within appropriately scaled buildings to maintain and promote the desired physical character of neighborhoods within the city."
2. We agree with other neighbors in attendance that the extension of Twin Pines Lane south of Bell Avenue would likely lead to non-residents of the Twin Pines development using Twin Pines Lane for access off of Central. Twin Pines Lane is NOT wide enough for cars parked on both sides plus two lanes of traffic. Therefore, we oppose the extension of Twin Pines Lane for accessing the northern end of the proposed development.
3. We agree with other neighbors in attendance that Bell Avenue essentially allows one free-flowing lane of traffic due to its dimensions, parking patterns, and neighbors walking dogs or walking side-by-side while using walkers. Bell Avenue is NOT wide enough for cars parked on both sides plus two lanes of traffic. Therefore, we oppose adding additional traffic to Bell Avenue for accessing the northern end of the proposed development.
4. Since the northern portion of the proposed development is bordered by Twin Pines (N2 twin homes) and Bell Estates (N2 single family homes on larger lots), we suggest zoning the northern portion at N2 and oppose jumping to NX2. The developer's recent submittal redesignates this section as NX1, which we believe does not provide an appropriate transition to maintain the neighborhood's N2 character since it allows a mix including 3- to 4-unit residences.
5. Since the southern portion of the proposed development would then be bordered by N2 to the north and cornered by Bell Estates (also N2) to the northeast, we suggest zoning the southern portion at NX1 and oppose jumping to NX3.

Randy Spear & Janice Munsell  
4220 Limber Pine Ln  
Billings MT 59106  
406-208-0258

December 28 2021

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

Dear Members of the Planning Division,

We have great concerns regarding the proposed development south of Bell Avenue from A to PND.

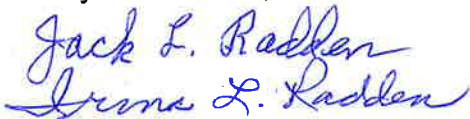
We recently, in August 2021, purchased a home located at 4229 Bell Ave directly across from the proposed area. Of course, we understood there would eventually be housing built on the beautiful hayfield. Having been raised on a farm it is beautiful.

Therefore we are desperately asking there be at least 2 or 3 rows of duplex homes built from Bell Ave south. There are apartments built on the south end by Monad which would lend to the apartment living. Homes built from Bell Ave south would blend with the Twin Pines Subdivision Also, Bell Avenue from Shiloh is congested because of the retirement home parking and would add to problems.

We are Seniors (80s) and have worked for many years to have a nice, quiet retirement. We grew up in Wyoming and retired in Grand Junction CO for 16 years in a patio home senior subdivision. Moved to Billings to be close to family and bought this home on Bell Ave in a mostly senior subdivision we thought was comparable.

We are asking you to please consider the residence in the Twin Pines Subdivision.

Thank you so much,



Jack and Irma Radden  
4229 Bell Ave  
Billings MT 59106

January 4, 2022

Attn: City/County Planning Division  
RE: City Zone Change 1004  
Project Number: PZX-21-00900  
Certificates of Survey #2828, Tracts 1 & 2

As a current home owner at 4185 Obie Ln, building the home on an undeveloped lot in 2002, we have a vested interest in the zoning change requested. We built the home, at the time, at the edge of Billings, with beautiful views of the Beartooth Mountains and the Rims. Over time, development has changed the environment. We recognize that growth on the West End is inevitable, yet trust that the City of Billings will support growth that is in the best interest of current and future residents.

According to the Big Sky Economic Development's Community Development Mission: Community Development provides the leadership and resources to plan and initiate programs, projects, and partnerships that stimulate public and private investment, **provide a better quality of place**, and enhance the community's economic wellbeing, providing the foundation for economic development and a vibrant economy.

We are opposed to the currently proposed zoning change and want to go on record with the opposition. Further, it is our recommendation that the planning division and city council consider the current surrounding property types when making a decision, using the Bannister Drain as a natural defining border between current development of N2/RR1 and the large PUD development which includes MCOM/RVU campus. In addition, we would recommend retaining a consistent N2 zoning in Tract 1 and a maximum of NX2 zoning in Tract 2.

We attended the informational meeting on 11/22/21, and although provided feedback, did not see the feedback noted in the minutes. We would like to not only provide that feedback now, but also using some of the criteria used for review of zone changes, we would like you to consider the following:

- **Whether the new zoning will promote public health, public safety and general welfare?** While we are confident that the building will adhere to city stated codes, the addition of potentially 1500 residents or more (the details were not provided in the informational meeting, they were actually intentionally vague and misrepresenting) will not promote public safety and general welfare. The traffic that will be pulled into Monad Road as a main thoroughfare, must be taken into consideration. With the addition of another large apartment complex on the South portion of Monad along with future planned development of the same type on the southern side of Monad will continue to put a large amount of traffic onto the same major artery. The more traffic on Monad, the more the residents of this proposed apartment complex will detour through the existing streets, mostly Bell Avenue, Legends Way and Twin Pines. None of

those streets can safely handle the dramatic increase of traffic. This will put the current and future residents at risk.

