

****ATTENTION****

The City Council meeting will be held in a hybrid format that may include both in-person AND virtual attendance via Zoom. Unless they have cause to appear virtually, Councilmembers will attend the meeting in person in Council Chambers, second floor of City Hall, 220 N. 27th Street. 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: www.billingsmt.gov and click on "Your Government," "City Council," and "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.
 - On the City's website at www.billingsmt.gov and click on "Watch Meetings Online" on the homepage.
 - 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 the meeting virtually through Zoom by entering the Webinar ID and Passcode indicated below. Click on *Zoom Meeting Instructions* and *Zoom Hybrid Meeting Details* below for more information. The link will allow you to attend, view and participate in the meeting on your computer, laptop or smart phone. (You must have the Zoom App on your device [Click Here to Download Zoom App](#)) To provide public comment at the appropriate time, click on the "raise hand" icon located at the bottom of the screen and the moderator will unmute your device.
 - **Don't have a smart phone, computer or laptop?** That's okay -- you can attend a Zoom meeting using your **landline phone**. Call the Zoom phone number, **1.253.215.8782** to join the meeting and follow the operator's instructions. Want to give public comment? Simply "*raise your hand*" by pressing *9 and the moderator will give you permission to speak when it is your turn. **Note this is a long distance toll number and charges may apply depending on your plan.*
- Click Here for [Zoom Meeting Webinar IDs and Passcodes](#)
- Click Here for [Zoom Meeting Instructions for Attendees \(as guests\)](#)

Please contact Denise Bohlman, City Clerk, at bohlmand@billingsmt.gov, or at 406.657.8210, with any questions.



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

REVISED 9/21/22
(Regular Agenda Item 7 has been added)
CITY COUNCIL
REGULAR BUSINESS MEETING

COUNCIL CHAMBERS

AGENDA
SEPTEMBER 26, 2022

5:30 P.M.

CALL TO ORDER: Mayor Cole

PLEDGE OF ALLEGIANCE: Mayor Cole

INVOCATION: Councilmember Choriki

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

MINUTES:

- September 12, 2022

COURTESIES:

PROCLAMATIONS: BILLINGS, AN AGE FRIENDLY COMMUNITY

COUNCIL REPORTS:

ADMINISTRATOR REPORTS - CHRIS KUKULSKI

PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Items: 1, 5, 6 and 7 ONLY. Speaker sign-in required. (Comments are limited to three (3) minutes or as set by the Mayor. Please sign the roster at the cart located at the back of the Council chambers or at the podium. Comments on items listed as public hearing items will be heard **ONLY** during the designated public hearing time for each respective item. For items not on this agenda, public comment will be taken at the end of the agenda.)

1. CONSENT AGENDA -- Separations:

A. Bid Awards:

- 1. WO 22-20: Water Treatment Plant High Service Pump Station HVAC Upgrades.** (Opened 9/6/22)
Recommend rejecting all bids.

B. Compensation Agreement with TKJ Development, LLC, for water main improvements to King Avenue West.

C. Purchase of 2023 Broombear sweeper from Joe Johnson Equipment.

D. Purchase of 3 - 2023 Ford Interceptor SUV vehicles from Duval Ford.

E. Purchase of 2 Solid Waste Front-Load Collection Trucks from SWS Equipment, LLC.

F. Donation to the Billings Public Library from Humanities Montana for the Teen Big Sky Reads Program.

G. Amended Development Agreement with Alkali Timbers, LLC.

H. Bills for the Weeks of:

1. August 22, 2022
2. August 29, 2022

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 RESOLUTIONS re-levying assessments on the following:

- *Presented by: Andy Zoeller, Finance Director*

a. SID 1416 - Gleneagles Boulevard, Sierra Granda Boulevard and Black Diamond Road Area.

Staff recommends approval.

Recommended Motion: Having conducted a public hearing, considered written and spoken testimony, I move to approve a Resolution re-levying and reassessing SID 1416, as recommended by staff.

b. SID 1418 - Holiday Avenue area.

Staff recommends approval.

Recommended Motion: Having conducted a public hearing, considered written and spoken testimony, I move to approve a Resolution re-levying and reassessing SID 1418, as recommended by staff.

3. PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE 1017: located generally at the intersection of Santiago Blvd. and Blue Creek Rd. Zoning Commission recommends approval and adoption of the 10 criteria. *** Quasi-Judicial**

- *Presented by: Karen Husman, Planner*

Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve First Reading Ordinance for Zone Change 1017 and adopt the findings of the 10 criteria, as recommended by the Zoning Commission.

4. PUBLIC HEARING AND FIRST READING ORDINANCE amending Section 6-205, BMCC, Building Code Board of Appeals. Staff recommends approval.

- *Presented by: Jessica Fust, Building and Facilities Manager*

Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve the First Reading Ordinance amending Section 6-205, BMCC, as recommended by staff.

5. BUY/SELL AGREEMENT to purchase Fire Station No. 8, located at 760 Lake Elmo Drive. Staff recommends approval.

- *Presented by: Jessica Fust, Building and Facilities Manager*

Recommended Motion: I move to approve the buy/sell agreement to purchase the building located at 760 Lake Elmo Drive for Fire Station No. 8, as recommended by staff.

6. LOW BARRIER SHELTER GRANT DECISION.

- *Presented by: Chris Kukulski, City Administrator*

7. RESOLUTION establishing Council committees. Staff recommends approval.

- *Presented by: Gina Dahl, City Attorney*

Recommended Motion: I move to approve a resolution establishing Council committees, 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**

**Date:** 09/26/2022  
**Title:** W.O. 22-20 Water Treatment Plant High Service Pump Station HVAC Upgrades, Bid Award  
**Presented by:** Debi Meling  
**Department:** Public Works  
**Presentation:** No  
**Legal Review** Not Applicable

**RECOMMENDATION**

Staff recommends the City Council reject all bids received for W.O. 22-20: Water Treatment Plant High Service Pump Station HVAC Upgrades.

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

During the summer of 2021, the electrical room and pump room inside the High Service Pump Station (HSPS) at the Water Treatment Plant (WTP) experienced more than 60 consecutive days of temperatures inside the pump station exceeding 90 degrees, and a few days in excess of 100 degrees. Optimal operation temperature for the equipment in these rooms is 75 to 85 degrees, so continual long-term operation in these conditions could be very detrimental. The equipment life could be shortened, or worse, the equipment could potentially fail, resulting in the City having great difficulty meeting summer water demands.

The procurement of new cooling units was approved previously by Council and delivery of those units is expected in February 2023. A contractor is needed to install the new units on the lower roof of the HSPS. To complement this installation, the roof requires structural improvements to support the new units and new ducting will be installed inside the building. The existing membrane roof is nearly 20 years old and approaching the end of its expected life. Since parts of the roof would be impacted by the installation of the new cooling units, the construction contract also includes the complete replacement of the membrane roof on the lower roof level of the HSPS.

The project was advertised on July 15, 22, and 29; August 5, 12, 19, and 26; and September 2, 2022, in the *Yellowstone County News* and on the City's website. Bids were opened on September 6, 2022, and two (2) bids were received. Bids were received from Morgan Contractors and Diamond Construction. Staff reviewed the bids and determined there were multiple elements that exceeded the budget and that excessive risk may have been bid into working above the critical electrical room infrastructure. Staff will review alternate methods of achieving the cooling to save money after the bids are rejected.

**ALTERNATIVES**

City Council may:

- Not award a contract and reject all bids. There is no viable alternative.

**FISCAL EFFECTS**

The following bids were received:

| Bidder (Contractor)     | Base Bid Amount | Additive Bid Alternate No. 1 (Exterior Stairway) |
|-------------------------|-----------------|--------------------------------------------------|
| Diamond Construction    | \$1,720,000.00  | \$135,000.00                                     |
| Morgan Contractors, LLC | \$1,460,864.00  | \$128,140.00                                     |

The project was budgeted in FY23 using Water funds in the amount of \$800,000. There are not sufficient funds available to award this project. Staff will review alternative ways to install the HVAC that may include ground mount systems and other duct work savings within the pump station and re-bid the project this winter.

**City Council Regular**

**Date:** 09/26/2022  
**Title:** Compensation Agreement with TKJ Development, LLC  
**Presented by:** Debi Meling  
**Department:** Public Works  
**Presentation:** No  
**Legal Review** Yes

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**RECOMMENDATION**

Staff recommends the City Council approve the attached Compensation Agreement with TKJ Development, LLC.

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

In order to obtain water service, TKJ Development, LLC will extend a 24-inch diameter public water main west along King Avenue West fronting Ridgeline Subdivision. Ridgeline Subdivision is located at the northeast corner of King Avenue West and South 48th Street West. The water main pipe size is necessary to serve future development beyond the Ridgeline Subdivision and is a continuation of the pipe size already constructed in King Avenue West. This water main is considered a general benefit facility that benefits a large number of customers and/or provides service to large areas. Per City Code (BMCC 26-502, 26-504, and 26-506), general benefit facilities are water lines greater than 12-inches in diameter for commercial developments and are eligible for compensation. The public main will be larger than 12-inch diameter and the City's policy is to compensate and pay for oversizing of a water main above 12-inches in diameter. Compensation is estimated to be \$50,955.00. The compensation amount could be higher or lower depending on actual costs.

**ALTERNATIVES**

The Council may:

- Approve an Agreement for compensation from the City to the Developer.
- Not approve an Agreement for compensation. This would be inconsistent with current City practice of compensating for oversizing utility extensions that have general benefit.

**FISCAL EFFECTS**

Based on review of the quantity of pipe to be installed and information provided by the Developer's agent, staff estimated the oversizing cost of the of water main to be \$50,955.00. The extent and timing of the City's participation in the project costs is determined in conformance with the budget approved by City Council and based on actual quantities installed. The funds are budgeted annually from water funds specific to compensation agreements.

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**Attachments**

Compensation Agreement

## **COMPENSATION AGREEMENT**

THIS AGREEMENT entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ between THE CITY OF BILLINGS, Billings, Montana, hereinafter referred to as the “CITY”, and TKJ Development, LLC, P.O. Box 1555, Billings, MT 59101, hereinafter referred to as “DEVELOPER”.

### W I T N E S S E T H

WHEREAS, the CITY’S Rules and Regulations Governing Water and Wastewater Service outlines the procedure and criteria the CITY uses in approving extensions of the public water and wastewater systems; and

WHEREAS, the CITY’S Rules and Regulations Governing Water and Wastewater Service outlines how the CITY participates in construction of various water and wastewater facilities and applies water and wastewater construction fees and system development fees to developments; and

WHEREAS, no person, developer, customer or applicant shall acquire any vested rights under the terms and provisions of this agreement; and

WHEREAS, DEVELOPER has agreed to extend or replace water and/or wastewater facilities for the purpose of providing service through plans and specifications to be reviewed and approved by the City. Said plans and specifications generally provide for the construction of water and/or wastewater facilities which are specifically described in Exhibit 1, attached hereto; and

WHEREAS, DEVELOPER is desirous of obtaining compensation for a portion of the water and/or wastewater facilities hereafter described; and

WHEREAS, the CITY is desirous of compensating the DEVELOPER for a portion of such water and/or wastewater facilities.

NOW, THEREFORE, CITY and DEVELOPER, in consideration of their mutual promises to each other hereinafter stated, agree as follows:

1. The water and/or wastewater facilities which are eligible for compensation to the extent set forth in this Agreement are specifically described in Exhibit 1, attached hereto, and by this reference incorporated herein as if fully set out.

2. With respect to DEVELOPER’S entitlement to compensation, the CITY and DEVELOPER agree that the conditions set forth hereinafter, must be met before DEVELOPER is entitled to or will receive any compensation. Said conditions are:

- (a) The extent, timing, and manner of the CITY’S participation in a water and/or wastewater facilities extension or replacement is determined in conformance

with the CITY'S Rules and Regulations Governing Water and Wastewater Service and the DEVELOPER'S compliance with city, state and federal laws, rules, and regulations. These policies require necessary funds to be included in the current, approved Capital Improvements Projects (CIP) budget in order to be eligible for compensation back to the DEVELOPER. The DEVELOPER may choose to proceed with an extension or replacement project without waiting for funds to be made available in the CIP budget; in this case, the DEVELOPER is responsible for paying the entire cost of the construction. Extensions or replacements not eligible for compensation according to these CITY policies and practices must be constructed by the DEVELOPER at his expense.

- (b) DEVELOPER shall provide to the CITY sufficient verifiable cost data to determine the appropriate amount of compensation within thirty (30) days of final inspection of the water and/or wastewater facilities and approval and acceptance by the CITY that all construction was completed according to the approved plans and specifications.
- (c) Extension of the water and sanitary sewer mains shall be reviewed and approved by the City of Billings.
- (d) DEVELOPER shall enter into a compensation agreement with the CITY at the time the CITY approves the DEVELOPER'S application for extension of water and/or wastewater facilities or, in the case of a replacement project, prior to submittal of preliminary plans and specifications by the DEVELOPER.
- (e) Upon completion of the extension or replacement of the water and/or wastewater facilities, the DEVELOPER must convey all right, title and interest in the facilities to the CITY.
- (f) DEVELOPER shall, at all times, provide to the CITY a current address for purposes of mailing compensation to DEVELOPER.
- (g) Extension or replacement of water and/or wastewater facilities must be done in compliance with all rules, regulations, resolutions and ordinances of the CITY, including but not limited to standards for design and construction of the facilities, competitive bidding and contract requirements for cities, prevailing wage rates, non-discrimination requirements, etc.

DEVELOPER agrees that it will not be entitled to any compensation whatsoever until the above conditions have been completely satisfied. DEVELOPER'S violation of any of the conditions set forth herein may, at the option of the CITY, result in denial of any and all compensation to the DEVELOPER.

3. In addition, it is expressly agreed that any compensation is conditioned upon the following:

- (a) Compensation is limited to costs attributable to water and/or wastewater facilities described in Exhibit 1, less all administrative costs incurred by the CITY. In no event will compensation exceed the actual cost to the DEVELOPER of extending or replacing the water and/or wastewater facilities.
- (b) Compensation shall not include any interest charges.

Acceptance of the water and/or wastewater facilities for purposes of compensation as set forth in this agreement shall be evidenced by written notice of a letter from the Public Works Department of the CITY and directed to the DEVELOPER at the address set forth in the first paragraph of this agreement.

4. The CITY, by this agreement, is not guaranteeing that full compensation by the CITY to the DEVELOPER will be made. The CITY is only agreeing that it will develop a plan under its CITY's Rules and Regulations Governing Water and Wastewater Service that will recommend that compensation for water and/or wastewater facilities which have been extended or replaced at the DEVELOPER'S expense will be made as set forth herein. Compensation does not apply to

additional extensions or replacements of the water and/or wastewater facilities. Compensation shall be based upon the final total project costs.

5. The address for mailing compensation to the DEVELOPER shall be that address specified in the first paragraph of this agreement. Any change in address of the DEVELOPER shall be sent to the Public Works Director of the City of Billings at P.O. Box 1178, Billings, MT 59103. The designation of a new address shall be accompanied by a copy of this agreement.

6. This agreement shall be binding upon and shall inure to the benefit of the parties hereto, and their successors and assigns.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

DEVELOPER

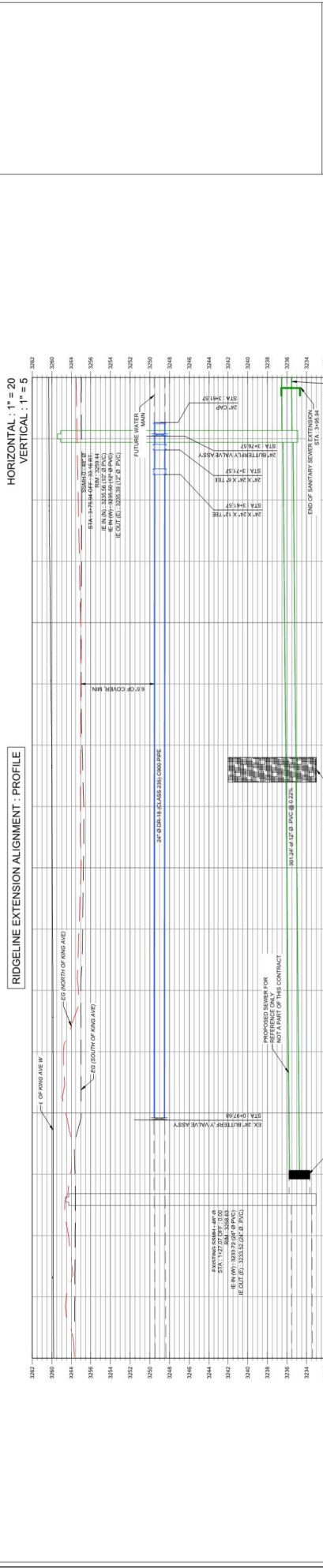
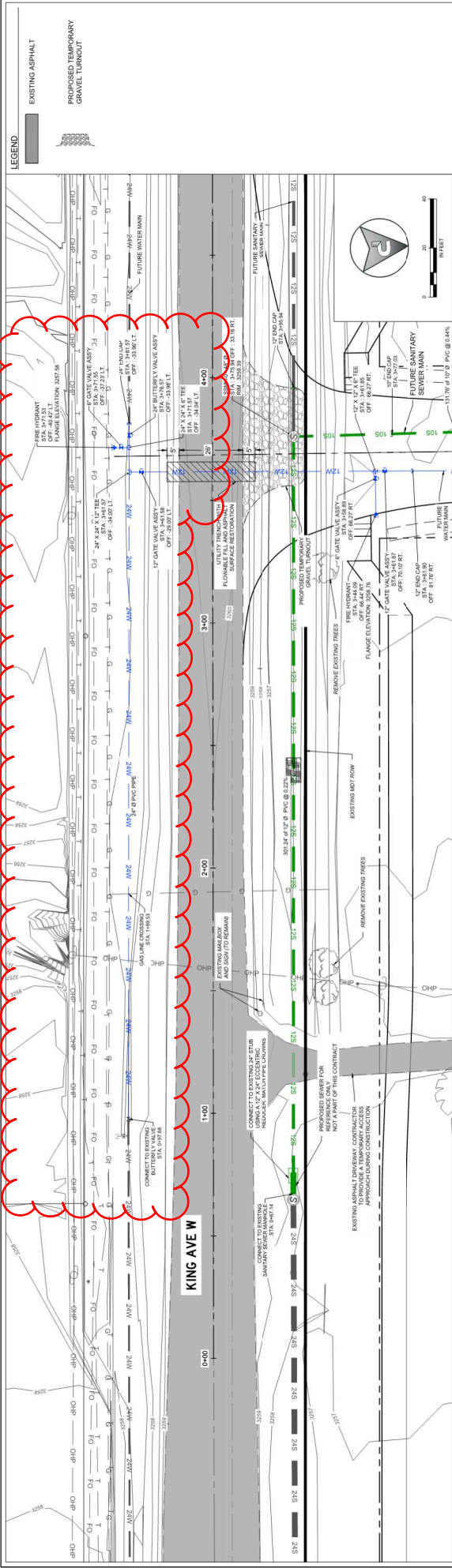
By \_\_\_\_\_

CITY OF BILLINGS

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

ATTEST:

\_\_\_\_\_  
City Clerk



| REVISIONS |             | DATE | BY | CHECKED BY |
|-----------|-------------|------|----|------------|
| NO.       | DESCRIPTION |      |    |            |
| 1         |             |      |    |            |
| 2         |             |      |    |            |
| 3         |             |      |    |            |
| 4         |             |      |    |            |
| 5         |             |      |    |            |
| 6         |             |      |    |            |

|                              |          |
|------------------------------|----------|
| PRIVATE CONTRACT NO. P-772   |          |
| S 48TH ST W/ KING AVE W      |          |
| BILLINGS, MONTANA 59106      |          |
| KING AVE WATER EXTENSION     |          |
| STATION 0+00 TO STATION 4+00 |          |
| DESIGNED BY                  | APR      |
| DRAWN BY                     | 06/20/22 |
| DATE                         | 06/20/22 |
| QUALITY ASSURANCE            | 06/20/22 |
| CHECKED BY                   | 06/20/22 |
| DATE                         | 06/20/22 |



**PERFORMANCE**  
ENGINEERING  
608 NORTH 29TH STREET  
BILLINGS, MT 59101  
(406) 384-0080  
performance-ec.com



CRISTINA A. BROWN  
Professional Engineer  
No. 12345  
Exp. 12/31/2024

**BID SET**

PROJECT NUMBER  
2021-061

SHEET NUMBER  
4 OF 6

DRAWING NUMBER  
C1.0

MODIFY SCALE ACCORDINGLY

VERIFY SCALE!  
THESE PRINTS MAY BE REDUCED.  
LINE BELOW MEASURES ONE INCH ON  
ORIGINAL DRAWING.