- **Whether the new zoning will facilitate the adequate provision of transportation, water, sewage, schools, parks and other public requirements?** Again, we are confident the build will provide appropriate access to water and sewage, there is no addition of public parks or green space to beautify the Billings Community and provide a better quality of space. In addition, there is a proposed “walking path” that enters right into Obie Lane, which does not provide a through route to the walking path along Shiloh Road. There is no function to this walking path for the residents of Bell Estates as there is no public park or walking paths that can be accessed. This feels like a thoughtless attempt at connecting the large lot residences in Bell Estates with the new zoned area without any benefit to the existing residents.
- **Whether the new zoning will affect motorized and nonmotorized transportation?** The existing road, Bell Avenue, cannot sustain the proposed dramatic increase in traffic. This increase, because there is only one side developed with a sidewalk and drain, will increase a risk to the current residents on Bell Avenue, and any pedestrians using this road for access to the Shiloh walking path. We want to again state that Bell Avenue is essentially a single wide road and it is NOT appropriate to increase traffic on that road at the level that is proposed especially if the Big Pine Court road is gated. Again, with the proposed growth that will increase motor vehicle traffic on Shiloh will force vehicles to a different path.
- **Whether the new zoning considers the character of the district and peculiar suitability of the property for particular use?** The application states that the proposed zoning provides “a transition to single-family and twin home residential uses to the north and single family uses east”. This is largely overstated. The transition, based on the zoning requests, move very quickly and in a cumbersome way directly to the apartment complex (NX3). The developers force a small area of N2 and NX1 as what they consider a buffer, which will only give a small transition from high value single family large lot homes into very compressed population. It is our recommendation that the character that exists currently (N2), be continued North of the Bannister Drain and East of 48<sup>th</sup> Street. This will maintain the character of the current developments, and the character of the district. The Bannister Drain creates a natural barrier between these neighborhoods and the developments south of Monad.
- **Whether the new zoning will conserve the value of buildings?** Although the specifics of the proposed development were intentionally vague during the informational meeting, the suggested buffer will not do anything to conserve or improve the value of the existing N2 and RR1 developments. There is no proposed beautification, parks for public, green space to buffer the transitions, and the increase in traffic alone will detract from the value of homes particularly on Bell Avenue.
- **Whether the new zoning will encourage the most appropriate use of land throughout the City of Billings?** While it does not go unnoticed that affordable housing is needed in Billings, there are numerous options for providing affordable housing that are not large apartment complexes that deter from the existing communities. If development continues as proposed, NX3 will continue to 48<sup>th</sup> street (will foster similar development

from this point forward). The traffic will continue, the congestion will continue, and it will deter from the value of the land and existing developments.

Generally, our request is to keep the NX3 apartment developments to the West of Monad, deny this zoning request based on the following:

- **No attention to place making in the proposed zoning. No large green spaces, no public park (existing will be for residents only), no thoughtful walking paths for the public, and no intentional, logical transition from residences to apartments.**
- **The proposed development does not add to the community fabric, it is a detraction. The Olympic Village is a great example of the type of communities that Billings has planned to not repeat. This zoning would repeat that development without the road infrastructure.**
- **Increased risk of health and safety secondary to the traffic flow and lack of access through Bell Avenue (primarily due to the number of proposed inhabitants)**
- **Precedent for further NX3 zoning north of Monad to Central and 48<sup>th</sup>. Will continue to add dense population into an existing residential area, further increasing traffic and congestion.**

Kind Regards,  
Lincoln and Judi Powers  
4185 Obie Ln  
Billings, MT 59106  
406-855-5149  
[powersjudi@gmail.com](mailto:powersjudi@gmail.com)  
[lincolnpowers@gmail.com](mailto:lincolnpowers@gmail.com)

**From:** Terri Kaufman <[kaufmanterri@gmail.com](mailto:kaufmanterri@gmail.com)>

**Sent:** Tuesday, January 4, 2022 11:15 AM

**To:** John Halverson <[jhalverson@sandersonstewart.com](mailto:jhalverson@sandersonstewart.com)>; [rleuthold@sandersonstewart.com](mailto:rleuthold@sandersonstewart.com)

**Cc:** Kelly, Hunter <[KellyH@billingsmt.gov](mailto:KellyH@billingsmt.gov)>

**Subject:** [EXTERNAL] Public Hearing--City Zone Change 1004

While I understand the need for affordable housing, the proposed zone change is excessive. At the pre-ap neighborhood meeting on November, 23, 2021, the project was described as "720 units" and as a "highrise" building. This plan is not congruent with the existing neighborhood. The surrounding area consists of townhomes, single family dwellings, and a retirement community. The existing streets are not designed for the amount of traffic this plan would produce.

Sincerely,

Terri Kaufman

110 Big Pine CT

Billings, MT 59106

**From:** [cfpratt677@gmail.com](mailto:cfpratt677@gmail.com)  
**To:** [Cromwell, Nicole](#)  
**Subject:** [EXTERNAL] ZONE CHANGE  
**Date:** Tuesday, January 4, 2022 9:34:37 AM

---

My wife and I live at 42 TWIN PINES LANE and against  
CITY ZONE CHANGE 1004  
PROJECT NUMBER PZX-21-00300

we are opposed to this City Zone Change, traffic to and from the proposed building site  
will be using our streets from Central Ave as Bell Ave is too narrow and hard to access off Shilo

Charlie Pratt  
42 Twin Pines Lane  
Billings, MT 59106  
406-861-5061  
[cfpratt677@gmail.com](mailto:cfpratt677@gmail.com)

Sent from my iPhone

January 4, 2022

Mr. Rick Dorn  
Dorn Real Estate and Development  
PO Box 81524  
Billings, MT 59108

Reference: Traffic Engineering Conceptual Level Analysis  
Project No. 12004 – COS 2828

Dear Mr. Dorn:

The purpose of this letter is to provide a preliminary traffic impact analysis for the COS 2828 development, south of Bell Drive and west of Shiloh Road in Billings, Yellowstone County, Montana. The location and proposed layout for the COS 2828 development is illustrated in the attached figure. The development is located southwest of the Bell Avenue/Shiloh Road intersection and the concept plan includes an estimated 408 multifamily units and 26 duplex units. The development is anticipated to be fully built out and occupied by 2026.

### **Traffic Conditions**

Traffic counts were collected on Thursday, December 16, 2021. Raw count data was adjusted for seasonal variation using City of Billings seasonal adjustment factors. An accurate estimate of site-generated traffic must be made to analyze the impacts of a new development. This study utilized Trip Generation, 11th Edition, published by the Institute of Transportation Engineers (ITE), which is the most widely accepted source for determining trip generation projections.

Trip generation projections provide an estimate of the total number of trips that would be generated by a proposed development. However, in order to estimate the net number of new trips made by personal vehicles external to the site, adjustments must often be made to account for internal capture trips, pass-by trips, and trips made by alternate modes. Internal capture (IC) trips are those trips that do not have origins or destinations external to a project site. Since IC trips occur internally, they do not have an impact on external traffic operations. IC trips most often occur in mixed-use developments where residential, commercial, and office-related land uses exhibit a high rate of internal trip exchange. Pass-by trips are those trips that are made as intermediate stops on the way from a point of origin to a primary trip destination. Pass-by trips are attracted from traffic “passing by” on an adjacent street that offers direct access to the site. They are primarily attracted by commercial type land uses such as restaurants, convenience markets, and gas stations. No pass-by or internal capture trips were included for this development.

A percentage of trips generated could be made by alternate modes (walking, biking or transit), as there is a multi-use path along Shiloh Road and anticipated sidewalk throughout the development. However, alternate mode trips external to the site were conservatively considered to be negligible for this analysis. In total the COS 2828 development is projected to generate 2,937 new external

vehicular trips on a typical weekday including 175 trips (43 entering/32 exiting) during the AM peak hour and 223 trips (140 entering/83 exiting) during the PM peak hour.

| Land Use                                    | Independent Variable |                | Average Weekday |             |             | AM Peak Hour |           |            | PM Peak Hour |            |           |
|---------------------------------------------|----------------------|----------------|-----------------|-------------|-------------|--------------|-----------|------------|--------------|------------|-----------|
|                                             | Intensity            | Units          | total           | enter       | exit        | total        | enter     | exit       | total        | enter      | exit      |
| Single-Family Attached Housing <sup>1</sup> | 26                   | Dwelling Units | 187             | 93          | 94          | 12           | 4         | 8          | 15           | 9          | 6         |
| Multifamily Housing (Low-Rise) <sup>2</sup> | 408                  | Dwelling Units | 2750            | 1375        | 1375        | 163          | 39        | 124        | 208          | 131        | 77        |
| <b>Total New External Trips</b>             |                      |                | <b>2937</b>     | <b>1468</b> | <b>1469</b> | <b>175</b>   | <b>43</b> | <b>132</b> | <b>223</b>   | <b>140</b> | <b>83</b> |

- (1) Single-Family Attached Housing - Land Use Code 215\*  
 Average Weekday Units = Dwelling Units  
 Average Rate = 7.20 (50% entering, 50% exiting)  
 Peak Hour of the Adjacent Street, One Hour between 7 and 9 AM: Average Rate = 0.48 (31% entering, 69% exiting)  
 Peak Hour of the Adjacent Street, One Hour between 4 and 6 PM: Average Rate = 0.57 (57% entering, 43% exiting)
- (2) Multifamily Housing (Low-Rise - Land Use Code 220\*  
 Average Weekday Units = Dwelling Units  
 Average Rate = 6.74 (50% entering, 50% exiting)  
 Peak Hour of the Adjacent Street, One Hour between 7 and 9 AM: Average Rate = 0.40 (24% entering, 76% exiting)  
 Peak Hour of the Adjacent Street, One Hour between 4 and 6 PM: Average Rate = 0.51 (63% entering, 37% exiting)

\**Trip Generation, 11th Edition*, Institute of Transportation Engineers, 2017

\*\**Trip Generation Handbook, 3rd Edition*, Institute of Transportation Engineers, 2017

Trip distribution is an estimate of the routes that site-generated trips will utilize to travel to and from the site, typically expressed on a percentage basis. For this update, Sanderson Stewart reviewed 2020 and 2021 annual daily traffic volumes (ADT) and calculated an updated distribution. Internal site distributions were determined based on proximity to nearest site access and most direct route to the trip's destination. It was assumed through engineering judgement that approximately 8% of total site egress traffic, primarily generated from the northern portion of the site, with a final destination east/west on Central Avenue or north on Shiloh Road would find routes through the residential neighborhoods to access Central Avenue from Bell Avenue with the remaining total site egress traffic using Bell Avenue, Shiloh Road, and Monad Road for access to their final destination. Ingress traffic for this portion of the site would access via Bell Avenue. The southern portion of the site was assumed to all access Monad Road for ingress and egress.