EXHIBIT 1

P772 King Avenue West Water Improvements

Compensation Agreement Calculations for oversized water main over 12"

| Item No.                    | Description             | Estimated Quantity | Unit | Unit Price | Total Price | 12" vs 24" Difference |
|-----------------------------|-------------------------|--------------------|------|------------|-------------|-----------------------|
| 201                         | 24" Dia. PVC Water Pipe | 284                | LF   | \$206.00   | \$58,504.00 | \$45,440.00           |
| 202                         | 12" Dia. PVC Water Pipe | 284                | LF   | \$46.00    | \$13,064.00 |                       |
| 204                         | 24" Butterfly Valve     | 1                  | EA   | \$6,980.00 | \$6,980.00  | \$4,550.00            |
| 206                         | 12" Gate Valve          | 1                  | EA   | \$2,430.00 | \$2,430.00  |                       |
| 207                         | 24" X 24" Tee           | 1                  | EA   | \$1,700.00 | \$1,700.00  | \$965.00              |
| 209                         | 12" X 12" Tee           | 1                  | EA   | \$735.00   | \$735.00    |                       |
| Total Compensation Estimate |                         |                    |      |            |             | \$50,955.00           |

**P-772: King Avenue West Water Improvements**

| ITEM NO.                              | DESCRIPTION                        | ESTIMATED QUANTITY | UNIT | UNIT PRICE           | TOTAL PRICE          |
|---------------------------------------|------------------------------------|--------------------|------|----------------------|----------------------|
| <b>Overhead and General Site Work</b> |                                    |                    |      |                      |                      |
| 100                                   | Mobilization / Demobilization      | 1                  | LS   | 6,150 <sup>00</sup>  | 6,150 <sup>00</sup>  |
| 101                                   | Taxes, Bonds, Insurance            | 1                  | LS   | 2,650 <sup>00</sup>  | 2,650 <sup>00</sup>  |
| 102                                   | Traffic Control Plan               | 1                  | LS   | 6,500 <sup>00</sup>  | 6,500 <sup>00</sup>  |
| 103                                   | Topsoil Removal & Haul Off         | 1                  | LS   | 2,800 <sup>00</sup>  | 2,800 <sup>00</sup>  |
| 104                                   | Vegetative Restoration             | 1                  | LS   | 1,500 <sup>00</sup>  | 1,500 <sup>00</sup>  |
| 105                                   | Roadway Restoration                | 1                  | LS   | 12,600 <sup>00</sup> | 12,600 <sup>00</sup> |
| 106                                   | Unclassified Excavation & Haul Off | 1                  | LS   | Ø                    | Ø                    |
| 107                                   | Underground Utility Crossing       | 1                  | EA   | 500 <sup>00</sup>    | 500 <sup>00</sup>    |
| <b>Water System</b>                   |                                    |                    |      |                      |                      |
| 200                                   | Connect to Existing 24" Water Main | 1                  | EA   | 5,500 <sup>00</sup>  | 5,500 <sup>00</sup>  |
| 201                                   | 24" Dia. PVC Water Pipe            | 284                | LF   | 315 <sup>00</sup>    | 89,460 <sup>00</sup> |
| 202                                   | 12" Dia. PVC Water Pipe            | 116                | LF   | 95 <sup>00</sup>     | 11,020 <sup>00</sup> |
| 203                                   | 6" Dia. PVC Water Pipe             | 25                 | LF   | 58 <sup>00</sup>     | 1,450 <sup>00</sup>  |
| 204                                   | 24" Butterfly Valve & Box          | 1                  | EA   | 10,250 <sup>00</sup> | 10,250 <sup>00</sup> |
| 205                                   | 6" Gate Valve & Box                | 2                  | EA   | 1,865 <sup>00</sup>  | 3,730 <sup>00</sup>  |
| 206                                   | 12" Gate Valve & Box               | 2                  | EA   | 4,365 <sup>00</sup>  | 8,730 <sup>00</sup>  |
| 207                                   | 24" x 24" x 12" Tee                | 1                  | EA   | 4,250 <sup>00</sup>  | 4,250 <sup>00</sup>  |
| 208                                   | 24" x 24" x 6" Tee                 | 1                  | EA   | 3,930 <sup>00</sup>  | 3,930 <sup>00</sup>  |
| 209                                   | 12" x 12" x 6" Tee                 | 1                  | EA   | 1,400 <sup>00</sup>  | 1,400 <sup>00</sup>  |
| 210                                   | 24" Water Main End Cap Assembly    | 1                  | EA   | 2,400 <sup>00</sup>  | 2,400 <sup>00</sup>  |
| 211                                   | 12" Water Main End Cap Assembly    | 1                  | EA   | 1,055 <sup>00</sup>  | 1,055 <sup>00</sup>  |
| 212                                   | Fire Hydrant Assembly              | 2                  | EA   | 4,480 <sup>00</sup>  | 8,960 <sup>00</sup>  |

TOTAL BID  
PRICE \$

\$184,835<sup>00</sup>  
(figures)

TOTAL BID  
PRICE

one hundred eighty four thousand eight  
(words)

hundred thirty five + 00/100

A. Unit Prices have been computed in accordance with paragraph 11.03.B. of the General Conditions.

B. Bidder acknowledges that estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment for all Unit Price Bid items will be based on actual quantities provided, determined as provided in the Contract Documents.

# Affidavit of Publication

STATE OF MONTANA

County of Yellowstone

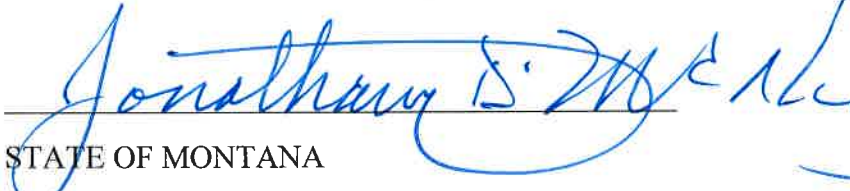
Jonathan McNiven

Being duly sworn, deposes and says:

That he is the Legal Advertising Clerk of Yellowstone County News, a newspaper of general circulation published weekly in the town of Huntley, in the County of Yellowstone, State of Montana, and that the (3) folio Legal **Invitation to Bid**, a true copy of which is hereto **Included**, was published in said newspaper on the following dates:

**June 10, 2022; June 17, 2022**

making in all (2) publication(s).

  
STATE OF MONTANA

County of Yellowstone

On this 17th day of June 2022, before me, the undersigned, a Notary Public for the State of Montana, personally appeared Jonathan McNiven, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal that day and year first above written.

  
Tana McNiven

NOTARY PUBLIC for the State of Montana, residing at Huntley, MT.

My commission expires: August 23, 2024

## INVITATION TO BID

Sealed bids will be received up to and including **2:00 P.M. local time on June 21st, 2022** in the office of Performance Engineering at 608 North 29th Street, Billings, MT 59101. Sealed bids will be **opened and read** aloud in the conference room of **Performance Engineering** for the **Private Contract No. 772** project. The project generally consists of the construction of approximately 285 lineal feet of 24-inch and 100 lineal feet of 12-inch water main along King Avenue West in Billings, MT.

Bids shall be submitted on the form provided within the Contract Documents. Contract documents may be secured at [www.montanabid.com](http://www.montanabid.com) and/or the office of:

**Performance Engineering**  
608 North 29th Street  
Billings, MT 59101  
406-384-0080

A non-refundable deposit of \$75.00 is required for each set.

No bidder may withdraw their bid for at least SIXTY (60) calendar days after the scheduled time for receipt of bids except as noted in the Instruction to Bidders.

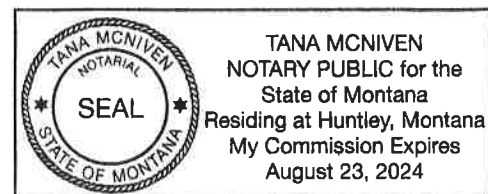
The Owner reserves the right to reject any or all bids and to waive any and all irregularities or informalities and the right to determine what constitutes any and all irregularities or informalities.

TKJ Development, LLC

Owner

Published June 10 and June 17, 2022.

06/10, 06/17 2022  
MNAXLP



**City Council Regular**

**Date:** 09/26/2022  
**Title:** Purchase of 2023 Broombear Sweeper  
**Presented by:** Debi Meling  
**Department:** Public Works  
**Presentation:** No  
**Legal Review** Not Applicable

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**RECOMMENDATION**

Staff recommends the City Council approves the purchase of a 2023 Broombear sweeper from Joe Johnson Equipment in accordance with Sourcewell in the amount of \$313,088 less \$25,000 trade for a net amount of \$288,088.

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

The purchase of a Broombear Sweeper is included in the approved FY23 Equipment Replacement Plan (ERP) and FY23 Street and Traffic budget. Street Sweepers are a vital part of operations as they not only keep the streets clean, but are also necessary for stormwater permit compliance. Staff is recommending we procure the equipment using the cooperative purchasing agreement (Sourcewell), as the pricing is similar to competitive bid pricing. By using Sourcewell, we can keep fewer parts on the shelf, as the normal wear items are interchangeable between 6 sweepers, saving thousands of dollars in stocked parts. The pricing is higher than the budgeted amount due to inflationary cost increases that we are seeing for all equipment.

Sourcewell is a new tool to the city for use in procurement. Historically, the city has been allowed to use state contracts to procure items if it was beneficial to the city. The purchasing policy has been updated to allow cooperative agreements beyond just the state contracts. Staff will continue to evaluate the procurement options to determine which option is the most beneficial for the city.

**ALTERNATIVES**

City Council may:

- Approve purchasing the 2023 Broombear sweeper through Sourcewell; or,
- Not approve the purchase. If not approved the sweeper will likely see extensive repair costs, and downtime as the sweeper has reached its useful life. Extended downtime will result in diminished customer service levels citizens have come to expect.

**FISCAL EFFECTS**

The Broombear sweeper was budgeted in FY23 using Street Maintenance District funds. The amount budgeted was \$271,176. The price is higher than budgeted due to inflation and the shortfall will be funded either by deferring other equipment purchases or by savings realized on other equipment purchased in FY23.

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**City Council Regular**

**Date:** 09/26/2022  
**Title:** Purchase Three (3) Fire/EMS Mobile Response Vehicles  
**Presented by:** Jason Banfield, Assistant Fire Chief  
**Department:** Fire  
**Presentation:** No  
**Legal Review** Not Applicable

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**RECOMMENDATION**

Staff recommends that the City Council approve the purchase of three (3) 2023 Ford Interceptor SUV vehicles from Duval Ford in the amount of \$137,514.

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

The State of Montana conducts an annual competitive bidding process for law enforcement type vehicles. Pursuant to MCA 18-4-402, local government agencies are permitted to take advantage of the cost savings realized by the State's purchasing volume. Cooperative purchasers benefit by purchasing through State term contracts through cost savings, expedited order processing, as well as ensuring all procurement is completed via proper procurement rules governed by the State and City.

Staff is requesting that City Council approve the purchase of three (3) 2023 Ford Interceptor SUV vehicles from Duval Ford through the State of Montana's Term Contract, as historically completed, in the amount of \$137,514.

**ALTERNATIVES**

City Council may:

- Approve the purchase of the three (3) vehicles from Duval Ford: or,
- Not Approve the purchase of the three (3) vehicles from Duval Ford and require BFD to issue a formal call for sealed bids, delaying the procurement by at least 8 months.

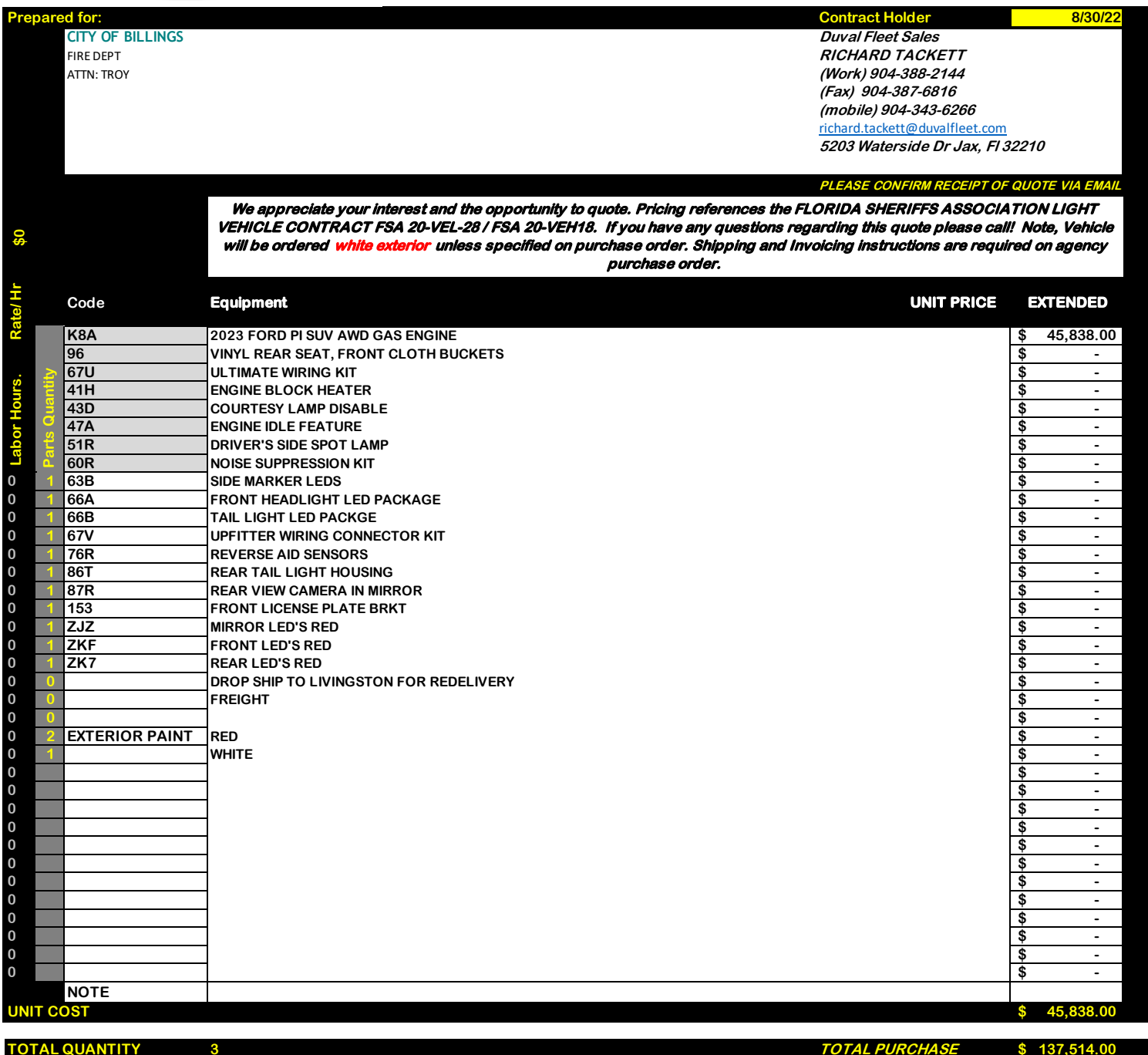
**FISCAL EFFECTS**

Three (3) mobile response vehicles are budgeted in the FY 2023 Equipment Replacement Fund Budget, in the amount of \$143,970. Any excess funds from these purchases will remain in the ERP.

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**Attachments**

DUVAL FORD MRT INTERCEPTORS 2022-08-30



**City Council Regular**

**Date:** 09/26/2022  
**Title:** Purchase of Two Solid Waste Front-Load Collection Trucks  
**Presented by:** Debi Meling  
**Department:** Public Works  
**Presentation:** No  
**Legal Review** Not Applicable

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**RECOMMENDATION**

Staff recommends the City Council approve the purchase of two front-load collection trucks from SWS Equipment, LLC in the amount of \$737,741.52.

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

The purchase of three front load collection trucks is included in the approved FY23 Equipment Replacement Plan and FY23 Solid Waste budget. This agenda item concerns the purchase for two of the three trucks. These two trucks will be equipped with AutoCar chassis' and Newway trash bodies. The front-load fleet is all Newway bodies except for two trucks. The chassis' will be available in November, which means Solid Waste would receive a truck in service by the summer of 2023. Utilizing Sourcewell and taking advantage of this opportunity with these chassis' will result in getting the collection trucks at least a year sooner than if the trucks were bid. It is important to note that the City has not received the trucks ordered in FY22 yet. The purchases will replace trucks with high mileage. Public Works intends to retain the old trucks until the route optimization project is complete and it is determined if additional routes and trucks are needed. If we later find the trucks are not needed, the City will sell or trade them during the next truck purchase process.

Sourcewell is a relatively new tool to the city for use in procurement. Historically, the city has been allowed to use state contracts to procure items if it was beneficial to the city. The purchasing policy has been updated to allow cooperative agreements beyond just the state contracts. Staff evaluates the procurement options to determine which option is the most beneficial for the city. In this instance, using Sourcewell is more beneficial to the city than bidding the trucks.

**ALTERNATIVES**

City Council may:

- Approve purchasing the front-load collection trucks through Sourcewell; or,
- Not approve the purchase. If the purchase is not approved, staff will need to bid the trucks, resulting in an 18-24 month delay before receiving new collection trucks.

**FISCAL EFFECTS**

The trucks are budgeted in FY23 using Solid Waste funds. The purchase price is approximately \$20,000 more per truck than what is budgeted due to inflationary cost increases for equipment. The difference between the budget and the cost of the trucks will be made up by delaying other equipment or finding savings when purchasing other equipment.

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**City Council Regular**

**Date:** 09/26/2022  
**Title:** Donations to the Billings Public Library  
**Presented by:** Gavin Woltjer  
**Department:** Library  
**Presentation:** No  
**Legal Review** Not Applicable

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**RECOMMENDATION**

Staff recommends that the City Council accept the donations to the Billings Public Library.

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

The Billings Public Library has received donation/sponsorship in the amount of \$500 from Humanities Montana earmarked for the Teen Big Sky Reads program.

**ALTERNATIVES**

City Council may:

- Approve the donations; or,
- Not Approve the donation

**FISCAL EFFECTS**

There is no budgetary impact.

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**City Council Regular**

**Date:** 09/26/2022  
**Title:** Amended Development Agreement with Alkali Timbers, LLC.  
**Presented by:** Debi Meling  
**Department:** Public Works  
**Presentation:** No  
**Legal Review** Not Applicable

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**RECOMMENDATION**

Staff recommends that the City Council approve the amended Development Agreement with Alkali Timbers, LLC.

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

City Council approved the annexation of The Timbers, a residential subdivision on January 10, 2022. As a condition of approval of the annexation, the property owner entered into a Development Agreement with the City of Billings outlining necessary public improvements. At the request of City Council, the Development Agreement included the following language:

Multi-use Trail. DEVELOPER will be required to construct a 10-foot wide asphalt multi-use trail either along Alkali Creek Road or through the Developer Tract within a public easement for the length of the Developer Tract. With the development of Phase I, DEVELOPER is required to construct a 10-foot-side asphalt multi-use trail through Phase I and a gravel trail through Phase 2 and 3. With the development of Phase 2 and phase 3, the multi-use trail must be paved.

The Developer has been working with the US Army Corps of Engineers (USACE) to get the trail permitted. Because of the amount of wetland impact, the permit is taking longer than is typical. The Developer is asking to delay the construction of the gravel section of the trail until they can get the permit approved instead of it being a condition of Phase I approval. The Development Agreement would be amended to read:

Multi-use Trail. DEVELOPER will be required to construct a 10-foot wide asphalt multi-use trail either along Alkali Creek Road or through the Developer Tract within a public easement for the length of the Developer Tract. With the development of Phase I, DEVELOPER is required to construct a 10-foot-side asphalt multi-use trail through Phase I and a gravel trail through Phase 2 and 3 once a permit is obtained from the US Army Corps of Engineers (USACE). Any delay in obtaining the permit may delay the construction of the gravel trail. Developer shall actively pursue the USACE permit. Delay of the gravel trail will not prevent the City from accepting the Phase I improvements. With the development of Phase 2 and phase 3, the multi-use trail must be paved.

**ALTERNATIVES**

City Council may:

- Approve the amended Development Agreement with the property owner; or
- Not approve the amended Development Agreement. If the agreement is not approved, the Developer will need to construct the entire trail under Phase I. This will likely delay the completion of Phase I.

**FISCAL EFFECTS**

There is no financial impact with approval of this amended Development Agreement. The construction of the gravel trail shall still be the responsibility of the Developer, however the construction may be delayed.

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**Attachments**

Amended Development Agreement with track changes  
Amended Development Agreement  
Exhibit A  
Exhibit B

Return to:  
City Engineer's Office  
2224 Montana Avenue  
Billings, MT 59101

## **AMENDED DEVELOPMENT AGREEMENT**

**THIS DEVELOPMENT AGREEMENT** is made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between ALKALI TIMBERS, LLC, 1655 Valley Heights Road, Billings, MT 59105 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:

*Portions of Tracts A and B of COS 3795, Section 19, T01N, R26E, described in detail by Metes and Bounds on Exhibit A.*

Above referenced property is hereinafter referred to as "Developer Tract"

**WHEREAS**, DEVELOPER has submitted to the City a Petition for Annexation to the City for Developer Tract; and

**WHEREAS**, DEVELOPER desires to annex Developer Tract to the City; and

**WHEREAS**, DEVELOPER is proposing to develop the Developer Tract in phases over time; and

**WHEREAS**, CITY has approved the Petition for Annexation by Resolution No. 22-11024 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 Tract will be accessed by way of two separate street or driveway approaches from Alkali Creek Road as approved by the City.
2. Sanitary Sewer. The Developer Tract will be served by extending a sanitary sewer main along Alkali Creek Road to the southeast corner of Developer Tract by the City. Sanitary sewer shall be extended internally through the property at Developer expense generally parallel to Alkali Creek Road to the northeast corner of Developer Tract. The size and depth of the sanitary sewer main shall be determined by the City. Developer can submit a compensation agreement for oversizing of sanitary sewer to the City for consideration.

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 Tract will be served by extending a water main along Alkali Creek Road to the southeast corner of Developer Tract by the City. Water shall be extended internally through the property at Developer expense generally parallel to Alkali Creek Road to the northeast corner of Developer Tract. The size of the water main shall be determined by the City. Developer can submit a compensation agreement for oversizing of water to the City for consideration.