For the purposes of this study, it was assumed that the COS 2828 development will be built out by 2026. Traffic volume projections for the Bell/Shiloh intersection were calculated for the horizon year using an average background growth rate of 2.5 percent per year, consistent with recent traffic studies in the area. Existing and Future capacity analyses for the Bell/Shiloh intersection was calculated using Highway Capacity Software (HCS7) for stop-controlled intersection. The results of the existing and future conditions analysis showed that all study area intersections currently operate at LOS C or better. The existing and future conditions were modeled as stop-controlled.

## **Conclusions and Recommendations**

The preceding analysis has shown that the COS 2828 development will generate a combine 2,937 (half ingress and half egress) trips daily. With the new external trips added to the surrounding roadway network, the Bell/Shiloh intersection is projected to operate at LOS C or better with existing traffic control. Bell Avenue is anticipated to have an increase of 807 westbound and 231 eastbound new daily site generated trips until further connections to the west are constructed. The

City of Billings Functional Classification Map shows a proposed future collector roadway from Central Avenue at approximately 44th Street West, south to Bell Avenue.

It is anticipated that approximately 116 daily trips (egress from proposed site) will route from Bell Avenue north to Central Avenue through the residential neighborhoods. Currently, Legends Way is the only public roadway between Central Avenue and Bell Avenue. Private roadways (Twin Pines Way and Bonaventure Drive) could implement additional measures (additional signage, enforcement, and/or speed bumps) to deter traffic.

Sincerely,



Joey Staszczuk, PE, PTOE  
Senior Transportation Engineer | Community Transportation Studio Manager

JHS/gc  
Attachments

P:12004\_01\_04\_2022\_Dom\_Bell\_Traffic\_Letter



[7324]  
{148}

CENTRAL AVE

[14669]  
{1027}

[8355]  
{148}

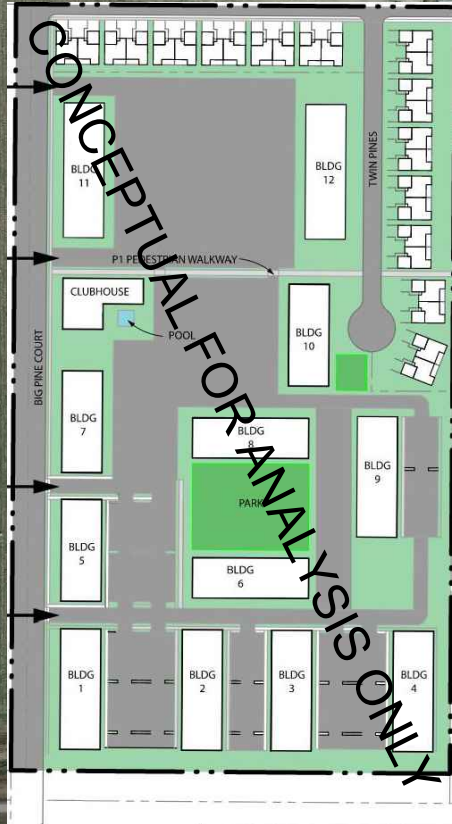
LEGENDS WAY

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BELL AVE

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SHILOH RD



MONAD RD

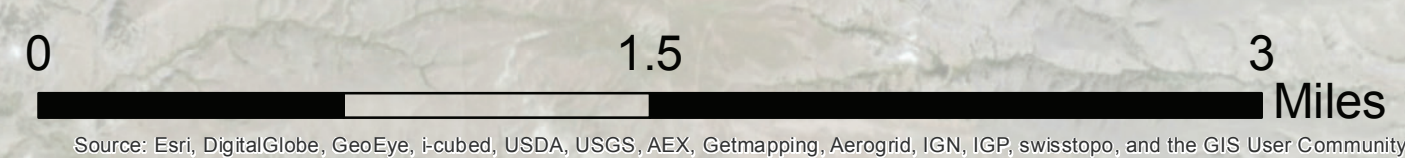
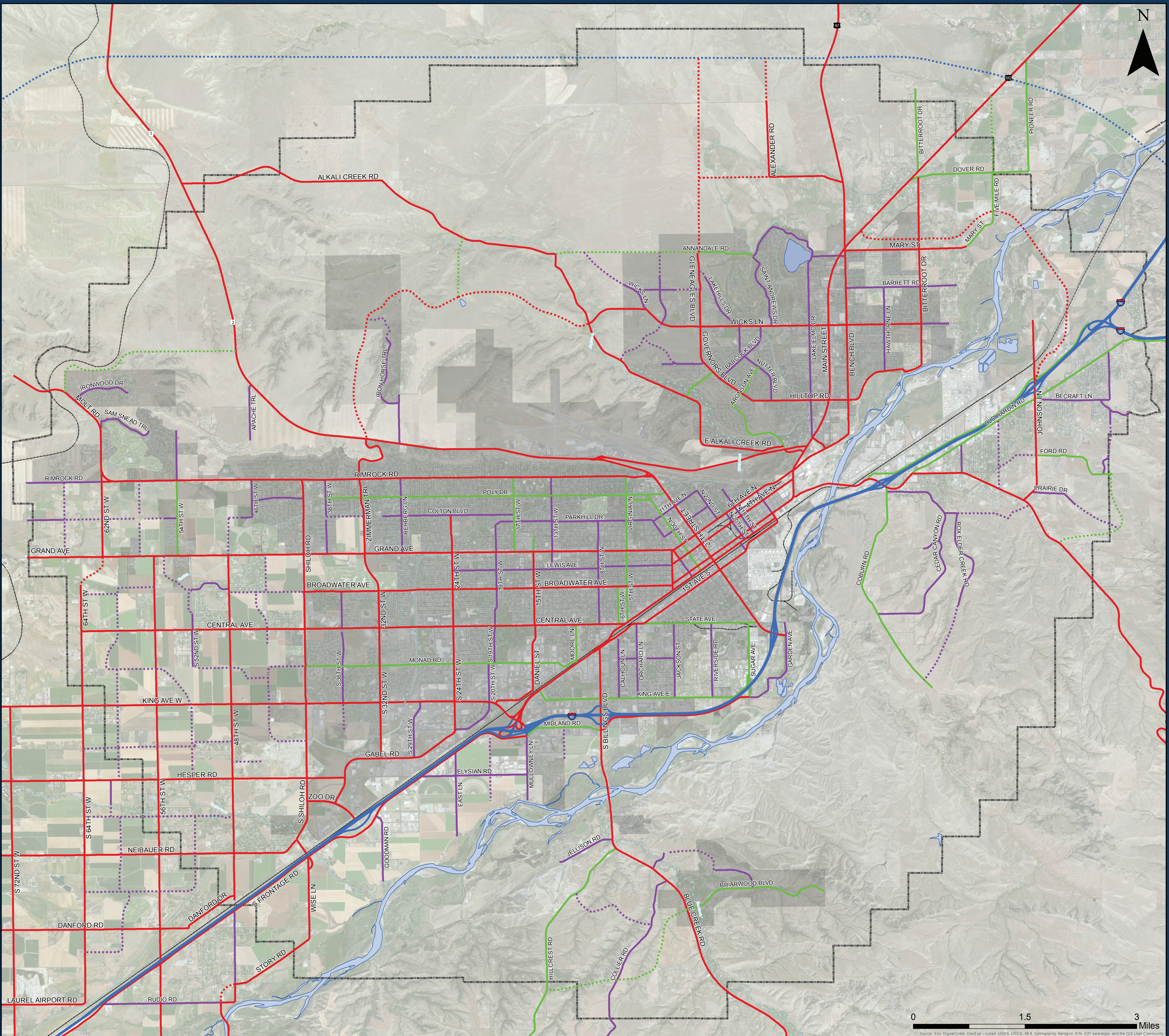
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{1027}

KEY

- XX — AM Peak Hour
- (XX) — PM Peak Hour
- [XX] — 2020 AADT
- {XX} — Daily Site Trips



| Proposed Roadway Functional Classification | Existing Roadway Functional Classification | Other Features |
|--------------------------------------------|--------------------------------------------|----------------|
| Proposed Controlled Access                 | Interstate                                 | Railroads      |
| Proposed Principal Arterial                | Principal Arterial                         | Billings       |
| Proposed Minor Arterial                    | Minor Arterial                             | Study Area     |
| Proposed Collector                         | Collector                                  |                |
|                                            | Local Streets                              |                |

Note: Functional Classification System for local transportation planning purposes, this map may not be consistent with the Federally approved functional classification network. Updated on June 24th, 2014

# Functional Classification Map



## ORDINANCE 22-\_\_\_\_\_

**AN ORDINANCE OF THE CITY OF BILLINGS,  
PROVIDING THE ZONE CLASSIFICATION ON Tract 1 & 2  
of C/S 2828 and the adjacent Drain ROW, BE AMENDED  
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS THAT:**

**Section 1. RECITALS.** *Title 76, Chapter 2, Part 3, MCA, and Sections 27-302 and 27-1502, BMCC,* provide for amendment to the City Zoning Map from time to time. The City Zoning Commission and staff have reviewed the proposed zoning for the real property hereinafter described. The Zoning Commission and staff have considered the ten (10) criteria required by Title 76, Chapter 2, Part 3, MCA. The recommendations of the Zoning Commission and staff have been submitted to the City Council, and the City Council, in due deliberation, has considered the ten (10) criteria required by state law.