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 Tract in accordance with the City of Billings Stormwater Management Manual (2018).
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. Developer will be required to dedicate a 60-foot wide half right-of-way along Alkali Creek Road.
6. Street Construction, Widening and Sidewalks. DEVELOPER will be required at the time of development to provide a cash contribution for curb and gutter and street widening of Alkali Creek Road along the property frontage to an equivalent residential street width (34-foot back of curb to back of curb), and given credit for the existing asphalt in place.

7. Multi-use Trail. DEVELOPER will be required to construct a 10-foot wide asphalt multi-use trail either along Alkali Creek Road or through the Developer Tract within a public easement for the length of the Developer Tract. With the development of Phase 1, DEVELOPER is required to construct a 10-foot-wide asphalt multi-use trail through Phase 1 and a gravel trail through Phase 2 and 3 once a permit is obtained from the US Army Corps of Engineers (USACE). Any delay in obtaining the permit may delay the construction of the gravel trail. Developer shall actively pursue the USACE permit. Delay of the gravel trail will not prevent the City from accepting the Phase I improvements. With development of Phase 2 and Phase 3, the multi-use trail must be paved.

The development shall be responsible for the maintenance and replacement of the sidewalk and/or trail after construction.

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. 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. Annexation. DEVELOPER will annex the property in three separate phases as shown in Exhibit B.

- a. Phase 1 shall be considered annexed effective immediately upon approval of the mutually agreed upon Development Agreement.
- b. The DEVELOPER or the City may initiate completion of Phase 2 and phase 3 annexations. If a written request from the DEVELOPER is not received by the timeframes identified below, the City will take action to execute completion of the remaining phases. If the DEVELOPER wishes to execute the annexation sooner than the timeframes identified, a written request will be submitted to the Planning Division. The request shall refer to the document number of the annexation resolution on file with the Yellowstone County Clerk and Recorder and expressly state the DEVELOPERS desire to immediately include the property within city limits to be developed in accordance with the Planned Neighborhood Development. Since both phases were included in the original petition, no new annexation petition fees will be collected by the Planning Division. Further, in no circumstance shall development of any kind commence prior to the City accepting the written request and providing notification to the Department of Revenue (DOR), City of Billings Geographic Information Services (GIS) and the Yellowstone County Clerk and Recorder.

If the Phase 2 written request has not been submitted within three years of the date of this Resolution, the property will automatically be included in the City Limits. The City will initiate this process through notification to the DOR.

If the Phase 3 written request has not been submitted within seven years of the date of the Annexation Resolution, the property will automatically be included in the City Limits. The City will initiate this process through notification to the DOR.

- c. If the conditions of annexation are not satisfied, or the DEVELOPER requests changes inconsistent with the approval in the Resolution of Annexation, any new requests for the property legally described within this resolution shall be processed as a new petition of annexation.

Phase II will be annexed effective January 10, 2025, or earlier upon written request of the DEVELOPER.

Phase III will be annexed effective January 10, 2029, or earlier upon written request of the DEVELOPER.

11. Compliance. Nothing herein shall be deemed to exempt the Developer Tract 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.
12. 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.
13. 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.
14. 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”

ALKALI TIMBERS, LLC.

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 \_\_\_\_\_ of DEVELOPER, 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:

*Portions of Tracts A and B of COS 3795, Section 19, T01N, R26E, described in detail by Metes and Bounds on Exhibit A.*

“DEVELOPER”

ALKALI TIMBERS, LLC.

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 \_\_\_\_\_ of DEVELOPER, 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: \_\_\_\_\_

Return to:  
City Engineer's Office  
2224 Montana Avenue  
Billings, MT 59101

## **AMENDED DEVELOPMENT AGREEMENT**

**THIS DEVELOPMENT AGREEMENT** is made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between ALKALI TIMBERS, LLC, 1655 Valley Heights Road, Billings, MT 59105 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:

*Portions of Tracts A and B of COS 3795, Section 19, T01N, R26E, described in detail by Metes and Bounds on Exhibit A.*

Above referenced property is hereinafter referred to as "Developer Tract"

**WHEREAS**, DEVELOPER has submitted to the City a Petition for Annexation to the City for Developer Tract; and

**WHEREAS**, DEVELOPER desires to annex Developer Tract to the City; and

**WHEREAS**, DEVELOPER is proposing to develop the Developer Tract in phases over time; and

**WHEREAS**, CITY has approved the Petition for Annexation by Resolution No. 22-11024 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:

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2. Sanitary Sewer. The Developer Tract will be served by extending a sanitary sewer main along Alkali Creek Road to the southeast corner of Developer Tract by the City. Sanitary sewer shall be extended internally through the property at Developer expense generally parallel to Alkali Creek Road to the northeast corner of Developer Tract. The size and depth of the sanitary sewer main shall be determined by the City. Developer can submit a compensation agreement for oversizing of sanitary sewer to the City for consideration.

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 Tract will be served by extending a water main along Alkali Creek Road to the southeast corner of Developer Tract by the City. Water shall be extended internally through the property at Developer expense generally parallel to Alkali Creek Road to the northeast corner of Developer Tract. The size of the water main shall be determined by the City. Developer can submit a compensation agreement for oversizing of water to the City for consideration.

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 Tract in accordance with the City of Billings Stormwater Management Manual (2018).
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. Developer will be required to dedicate a 60-foot wide half right-of-way along Alkali Creek Road.
6. Street Construction, Widening and Sidewalks. DEVELOPER will be required at the time of development to provide a cash contribution for curb and gutter and street widening of Alkali Creek Road along the property frontage to an equivalent residential street width (34-foot back of curb to back of curb), and given credit for the existing asphalt in place.

7. Multi-use Trail. DEVELOPER will be required to construct a 10-foot wide asphalt multi-use trail either along Alkali Creek Road or through the Developer Tract within a public easement for the length of the Developer Tract. With the development of Phase 1, DEVELOPER is required to construct a 10-foot-wide asphalt multi-use trail through Phase 1 and a gravel trail through Phase 2 and 3 once a permit is obtained from the US Army Corps of Engineers (USACE). Any delay in obtaining the permit may delay the construction of the gravel trail. Developer shall actively pursue the USACE permit. Delay of the gravel trail will not prevent the City from accepting the Phase I improvements. With development of Phase 2 and Phase 3, the multi-use trail must be paved.

The development shall be responsible for the maintenance and replacement of the sidewalk and/or trail after construction.

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. 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. Annexation. DEVELOPER will annex the property in three separate phases as shown in Exhibit B.

- a. Phase 1 shall be considered annexed effective immediately upon approval of the mutually agreed upon Development Agreement.
- b. The DEVELOPER or the City may initiate completion of Phase 2 and phase 3 annexations. If a written request from the DEVELOPER is not received by the timeframes identified below, the City will take action to execute completion of the remaining phases. If the DEVELOPER wishes to execute the annexation sooner than the timeframes identified, a written request will be submitted to the Planning Division. The request shall refer to the document number of the annexation resolution on file with the Yellowstone County Clerk and Recorder and expressly state the DEVELOPERS desire to immediately include the property within city limits to be developed in accordance with the Planned Neighborhood Development. Since both phases were included in the original petition, no new annexation petition fees will be collected by the Planning Division. Further, in no circumstance shall development of any kind commence prior to the City accepting the written request and providing notification to the Department of Revenue (DOR), City of Billings Geographic Information Services (GIS) and the Yellowstone County Clerk and Recorder.

If the Phase 2 written request has not been submitted within three years of the date of this Resolution, the property will automatically be included in the City Limits. The City will initiate this process through notification to the DOR.

If the Phase 3 written request has not been submitted within seven years of the date of the Annexation Resolution, the property will automatically be included in the City Limits. The City will initiate this process through notification to the DOR.

- c. If the conditions of annexation are not satisfied, or the DEVELOPER requests changes inconsistent with the approval in the Resolution of Annexation, any new requests for the property legally described within this resolution shall be processed as a new petition of annexation.

Phase II will be annexed effective January 10, 2025, or earlier upon written request of the DEVELOPER.

Phase III will be annexed effective January 10, 2029, or earlier upon written request of the DEVELOPER.

11. Compliance. Nothing herein shall be deemed to exempt the Developer Tract 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.
12. 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.
13. 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.
14. 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”

ALKALI TIMBERS, LLC.

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 \_\_\_\_\_ of DEVELOPER, 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:

*Portions of Tracts A and B of COS 3795, Section 19, T01N, R26E, described in detail by Metes and Bounds on Exhibit A.*

“DEVELOPER”

ALKALI TIMBERS, LLC.

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 \_\_\_\_\_ of DEVELOPER, 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: \_\_\_\_\_



## Exhibit A

### Metes and Bounds for Annexation and Rezoning Phases

#### PERIMETER DESCRIPTION OF PHASES 1, 2 AND 3

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 NORTHEAST CORNER OF TRACT A OF CERTIFICATE OF SURVEY NO. 3795 AND BEING A POINT ON A NON-TANGENT CURVE HAVING A RADIAL BEARING OF N71°37'00"E, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE THE FOLLOWING FIVE (5) COURSES ALONG THE EASTERLY BOUNDARY OF SAID TRACT A: AN ARC DISTANCE OF 533.97 FEET ALONG SAID NON-TANGENT CURVE TO THE LEFT, OF RADIUS 2200.00 FEET AND DELTA 13°54'23" TO A POINT ON A TANGENT LINE; THENCE ALONG SAID TANGENT LINE, S32°17'23"E, 940.43 FEET TO A TANGENT POINT OF CURVATURE; THENCE AN ARC DISTANCE OF 656.28 FEET ALONG SAID TANGENT CURVE TO THE LEFT, OF RADIUS 1150.00 FEET AND DELTA 32°41'51" TO A POINT ON A TANGENT LINE; THENCE ALONG SAID TANGENT LINE, S64°59'13"E, 748.64 FEET TO A TANGENT POINT OF CURVATURE; THENCE AN ARC DISTANCE OF 234.95 FEET ALONG SAID TANGENT CURVE TO THE RIGHT, OF RADIUS 1400.00 FEET AND DELTA 9°36'55" TO THE EASTERLYMOST CORNER OF SAID TRACT A; THENCE THE FOLLOWING THREE (3) COURSES ALONG THE COMMON BOUNDARY OF TRACTS A AND D OF SAID CERTIFICATE OF SURVEY NO. 3795: S34°15'15"W, 385.55 FEET; THENCE S53°25'53"W, 772.89 FEET; THENCE N84°55'52"W, 410.18 FEET TO THE CORNER COMMON TO TRACTS A, B AND D OF SAID CERTIFICATE OF SURVEY NO. 3795: THENCE ALONG THE LINE COMMON TO TRACTS B AND D, S21°48'26"W, 373.20 FEET; THENCE DEPARTING SAID COMMON LINE, N68°11'34"W, 194.22 FEET; THENCE N41°43'56"W, 179.96 FEET; THENCE S48°16'04"W, 72.93 FEET; THENCE N41°43'56"W, 250.93 FEET; THENCE N48°16'04"E, 280.00 FEET; THENCE N34°47'53"W, 154.20 FEET TO A POINT ON THE LINE COMMON TO SAID TRACTS A AND B; THENCE ALONG SAID COMMON LINE, N41°12'34"W, 143.81 FEET; THENCE DEPARTING SAID COMMON LINE, S89°30'34"W, 145.84 FEET; THENCE N07°30'20"W, 157.12 FEET TO A POINT ON THE LINE COMMON TO SAID TRACTS A AND B; THENCE THE FOLLOWING TWO (2) COURSES ALONG SAID COMMON LINE: S44°12'09"W, 204.37 FEET; THENCE S58°12'21"W, 451.31 FEET; THENCE DEPARTING SAID COMMON LINE, S36°31'50"W, 263.57 FEET; THENCE S51°08'15"W, 168.60 FEET; THENCE S72°31'48"W, 185.49 FEET; THENCE N32°07'15"E, 369.88 FEET TO A POINT ON THE LINE COMMON TO SAID TRACTS A AND B; THENCE ALONG SAID COMMON LINE, N53°01'08"W, 31.79 FEET; THENCE DEPARTING SAID COMMON LINE, N35°42'22"W, 98.92 FEET; THENCE N18°02'15"E, 200.07 FEET; THENCE N68°55'38"E, 90.76 FEET TO A POINT ON THE LINE COMMON TO SAID TRACTS A AND B; THENCE ALONG SAID COMMON LINE, N47°52'34"E, 392.21 FEET; THENCE DEPARTING SAID COMMON LINE, N43°40'41"E, 292.79 FEET; THENCE N55°00'01"E, 102.10 FEET; THENCE N34°59'59"W, 335.00 FEET; THENCE S52°16'44"W, 77.31 FEET; THENCE N37°43'16"W, 60.00 FEET; THENCE N05°49'29"W, 113.49 FEET; THENCE N38°12'19"W, 67.20 FEET; THENCE N68°12'19"W, 171.74 FEET; THENCE S59°36'56"W, 118.00 FEET; THENCE N30°23'04"W, 230.00 FEET; THENCE N59°36'56"E, 61.48 FEET; THENCE N27°39'09"W, 230.58 FEET; THENCE N32°04'06"E, 77.07 FEET; THENCE N78°13'44"E, 128.34 FEET; THENCE N59°36'56"E, 174.79 FEET; THENCE N00°46'01"W, 355.56 FEET; THENCE S89°13'59"W, 417.01 FEET; THENCE N00°46'01"W, 230.00 FEET; THENCE N89°13'59"E, 35.00 FEET; THENCE N00°46'01"W, 243.14 FEET TO A POINT ON THE NORTH BOUNDARY OF SAID TRACT A; THENCE ALONG SAID NORTH BOUNDARY, N89°12'53"E, 952.17 FEET TO THE TRUE POINT OF BEGINNING. CONTAINING 104.15 ACRES, MORE OR LESS.

Exhibit B



|                         |                                         |                                                                                                     |                                                                                           |                                                                                                                         |
|-------------------------|-----------------------------------------|-----------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|
| PROJECT NO.<br>20006040 | PROJECT NAME<br>THE TIMBERS SUBDIVISION | LOCATION:<br>COS 3795<br>SECT. 19, T01N, R26E, P. M. M.<br>BILLINGS, MONTANA,<br>YELLOWSTONE COUNTY | DESIGNED: <u>KK</u><br>DRAFTED: <u>GW</u><br>CHECKED: <u>KK</u><br>DATE: <u>NOV. 2021</u> | IMEG<br>1817 SOUTH AVE. W. STE. A<br>MISSOULA, MT<br>59801<br>PH: 406.721.0142<br>FAX: 406.721.5224<br>www.imegcorp.com |
|                         |                                         |                                                                                                     |                                                                                           |                                                                                                                         |
| SHEET:<br>1 OF 1        | SHEET TITLE:<br>ZONE EXHIBIT            | PREPARED FOR:<br>DAVID MITCHELL                                                                     | REVISIONS                                                                                 | DATE                                                                                                                    |

ZONE LOCATION: G:\2000\20006040\DESIGN\DWG\DRAWINGS\AUTOCAD\EXHIBIT\SECTH\_20006040\ZONE.DWG  
PLOT DATE: 12/22/2023 11:09 AM

## City Council Regular

**Date:** 09/26/2022  
**Title:** Payment of Claims for week of August 22, 2022  
**Presented by:** Andy Zoeller, Finance Director  
**Department:** Finance  
**Presentation:** No  
**Legal Review** Not Applicable

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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 \$2,908,603.09 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 08222022

| Check Date | Check# | Name                 | Fund Name        | Amount        | Item Desc                                                        |
|------------|--------|----------------------|------------------|---------------|------------------------------------------------------------------|
| 08/22/2022 | 854811 | Askin Construction   | Sidewalk Const   | \$ 6,228.05   | WO 21-11Highwood Dr Reconstruction                               |
| 08/22/2022 | 854811 | Askin Construction   | Water            | \$ 377,503.91 | WO 22-01 Water and Sewer Main Replacement                        |
| 08/22/2022 | 854811 | Askin Construction   | Gas Tax          | \$ 219,534.08 | WO 21-11Highwood Dr Reconstruction                               |
| 08/22/2022 | 854816 | Billings Clinic      | Water            | \$ 37,162.14  | refund acct #235232                                              |
| 08/22/2022 | 854817 | Billings Depot       | Engineering      | \$ 15,257.22  | September Depot Rent                                             |
| 08/22/2022 | 854821 | Billings Tourism     | Tourism BID #2   | \$ 32,221.01  | Paid July Distributed August 2022                                |
| 08/22/2022 | 854824 | Business Tax Section | Airport          | \$ 108.33     | Access Control and CCTV Systems - Eligible Share                 |
| 08/22/2022 | 854824 | Business Tax Section | Airport          | \$ 9.16       | Access Control and CCTV Systems - Ineligible Share               |
| 08/22/2022 | 854824 | Business Tax Section | Airport          | \$ 587.10     | Materials and Application of Epoxy Paint for Runway 28R/10L      |
| 08/22/2022 | 854824 | Business Tax Section | Airport          | \$ 1,902.00   | West Utilities & Road Improvement - Amendment #27                |
| 08/22/2022 | 854824 | Business Tax Section | Arterial Streets | \$ 574.47     | WO 22-29 24th St West Signal Conduit Upgrade                     |
| 08/22/2022 | 854824 | Business Tax Section | Facilities       | \$ 246.50     | Inv. 1776 BOC Xeriscape Project                                  |
| 08/22/2022 | 854824 | Business Tax Section | Facilities       | \$ 50.50      | Maintenance and Repair at the Stillwater Building                |
| 08/22/2022 | 854824 | Business Tax Section | Facilities       | \$ 50.50      | Maintenance and Repair at the Stillwater Building                |
| 08/22/2022 | 854824 | Business Tax Section | Gas Tax          | \$ 2,217.51   | WO 21-11Highwood Dr Reconstruction                               |
| 08/22/2022 | 854824 | Business Tax Section | Gas Tax          | \$ 15.67      | WO 22-09 BBWA Canal Trail                                        |
| 08/22/2022 | 854824 | Business Tax Section | Gas Tax          | \$ 108.74     | WO 22-24 Park PL Retaining Wall                                  |
| 08/22/2022 | 854824 | Business Tax Section | Gas Tax          | \$ 1,200.35   | WO 22-30 Pedestrian Crossing Improvements Payment #1 F           |
| 08/22/2022 | 854824 | Business Tax Section | Park Dist 1      | \$ 37.33      | business tax on Playco for Ponderosa playground                  |
| 08/22/2022 | 854824 | Business Tax Section | Park Dist 1      | \$ 94.88      | restoration from flood damage at Riverfront                      |
| 08/22/2022 | 854824 | Business Tax Section | Park Dist 1      | \$ 16.80      | retainage release                                                |
| 08/22/2022 | 854824 | Business Tax Section | PD Program       | \$ 2,511.71   | WO 21-23 Police Shooting Range Improvements                      |
| 08/22/2022 | 854824 | Business Tax Section | Public Safety    | \$ 39.20      | Fire Station #4 Retainage Release                                |
| 08/22/2022 | 854824 | Business Tax Section | Sidewalk Const   | \$ 62.91      | WO 21-11Highwood Dr Reconstruction                               |
| 08/22/2022 | 854824 | Business Tax Section | Solid Waste      | \$ 3,044.32   | WO 20-41 Landfill Gas Collection System Lift One                 |
| 08/22/2022 | 854824 | Business Tax Section | Storm Sewer      | \$ 1,153.25   | WO 21-17 Misc Storm Drain - 29th St W                            |
| 08/22/2022 | 854824 | Business Tax Section | Tax Incrmnt N27  | \$ 68.66      | Installation of Parking Gate Control Equipment for Empire Garage |
| 08/22/2022 | 854824 | Business Tax Section | Tax Incrmnt N27  | \$ 64.00      | WO 22-30 Pedestrian Crossing Improvements Payment #1 F           |
| 08/22/2022 | 854824 | Business Tax Section | Tax Incrmnt S    | \$ 722.78     | Hallowell Lane Improvements                                      |
| 08/22/2022 | 854824 | Business Tax Section | Wastewater       | \$ 1,659.82   | WO 19-21: WRF Influent Lift Station                              |
| 08/22/2022 | 854824 | Business Tax Section | Wastewater       | \$ 373.00     | WO 22-36 WRF Bioreactor Flowmeter Pmt 2                          |
| 08/22/2022 | 854824 | Business Tax Section | Water            | \$ 44.75      | Water Service Repairs- 10/22/2021 - B Pmt 2 GRT                  |
| 08/22/2022 | 854824 | Business Tax Section | Water            | \$ 3,813.17   | WO 22-01 Water and Sewer Main Replacement                        |
| 08/22/2022 | 854824 | Business Tax Section | Water            | \$ 2,142.26   | WO 22-10 Alkali Cr Water & Sewer Extension                       |

| Check Date | Check# | Name                  | Fund Name      | Amount       | Item Desc                                                          |
|------------|--------|-----------------------|----------------|--------------|--------------------------------------------------------------------|
| 08/22/2022 | 854833 | Cop Construction Co   | Water          | \$ 25,168.98 | West End Raw Water Pipeline Project                                |
| 08/22/2022 | 854835 | Cove Irrigation Ditch | Storm Sewer    | \$ 12,425.00 | Falcon Ridge Estates Storm Discharge                               |
| 08/22/2022 | 854835 | Cove Irrigation Ditch | Storm Sewer    | \$ 15,400.00 | Reflections at Copper Ridge Storm Dischage                         |
| 08/22/2022 | 854838 | CW Designs            | Facilities     | \$ 24,403.50 | Inv. 1776 BOC Xeriscape Project                                    |
| 08/22/2022 | 854839 | Daggett Control       | Wastewater     | \$ 9,134.00  | Flame Arrestors & PVRV's for Primary Dig                           |
| 08/22/2022 | 854840 | Dakota Supply Group   | Water          | \$ 1,467.39  | #6 VALVE BOX BASE                                                  |
| 08/22/2022 | 854840 | Dakota Supply Group   | Water          | \$ 121.32    | 1" X 100' POLY PIPE                                                |
| 08/22/2022 | 854840 | Dakota Supply Group   | Water          | \$ 1,254.22  | 1" X 3/4" X 3/4" CURB STOP BALL VALVE CTS COMPRESSION              |
| 08/22/2022 | 854840 | Dakota Supply Group   | Water          | \$ 509.52    | 10" X 15" SH CI-FC REPAIR CLAMP - F1-1144 X 15-SH                  |
| 08/22/2022 | 854840 | Dakota Supply Group   | Water          | \$ 6,028.76  | 12" MJ GATE VALVE                                                  |
| 08/22/2022 | 854840 | Dakota Supply Group   | Water          | \$ 637.37    | 12" X12" MJ SLEEVE                                                 |
| 08/22/2022 | 854840 | Dakota Supply Group   | Water          | \$ 1,525.15  | 24" Hydrant Extension                                              |
| 08/22/2022 | 854840 | Dakota Supply Group   | Water          | \$ 131.52    | 3/4" IPS PE STIFFNER SS                                            |
| 08/22/2022 | 854840 | Dakota Supply Group   | Water          | \$ 36.71     | 3/4" X 100' POLY PIPE - SDR9 CTS 250#                              |
| 08/22/2022 | 854840 | Dakota Supply Group   | Water          | \$ 331.55    | 8 INCH PLASTIC SEWER PIPE                                          |
| 08/22/2022 | 854840 | Dakota Supply Group   | Water          | \$ 1,188.00  | 8 X 12 MJ SLEEVE -                                                 |
| 08/22/2022 | 854840 | Dakota Supply Group   | Water          | \$ 2,874.87  | TYLER 6860 HD 26" TOP SECTION                                      |
| 08/22/2022 | 854842 | Diesel Xtreme Inc     | Wastewater     | \$ 8,200.00  | 40' Used - Blue For Secure Wire STorage                            |
| 08/22/2022 | 854843 | Dixie Petro-Chem      | General        | \$ 3,801.27  | chemicals for pools                                                |
| 08/22/2022 | 854843 | Dixie Petro-Chem      | Water          | \$ 642.06    | BULK CHLORINE                                                      |
| 08/22/2022 | 854843 | Dixie Petro-Chem      | Water          | \$ 17,707.20 | BULK CHLORINE                                                      |
| 08/22/2022 | 854845 | Douglas County        | PD Program     | \$ 8,059.39  | MT Drug Intelligence Officer Symposium.                            |
| 08/22/2022 | 854846 | DOWL                  | Wastewater     | \$ 48,895.68 | WO 22-01 Schedules 1 & 2: Water & Sanitary Sewer Main Replacement  |
| 08/22/2022 | 854846 | DOWL                  | Water          | \$ 30,914.23 | WO 22-01 Schedules 1 & 2: Water & Sanitary Sewer Main Replacements |
| 08/22/2022 | 854846 | DOWL                  | Water          | \$ 5,563.40  | WO 23-01 2023 Water and Sewer Main Replacement                     |
| 08/22/2022 | 854848 | Downtown Blgs BID     | Downtown BID   | \$ 4,622.57  | BID Assessment; Paid July Distributed August 2022                  |
| 08/22/2022 | 854851 | Empire Garage Owners  | Parking        | \$ 8,604.61  | 7222022_City of Billings July Assessments                          |
| 08/22/2022 | 854857 | Fisher Sand & Gravel  | Street/Traffic | \$ 10,059.56 | asphalt                                                            |
| 08/22/2022 | 854857 | Fisher Sand & Gravel  | Street/Traffic | \$ 1,100.00  | concrete                                                           |
| 08/22/2022 | 854857 | Fisher Sand & Gravel  | Street/Traffic | \$ 5,591.58  | asphalt                                                            |
| 08/22/2022 | 854857 | Fisher Sand & Gravel  | Street/Traffic | \$ 7,814.81  | asphalt                                                            |
| 08/22/2022 | 854857 | Fisher Sand & Gravel  | Street/Traffic | \$ 253.38    | asphalt                                                            |
| 08/22/2022 | 854859 | Grainger Parts        | Wastewater     | \$ 77.76     | Die for Crimps                                                     |
| 08/22/2022 | 854859 | Grainger Parts        | Wastewater     | \$ 220.02    | Electrical supplies for AFT                                        |

| Check Date | Check#  | Name                  | Fund Name       | Amount        | Item Desc                                                         |
|------------|---------|-----------------------|-----------------|---------------|-------------------------------------------------------------------|
| 08/22/2022 | 854859  | Grainger Parts        | Wastewater      | \$ 2,247.69   | Portable Air Cond For Buildings                                   |
| 08/22/2022 | 854859  | Grainger Parts        | Water           | \$ 63.40      | AA BATTERIES                                                      |
| 08/22/2022 | 854859  | Grainger Parts        | Water           | \$ 77.75      | Die for Crimps                                                    |
| 08/22/2022 | 854859  | Grainger Parts        | Water           | \$ 62.62      | For Electrical Terminations, One Hole Lu                          |
| 08/22/2022 | 854859  | Grainger Parts        | Water           | \$ 46.09      | For Electrical Terminations, Ring Term N                          |
| 08/22/2022 | 854859  | Grainger Parts        | Water           | \$ 2,247.69   | Portable Air Cond For Buildings                                   |
| 08/22/2022 | 854859  | Grainger Parts        | Water           | \$ 146.94     | RAIN SUIT LARGE                                                   |
| 08/22/2022 | 854859  | Grainger Parts        | Water           | \$ 97.96      | RAIN SUIT XL                                                      |
| 08/22/2022 | 854859  | Grainger Parts        | Water           | \$ 212.32     | V-GARD HARD HAT - WHITE                                           |
| 08/22/2022 | 854861  | Harddrives Const      | Gas Tax         | \$ 194,354.53 | WO 22-03 Chip Seal Contract 2 Payment 4                           |
| 08/22/2022 | 854861  | Harddrives Const      | Gas Tax         | \$ 105,111.87 | WO 22-03 Chip Seal Contract 2 Payment 4                           |
| 08/22/2022 | ACH HDR |                       | Wastewater      | \$ 8,238.61   | WO 20-44 WRF Nutrient Recovery Improvements Project PMT 25        |
| 08/22/2022 | 854866  | InfoSend              | P.W. Admin      | \$ 13,449.75  | June 2022 services                                                |
| 08/22/2022 | 854866  | InfoSend              | P.W. Admin      | \$ 3,933.33   | June 2022 services                                                |
| 08/22/2022 | 854867  | Insight Public Sector | General         | \$ 2,453.19   | 2-Surface Pro 8, i5, 16GB RAM, 256GB SSD                          |
| 08/22/2022 | 854867  | Insight Public Sector | General         | \$ 189.04     | 2-Surface Pro 8, i5, 16GB RAM, 256GB SSD                          |
| 08/22/2022 | 854869  | Jacobs Engineering    | Solid Waste     | \$ 11,024.30  | Landfill Gas Emissions Compliance, Professional Services Contract |
| 08/22/2022 | 854869  | Jacobs Engineering    | Water           | \$ 17,245.00  | Yellowstone River Water Quality Support; services through 5/27/22 |
| 08/22/2022 | 854881  | KLE Const             | Tax Incrmnt S   | \$ 71,554.72  | Hallowell Lane Improvements; 9 WO2030 KLE Const                   |
| 08/22/2022 | 854882  | Knife River           | Gas Tax         | \$ 43,789.03  | WO 20-28 Songbird Drive Construction Retainage Release            |
| 08/22/2022 | 854882  | Knife River           | Sidewalk Const  | \$ 12,612.89  | WO 20-28 Songbird Drive Construction Retainage Release            |
| 08/22/2022 | 854882  | Knife River           | Street/Traffic  | \$ 7,594.14   | asphalt                                                           |
| 08/22/2022 | 854882  | Knife River           | Street/Traffic  | \$ 8,284.83   | asphalt                                                           |
| 08/22/2022 | 854882  | Knife River           | Street/Traffic  | \$ 138.69     | asphalt                                                           |
| 08/22/2022 | 854882  | Knife River           | Street/Traffic  | \$ 4,837.59   | asphalt                                                           |
| 08/22/2022 | 854889  | Local 521             | Public Safety   | \$ 6,325.00   | New Hires- start-up clothing allowance                            |
| 08/22/2022 | 854891  | MaCon Supply          | Street/Traffic  | \$ 464.00     | broom/stakes/float                                                |
| 08/22/2022 | 854891  | MaCon Supply          | Street/Traffic  | \$ 5,350.00   | startup tools for concrete crew                                   |
| 08/22/2022 | 854896  | MDEQ                  | Solid Waste     | \$ 32,173.50  | Landfill annual Licensing fee. July 2022 - Sept 2022.             |
| 08/22/2022 | 854897  | Montana Lines         | Gas Tax         | \$ 118,834.65 | WO 22-30 Pedestrian Crossing Improvements Payment 1 F             |
| 08/22/2022 | 854897  | Montana Lines         | Tax Incrmnt N27 | \$ 6,336.00   | WO 22-30 Pedestrian Crossing Improvements Payment 1 F             |
| 08/22/2022 | 854898  | Motorola Solutions    | Public Safety   | \$ -          | 4RE/V300 Bundle panoramic                                         |
| 08/22/2022 | 854898  | Motorola Solutions    | Public Safety   | \$ -          | 4RE/V300 Bundle panoramic                                         |
| 08/22/2022 | 854898  | Motorola Solutions    | Public Safety   | \$ -          | brkt 4rd disp/bwcbase cameramntvisor                              |

| Check Date | Check# | Name                | Fund Name     | Amount      | Item Desc                                                                 |
|------------|--------|---------------------|---------------|-------------|---------------------------------------------------------------------------|
| 08/22/2022 | 854898 | Motorola Solutions  | Public Safety | \$ 2,223.00 | Evidence Library 4RE Annual Device License and Support Fee                |
| 08/22/2022 | 854898 | Motorola Solutions  | Public Safety | \$ 2,925.00 | Evidence Library, vista/V300 Annual Device License and support Fee        |
| 08/22/2022 | 854898 | Motorola Solutions  | Public Safety | \$ -        | Mikrotik conf wifi kit, drill mount                                       |
| 08/22/2022 | 854898 | Motorola Solutions  | Public Safety | \$ -        | V300 Body worn camera                                                     |
| 08/22/2022 | 854895 | MT Dakota Utilities | Airport       | \$ 159.74   | 285 580 1000 6                                                            |
| 08/22/2022 | 854895 | MT Dakota Utilities | Airport       | \$ 2,717.17 | 595 580 1000 1                                                            |
| 08/22/2022 | 854895 | MT Dakota Utilities | Airport       | \$ 136.43   | 706 580 1000 7                                                            |
| 08/22/2022 | 854895 | MT Dakota Utilities | Park Dist 1   | \$ 24.78    | 501 473 1000 2                                                            |
| 08/22/2022 | 854895 | MT Dakota Utilities | Public Safety | \$ 121.57   | 668 670 1000 2                                                            |
| 08/22/2022 | 854895 | MT Dakota Utilities | Wastewater    | \$ 70.01    | 596 733 1000 5                                                            |
| 08/22/2022 | 854895 | MT Dakota Utilities | Wastewater    | \$ 70.01    | 713 064 3190 0                                                            |
| 08/22/2022 | 854895 | MT Dakota Utilities | Wastewater    | \$ 73.24    | 843 879 2205 1                                                            |
| 08/22/2022 | 854895 | MT Dakota Utilities | Water         | \$ 13.49    | 373 580 1000 9                                                            |
| 08/22/2022 | 854895 | MT Dakota Utilities | Water         | \$ 13.49    | 373 580 1000 9                                                            |
| 08/22/2022 | 854895 | MT Dakota Utilities | Water         | \$ 23.61    | 541 380 1000 1                                                            |
| 08/22/2022 | 854895 | MT Dakota Utilities | Water         | \$ 68.85    | 921 580 1000 6                                                            |
| 08/22/2022 | 854903 | Norco Inc           | General       | \$ 68.89    | carbon dioxide for south pool 35193735                                    |
| 08/22/2022 | 854903 | Norco Inc           | General       | \$ 68.89    | carbon dioxide for south pool 35619529                                    |
| 08/22/2022 | 854903 | Norco Inc           | Solid Waste   | \$ 682.18   | Misc welding supplies and materials. Gloves, filter, ground clamp, spool. |
| 08/22/2022 | 854903 | Norco Inc           | Solid Waste   | \$ 3,905.00 | Welding machine.                                                          |
| 08/22/2022 | 854903 | Norco Inc           | Water         | \$ 433.35   | CERTIFIED GAS                                                             |
| 08/22/2022 | 854904 | NorthWestern Energy | Facilities    | \$ 2,178.15 | 0975808-7                                                                 |
| 08/22/2022 | 854904 | NorthWestern Energy | Facilities    | \$ 1,258.14 | 1160802-3                                                                 |
| 08/22/2022 | 854904 | NorthWestern Energy | Facilities    | \$ 1,417.72 | 1160804-9                                                                 |
| 08/22/2022 | 854904 | NorthWestern Energy | Facilities    | \$ 3,574.09 | 1269391-7                                                                 |
| 08/22/2022 | 854904 | NorthWestern Energy | General       | \$ 36.11    | 0712387-0                                                                 |
| 08/22/2022 | 854904 | NorthWestern Energy | General       | \$ 57.26    | 0712536-2                                                                 |
| 08/22/2022 | 854904 | NorthWestern Energy | General       | \$ 94.56    | 0720818-4                                                                 |
| 08/22/2022 | 854904 | NorthWestern Energy | General       | \$ 3,150.75 | 0720821-8                                                                 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint   | \$ 1,042.35 | SILMD 10 Acct# 0712546-1                                                  |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint   | \$ 1,946.05 | SILMD 100 Acct# 0712559-4                                                 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint   | \$ 1,646.47 | SILMD 107 Acct# 0712560-2                                                 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint   | \$ 4,129.25 | SILMD 109 Acct# 0712561-0                                                 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint   | \$ 193.87   | SILMD 113 Acct# 0712562-8                                                 |

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| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 888.58   | SILMD 114 Acct# 0712563-6 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 209.09   | SILMD 115 Acct# 0712564-4 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 548.82   | SILMD 116 Acct# 0712565-1 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 2,985.59 | SILMD 117 Acct# 0712566-9 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 191.40   | SILMD 118 Acct# 0712567-7 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 116.55   | SILMD 119 Acct# 0712568-5 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 2,352.10 | SILMD 121 Acct# 0712570-1 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 176.37   | SILMD 122 Acct# 0712571-9 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 313.62   | SILMD 123 Acct# 0712572-7 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 914.72   | SILMD 124 Acct# 0712573-5 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 365.87   | SILMD 125 Acct# 0712574-3 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 182.93   | SILMD 126 Acct# 0712575-0 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 661.32   | SILMD 127 Acct# 0712576-8 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 462.93   | SILMD 128 Acct# 0712577-6 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 313.62   | SILMD 129 Acct# 0712578-4 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 4,327.02 | SILMD 13 Acct# 0721276-4  |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 112.02   | SILMD 130 Acct# 0712579-2 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 810.15   | SILMD 131 Acct# 0712580-0 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 208.05   | SILMD 133 Acct# 0712581-8 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 480.12   | SILMD 134 Acct# 0712582-6 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 484.96   | SILMD 135 Acct# 0712583-4 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 444.27   | SILMD 136 Acct# 0712584-2 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 349.25   | SILMD 137 Acct# 0712585-9 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 705.63   | SILMD 138 Acct# 0712586-7 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 235.21   | SILMD 139 Acct# 0712587-5 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 2,161.01 | SILMD 14 Acct# 0721277-2  |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 548.82   | SILMD 143 Acct# 0712588-3 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 26.10    | SILMD 144 Acct# 0712589-1 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 440.90   | SILMD 145 Acct# 0712590-9 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 339.74   | SILMD 146 Acct# 0712591-7 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 412.57   | SILMD 147 Acct# 0712592-5 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 1,447.84 | SILMD 149 Acct# 0712593-3 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 705.43   | SILMD 150 Acct# 0712594-1 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 601.09   | SILMD 151 Acct# 0712595-8 |

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| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 4,056.48 | SILMD 152 Acct# 0712596-6 |
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| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 1,146.32 | SILMD 154 Acct# 0712598-2 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 470.42   | SILMD 155 Acct# 0712599-0 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 859.74   | SILMD 157 Acct# 0712600-6 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 757.90   | SILMD 158 Acct# 0712601-4 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 910.56   | SILMD 159 Acct# 0712602-2 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 679.50   | SILMD 160 Acct# 0712603-0 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 992.02   | SILMD 161 Acct# 0712604-8 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 44.47    | SILMD 162 Acct# 0712605-5 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 698.55   | SILMD 163 Acct# 0712606-3 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 352.71   | SILMD 164 Acct# 0712607-1 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 836.31   | SILMD 165 Acct# 0712608-9 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 220.43   | SILMD 167 Acct# 0712609-7 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 1,084.52 | SILMD 17 Acct# 0712553-7  |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 529.06   | SILMD 171 Acct# 0712610-5 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 480.12   | SILMD 172 Acct# 0712611-3 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 1,102.21 | SILMD 173 Acct# 0712612-1 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 925.86   | SILMD 174 Acct# 0712613-9 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 308.61   | SILMD 175 Acct# 0712614-7 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 31.79    | SILMD 176 Acct# 0712615-4 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 242.50   | SILMD 178 Acct# 0712616-2 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 484.96   | SILMD 179 Acct# 0712617-0 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 94.66    | SILMD 18 Acct# 0712554-5  |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 330.67   | SILMD 180 Acct# 0712618-8 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 1,594.20 | SILMD 181 Acct# 0712619-6 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 551.13   | SILMD 182 Acct# 0712620-4 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 1,102.22 | SILMD 183 Acct# 0712621-2 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 352.71   | SILMD 184 Acct# 0712622-0 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 132.27   | SILMD 185 Acct# 0712623-8 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 654.33   | SILMD 186 Acct# 0712624-6 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 220.43   | SILMD 187 Acct# 0712625-3 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 264.54   | SILMD 188 Acct# 0712626-1 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 220.43   | SILMD 189 Acct# 0712627-9 |

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| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 1,146.32 | SILMD 190 Acct# 0712628-7 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 393.44   | SILMD 191 Acct# 0712629-5 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 286.57   | SILMD 192 Acct# 0712630-3 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 705.43   | SILMD 193 Acct# 0712631-1 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 286.99   | SILMD 194 Acct# 0712632-9 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 229.61   | SILMD 195 Acct# 0712633-7 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 73.34    | SILMD 196 Acct# 0712634-5 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 73.34    | SILMD 197 Acct# 0712635-2 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 110.24   | SILMD 198 Acct# 0712636-0 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 77.55    | SILMD 200 Acct# 0712637-8 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 462.93   | SILMD 201 Acct# 0712638-6 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 609.54   | SILMD 202 Acct# 0712639-4 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 19.55    | SILMD 203 Acct# 0712640-2 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 377.16   | SILMD 204 Acct# 0712641-0 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 25.41    | SILMD 205 Acct# 0712642-8 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 308.61   | SILMD 206 Acct# 0712643-6 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 352.71   | SILMD 207 Acct# 0712644-4 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 221.32   | SILMD 208 Acct# 0712645-1 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 507.02   | SILMD 209 Acct# 0712646-9 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 88.00    | SILMD 210 Acct# 0712647-7 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 48.90    | SILMD 211 Acct# 0712648-5 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 48.90    | SILMD 212 Acct# 0712649-3 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 29.33    | SILMD 213 Acct# 0712650-1 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 355.86   | SILMD 214 Acct# 0712651-9 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 132.27   | SILMD 216 Acct# 0712652-7 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 372.77   | SILMD 217 Acct# 0712653-5 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 263.27   | SILMD 220 Acct# 0712654-3 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 6.34     | SILMD 221 Acct# 0712655-0 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 77.53    | SILMD 222 Acct# 0712656-8 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 117.33   | SILMD 223 Acct# 0712657-6 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 1,346.39 | SILMD 224 Acct# 0712658-4 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 366.45   | SILMD 225 Acct# 0712659-2 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 223.67   | SILMD 226 Acct# 0712660-0 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 570.86   | SILMD 227 Acct# 0712661-8 |

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| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 757.90   | SILMD 228 Acct# 0712662-6 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 392.02   | SILMD 229 Acct# 0712663-4 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 914.70   | SILMD 230 Acct# 0712664-2 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 548.82   | SILMD 231 Acct# 0712665-9 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 2,378.25 | SILMD 232 Acct# 0712666-7 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 856.76   | SILMD 233 Acct# 0712667-5 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 484.60   | SILMD 234 Acct# 0712668-3 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 542.00   | SILMD 235 Acct# 0712669-1 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 172.19   | SILMD 236 Acct# 0712670-9 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 374.77   | SILMD 237 Acct# 0712671-7 |
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| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 88.17    | SILMD 239 Acct# 0712673-3 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 413.27   | SILMD 240 Acct# 0712674-1 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 549.97   | SILMD 241 Acct# 0712675-8 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 78.39    | SILMD 242 Acct# 0712676-6 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 104.53   | SILMD 244 Acct# 0712677-4 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 69.70    | SILMD 245 Acct# 0712678-2 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 313.62   | SILMD 246 Acct# 0712679-0 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 924.73   | SILMD 247 Acct# 0712680-8 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 2,587.31 | SILMD 249 Acct# 0718734-7 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 206.66   | SILMD 250 Acct# 0719001-0 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 3,663.82 | SILMD 251 Acct# 0718801-4 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 522.70   | SILMD 252 Acct# 0719162-0 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 1,718.96 | SILMD 253 Acct# 0719644-7 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 155.06   | SILMD 254 Acct# 0719763-5 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 151.50   | SILMD 255 Acct# 0720813-5 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 922.04   | SILMD 257 Acct# 0720360-7 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 2,467.61 | SILMD 258 Acct# 0720606-3 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 1,357.30 | SILMD 259 Acct# 0720810-1 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 470.42   | SILMD 261 Acct# 0720705-3 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 2,923.90 | SILMD 262 Acct# 0720937-2 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 948.42   | SILMD 263 Acct# 0720716-0 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 169.15   | SILMD 264 Acct# 0721427-3 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 343.20   | SILMD 265 Acct# 0721556-9 |