**Section 2. DESCRIPTION.** **Tracts 1 and 2 C/S 2828 and the adjacent Drain ROW** is presently zoned **Agriculture (A)**, a county zoning district, and is shown on the official zoning map within these zones.

**Section 3. PLANNED NEIGHBORHOOD DEVELOPMENT.** The owners have proposed to master plan a new mixed residential Planned Neighborhood Development (PND) to be annexed to the City of Billings. The development and review of the PND is in accordance with BMCC 27-800. This ordinance references the zoning master plan for the PND, that shows four zone districts including **Mid-Century Neighborhood Residential (N2)**, **Mixed Residential 1 (NX1)**, **Mixed Residential 3 (NX3)** and **Public 1, Parks and Recreation (P1)**.

**Section 4. ZONE DISTRICT AMENDMENT.** The official zoning map is hereby amended and the zoning for **Tracts 1 and 2 C/S 2828 and the adjacent Drain ROW, a 27.81 acre parcel,** and is hereby changed from **Agriculture (A)**, to **Mid-Century Neighborhood Residential (N2)**, **Mixed Residential 1 (NX1)**, **Mixed Residential 3 (NX3)** and **Public 1, Parks and Recreation (P1)** as shown on the attached **Planned Neighborhood Development exhibit**, and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining to **Mid-Century Neighborhood Residential (N2)**, **Mixed Residential 1 (NX1)**, **Mixed Residential 3 (NX3)** and **Public 1, Parks and Recreation (P1)**, as set out in the Billings, Montana City Code.

**Section 5. EFFECTIVE DATE.** This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

**Section 6. REPEALER.** All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

**Section 7. 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 24th day of January, 2022.

PASSED, ADOPTED and APPROVED on second reading this 14<sup>th</sup> day of February, 2022

CITY OF BILLINGS

BY: \_\_\_\_\_

William A. Cole, Mayor

Attest:

BY: \_\_\_\_\_

Denise R. Bohlman, City Clerk

Zone Change 1004, Dorn/Bell C/S 2828 Tracts 1 & 2 , adjacent Drain ROW



**City Council Regular**

**Date:** 01/24/2022  
**Title:** Development Agreement with Dorn Real Estate and Development  
**Presented by:** Debi Meling  
**Department:** Public Works  
**Presentation:** No

---

**RECOMMENDATION**

Staff recommends that the City Council approve the Development Agreement with Dorn Real Estate and Development.

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

City Council will consider annexation of Tracts 1 and 2 of Certificate of Survey 2828. The property proposed to be annexed is located north of Monad Road and west of Shiloh Road and is northwest of the new medical school. Dorn Real Estate and Development desires to develop the property as a residential development. Typically, as a condition of approval of the annexation, the property owner enters into a Development Agreement with the City of Billings outlining necessary public improvements. The Development Agreement outlines the off-site improvements necessary for development, including access to the site, construction of water and sanitary sewer, and storm drain. The Development Agreement provides for City required off-site improvements should the property be annexed and developed without a subdivision plat. The Development Agreement for this Council action generally includes the following conditions or improvements:

- Construction of a sanitary sewer main within an easement along the south property line of property
- Construction of a water main from Bell Avenue to Monad Road that completes a loop
- Requirement to dedicate right-of-way where the Monad Drain/Shiloh Drain exists
- Construction of curb and gutter, sidewalk, and street widening along Bell Avenue
- Outlines requirements for a traffic impact study.

**ALTERNATIVES**

City Council may:

- If the annexation is approved, then approve the Development Agreement with the property owner; or
- Disapprove the Development Agreement. If the agreement is not approved, the responsibility for infrastructure improvements would be in accordance with policies in place at the time of development.

**FISCAL EFFECTS**

There are three requirements of the Development Agreement that would not be required upon site development. Section 2 requires the Developer to grant an easement or dedicate right-of-way for construction of the sanitary sewer parallel to Monad Road. If the site develops without subdividing, the City would not be able to acquire an easement or right-of-way. Section 4 requires the dedication of right-of-way for the existing Monad Drain/Shiloh Drain. If the site develops without subdividing, the City would not be able to acquire right-of-way for the drain. Section 5 requires the dedication of public right-of-way if needed. If the site develops without subdividing, the City would not be able to acquire right-of-way.

The financial impact of the remainder of the agreement is dependent on policy changes that may occur before development. If development occurs before any changes to the City's development policies, there would be no financial impact. If development occurs after City development policies change, the financial impact would be dependent on the changes.

---

**Attachments**

Development Agreement

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

## DEVELOPMENT AGREEMENT

**THIS DEVELOPMENT AGREEMENT** is made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between Dorn Real Estate and Development, P.O. Box 81524, Billings, Montana 59108-5124 hereinafter referred to as "DEVELOPER," and THE CITY OF BILLINGS, MONTANA, a municipal corporation, c/o City Hall, 210 North 27th Street, Billings, Montana, 59101, hereinafter referred to as the "CITY." DEVELOPER and CITY are sometimes referred to in this Agreement individually as "Party" and collectively as the "Parties."