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| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 451.30   | SILMD 270 Acct# 0906944-4 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 902.88   | SILMD 271 Acct# 0995095-7 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 2,677.29 | SILMD 272 Acct# 0905005-5 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 194.31   | SILMD 273 Acct# 0926386-4 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 491.88   | SILMD 276 Acct# 0961926-3 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 806.50   | SILMD 277 Acct# 1058710-3 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 218.10   | SILMD 278 Acct# 1087619-1 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 56.04    | SILMD 279 Acct# 1124127-0 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 596.93   | SILMD 280 Acct# 1045653-1 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 450.27   | SILMD 283 Acct# 1172743-5 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 308.52   | SILMD 285 Acct# 1206985-2 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 231.12   | SILMD 286 Acct# 1296582-8 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 1,755.98 | SILMD 288 Acct# 1303978-9 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 230.39   | SILMD 289 Acct# 1685375-6 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 104.58   | SILMD 290 Acct# 1433921-2 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 574.94   | SILMD 292 Acct# 1481532-8 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 220.43   | SILMD 293 Acct# 1481534-4 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 440.90   | SILMD 294 Acct# 1481535-1 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 104.53   | SILMD 295 Acct# 1481536-9 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 1,168.36 | SILMD 296 Acct# 1481537-7 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 198.40   | SILMD 297 Acct# 1481539-3 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 176.37   | SILMD 298 Acct# 1481540-1 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 386.82   | SILMD 300 Acct# 1662840-6 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 5,189.98 | SILMD 301 Acct# 1687005-7 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 183.27   | SILMD 302 Acct# 1607534-3 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 658.39   | SILMD 305 Acct# 1695873-8 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 156.11   | SILMD 306 Acct# 1740353-6 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 2,071.36 | SILMD 307 Acct# 2049005-8 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 256.74   | SILMD 308 Acct# 2072459-7 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 278.46   | SILMD 309 Acct# 2001311-6 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 171.96   | SILMD 310 Acct# 2060519-2 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 206.47   | SILMD 311 Acct# 3014475-2 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint | \$ 189.47   | SILMD 312 Acct# 3146127-0 |

| Check Date | Check# | Name                | Fund Name      | Amount       | Item Desc                                |
|------------|--------|---------------------|----------------|--------------|------------------------------------------|
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint    | \$ 276.53    | SILMD 315 Acct# 3305804-1                |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint    | \$ 1,148.47  | SILMD 316 Acct# 3291842-7                |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint    | \$ 66.62     | SILMD 317 Acct# 3253826-6                |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint    | \$ 769.94    | SILMD 318 Acct# 3372018-6                |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint    | \$ 56.40     | SILMD 320 Acct# 0712569-3                |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint    | \$ 336.08    | SILMD 321 Acct# 3338917-2                |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint    | \$ 63.41     | SILMD 322 Acct# 3402033-9                |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint    | \$ 526.89    | SILMD 323 Acct# 3597170-4                |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint    | \$ 174.28    | SILMD 324 Acct# 1246537-3                |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint    | \$ 192.73    | SILMD 325 Acct# 3587598-8                |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint    | \$ 74.30     | SILMD 326 Acct# 3840455-4                |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint    | \$ 176.30    | SILMD 327 Acct# 3810801-5                |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint    | \$ 438.61    | SILMD 328 Acct# 3894879-0                |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint    | \$ 55.68     | SILMD 329 Acct# 3939032-3                |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint    | \$ 175.33    | SILMD 330 Acct# 3951594-5                |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint    | \$ 363.37    | SILMD 8 Acct# 0712544-6                  |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint    | \$ 337.09    | SILMD 9 Acct# 0712545-3                  |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint    | \$ 482.64    | SILMD 95 Acct# 0712556-0                 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint    | \$ 9,197.44  | SILMD 97 Acct# 0712557-8                 |
| 08/22/2022 | 854905 | NorthWestern Energy | Light Maint    | \$ 1,037.21  | SILMD 99 Acct# 0712558-6                 |
| 08/22/2022 | 854904 | NorthWestern Energy | Park Dist 1    | \$ 1,499.42  | 0722287-0                                |
| 08/22/2022 | 854904 | NorthWestern Energy | Park Dist 1    | \$ 1,128.73  | 0723045-1                                |
| 08/22/2022 | 854904 | NorthWestern Energy | Park Dist 1    | \$ 380.38    | 0925496-2                                |
| 08/22/2022 | 854904 | NorthWestern Energy | Park Dist 1    | \$ 11.24     | 1836666-6                                |
| 08/22/2022 | 854904 | NorthWestern Energy | Park Dist 1    | \$ 47.16     | 3999603-8                                |
| 08/22/2022 | 854904 | NorthWestern Energy | Public Safety  | \$ 699.70    | 0871546-8                                |
| 08/22/2022 | 854904 | NorthWestern Energy | Solid Waste    | \$ 1,543.72  | 3252194-0                                |
| 08/22/2022 | 854904 | NorthWestern Energy | Street/Traffic | \$ 0.46      | 1740357-7                                |
| 08/22/2022 | 854904 | NorthWestern Energy | Street/Traffic | \$ 1.29      | 1748896-6                                |
| 08/22/2022 | 854905 | NorthWestern Energy | Street/Traffic | \$ 10,978.86 | Signal Bills 8.17.2022                   |
| 08/22/2022 | 854904 | NorthWestern Energy | Wastewater     | \$ 145.99    | 389 62ND St Lift Entrance 1175972-7 July |
| 08/22/2022 | 854904 | NorthWestern Energy | Water          | \$ 1,501.06  | 0100485-2                                |
| 08/22/2022 | 854904 | NorthWestern Energy | Water          | \$ 16,937.04 | 0722264-9                                |
| 08/22/2022 | 854904 | NorthWestern Energy | Water          | \$ 12,841.32 | 0723040-2                                |

| Check Date | Check# | Name                   | Fund Name        | Amount        | Item Desc                                          |
|------------|--------|------------------------|------------------|---------------|----------------------------------------------------|
| 08/22/2022 | 854904 | NorthWestern Energy    | Water            | \$ 6.00       | 0723059-2                                          |
| 08/22/2022 | 854904 | NorthWestern Energy    | Water            | \$ 1,089.21   | 1116452-2                                          |
| 08/22/2022 | 854904 | NorthWestern Energy    | Water            | \$ 748.14     | 5809 Canyonwoods Dr 2082903-2 July 2022            |
| 08/22/2022 | 854909 | Power Service          | Wastewater       | \$ 4,822.46   | Maint Service at WWTP                              |
| 08/22/2022 | 854910 | Public Utilities       | Parking          | \$ 87.59      | 102086                                             |
| 08/22/2022 | 854910 | Public Utilities       | Parking          | \$ 322.50     | 102980                                             |
| 08/22/2022 | 854910 | Public Utilities       | Parking          | \$ 10.85      | 102981                                             |
| 08/22/2022 | 854910 | Public Utilities       | Parks Maint      | \$ 3,550.93   | 136100                                             |
| 08/22/2022 | 854910 | Public Utilities       | Parks Maint      | \$ 20.71      | 136113                                             |
| 08/22/2022 | 854910 | Public Utilities       | Parks Maint      | \$ 838.33     | 192352                                             |
| 08/22/2022 | 854913 | Record Steel & Const   | Wastewater       | \$ 164,322.59 | WO 19-21: WRF Influent Lift Station; 6 WO1921 RSCI |
| 08/22/2022 | 854914 | Reliable Mechanical    | Facilities       | \$ 4,999.50   | Maintenance and Repair at the Stillwater Building  |
| 08/22/2022 | 854915 | Reliable Mechanical    | Facilities       | \$ 4,999.50   | Maintenance and Repair at the Stillwater Building  |
| 08/22/2022 | 854916 | Riverside Contracting  | Arterial Streets | \$ 22,917.01  | Wicks Lane Improvements Retainage Release          |
| 08/22/2022 | 854916 | Riverside Contracting  | Gas Tax          | \$ 24,750.00  | Wicks Lane Improvements Retainage Release          |
| 08/22/2022 | 854916 | Riverside Contracting  | Sidewalk Const   | \$ 20,150.16  | Wicks Lane Improvements Retainage Release          |
| 08/22/2022 | 854918 | Routeware              | Solid Waste      | \$ 1,350.00   | EasyRoute Professional Services 6 hours.           |
| 08/22/2022 | 854918 | Routeware              | Solid Waste      | \$ 17,853.18  | Q4 2022 Routeware Control Center Support.          |
| 08/22/2022 | 854919 | Royal C. Johnson Trust | SID Fund         | \$ 3,000.00   | Bond 1397 08.2022                                  |
| 08/22/2022 | 854922 | School Bus Safety Co   | Transit          | \$ 2,950.00   | Web-Based TAPTCO Operator Development Course       |
| 08/22/2022 | 854925 | Senceive Corp          | General          | \$ 17,898.40  | SLOPE STABILITY MONITORING SYSTEM FOR SLOPE        |
| 08/22/2022 | 854927 | Sk Geotechnical        | General          | \$ 3,049.74   | WO 21-40 Slope Stabilization Above Park Place      |
| 08/22/2022 | 854927 | Sk Geotechnical        | General          | \$ 3,427.20   | WO 21-40 Slope Stabilization Above Park Place      |
| 08/22/2022 | 854933 | Swank Enterprises      | Solid Waste      | \$ 28,449.00  | WO 22-37 Landfill Drop-off Building Repairs        |
| 08/22/2022 | 854934 | Sysco Montana          | General          | \$ 1,028.21   | food for Rose concessions 2606                     |
| 08/22/2022 | 854934 | Sysco Montana          | General          | \$ 469.12     | food for rose concessions 343950356                |
| 08/22/2022 | 854934 | Sysco Montana          | General          | \$ 615.41     | food for rose concessions 343952154                |
| 08/22/2022 | 854934 | Sysco Montana          | General          | \$ 109.69     | food for rose concessions 4563                     |
| 08/22/2022 | 854934 | Sysco Montana          | General          | \$ 690.91     | food for rose concessions 7422                     |
| 08/22/2022 | 854936 | TESSCO                 | Water            | \$ 3,409.37   | UPS's for WTP and WRF                              |
| 08/22/2022 | 854936 | TESSCO                 | Wastewater       | \$ 3,409.38   | UPS's for WTP and WRF                              |
| 08/22/2022 | 854937 | Tire-Rama              | Public Safety    | \$ 85.00      | 1050035539                                         |
| 08/22/2022 | 854937 | Tire-Rama              | Solid Waste      | \$ 6,532.80   | Loader tires for Landfill.                         |
| 08/22/2022 | 854937 | Tire-Rama              | Solid Waste      | \$ 4,230.00   | Tire purchase. Collections.                        |

| Check Date | Check# | Name                  | Fund Name      | Amount       | Item Desc                                          |
|------------|--------|-----------------------|----------------|--------------|----------------------------------------------------|
| 08/22/2022 | 854937 | Tire-Rama             | Solid Waste    | \$ 4,465.00  | Tire purchase. Collections.                        |
| 08/22/2022 | 854937 | Tire-Rama             | Solid Waste    | \$ 4,566.00  | Tire Repair. Collections.                          |
| 08/22/2022 | 854937 | Tire-Rama             | Solid Waste    | \$ 4,133.00  | Tire Repair. Collections.                          |
| 08/22/2022 | 854937 | Tire-Rama             | Solid Waste    | \$ 4,702.95  | Tire repair. Collections.                          |
| 08/22/2022 | 854937 | Tire-Rama             | Solid Waste    | \$ 4,754.50  | Tire Repair. Collections.                          |
| 08/22/2022 | 854937 | Tire-Rama             | Street/Traffic | \$ 22.95     | 1050034811                                         |
| 08/22/2022 | 854940 | Toter Inc             | Solid Waste    | \$ 33,752.16 | QTY 624.00 GRN 90s.                                |
| 08/22/2022 | ACH    | Town & Country Supply | Fleet          | \$ 30,022.87 | 431601 PO NUM 314861                               |
| 08/22/2022 | ACH    | Town & Country Supply | Transit        | \$ 22,773.60 | 6000 gallons Dyed Diesel Fuel                      |
| 08/22/2022 | ACH    | Town & Country Supply | Wastewater     | \$ 967.73    | FUEL WWTP                                          |
| 08/22/2022 | ACH    | Town & Country Supply | Water          | \$ 508.85    | NONSTOCKING ITEMS-P.U.D.                           |
| 08/22/2022 | ACH    | Town & Country Supply | Water          | \$ 497.54    | NONSTOCKING ITEMS-P.U.D.                           |
| 08/22/2022 | 854941 | Tristan Sophia PSYD   | Public Safety  | \$ 5,200.00  | Dr Sophia 7/11/22 Invoice for pre employment evals |
| 08/22/2022 | 854945 | Verizon Wireless      | Airport        | \$ 51.74     | Airport                                            |
| 08/22/2022 | 854945 | Verizon Wireless      | Engineering    | \$ 136.60    | PW-Engineering                                     |
| 08/22/2022 | 854945 | Verizon Wireless      | Fleet          | \$ 107.55    | Motor Pool                                         |
| 08/22/2022 | 854945 | Verizon Wireless      | General        | \$ 168.43    | City Administrator 0100-13130-403450               |
| 08/22/2022 | 854945 | Verizon Wireless      | General        | \$ 40.01     | Tina Hoeger Laptop                                 |
| 08/22/2022 | 854945 | Verizon Wireless      | General        | \$ 27.32     | Victoria Hill -Laptop                              |
| 08/22/2022 | 854945 | Verizon Wireless      | Park Dist 1    | \$ 52.46     | PRPL-PARKS                                         |
| 08/22/2022 | 854945 | Verizon Wireless      | Parking        | \$ 27.32     | Parking 406-690-5822                               |
| 08/22/2022 | 854945 | Verizon Wireless      | Parking        | \$ 52.65     | PRKING Enforcement (Parking)                       |
| 08/22/2022 | 854945 | Verizon Wireless      | PD Program     | \$ 374.85    | CCSIU Cell/PTT                                     |
| 08/22/2022 | 854945 | Verizon Wireless      | PD Program     | \$ 27.32     | CCSIU MDT                                          |
| 08/22/2022 | 854945 | Verizon Wireless      | PD Program     | \$ 80.02     | CCSIU RAVEN                                        |
| 08/22/2022 | 854945 | Verizon Wireless      | Public Safety  | \$ 268.32    | Fire MDT                                           |
| 08/22/2022 | 854945 | Verizon Wireless      | Public Safety  | \$ 520.60    | MDT Toughbooks                                     |
| 08/22/2022 | 854945 | Verizon Wireless      | Public Safety  | \$ 55.83     | Police                                             |
| 08/22/2022 | 854945 | Verizon Wireless      | Public Safety  | \$ 80.02     | Police iPads                                       |
| 08/22/2022 | 854945 | Verizon Wireless      | Public Safety  | \$ 40.01     | Police MiFi                                        |
| 08/22/2022 | 854945 | Verizon Wireless      | Public Safety  | \$ 41.65     | Police -Mike Robinson                              |
| 08/22/2022 | 854945 | Verizon Wireless      | Solid Waste    | \$ 27.32     | PW Dozer Trimble Dozer                             |
| 08/22/2022 | 854945 | Verizon Wireless      | Solid Waste    | \$ 109.28    | PW-Solid Waste                                     |
| 08/22/2022 | 854945 | Verizon Wireless      | Solid Waste    | \$ 207.68    | PW-SW-ON CALL Solid Waste On Call                  |

| Check Date | Check# | Name                | Fund Name      | Amount        | Item Desc                                                 |
|------------|--------|---------------------|----------------|---------------|-----------------------------------------------------------|
| 08/22/2022 | 854945 | Verizon Wireless    | Solid Waste    | \$ 15.83      | PW-SW-ON CALL Solid Waste On Call                         |
| 08/22/2022 | 854945 | Verizon Wireless    | Solid Waste    | \$ 524.52     | Solid Waste Tablets -Routware                             |
| 08/22/2022 | 854945 | Verizon Wireless    | Street/Traffic | \$ 214.68     | PW-Streets & iPad                                         |
| 08/22/2022 | 854945 | Verizon Wireless    | Street/Traffic | \$ 163.92     | PW-Streets City Works                                     |
| 08/22/2022 | 854945 | Verizon Wireless    | Street/Traffic | \$ 197.34     | PW-STRT TRFC Streets                                      |
| 08/22/2022 | 854945 | Verizon Wireless    | Transit        | \$ 309.02     | MET AVL                                                   |
| 08/22/2022 | 854945 | Verizon Wireless    | Transit        | \$ 2,111.09   | MET Max Transit                                           |
| 08/22/2022 | 854945 | Verizon Wireless    | Wastewater     | \$ 440.11     | MET Tablets                                               |
| 08/22/2022 | 854945 | Verizon Wireless    | Wastewater     | \$ -          | PW-DIS-COLL Cityworks 60/40                               |
| 08/22/2022 | 854945 | Verizon Wireless    | Water          | \$ 27.32      | PW Belknap Meter Shop                                     |
| 08/22/2022 | 854945 | Verizon Wireless    | Water          | \$ 27.32      | PWBLKNP Water Treatment                                   |
| 08/22/2022 | 854945 | Verizon Wireless    | Water          | \$ 202.03     | PWBLNP Comm-Meter CityWorks/Neptune                       |
| 08/22/2022 | 854945 | Verizon Wireless    | Water          | \$ 40.01      | Swords 911 Modem                                          |
| 08/22/2022 | 854949 | W Municipal Const   | Water          | \$ 212,083.74 | WO 22-10 Alkali Cr Water & Sewer Extension                |
| 08/22/2022 | 854950 | W States Automation | Water          | \$ 3,955.28   | willett pump project 14" Titan Water Che                  |
| 08/22/2022 | 854948 | Warren Transport    | PD Program     | \$ 248,658.79 | WO 21-23 Police Shooting Range Improvements               |
| 08/22/2022 | 854953 | Winkler Excavating  | Storm Sewer    | \$ 114,171.75 | WO 21-17 Misc Storm Drain - 29th St W                     |
| 08/22/2022 | 854959 | Ylwstn Valley Elec  | Public Safety  | \$ 620.43     | 4179013 FIRE 7 (PD3) ELECTRIC SERVICES, FY2023            |
| 08/22/2022 | 854959 | Ylwstn Valley Elec  | Radio          | \$ 142.30     | 4179002 LANDFILL Mhz RADIO TOWERS ELECTIC SERVICE FY 2023 |
| 08/22/2022 | 854959 | Ylwstn Valley Elec  | Water          | \$ 40,100.00  | WO2219 West End Raw Water Delivery-Intak                  |

**City Council Regular**

**Date:** 09/26/2022  
**Title:** Payment of Claims for week of August 29, 2022  
**Presented by:** Andy Zoeller, Finance Director  
**Department:** Finance  
**Presentation:** No  
**Legal Review** Not Applicable

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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 \$816,038.35 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 08292022

| Check Date | Check# | Name              | Fund Name      | Amount       | Item Desc                           |
|------------|--------|-------------------|----------------|--------------|-------------------------------------|
| 08/29/2022 | 854965 | Allstates Coating | Street/Traffic | \$ 27,489.00 | 7 yellow paint totes                |
| 08/29/2022 | 854965 | Allstates Coating | Street/Traffic | \$ 15,334.00 | 4 white paint totes                 |
| 08/29/2022 | 854969 | Askin Const       | Airport        | \$ 2,733.59  | Rimtop Drive Overlay                |
| 08/29/2022 | 854969 | Askin Const       | Airport        | \$ 5,779.93  | Rimtop Overlay Retainage Release    |
| 08/29/2022 | 854970 | AT & T Corp       | Airport        | \$ 759.47    | Airport -                           |
| 08/29/2022 | 854970 | AT & T Corp       | Airport        | \$ 25.13     | MET Transit Tablets                 |
| 08/29/2022 | 854970 | AT & T Corp       | Building       | \$ 650.44    | PW-Building Cell Phones             |
| 08/29/2022 | 854970 | AT & T Corp       | Building       | \$ 386.10    | PW-Building Surfaces                |
| 08/29/2022 | 854970 | AT & T Corp       | CDBG           | \$ 145.71    | Comm Dev                            |
| 08/29/2022 | 854970 | AT & T Corp       | Court Grants   | \$ 166.70    | Muni Court DC                       |
| 08/29/2022 | 854970 | AT & T Corp       | Engineering    | \$ 109.36    | Engineering Tablets                 |
| 08/29/2022 | 854970 | AT & T Corp       | Engineering    | \$ 34.84     | Engineering Tablets                 |
| 08/29/2022 | 854970 | AT & T Corp       | Engineering    | \$ 219.65    | PW-Engineering Cell Phones and MiFi |
| 08/29/2022 | 854970 | AT & T Corp       | Facilities     | \$ 4.52      | Facilities BOC                      |
| 08/29/2022 | 854970 | AT & T Corp       | Facilities     | \$ 90.42     | Facilities BOC                      |
| 08/29/2022 | 854970 | AT & T Corp       | Facilities     | \$ 90.42     | Facilities BOC/CH                   |
| 08/29/2022 | 854970 | AT & T Corp       | Facilities     | \$ 34.84     | Facilities BOC/CH                   |
| 08/29/2022 | 854970 | AT & T Corp       | Facilities     | \$ 85.90     | Facilities City Hall                |
| 08/29/2022 | 854970 | AT & T Corp       | Facilities     | \$ 160.47    | Facilities Managers                 |
| 08/29/2022 | 854970 | AT & T Corp       | General        | \$ 95.77     | City Attorney -Legal                |
| 08/29/2022 | 854970 | AT & T Corp       | General        | \$ 258.33    | Code Enforcement                    |
| 08/29/2022 | 854970 | AT & T Corp       | General        | \$ 135.94    | Legal Dept -Domestic Violence       |
| 08/29/2022 | 854970 | AT & T Corp       | General        | \$ 87.55     | Parks Seasonal                      |
| 08/29/2022 | 854970 | AT & T Corp       | General        | \$ 303.21    | PRPL - Recreation Division          |
| 08/29/2022 | 854970 | AT & T Corp       | General        | \$ 3,936.89  | PRPL Parks Tablets                  |
| 08/29/2022 | 854970 | AT & T Corp       | General        | \$ (14.74)   | PRPL Parks Tablets                  |
| 08/29/2022 | 854970 | AT & T Corp       | General        | \$ 108.10    | Rec Tablets                         |
| 08/29/2022 | 854970 | AT & T Corp       | IT Resources   | \$ 50.25     | IT Department -On call Phone        |
| 08/29/2022 | 854970 | AT & T Corp       | Library        | \$ 224.80    | Library                             |
| 08/29/2022 | 854970 | AT & T Corp       | Library        | \$ 107.33    | Library Out Reach                   |
| 08/29/2022 | 854970 | AT & T Corp       | P.W. Admin     | \$ 42.23     | PWBLKNP OFFICE -60/40               |
| 08/29/2022 | 854970 | AT & T Corp       | P.W. Admin     | \$ 27.45     | PWBLKNP OFFICE -60/40               |
| 08/29/2022 | 854970 | AT & T Corp       | Park Dist 1    | \$ 345.89    | Parks Dept. \$200 credit            |
| 08/29/2022 | 854970 | AT & T Corp       | Park Dist 1    | \$ 70.04     | Parks Seasonal                      |

| Check Date | Check# | Name        | Fund Name      | Amount      | Item Desc                                                          |
|------------|--------|-------------|----------------|-------------|--------------------------------------------------------------------|
| 08/29/2022 | 854970 | AT & T Corp | Park Dist 1    | \$ 452.92   | PRPL Parks Tablets                                                 |
| 08/29/2022 | 854970 | AT & T Corp | Parking        | \$ 77.63    | Parking Division Meter Maintenance                                 |
| 08/29/2022 | 854970 | AT & T Corp | Parking        | \$ 226.05   | Parking Phones and scanner                                         |
| 08/29/2022 | 854970 | AT & T Corp | Parking        | \$ 226.05   | Parking Phones and scanner                                         |
| 08/29/2022 | 854970 | AT & T Corp | PD Program     | \$ 160.56   | CCSIU Toughbook                                                    |
| 08/29/2022 | 854970 | AT & T Corp | PD Program     | \$ 45.52    | Domestic Violence                                                  |
| 08/29/2022 | 854970 | AT & T Corp | Phone System   | \$ 65.02    | IT iPads                                                           |
| 08/29/2022 | 854970 | AT & T Corp | Phone System   | \$ 67.76    | TeleComm Manager                                                   |
| 08/29/2022 | 854970 | AT & T Corp | Planning       | \$ 62.72    | PLANNING                                                           |
| 08/29/2022 | 854970 | AT & T Corp | Public Safety  | \$ 272.81   | Animal Control Cell Phones                                         |
| 08/29/2022 | 854970 | AT & T Corp | Public Safety  | \$ 240.84   | Animal Control -MDT                                                |
| 08/29/2022 | 854970 | AT & T Corp | Public Safety  | \$ 288.77   | Comm. Center 9-1-1                                                 |
| 08/29/2022 | 854970 | AT & T Corp | Public Safety  | \$ 40.14    | Detective Chartier -Toughbook                                      |
| 08/29/2022 | 854970 | AT & T Corp | Public Safety  | \$ 1,263.23 | Fire Department Cell Phones                                        |
| 08/29/2022 | 854970 | AT & T Corp | Public Safety  | \$ 174.20   | Fire iPads -Assistant chiefs new iPads                             |
| 08/29/2022 | 854970 | AT & T Corp | Public Safety  | \$ 799.46   | Fire iPads -Assistant chiefs new iPads                             |
| 08/29/2022 | 854970 | AT & T Corp | Public Safety  | \$ 487.76   | Fire iPads -Assistant chiefs new iPads                             |
| 08/29/2022 | 854970 | AT & T Corp | Public Safety  | \$ 170.16   | Fire iPads -Assistant chiefs new iPads                             |
| 08/29/2022 | 854970 | AT & T Corp | Public Safety  | \$ 85.66    | ICAC                                                               |
| 08/29/2022 | 854970 | AT & T Corp | Public Safety  | \$ 1,375.54 | MDT Fire                                                           |
| 08/29/2022 | 854970 | AT & T Corp | Public Safety  | \$ 3,460.23 | Police Department Cell Phone                                       |
| 08/29/2022 | 854970 | AT & T Corp | Public Safety  | \$ 401.40   | Police MDT Toughbooks and Loaner MDT's                             |
| 08/29/2022 | 854970 | AT & T Corp | Public Safety  | \$ 3,692.88 | Police MDT Toughbooks and Loaner MDT's                             |
| 08/29/2022 | 854970 | AT & T Corp | Public Safety  | \$ 272.84   | Police -Resource Officers                                          |
| 08/29/2022 | 854970 | AT & T Corp | Public Safety  | \$ 287.20   | Yellowstone County Cellular Charges -Three cradlepoints -Fire Dept |
| 08/29/2022 | 854970 | AT & T Corp | Solid Waste    | \$ 90.42    | SOLID WASTE SUPERINTENDANT                                         |
| 08/29/2022 | 854970 | AT & T Corp | Street/Traffic | \$ 372.55   | School Flashers                                                    |
| 08/29/2022 | 854970 | AT & T Corp | Street/Traffic | \$ 656.48   | Street Traffic iPads                                               |
| 08/29/2022 | 854970 | AT & T Corp | Street/Traffic | \$ 43.34    | Street Traffic iPads                                               |
| 08/29/2022 | 854970 | AT & T Corp | Transit        | \$ 101.16   | MET Supervisor Cell Phones                                         |
| 08/29/2022 | 854970 | AT & T Corp | Transit        | \$ 100.10   | MET Supervisor Cell Phones                                         |
| 08/29/2022 | 854970 | AT & T Corp | Transit        | \$ 10.10    | MET Supervisor Cell Phones                                         |
| 08/29/2022 | 854970 | AT & T Corp | Transit        | \$ 50.07    | MET Supervisor Cell Phones                                         |
| 08/29/2022 | 854970 | AT & T Corp | Transit        | \$ 40.07    | MET Supervisor Cell Phones                                         |

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| 08/29/2022 | 854970 | AT & T Corp   | Transit    | \$ 445.38    | MET Transit Tablets                        |
| 08/29/2022 | 854970 | AT & T Corp   | Transit    | \$ 25.12     | MET Transit Tablets                        |
| 08/29/2022 | 854970 | AT & T Corp   | Transit    | \$ 645.35    | MET Transit Tablets                        |
| 08/29/2022 | 854970 | AT & T Corp   | Wastewater | \$ 180.84    | PW Environmental                           |
| 08/29/2022 | 854970 | AT & T Corp   | Wastewater | \$ 331.57    | PWBELKNAP-DIST COLL CELL PHONES 60/40      |
| 08/29/2022 | 854970 | AT & T Corp   | Wastewater | \$ (75.00)   | PWBELKNAP-DIST COLL CELL PHONES 60/40      |
| 08/29/2022 | 854970 | AT & T Corp   | Wastewater | \$ 475.30    | PWBLKNP Electricians -Phones               |
| 08/29/2022 | 854970 | AT & T Corp   | Wastewater | \$ 27.67     | PWBLKNP STORES -75/25                      |
| 08/29/2022 | 854970 | AT & T Corp   | Wastewater | \$ 902.14    | PWBLNP-WWTRMNT1 Wastewater Treatment Plant |
| 08/29/2022 | 854970 | AT & T Corp   | Wastewater | \$ 299.52    | PW-Distribution Collection Tablets 60/40   |
| 08/29/2022 | 854970 | AT & T Corp   | Wastewater | \$ 69.68     | PW-Environmental                           |
| 08/29/2022 | 854970 | AT & T Corp   | Water      | \$ -         | Mikayla Nielsen -WTP -Moved to acct #6503  |
| 08/29/2022 | 854970 | AT & T Corp   | Water      | \$ 496.37    | PWBELKNAP-DIST COLL CELL PHONES 60/40      |
| 08/29/2022 | 854970 | AT & T Corp   | Water      | \$ 1,100.06  | PWBELKNAP-WT Water Treatment               |
| 08/29/2022 | 854970 | AT & T Corp   | Water      | \$ 508.87    | PWBLKNP COMM-METER CityWorks/Neptune       |
| 08/29/2022 | 854970 | AT & T Corp   | Water      | \$ 201.83    | PWBLKNP MTRSHOP CELL PHONE AND IPADS       |
| 08/29/2022 | 854970 | AT & T Corp   | Water      | \$ 197.72    | PWBLKNP MTRSHOP CELL PHONE AND IPADS       |
| 08/29/2022 | 854970 | AT & T Corp   | Water      | \$ 83.01     | PWBLKNP STORES -75/25                      |
| 08/29/2022 | 854970 | AT & T Corp   | Water      | \$ 448.78    | PW-Distribution Collection Tablets 60/40   |
| 08/29/2022 | 854972 | Bibliotheca   | Library    | \$ 17,146.00 | INV-US-56342 Annual Maintenance            |
| 08/29/2022 | 854978 | Border States | Wastewater | \$ 798.69    | Contact for WRF                            |
| 08/29/2022 | 854978 | Border States | Wastewater | \$ 585.88    | Die set for ground crimps                  |
| 08/29/2022 | 854978 | Border States | Wastewater | \$ 337.24    | Electrical supplies                        |
| 08/29/2022 | 854978 | Border States | Wastewater | \$ 93.25     | Electrical supplies for Macerator Projec   |
| 08/29/2022 | 854978 | Border States | Wastewater | \$ 1,247.42  | electrical supplies for macerators         |
| 08/29/2022 | 854978 | Border States | Wastewater | \$ 542.65    | electrical supplies for WTP                |
| 08/29/2022 | 854978 | Border States | Wastewater | \$ 6,952.34  | For Headworks, Washer compactor rebuild    |
| 08/29/2022 | 854978 | Border States | Wastewater | \$ 165.25    | FR Shirts for electrical work              |
| 08/29/2022 | 854978 | Border States | Wastewater | \$ 10.29     | mag screw/nut driver                       |
| 08/29/2022 | 854978 | Border States | Wastewater | \$ 366.23    | Overloads for Rehberg Lift                 |
| 08/29/2022 | 854978 | Border States | Wastewater | \$ 112.02    | Sunscreen packets                          |
| 08/29/2022 | 854978 | Border States | Water      | \$ 585.87    | Die set for ground crimps                  |
| 08/29/2022 | 854978 | Border States | Water      | \$ 117.72    | door handle for PLC cabinet                |
| 08/29/2022 | 854978 | Border States | Water      | \$ 117.00    | electrical supplies 30 amp fuses           |

| Check Date | Check# | Name                 | Fund Name      | Amount      | Item Desc                                                                |
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| 08/29/2022 | 854978 | Border States        | Water          | \$ 91.80    | electrical tape                                                          |
| 08/29/2022 | 854978 | Border States        | Water          | \$ 165.25   | FR Shirts for electrical work                                            |
| 08/29/2022 | 854978 | Border States        | Water          | \$ 650.45   | Ground clamp for lighting protection on                                  |
| 08/29/2022 | 854978 | Border States        | Water          | \$ 10.28    | mag screw/nut driver                                                     |
| 08/29/2022 | 854978 | Border States        | Water          | \$ 486.04   | Power Supply WTP                                                         |
| 08/29/2022 | 854978 | Border States        | Water          | \$ 798.69   | Replacement contactor for WTP                                            |
| 08/29/2022 | 854978 | Border States        | Water          | \$ 112.02   | Sunscreen packets                                                        |
| 08/29/2022 | 854980 | Business Tax Section | Airport        | \$ 27.61    | Rimtop Drive Overlay                                                     |
| 08/29/2022 | 854980 | Business Tax Section | Airport        | \$ 58.38    | Rimtop Overlay Retainage Release                                         |
| 08/29/2022 | 854980 | Business Tax Section | Airport        | \$ 431.46   | West Utilities & Road Improvement - Amendment #27                        |
| 08/29/2022 | 854980 | Business Tax Section | Gas Tax        | \$ 1,963.18 | WO 22-03 Chip Seal Contract 2 Payment 4                                  |
| 08/29/2022 | 854980 | Business Tax Section | Gas Tax        | \$ 1,061.74 | WO 22-03 Chip Seal Contract 2 payment 4                                  |
| 08/29/2022 | 854980 | Business Tax Section | Park Dist 1    | \$ 73.42    | repair to pump at riverfront park                                        |
| 08/29/2022 | 854992 | Crescent Electric    | Street/Traffic | \$ 2,635.54 | S510618761.001 PO NUM 314899                                             |
| 08/29/2022 | 854994 | Dell Computer        | IT Resources   | \$ 1,466.56 | Optiplex 5000, i7, 32GB RAM, 256GB SSD, 1-24" Monitor 7 sound bar        |
| 08/29/2022 | 854994 | Dell Computer        | IT Resources   | \$ 49.99    | Sound bar with mic                                                       |
| 08/29/2022 | 854994 | Dell Computer        | Wastewater     | \$ 914.98   | MONITORS FOR WRF. FY-2023 TRP. WRFSE CLIENT CR1. WRFSE CLIENT CR2        |
| 08/29/2022 | 854994 | Dell Computer        | Water          | \$ 1,181.13 | OptiPlex 5000 SFF, i7, 32GB RAM, 512GB SSD -Brian Risser-WTP             |
| 08/29/2022 | 854995 | Denny Menholt        | General        | \$ 2,572.20 | 414863                                                                   |
| 08/29/2022 | 854995 | Denny Menholt        | Property Ins   | \$ 7,043.48 | Inv. 414734 Parking Division Car #1968.                                  |
| 08/29/2022 | 854995 | Denny Menholt        | Public Safety  | \$ 189.59   | 199669                                                                   |
| 08/29/2022 | 854995 | Denny Menholt        | Public Safety  | \$ 2,198.50 | 414233                                                                   |
| 08/29/2022 | 854995 | Denny Menholt        | Public Safety  | \$ 869.20   | 416549                                                                   |
| 08/29/2022 | 854995 | Denny Menholt        | Public Safety  | \$ 65.00    | 37529S                                                                   |
| 08/29/2022 | 854995 | Denny Menholt        | Public Safety  | \$ 247.90   | 37598S                                                                   |
| 08/29/2022 | 854995 | Denny Menholt        | Public Safety  | \$ 314.95   | 37984S                                                                   |
| 08/29/2022 | 854995 | Denny Menholt        | Public Safety  | \$ 247.90   | 38030S                                                                   |
| 08/29/2022 | 854996 | Dixie Petro-Chem     | Water          | \$ 642.06   | BULK CHLORINE                                                            |
| 08/29/2022 | 854996 | Dixie Petro-Chem     | Water          | \$17,707.20 | BULK CHLORINE                                                            |
| 08/29/2022 | 854999 | Empire Garage Owners | Parking        | \$ 8,604.61 | 822022_City Of Billings August Assessment                                |
| 08/29/2022 | 855000 | EnvisionWare         | Library        | \$ 9,058.90 | INV-US-60863 & 60910 - RFID pads, disc readers, and software             |
| 08/29/2022 | 855001 | Farstad Oil          | Wastewater     | \$ 2,759.30 | MOBIL SHC 627                                                            |
| 08/29/2022 | 855005 | Fisher Sand & Gravel | Street/Traffic | \$ 6,276.69 | asphalt                                                                  |
| 08/29/2022 | 855006 | FlashParking         | Parking        | \$ 5,343.74 | INV86912_FlashParcs Software License- 1 Year Renewal- 9/1/2022-8/31/2023 |

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|------------|--------|------------------------|------------------|-------------|--------------------------------------------------------------------------|
| 08/29/2022 | 855006 | FlashParking           | Parking          | \$ 5,343.74 | INV86912_FlashParcs Software License- 1 Year Renewal- 9/1/2022-8/31/2023 |
| 08/29/2022 | 855006 | FlashParking           | Parking          | \$ 5,343.74 | INV86912_FlashParcs Software License- 1 Year Renewal- 9/1/2022-8/31/2023 |
| 08/29/2022 | 855006 | FlashParking           | Parking          | \$ 5,343.74 | INV86912_FlashParcs Software License- 1 Year Renewal- 9/1/2022-8/31/2023 |
| 08/29/2022 | 855009 | Granite Peak Pump      | Park Dist 1      | \$ 7,269.30 | repair to pump at Riverfront park                                        |
| 08/29/2022 | 855010 | Hample Excavation      | Airport          | \$42,714.61 | West Utilities & Road Improvement - Amendment #27                        |
| 08/29/2022 | 855013 | Iaff                   | Payroll Clearing | \$ 4,708.52 | Payroll Summary                                                          |
| 08/29/2022 | 855014 | Ingram Library Service | Library          | \$ 48.54    | 70843852                                                                 |
| 08/29/2022 | 855014 | Ingram Library Service | Library          | \$ 1.24     | 70843852                                                                 |
| 08/29/2022 | 855014 | Ingram Library Service | Library          | \$ 150.39   | 70843852                                                                 |
| 08/29/2022 | 855014 | Ingram Library Service | Library          | \$ 43.15    | 70843852                                                                 |
| 08/29/2022 | 855014 | Ingram Library Service | Library          | \$ 11.77    | 70843853                                                                 |
| 08/29/2022 | 855014 | Ingram Library Service | Library          | \$ 0.05     | 70843853                                                                 |
| 08/29/2022 | 855014 | Ingram Library Service | Library          | \$ 19.18    | 70843854                                                                 |
| 08/29/2022 | 855014 | Ingram Library Service | Library          | \$ 0.12     | 70843854                                                                 |
| 08/29/2022 | 855014 | Ingram Library Service | Library          | \$ 14.99    | 70843855                                                                 |
| 08/29/2022 | 855014 | Ingram Library Service | Library          | \$ 0.05     | 70843855                                                                 |
| 08/29/2022 | 855014 | Ingram Library Service | Library          | \$ 11.99    | 70843856                                                                 |
| 08/29/2022 | 855014 | Ingram Library Service | Library          | \$ 10.59    | 70843856                                                                 |
| 08/29/2022 | 855014 | Ingram Library Service | Library          | \$ 89.46    | 70843856                                                                 |
| 08/29/2022 | 855014 | Ingram Library Service | Library          | \$ 0.94     | 70843856                                                                 |
| 08/29/2022 | 855014 | Ingram Library Service | Library          | \$ 95.53    | 70843856                                                                 |
| 08/29/2022 | 855014 | Ingram Library Service | Library          | \$ 0.10     | 70843857                                                                 |
| 08/29/2022 | 855014 | Ingram Library Service | Library          | \$ 11.20    | 70843857                                                                 |
| 08/29/2022 | 855014 | Ingram Library Service | Library          | \$ 16.55    | 70843858                                                                 |
| 08/29/2022 | 855014 | Ingram Library Service | Library          | \$ 0.12     | 70843858                                                                 |
| 08/29/2022 | 855014 | Ingram Library Service | Library          | \$ 0.22     | 70843859                                                                 |
| 08/29/2022 | 855014 | Ingram Library Service | Library          | \$ 16.51    | 70843859                                                                 |
| 08/29/2022 | 855014 | Ingram Library Service | Library          | \$ 90.73    | 70843860                                                                 |
| 08/29/2022 | 855014 | Ingram Library Service | Library          | \$ 52.27    | 70843861                                                                 |
| 08/29/2022 | 855014 | Ingram Library Service | Library          | \$ 0.06     | 70863173                                                                 |
| 08/29/2022 | 855014 | Ingram Library Service | Library          | \$ 5.89     | 70863173                                                                 |
| 08/29/2022 | 855014 | Ingram Library Service | Library          | \$ 17.67    | 70863173                                                                 |
| 08/29/2022 | 855014 | Ingram Library Service | Library          | \$ 2.19     | 70863174                                                                 |
| 08/29/2022 | 855014 | Ingram Library Service | Library          | \$ 51.31    | 70863174                                                                 |