**WHEREAS**, DEVELOPER is the owner of certain real property situated in Yellowstone County, Montana, more particularly described as follows:

Tracts 1 and 2 of Certificate of Survey No. 2828, Situated in the NE ¼ of Section 10, T 01S, R 25E, P.M.M., in the City of Billings, Yellowstone County, Montana  
Above referenced property is hereinafter referred to as "Developer Tracts"

**WHEREAS**, CITY has approved the Petition for Annexation by Resolution No. \_\_\_\_\_ for the Developer Tract contingent upon a Development Agreement being executed between CITY and DEVELOPER to identify required off-site infrastructure improvements and guarantees of those improvements.

**NOW THEREFORE**, in consideration of the mutual promises and covenants contained herein, the Parties do hereby agree as follows:

1. Roads and Access. The Developer Tracts will be accessed by way of Bell Avenue and Monad Road. The approach locations and geometry shall be approved by the CITY.

2. Sanitary Sewer. Developer Tracts will be served by extending the existing 24-inch sanitary sewer main within a 30-foot-wide public easement or public right-of-way along the entire south boundary of Tracts 1 and 2 of Certificate of Survey 2828 and along the entire south boundary of Tract 1 of Certificate of Survey 3358. The main is located approximately 390 feet east of Tract 1 of Certificate of Survey 2828. The size and depth of the sanitary sewer main shall be reviewed and approved by the City. DEVELOPER will be responsible for installing the sanitary sewer system at the time of the development. At the request of the DEVELOPER, City staff will forward a Compensation Agreement to City Council for one-half of the cost of the sewer main construction for Council approval.

DEVELOPER shall be responsible for payment of the City wastewater system development fee prior to the issuance of any building permits.

3. Water. The Developer Tracts will be served by existing water mains located in Bell Avenue and Monad Road. Water mains shall be looped and connected from Bell Avenue to Monad Road by Developer. Water main size shall be reviewed and approved by the City.

DEVELOPER shall be responsible for payment of the City water system development fee prior to the issuance of any building permits.

4. Storm Drain. The DEVELOPER will manage storm drainage within the Developer Tracts in accordance with the City of Billings Stormwater Management Manual (2018). Developer shall dedicate to the public the area along Developer Tracts fronting Monad Road for the existing Monad Drain/Shiloh Drain.
5. Right-of-Way. Public right-of-way will be dedicated to the City of Billings in accordance with the 2018 Billings Urban Area Long Range Transportation Plan and in accordance with the City of Billings Subdivision Regulations.
6. Street Construction, Widening and Sidewalks. DEVELOPER shall construct curb and gutter, street widening, and boulevard sidewalk along Bell Avenue fronting the Developer Tract. DEVELOPER shall be responsible for construction of curb and gutter, street improvements, storm drain, and sidewalk along any right-of-way that is dedicated in the future upon development of Developer Tracts.
7. Multi-use Trail. DEVELOPER is not responsible for construction of any multi-use trails.

8. Future Intersection Contributions. A traffic impact study will be performed at the time of future subdivision and/or development to determine DEVELOPER contributions to future intersection improvements if development exceeds 500 trips/day. The preparation of the traffic impact study and any fees to mitigate impacts to future intersection improvements will be at the expense of the DEVELOPER.
9. Other Public Improvements. For any other improvements not specifically listed in this Agreement, the CITY shall rely on the attached Waiver filed concurrently herewith, to ensure the installation of any or all remaining public improvements. Said improvements shall include, but not be limited to, construction, reconstruction or maintenance of streets, curbs, gutter, concrete ribbons, sidewalks, multi-use trails, driveways, survey monuments, street name signs, street lights, street light energy and maintenance, parks and park maintenance, traffic control devices on-site and off-site inclusive as determined by an overall traffic accessibility study, specific realignments or relocation of sanitary sewer lines and water lines, valley gutters, culverts, storm sewer lines, if any, either within or without the area, and other improvements which the City of Billings may require. The attached Waiver, waiving the right to protest the creation of one or more Special Improvement Districts, by this reference is expressly incorporated herein and part hereof. All of the Developer properties can be included in a Special Improvements District for improvements identified in Development Agreement regardless of location of individual properties in relation to the improvements.
10. Compliance. Nothing herein shall be deemed to exempt the Developer Tracts from compliance with any current or future City laws, rules, regulations, or policies that are applicable to the development, redevelopment, or use of the subject property.
11. Runs with Land. The covenants, agreements, and all statements in this Agreement and in the incorporated and attached Waiver shall run with the land and shall be binding on the heirs, personal representatives, successors, and assigns of the respective parties.
12. Attorney's Fees. 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, including those fees and costs of in-house counsel.

13. *Amendments and Modifications.* Any amendments or modifications of this Agreement shall be made in writing and executed in the same manner as this original document and shall after execution become a part of this Agreement.

**IN WITNESS WHEREOF**, the Parties have executed this Agreement as of the day and year first above written.

“DEVELOPER”

Dorn Real Estate and Development

By: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF MONTANA     )

:ss

County of Yellowstone     )

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, a Notary Public in and for the State of Montana, personally appeared \_\_\_\_\_, known to me to be the person who signed the foregoing instrument as the \_\_\_\_\_ of Dorn Real Estate and Development, and who acknowledged to me that said DEVELOPER executed the same.