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| 08/29/2022 | 855014 | Ingram Library Service | Library   | \$ 329.14 | 70863174  |
| 08/29/2022 | 855014 | Ingram Library Service | Library   | \$ 947.35 | 70863174  |
| 08/29/2022 | 855014 | Ingram Library Service | Library   | \$ 135.31 | 70863174  |
| 08/29/2022 | 855014 | Ingram Library Service | Library   | \$ 151.01 | 70863175  |
| 08/29/2022 | 855014 | Ingram Library Service | Library   | \$ 43.49  | 70863175  |
| 08/29/2022 | 855014 | Ingram Library Service | Library   | \$ 0.25   | 70863175  |
| 08/29/2022 | 855014 | Ingram Library Service | Library   | \$ 5.30   | 70863176  |
| 08/29/2022 | 855014 | Ingram Library Service | Library   | \$ 8.27   | 70909892  |
| 08/29/2022 | 855014 | Ingram Library Service | Library   | \$ 78.72  | 70909892  |
| 08/29/2022 | 855014 | Ingram Library Service | Library   | \$ 0.53   | 70909892  |
| 08/29/2022 | 855014 | Ingram Library Service | Library   | \$ 1.89   | 70909893  |
| 08/29/2022 | 855014 | Ingram Library Service | Library   | \$ 12.60  | 70909893  |
| 08/29/2022 | 855014 | Ingram Library Service | Library   | \$ 63.63  | 70909893  |
| 08/29/2022 | 855014 | Ingram Library Service | Library   | \$ 11.20  | 70909893  |
| 08/29/2022 | 855014 | Ingram Library Service | Library   | \$ 251.75 | 70909893  |
| 08/29/2022 | 855014 | Ingram Library Service | Library   | \$ 0.04   | 70909894  |
| 08/29/2022 | 855014 | Ingram Library Service | Library   | \$ 41.35  | 70909894  |
| 08/29/2022 | 855014 | Ingram Library Service | Library   | \$ 6.50   | 70909895  |
| 08/29/2022 | 855014 | Ingram Library Service | Library   | \$ 5.37   | 71036504  |
| 08/29/2022 | 855014 | Ingram Library Service | Library   | \$ 65.40  | 71036504  |
| 08/29/2022 | 855014 | Ingram Library Service | Library   | \$ 1.79   | 71036504  |
| 08/29/2022 | 855014 | Ingram Library Service | Library   | \$ 347.66 | 71036504  |
| 08/29/2022 | 855014 | Ingram Library Service | Library   | \$ 5.30   | 71036504  |
| 08/29/2022 | 855014 | Ingram Library Service | Library   | \$ 0.04   | 71036505  |
| 08/29/2022 | 855014 | Ingram Library Service | Library   | \$ 18.00  | 71036505  |
| 08/29/2022 | 855014 | Ingram Library Service | Library   | \$ 16.51  | 71036506  |
| 08/29/2022 | 855014 | Ingram Library Service | Library   | \$ 18.60  | 71036506  |
| 08/29/2022 | 855014 | Ingram Library Service | Library   | \$ 38.90  | 71036506  |
| 08/29/2022 | 855014 | Ingram Library Service | Library   | \$ 0.28   | 71036506  |
| 08/29/2022 | 855014 | Ingram Library Service | Library   | \$ 0.04   | 71036507  |
| 08/29/2022 | 855014 | Ingram Library Service | Library   | \$ 10.61  | 71036507  |
| 08/29/2022 | 855014 | Ingram Library Service | Library   | \$ 0.05   | 71036508  |
| 08/29/2022 | 855014 | Ingram Library Service | Library   | \$ 10.69  | 71036508  |
| 08/29/2022 | 855014 | Ingram Library Service | Library   | \$ 0.08   | 71036509  |

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| 08/29/2022 | 855014 | Ingram Library Service | Library          | \$ 17.10     | 71036509                                                                |
| 08/29/2022 | 855014 | Ingram Library Service | Library          | \$ 29.08     | 71036510                                                                |
| 08/29/2022 | 855014 | Ingram Library Service | Library          | \$ 17.10     | 71036510                                                                |
| 08/29/2022 | 855014 | Ingram Library Service | Library          | \$ 0.22      | 71036510                                                                |
| 08/29/2022 | 855014 | Ingram Library Service | Library          | \$ 4.79      | 71036510                                                                |
| 08/29/2022 | 855019 | Jacobs Engineering     | Water            | \$ 4,190.00  | Yellowstone River Water Quality Support                                 |
| 08/29/2022 | 855019 | Jacobs Engineering     | Water            | \$ 7,980.00  | Yellowstone River Water Quality Support                                 |
| 08/29/2022 | 855022 | Joe Johnson Equipt     | Street/Traffic   | \$ 186.45    | P00218                                                                  |
| 08/29/2022 | 855022 | Joe Johnson Equipt     | Street/Traffic   | \$ 5,159.30  | P00225                                                                  |
| 08/29/2022 | 855028 | Knine All Systems      | Facilities       | \$ 4,014.22  | 4848 Midland Road and 4845 Midland Road Pivot Gate Replacement          |
| 08/29/2022 | 855028 | Knine All Systems      | Facilities       | \$ 958.91    | Repair shop door latch and pedestal damage from being struck by vehicle |
| 08/29/2022 | 855031 | L P Anderson Tire      | Public Safety    | \$ 448.00    | 1983420                                                                 |
| 08/29/2022 | 855031 | L P Anderson Tire      | Solid Waste      | \$ 105.00    | 1987221                                                                 |
| 08/29/2022 | 855031 | L P Anderson Tire      | Street/Traffic   | \$ 87.50     | 1987215                                                                 |
| 08/29/2022 | 855031 | L P Anderson Tire      | Street/Traffic   | \$ 94.50     | 1987375                                                                 |
| 08/29/2022 | 855031 | L P Anderson Tire      | Street/Traffic   | \$ 87.50     | 1987397                                                                 |
| 08/29/2022 | 855031 | L P Anderson Tire      | Water            | \$ 3,057.90  | NONSTOCKING ITEMS-P.U.D.                                                |
| 08/29/2022 | 855032 | Lee Newspaper          | General          | \$ 3,840.00  | 102-60001620 City Link                                                  |
| 08/29/2022 | 855032 | Lee Newspaper          | General          | \$ 295.00    | 102-60001620 Cemetery notice                                            |
| 08/29/2022 | 855044 | MFPE                   | Payroll Clearing | \$ 2,635.00  | Payroll Summary                                                         |
| 08/29/2022 | 855042 | Montana CSED           | Payroll Clearing | \$ 4,690.94  | Payroll Summary                                                         |
| 08/29/2022 | 855048 | Morrison Maierle       | Airport          | \$ 1,041.97  | Invoice #226738. 2020 Rimtop Road Overlay                               |
| 08/29/2022 | 855048 | Morrison Maierle       | Airport          | \$ 15,444.36 | Westend Utilities & Road Project Construction                           |
| 08/29/2022 | 855050 | Moulton Bellingham     | General          | \$ 1,147.50  | Inv.#148331 Houser WWFF                                                 |
| 08/29/2022 | 855050 | Moulton Bellingham     | General          | \$ 3,733.00  | Inv.#148332 Abromeit et al v. COB                                       |
| 08/29/2022 | 855050 | Moulton Bellingham     | General          | \$ 2,352.50  | Inv.#148333 McDaniel v. COB                                             |
| 08/29/2022 | 855050 | Moulton Bellingham     | General          | \$ 22.50     | Inv.#148420 Stone et al v. COB                                          |
| 08/29/2022 | 855052 | MPPA                   | Payroll Clearing | \$ 3,786.65  | Payroll Summary                                                         |
| 08/29/2022 | 855043 | MT Dakota Utilities    | Airport          | \$ 180.83    | 129 573 1000 1. Mud Wash. August 2022                                   |
| 08/29/2022 | 855043 | MT Dakota Utilities    | Airport          | \$ 23.61     | 160 723 3573 6. USDA. August 2022                                       |
| 08/29/2022 | 855043 | MT Dakota Utilities    | Airport          | \$ 106.56    | 179 053 7751 5. New Concourse. August 2022                              |
| 08/29/2022 | 855043 | MT Dakota Utilities    | Airport          | \$ 23.61     | 185 580 1000 7. TSA. August 2022                                        |
| 08/29/2022 | 855043 | MT Dakota Utilities    | Airport          | \$ 26.74     | 229 573 1000 0. Detail Bay 1 Hertz. August 2022                         |
| 08/29/2022 | 855043 | MT Dakota Utilities    | Airport          | \$ 25.54     | 283 116 0655 3. Alpine. August 2022                                     |

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| 08/29/2022 | 855043 | MT Dakota Utilities | Airport          | \$ 23.63    | 295 580 1000 4. Aero Interiors. August 2022              |
| 08/29/2022 | 855043 | MT Dakota Utilities | Airport          | \$ 29.20    | 329 573 1000 9. Detail Bay 3 Enterprise. August 2022     |
| 08/29/2022 | 855043 | MT Dakota Utilities | Airport          | \$ 32.57    | 429 573 1000 8. Detail Bay 4 Avis/Budget. August 2022    |
| 08/29/2022 | 855043 | MT Dakota Utilities | Airport          | \$ 25.81    | 529 573 1000 7. Detail Bay 5 Thrifty/Dollar. August 2022 |
| 08/29/2022 | 855043 | MT Dakota Utilities | Airport          | \$ 29.20    | 629 573 1000 6. Detail Bay 2 National/Alamo. August 2022 |
| 08/29/2022 | 855043 | MT Dakota Utilities | Airport          | \$ 23.61    | 846 093 3091 9. East Rooftop Small Meter. August 2022    |
| 08/29/2022 | 855043 | MT Dakota Utilities | Airport          | \$ 70.01    | 889 373 1000 6. Car Wash. August 2022                    |
| 08/29/2022 | 855043 | MT Dakota Utilities | Engineering      | \$ 90.96    | 595 373 1000 1                                           |
| 08/29/2022 | 855043 | MT Dakota Utilities | Facilities       | \$ 73.30    | 375 963 4481 4                                           |
| 08/29/2022 | 855043 | MT Dakota Utilities | Facilities       | \$ 271.95   | 929 780 1000 4                                           |
| 08/29/2022 | 855043 | MT Dakota Utilities | General          | \$ 56.06    | 437 780 1000 9                                           |
| 08/29/2022 | 855043 | MT Dakota Utilities | Library          | \$ 492.46   | 219 924 4851 0                                           |
| 08/29/2022 | 855043 | MT Dakota Utilities | P.W. Admin       | \$ 22.74    | 595 373 1000 1                                           |
| 08/29/2022 | 855043 | MT Dakota Utilities | Parking          | \$ 28.37    | 303 725 2591 2                                           |
| 08/29/2022 | 855043 | MT Dakota Utilities | Parking          | \$ 26.17    | 717 353 1000 6                                           |
| 08/29/2022 | 855043 | MT Dakota Utilities | Parking          | \$ 25.13    | 799 152 1209 0                                           |
| 08/29/2022 | 855043 | MT Dakota Utilities | Public Safety    | \$ 25.13    | 062 907 9494 7                                           |
| 08/29/2022 | 855043 | MT Dakota Utilities | Public Safety    | \$ 337.43   | 169 233 1000 3                                           |
| 08/29/2022 | 855043 | MT Dakota Utilities | Public Safety    | \$ 25.13    | 514 117 0478 9                                           |
| 08/29/2022 | 855043 | MT Dakota Utilities | Public Safety    | \$ 127.85   | 533 653 1000 1                                           |
| 08/29/2022 | 855043 | MT Dakota Utilities | Public Safety    | \$ 75.48    | 602 589 7178 1                                           |
| 08/29/2022 | 855043 | MT Dakota Utilities | Public Safety    | \$ 89.65    | 885 880 1000 4                                           |
| 08/29/2022 | 855043 | MT Dakota Utilities | Transit          | \$ 116.91   | 962 880 1000 0                                           |
| 08/29/2022 | 855043 | MT Dakota Utilities | Wastewater       | \$ 2,657.09 | 293 780 1000 2                                           |
| 08/29/2022 | 855043 | MT Dakota Utilities | Wastewater       | \$ 5,314.16 | 293 780 1000 2                                           |
| 08/29/2022 | 855043 | MT Dakota Utilities | Wastewater       | \$ 2,657.09 | 293 780 1000 2                                           |
| 08/29/2022 | 855043 | MT Dakota Utilities | Wastewater       | \$ 76.51    | 735 453 1000 2                                           |
| 08/29/2022 | 855043 | MT Dakota Utilities | Water            | \$ 77.68    | 076 225 9180 3                                           |
| 08/29/2022 | 855047 | MT State Firemen    | Payroll Clearing | \$ 4,324.25 | Payroll Summary                                          |
| 08/29/2022 | 855057 | NorMont Equipment   | Street/Traffic   | \$ 3,514.00 | telspar posts for sign installation                      |
| 08/29/2022 | 855057 | NorMont Equipment   | Street/Traffic   | \$ 3,445.50 | rivets/posts for sign installation                       |
| 08/29/2022 | 855057 | NorMont Equipment   | Street/Traffic   | \$ 1,108.00 | emulsion for roadpatcher                                 |
| 08/29/2022 | 855057 | NorMont Equipment   | Street/Traffic   | \$ 468.00   | hose for roadpatcher                                     |
| 08/29/2022 | 855060 | Northwest Pipe      | Water            | \$ 806.58   | 1" E-CODER CU/FT INSIDE METER ED2F11REF2                 |

| Check Date | Check# | Name                | Fund Name   | Amount      | Item Desc                                           |
|------------|--------|---------------------|-------------|-------------|-----------------------------------------------------|
| 08/29/2022 | 855060 | Northwest Pipe      | Water       | \$ 45.90    | 1" STIFFENERS - CTS PE INSERTS SS                   |
| 08/29/2022 | 855060 | Northwest Pipe      | Water       | \$ 119.08   | 2" PVC Compression Couplings                        |
| 08/29/2022 | 855060 | Northwest Pipe      | Water       | \$ 320.60   | 2" TD FLANGE GASKETS - PS-1003 DROP IN              |
| 08/29/2022 | 855060 | Northwest Pipe      | Water       | \$ 2,175.00 | 3/4" CURB VALVE - COMPRESSION-MINNEAPOLIS           |
| 08/29/2022 | 855060 | Northwest Pipe      | Water       | \$25,983.48 | 3/4" E-CODER WALL CU/FT METER W/RECPT ED2C11REF7    |
| 08/29/2022 | 855060 | Northwest Pipe      | Water       | \$ 600.00   | 36" TYTON PUSH-ON GASKET                            |
| 08/29/2022 | 855060 | Northwest Pipe      | Water       | \$ 58.80    | BLACK NIPPLE 1-1/4" X 4-1/2"                        |
| 08/29/2022 | 855060 | Northwest Pipe      | Water       | \$ 14.70    | BLACK NIPPLE 1-1/4" X 4-1/2"                        |
| 08/29/2022 | 855060 | Northwest Pipe      | Water       | \$36,999.20 | R-900 ENHANCED WALL RR - MIU 13341-200              |
| 08/29/2022 | 855061 | NorthWestern Energy | Airport     | \$32,944.64 | 0100482-9. Vault Main Account. August 2022          |
| 08/29/2022 | 855061 | NorthWestern Energy | Airport     | \$ 2,218.86 | 0100483-7. Runway Lights. August 2022               |
| 08/29/2022 | 855061 | NorthWestern Energy | Airport     | \$ 1,671.40 | 0100484-5. ARFF Facility. August 2022               |
| 08/29/2022 | 855061 | NorthWestern Energy | Airport     | \$ 499.62   | 0712792-1. IP-7. August 2022                        |
| 08/29/2022 | 855061 | NorthWestern Energy | Airport     | \$ 1,400.22 | 0712800-2. IP-9. August 2022                        |
| 08/29/2022 | 855061 | NorthWestern Energy | Airport     | \$ 196.29   | 0712809-3. Alpine. August 2022                      |
| 08/29/2022 | 855061 | NorthWestern Energy | Airport     | \$ 6.00     | 1138926-9. Aero Interiors. August 2022              |
| 08/29/2022 | 855061 | NorthWestern Energy | Airport     | \$ 51.43    | 1647695-4. De Icer. August 2022                     |
| 08/29/2022 | 855061 | NorthWestern Energy | Airport     | \$ 728.57   | 1669567-8. TSA. August 2022                         |
| 08/29/2022 | 855061 | NorthWestern Energy | Airport     | \$ 1,276.77 | 1993430-6. Car Wash. August 2022                    |
| 08/29/2022 | 855061 | NorthWestern Energy | Airport     | \$ 270.05   | 2001846-1. Mud Wash. August 2022                    |
| 08/29/2022 | 855061 | NorthWestern Energy | Airport     | \$ 207.23   | 2001848-7. Detail Bay 1 Hertz. August 2022          |
| 08/29/2022 | 855061 | NorthWestern Energy | Airport     | \$ 224.29   | 2001855-2. Detail Bay 2 National/Alamo. August 2022 |
| 08/29/2022 | 855061 | NorthWestern Energy | Airport     | \$ 71.93    | 2001862-8. Detail Bay 3 Enterprise. August 2022     |
| 08/29/2022 | 855061 | NorthWestern Energy | Airport     | \$ 158.73   | 2001865-1. Detail Bay 5 Avis/Budget. August 2022    |
| 08/29/2022 | 855061 | NorthWestern Energy | Airport     | \$ 45.04    | 2001867-7. Detail Bay 5 Thrifty/Dollar. August 2022 |
| 08/29/2022 | 855061 | NorthWestern Energy | Airport     | \$ 55.85    | 3085107-5. Employee Parking. August 2022            |
| 08/29/2022 | 855061 | NorthWestern Energy | Airport     | \$ 305.70   | 3446396-8. USDA. August 2022                        |
| 08/29/2022 | 855061 | NorthWestern Energy | Airport     | \$ 794.32   | 3477231-9. Parking Zone. August 2022                |
| 08/29/2022 | 855061 | NorthWestern Energy | Airport     | \$ 36.98    | 3733186-5. Airport Storage. August 2022             |
| 08/29/2022 | 855061 | NorthWestern Energy | Engineering | \$ 781.74   | 1741314-7                                           |
| 08/29/2022 | 855061 | NorthWestern Energy | Facilities  | \$ 8,355.52 | 0100507-3                                           |
| 08/29/2022 | 855061 | NorthWestern Energy | Facilities  | \$10,701.89 | 3927205-9                                           |
| 08/29/2022 | 855061 | NorthWestern Energy | General     | \$ 1,775.15 | 0100506-5                                           |
| 08/29/2022 | 855061 | NorthWestern Energy | General     | \$ 180.79   | 0712683-2                                           |

| Check Date | Check# | Name                | Fund Name      | Amount      | Item Desc |
|------------|--------|---------------------|----------------|-------------|-----------|
| 08/29/2022 | 855061 | NorthWestern Energy | Park Dist 1    | \$ 6.00     | 0722237-5 |
| 08/29/2022 | 855061 | NorthWestern Energy | Park Dist 1    | \$ 6.25     | 0722247-4 |
| 08/29/2022 | 855061 | NorthWestern Energy | Park Dist 1    | \$ 343.13   | 0722251-6 |
| 08/29/2022 | 855061 | NorthWestern Energy | Park Dist 1    | \$ 84.56    | 0722255-7 |
| 08/29/2022 | 855061 | NorthWestern Energy | Park Dist 1    | \$ 44.48    | 0722263-1 |
| 08/29/2022 | 855061 | NorthWestern Energy | Park Dist 1    | \$ 40.39    | 0722266-4 |
| 08/29/2022 | 855061 | NorthWestern Energy | Park Dist 1    | \$ 17.75    | 0722269-8 |
| 08/29/2022 | 855061 | NorthWestern Energy | Park Dist 1    | \$ 10.07    | 0722292-0 |
| 08/29/2022 | 855061 | NorthWestern Energy | Park Dist 1    | \$ 32.70    | 0722293-8 |
| 08/29/2022 | 855061 | NorthWestern Energy | Park Dist 1    | \$ 17.50    | 0722905-7 |
| 08/29/2022 | 855061 | NorthWestern Energy | Park Dist 1    | \$ 329.36   | 0722933-9 |
| 08/29/2022 | 855061 | NorthWestern Energy | Park Dist 1    | \$ 379.34   | 0723035-2 |
| 08/29/2022 | 855061 | NorthWestern Energy | Park Dist 1    | \$ 7.87     | 0723036-0 |
| 08/29/2022 | 855061 | NorthWestern Energy | Park Dist 1    | \$ 177.09   | 0723037-8 |
| 08/29/2022 | 855061 | NorthWestern Energy | Park Dist 1    | \$ 57.66    | 0723042-8 |
| 08/29/2022 | 855061 | NorthWestern Energy | Park Dist 1    | \$ 105.85   | 0723048-5 |
| 08/29/2022 | 855061 | NorthWestern Energy | Park Dist 1    | \$ 410.64   | 0723054-3 |
| 08/29/2022 | 855061 | NorthWestern Energy | Park Dist 1    | \$ 6.12     | 0723055-0 |
| 08/29/2022 | 855061 | NorthWestern Energy | Park Dist 1    | \$ 60.88    | 0723056-8 |
| 08/29/2022 | 855061 | NorthWestern Energy | Park Dist 1    | \$ 9.12     | 0723057-6 |
| 08/29/2022 | 855061 | NorthWestern Energy | Park Dist 1    | \$ 34.12    | 0723058-4 |
| 08/29/2022 | 855061 | NorthWestern Energy | Park Dist 1    | \$ 6.00     | 0723162-4 |
| 08/29/2022 | 855061 | NorthWestern Energy | Park Dist 1    | \$ 24.76    | 0789437-1 |
| 08/29/2022 | 855061 | NorthWestern Energy | Park Dist 1    | \$ 6.00     | 0831702-6 |
| 08/29/2022 | 855061 | NorthWestern Energy | Parking        | \$ 1,368.34 | 0720834-1 |
| 08/29/2022 | 855061 | NorthWestern Energy | Parking        | \$ 1,091.11 | 1594282-4 |
| 08/29/2022 | 855061 | NorthWestern Energy | Parks Maint    | \$ -        | 1059093-3 |
| 08/29/2022 | 855061 | NorthWestern Energy | Public Safety  | \$ 564.26   | 0712537-0 |
| 08/29/2022 | 855061 | NorthWestern Energy | Public Safety  | \$ 356.77   | 0720840-8 |
| 08/29/2022 | 855061 | NorthWestern Energy | Public Safety  | \$ 2,307.11 | 3448739-7 |
| 08/29/2022 | 855061 | NorthWestern Energy | Radio          | \$ 202.30   | 0721580-9 |
| 08/29/2022 | 855061 | NorthWestern Energy | Street/Traffic | \$ 6.00     | 0723645-8 |
| 08/29/2022 | 855061 | NorthWestern Energy | Transit        | \$ 6.00     | 0712764-0 |
| 08/29/2022 | 855061 | NorthWestern Energy | Transit        | \$ 170.42   | 1784756-7 |