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

\_\_\_\_\_  
Notary Public in and for the State of Montana

Printed name: \_\_\_\_\_

Residing at: \_\_\_\_\_

My commission expires: \_\_\_\_\_

This Agreement is hereby approved and accepted by City of Billings, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

“CITY”

CITY OF BILLINGS, MONTANA

By: \_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk

STATE OF MONTANA     )  
                                          :ss  
County of Yellowstone     )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me, a Notary Public 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: \_\_\_\_\_

Approved as to Form:

\_\_\_\_\_  
City Attorney

**WAIVER OF RIGHT TO PROTEST**

**FOR VALUABLE CONSIDERATION**, the undersigned, Owner of the hereinafter described real property, does hereby waive the right to protest the formation of one or more Special Improvement Districts (SID) for the construction, reconstruction or maintenance of streets, curbs, gutter, concrete ribbons, sidewalks, multi-use trails, driveways, survey monuments, street name signs, street lights, street light energy and maintenance, parks and park maintenance, traffic control devices on-site and off-site inclusive as determined by an overall traffic accessibility study, specific realignments or relocation of sanitary sewer lines and water lines, valley gutters, culverts, storm sewer lines, if any, either within or without the area, and other improvements which the City of Billings may require.

The Waiver and Agreement shall run with the land and shall be binding upon the undersigned, its successors and assigns, and shall be recorded in the office of County Clerk and Recorder of Yellowstone County, Montana.

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

Tracts 1 and 2 of Certificate of Survey No. 2828 (Document No. 1767966), Situated in the NE ¼ of Section 10, T 01S, R 25E, P.M.M., in the City of Billings, Yellowstone County, Montana, of which plat is on file and recorded at the Yellowstone County Clerk and Recorder’s Office.

“DEVELOPER”

Dorn Real Estate and Development

By: \_\_\_\_\_  
Title: \_\_\_\_\_

STATE OF MONTANA        )  
                                          :ss.  
County of Yellowstone    )

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, a Notary Public in and for the State of Montana, personally appeared \_\_\_\_\_, known to me to be the person who signed the foregoing instrument as the \_\_\_\_\_ of Dorn Real Estate and Development and who acknowledged to me that said DEVELOPER executed the same.

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

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

**City Council Regular**

**Date:** 01/24/2022  
**Title:** Public Hearing - Ward Boundary Expansion Ordinance First Reading - Annexation 21-15  
**Presented by:** Monica Plecker  
**Department:** Planning & Community Services  
**Presentation:** No

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**RECOMMENDATION**

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

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

Dorn Real Estate Development submitted a petition to annex land using the provisions of Section 7-2-4600, MCA. The property is located south of Central Avenue and West of Shiloh Road. The property is described as Parcel 1 and 2 of Certificate of Survey 2828. The land is legally described as Tracts of Land situated in the NE 1/4 of Section 10, T.1S., R.25E, P.M.M., Yellowstone County, Montana, more particularly described as: Being Tracts 1 and 2 of Certificate of Survey No. 2828, recorded December 20, 1994, under Document No. 1767966; Also including that portion of the Shiloh Drain / Banister Drain adjacent to the south line of said Tracts 1 and 2. Said annexation containing 27.810 gross and net acres, more or less. The property is zoned Agricultural Open Space, a zone not recognized by the City of Billings therefore an associated zone change application is being submitted for the use of a Planned Neighborhood Development. The property owner intends to construct twin homes and multi-family housing on the property.

Upon Council approval, this annexation requires a change in the boundaries of Ward V. Two readings are required for this action. The first reading and public hearing is scheduled for January 24. Upon approval the second reading will occur on February 14, 2022.

**ALTERNATIVES**

City Council may:

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

**FISCAL EFFECTS**

This application has no impact on the Planning Division Budget.

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**Attachments**

Ward Boundary Ordinance

**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 V 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 V the following described real property:

Tracts of Land situated in the NE 1/4 of Section 10, T.1S., R.25E, P.M.M., Yellowstone County, Montana, more particularly described as:

Being Tracts 1 and 2 of Certificate of Survey No. 2828, recorded December 20, 1994, under Document No. 1767966;  
Also including that portion of the Shiloh Drain / Banister Drain adjacent to the south line of said Tracts 1 and 2.

Said annexation containing 27.810 gross and net acres.

(# 21-15) See Exhibit "A" Attached

2. EFFECTIVE DATE. This ordinance shall be effective either thirty (30) days after second reading and final adoption as provided by law, or upon the effective date of Resolution No. 21-\_\_\_\_\_ approving the annexation of the above territory, whichever date is later.

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

4. 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.

PASSED by the City Council on the first reading this 24<sup>th</sup> day of January, 2022.

PASSED by the City Council on the second reading this 14<sup>th</sup> day of February, 2022.

THE CITY OF BILLINGS:

\_\_\_\_\_  
William A. Cole, MAYOR

ATTEST:

BY: \_\_\_\_\_  
Denise Bohlman, CITY CLERK

(#21-15)