| Check Date | Check# | Name                | Fund Name      | Amount       | Item Desc         |
|------------|--------|---------------------|----------------|--------------|-------------------|
| 08/29/2022 | 855061 | NorthWestern Energy | Water          | \$ 10,488.50 | 0100540-4         |
| 08/29/2022 | 855061 | NorthWestern Energy | Water          | \$ 5,376.53  | 0723043-6         |
| 08/29/2022 | 855066 | Potters Industries  | Street/Traffic | \$ 20,680.00 | glass paint beads |
| 08/29/2022 | 855068 | Public Utilities    | Park Dist 1    | \$ 1,678.77  | 180092            |
| 08/29/2022 | 855068 | Public Utilities    | Parks Maint    | \$ 15.23     | 102418            |
| 08/29/2022 | 855068 | Public Utilities    | Parks Maint    | \$ 1,213.05  | 136087            |
| 08/29/2022 | 855068 | Public Utilities    | Parks Maint    | \$ 3,770.83  | 136090            |
| 08/29/2022 | 855068 | Public Utilities    | Parks Maint    | \$ 6,309.37  | 136091            |
| 08/29/2022 | 855068 | Public Utilities    | Parks Maint    | \$ 10,031.04 | 136092            |
| 08/29/2022 | 855068 | Public Utilities    | Parks Maint    | \$ 354.20    | 136093            |
| 08/29/2022 | 855068 | Public Utilities    | Parks Maint    | \$ 4,945.60  | 136095            |
| 08/29/2022 | 855068 | Public Utilities    | Parks Maint    | \$ 5,256.68  | 136096            |
| 08/29/2022 | 855068 | Public Utilities    | Parks Maint    | \$ 179.63    | 136098            |
| 08/29/2022 | 855068 | Public Utilities    | Parks Maint    | \$ 300.19    | 136101            |
| 08/29/2022 | 855068 | Public Utilities    | Parks Maint    | \$ 8,870.12  | 136103            |
| 08/29/2022 | 855068 | Public Utilities    | Parks Maint    | \$ 3,394.01  | 136108            |
| 08/29/2022 | 855068 | Public Utilities    | Parks Maint    | \$ 32.77     | 136115            |
| 08/29/2022 | 855068 | Public Utilities    | Parks Maint    | \$ 432.81    | 148074            |
| 08/29/2022 | 855068 | Public Utilities    | Parks Maint    | \$ 1,453.56  | 148398            |
| 08/29/2022 | 855068 | Public Utilities    | Parks Maint    | \$ 345.13    | 148423            |
| 08/29/2022 | 855068 | Public Utilities    | Parks Maint    | \$ 504.05    | 158252            |
| 08/29/2022 | 855068 | Public Utilities    | Parks Maint    | \$ 4,384.06  | 163614            |
| 08/29/2022 | 855068 | Public Utilities    | Parks Maint    | \$ 80.99     | 163944            |
| 08/29/2022 | 855068 | Public Utilities    | Parks Maint    | \$ 5,565.68  | 164211            |
| 08/29/2022 | 855068 | Public Utilities    | Parks Maint    | \$ 6,036.96  | 164212            |
| 08/29/2022 | 855068 | Public Utilities    | Parks Maint    | \$ 2,922.73  | 166674            |
| 08/29/2022 | 855068 | Public Utilities    | Parks Maint    | \$ 166.29    | 168362            |
| 08/29/2022 | 855068 | Public Utilities    | Parks Maint    | \$ 3,662.53  | 175850            |
| 08/29/2022 | 855068 | Public Utilities    | Parks Maint    | \$ 487.61    | 176577            |
| 08/29/2022 | 855068 | Public Utilities    | Parks Maint    | \$ 60.17     | 177710            |
| 08/29/2022 | 855068 | Public Utilities    | Parks Maint    | \$ 15.23     | 179987            |
| 08/29/2022 | 855068 | Public Utilities    | Parks Maint    | \$ 1,709.65  | 180090            |
| 08/29/2022 | 855068 | Public Utilities    | Parks Maint    | \$ 300.19    | 180091            |
| 08/29/2022 | 855068 | Public Utilities    | Parks Maint    | \$ 113.87    | 187900            |

| Check Date | Check# | Name             | Fund Name      | Amount      | Item Desc                                |
|------------|--------|------------------|----------------|-------------|------------------------------------------|
| 08/29/2022 | 855068 | Public Utilities | Parks Maint    | \$ 322.11   | 201942                                   |
| 08/29/2022 | 855068 | Public Utilities | Parks Maint    | \$ 9,329.60 | 236250                                   |
| 08/29/2022 | 855068 | Public Utilities | Parks Maint    | \$ 2,495.29 | 242652                                   |
| 08/29/2022 | 855068 | Public Utilities | Parks Maint    | \$ 53.59    | 260404                                   |
| 08/29/2022 | 855068 | Public Utilities | Street/Traffic | \$ 4,477.22 | 168593                                   |
| 08/29/2022 | 855068 | Public Utilities | Street/Traffic | \$ 583.85   | 178621                                   |
| 08/29/2022 | 855068 | Public Utilities | Street/Traffic | \$ 33.47    | 180331                                   |
| 08/29/2022 | 855068 | Public Utilities | Street/Traffic | \$ 1,502.11 | 180332                                   |
| 08/29/2022 | 855068 | Public Utilities | Street/Traffic | \$ 137.06   | 180333                                   |
| 08/29/2022 | 855068 | Public Utilities | Street/Traffic | \$ 214.31   | 180334                                   |
| 08/29/2022 | 855068 | Public Utilities | Street/Traffic | \$ 828.07   | 180335                                   |
| 08/29/2022 | 855068 | Public Utilities | Street/Traffic | \$ 1,359.63 | 180336                                   |
| 08/29/2022 | 855068 | Public Utilities | Street/Traffic | \$ 102.71   | 180339                                   |
| 08/29/2022 | 855068 | Public Utilities | Street/Traffic | \$ 2,718.67 | 181505                                   |
| 08/29/2022 | 855068 | Public Utilities | Street/Traffic | \$ 1,589.79 | 184751                                   |
| 08/29/2022 | 855068 | Public Utilities | Street/Traffic | \$ 2,099.43 | 185688                                   |
| 08/29/2022 | 855068 | Public Utilities | Street/Traffic | \$ 702.03   | 185689                                   |
| 08/29/2022 | 855068 | Public Utilities | Street/Traffic | \$ 444.47   | 185691                                   |
| 08/29/2022 | 855068 | Public Utilities | Street/Traffic | \$ 3,655.75 | 191161                                   |
| 08/29/2022 | 855068 | Public Utilities | Street/Traffic | \$ 384.19   | 191162                                   |
| 08/29/2022 | 855068 | Public Utilities | Street/Traffic | \$ 129.01   | 243346                                   |
| 08/29/2022 | 855068 | Public Utilities | Street/Traffic | \$ 337.25   | 243891                                   |
| 08/29/2022 | 855068 | Public Utilities | Street/Traffic | \$ 489.61   | 259589                                   |
| 08/29/2022 | 855068 | Public Utilities | Street/Traffic | \$ 1,212.97 | 259590                                   |
| 08/29/2022 | 855068 | Public Utilities | Wastewater     | \$ 2,559.58 | 111176                                   |
| 08/29/2022 | 855070 | Rexel USA        | Wastewater     | \$ 49.69    | Aluminum Fitting for Headworks work      |
| 08/29/2022 | 855070 | Rexel USA        | Wastewater     | \$ 387.02   | Cable Hanger for Sonics at Lift Stations |
| 08/29/2022 | 855070 | Rexel USA        | Wastewater     | \$ 6,445.13 | Electrical Supplies for Indication ligh  |
| 08/29/2022 | 855070 | Rexel USA        | Wastewater     | \$ 562.35   | Electrical Supplies for AFT Project      |
| 08/29/2022 | 855070 | Rexel USA        | Wastewater     | \$ 3,492.57 | Electrical Supplies for Generator Cables |
| 08/29/2022 | 855070 | Rexel USA        | Wastewater     | \$ 98.24    | Electrical Supplies for hanging lights   |
| 08/29/2022 | 855070 | Rexel USA        | Wastewater     | \$ 259.22   | Electrical Supplies for Hanging lights i |
| 08/29/2022 | 855070 | Rexel USA        | Wastewater     | \$ 208.96   | Electrical supplies for Indication light |
| 08/29/2022 | 855070 | Rexel USA        | Wastewater     | \$ 2,461.24 | Electrical supplies for septage receivin |

| Check Date | Check# | Name               | Fund Name   | Amount      | Item Desc                                                         |
|------------|--------|--------------------|-------------|-------------|-------------------------------------------------------------------|
| 08/29/2022 | 855070 | Rexel USA          | Wastewater  | \$ 233.29   | Fittings for AFT work                                             |
| 08/29/2022 | 855070 | Rexel USA          | Wastewater  | \$ 148.77   | Overloads for Macerator                                           |
| 08/29/2022 | 855070 | Rexel USA          | Wastewater  | \$ 468.69   | Rexel USA Platt 2Q8256                                            |
| 08/29/2022 | 855070 | Rexel USA          | Wastewater  | \$ 266.68   | SO for temping in electrical equipment                            |
| 08/29/2022 | 855070 | Rexel USA          | Wastewater  | \$ 7.63     | Splice Connector for Splices                                      |
| 08/29/2022 | 855070 | Rexel USA          | Wastewater  | \$ 138.24   | Tools for cutting holes in at Chapple fo                          |
| 08/29/2022 | 855070 | Rexel USA          | Wastewater  | \$ 2,776.00 | Tools for wire pulling                                            |
| 08/29/2022 | 855070 | Rexel USA          | Water       | \$ 3,492.56 | Electrical Supplies for Generator Cables                          |
| 08/29/2022 | 855070 | Rexel USA          | Water       | \$ 578.54   | Electrical Supplies for High Service Str                          |
| 08/29/2022 | 855070 | Rexel USA          | Water       | \$ 209.39   | Electrical Supplies for High Service Str                          |
| 08/29/2022 | 855070 | Rexel USA          | Water       | \$ 16.21    | Electrical Supplies for Radio Work                                |
| 08/29/2022 | 855070 | Rexel USA          | Water       | \$ 18.18    | Electrical Supplies for Radio Work                                |
| 08/29/2022 | 855070 | Rexel USA          | Water       | \$ 195.75   | Electrical supplies for Strobe project a                          |
| 08/29/2022 | 855070 | Rexel USA          | Water       | \$ 1,567.95 | Fuses for blower drive at WTP                                     |
| 08/29/2022 | 855070 | Rexel USA          | Water       | \$ 266.67   | SO for temping in electrical equipment                            |
| 08/29/2022 | 855070 | Rexel USA          | Water       | \$ 7.62     | Splice Connector for Splices                                      |
| 08/29/2022 | 855070 | Rexel USA          | Water       | \$ 60.84    | Terminal Strip for L-Structure                                    |
| 08/29/2022 | 855070 | Rexel USA          | Water       | \$ 138.23   | Tools for cutting holes in at Chapple fo                          |
| 08/29/2022 | 855070 | Rexel USA          | Water       | \$ 2,776.00 | Tools for wire pulling                                            |
| 08/29/2022 | 855090 | T W Enterprises    | Airport     | \$ 2,886.93 | Invoice #59227. Repair Gen #3 Exhaust Pipe                        |
| 08/29/2022 | 855094 | Thompson Brothers  | Park Prgrms | \$ 2,921.60 | food and ice cream for landon legacy miracle field grand opeining |
| 08/29/2022 | 855095 | Thorn Run Partners | General     | \$ 3,750.00 | Federal Lobbying Svcs 2 Year Contract. July 2022                  |
| 08/29/2022 | 855095 | Thorn Run Partners | P.W. Admin  | \$ 3,750.00 | Federal Lobbying Svcs 2 Year Contract; July 2022                  |
| 08/29/2022 | 855096 | Tint Factory       | Airport     | \$ 3,240.00 | Invoice #90886. Coffee Bar Light Panels                           |
| 08/29/2022 | 855108 | Ylwstn Co Finance  | Building    | \$ 6,990.97 | Miller Building; Building Department; September Rent              |
| 08/29/2022 | 855108 | Ylwstn Co Finance  | CDBG        | \$ 5,437.13 | Miller Building; Community Development; September Rent            |
| 08/29/2022 | 855108 | Ylwstn Co Finance  | General     | \$ 2,175.48 | Miller Building; Code Enforcement; September Rent                 |
| 08/29/2022 | 855108 | Ylwstn Co Finance  | Planning    | \$ 4,657.35 | Miller Building; Planning Department; September Rent              |
| 08/29/2022 | 855109 | Ylwstn Co Treas    | Parking     | \$ 9,533.54 | Wells Fargo Drive Thru/ATM Tax Code I01172                        |

## City Council Regular

**Date:** 09/26/2022  
**Title:** Public Hearing and Resolution Re-Levying and Reassessing SID 1416  
**Presented by:** Andy Zoeller, Finance Director  
**Department:** Finance  
**Presentation:** Yes  
**Legal Review** No

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### RECOMMENDATION

Staff recommends that the City Council conduct a public hearing and pass the proposed resolution that spreads final assessments for SID 1416.

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

The assessments for SID 1416 have been completed by the Finance Division and are ready to spread on the tax rolls. SID 1416 was originally spread based on estimated costs and is now being re-spread based on the completed construction cost. This project includes installation of water, sanitary sewer and storm drain system improvements and construction of the roadway to extend Gleneagles Boulevard to the intersection of Sierra Granda and widen to the intersection of Black Diamond Road. This project will also widen a portion of Sierra Granda Boulevard. The construction contract was awarded at the 6/14/2021 City Council meeting, and bonds were sold.

### ALTERNATIVES

City Council may:

- Approve; or,
- Not Approve, The property owners will not be assessed, and the General Fund will be responsible for paying for the improvements.

### FISCAL EFFECTS

The actual cost of construction was approximately \$18,000 less than the original estimates that were spread to the district. The reduction is being proportionately re-spread to the district, resulting in an average reduction in assessment of \$6,000 per property. The amount assessed per property for the remaining 14 years is stated in the resolution.

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### Attachments

Resolution Respread 1416

## RESOLUTION 22 \_\_\_\_\_

### **A RESOLUTION RELEVYING AND REASSESSING A SPECIAL ASSESSMENT TAX UPON ALL BENEFITED PROPERTY IN A SPECIAL IMPROVEMENT DISTRICT OR PROJECT KNOWN AS 1416, IN THE CITY OF BILLINGS, MONTANA.**

WHEREAS, the City created a special improvement district or project known as 1416 and;

WHEREAS, it is necessary to relevy and reassess a special assessment tax upon each benefited property in the district or project area to defray the cost and expenses of said district or project. The original assessment was calculated on the bond sale cost. After construction was completed, the City adjusted the assessment by using the project cost; and

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

1: RELEVY AND REASSESSMENT. That for the purpose of defraying the cost and expense of making improvements in a special improvement district or project known as 1416 of the City of Billings, Montana, there is hereby relevied and reassessed upon each lot or parcel of land described below, owned by persons respectively indicated, a special assessment tax payable in semi-annual installments with interest. Each lot and parcel assessed and the owner thereof is hereinafter described:

| Tax Code<br>/Owner Name<br>/Legal Description                                                  | Assessment<br>Amount | Interest<br>Rate | Years<br>Assessed |
|------------------------------------------------------------------------------------------------|----------------------|------------------|-------------------|
| A22128<br>WERSLAND, KENNY<br>LAKE HILLS SUBD 17TH FILING, S16, T01 N, R26 E, BLOCK 11, Lot 22  | \$27,661.19          | 3.600            | 14                |
| A22218<br>CLINE, CURTIS B<br>LAKE HILLS SUBD 17TH FILING, S16, T01 N, R26 E, BLOCK 17, Lot 1   | \$30,411.95          | 3.600            | 14                |
| A22220<br>TORRES, JOE STEVE<br>LAKE HILLS SUBD 17TH FILING, S16, T01 N, R26 E, BLOCK 17, Lot 3 | \$27,661.19          | 3.600            | 14                |

2: DISPOSITION OF COLLECTION. All monies collected from the assessment shall be paid into a special improvement district or project Fund. Assessments become delinquent based on the semi-annual due dates of real property taxes, currently December 1 and June 1 of each year.

3: NOTICE AND HEARING. On Monday, September 26, 2022 at 5:30 p.m., or as soon thereafter as the matter was considered on the agenda of the City Council at a regular meeting held in the Council Chambers of the Police Facility, 220 N. 27<sup>th</sup> St., Billings, Montana. The City Council held a public hearing to hear comments and/or objections to the adoption of this resolution. The City Clerk published notice of the public hearing twice with at least six (6) days separating each publication in a newspaper of general paid circulation with a periodicals mailing permit. The final publication was made at least 10 days prior to the public hearing per MCA 7-12-4177.

4: EFFECTIVE DATE. This resolution shall be effective upon adoption.

ADOPTED AND APPROVED this 26<sup>th</sup> day of September, 2022.

CITY OF BILLINGS:

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

ATTEST:

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

## City Council Regular

**Date:** 09/26/2022  
**Title:** Public Hearing and Resolution Re-levying and Reassessing SID 1418  
**Presented by:** Andy Zoeller, Finance Director  
**Department:** Finance  
**Presentation:** Yes  
**Legal Review** No

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### RECOMMENDATION

Staff recommends that the City Council conduct a public hearing and pass the proposed resolution that spreads final assessments for SID 1418.

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

The assessments for SID 1418 have been completed by the Finance Division and are ready to spread on the tax rolls. SID 1418 was originally spread based on estimated costs and is now being re-spread based on the completed construction costs. This project constructs approximately 2,450 LF of roadway, including asphalt pavement, curb, gutter, drive approaches, storm sewer infrastructure, replacing approximately 2,350 LF of water main, sanitary sewer improvements, and landscaping along Holiday Avenue. The construction contract was awarded at the 6/28/2021 City Council meeting, and bonds were sold.

### ALTERNATIVES

City Council may:

- Approve; or,
- Not Approve, The property owners will not be assessed, and the General Fund will be responsible for paying for the improvements.

### FISCAL EFFECTS

The actual cost of construction was approximately \$88,000 less than the original estimates that were spread to the district. The reduction is being proportionately re-spread to the district, resulting in an average reduction in assessment of \$29,429 per property. The amount assessed per property for the remaining 14 years is stated in the resolution.

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### Attachments

Resolution Respread 1418

## RESOLUTION 22 \_\_\_\_\_

### **A RESOLUTION RELEVYING AND REASSESSING A SPECIAL ASSESSMENT TAX UPON ALL BENEFITED PROPERTY IN A SPECIAL IMPROVEMENT DISTRICT OR PROJECT KNOWN AS 1418, IN THE CITY OF BILLINGS, MONTANA.**

WHEREAS, the City created a special improvement district or project known as 1418 and;

WHEREAS, it is necessary to relevy and reassess a special assessment tax upon each benefited property in the district or project area to defray the cost and expenses of said district or project. The original assessment was calculated on the bond sale cost. After construction was completed, the City adjusted the assessment by using the project cost; and

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

1: RELEVY AND REASSESSMENT. That for the purpose of defraying the cost and expense of making improvements in a special improvement district or project known as 1418 of the City of Billings, Montana, there is hereby relevied and reassessed upon each lot or parcel of land described below, owned by persons respectively indicated, a special assessment tax payable in semi-annual installments with interest. Each lot and parcel assessed and the owner thereof is hereinafter described:

| Tax Code<br>/Owner Name<br>/Legal Description                                      | Assessment<br>Amount | Interest<br>Rate | Years<br>Assessed |
|------------------------------------------------------------------------------------|----------------------|------------------|-------------------|
| C09239<br>BELL, RICHARD W & LORI A<br>WEIL SUBD, S17, T01 S, R26 E, BLOCK 3, Lot 6 | \$34,981.84          | 3.600            | 14                |
| C09240<br>BELL, RICHARD W & LORI A<br>WEIL SUBD, S17, T01 S, R26 E, BLOCK 3, Lot 7 | \$36,539.85          | 3.600            | 14                |
| D01896<br>WELLS, DANIEL (ETAL)<br>S17, T01 S, R26 E, C.O.S. 2834, PARCEL 1         | \$71,521.68          | 3.600            | 14                |

2: DISPOSITION OF COLLECTION. All monies collected from the assessment shall be paid into a special improvement district or project Fund. Assessments become delinquent based on the semi-annual due dates of real property taxes, currently December 1 and June 1 of each year.

3: NOTICE AND HEARING. On Monday, September 26, 2022 at 5:30 p.m., or as soon thereafter as the matter was considered on the agenda of the City Council at a regular meeting held in the Council Chambers of the Police Facility, 220 N. 27<sup>th</sup> St., Billings, Montana. The City Council held a public hearing to hear comments and/or objections to the adoption of this resolution. The City Clerk published notice of the public hearing twice with at least six (6) days separating each publication in a newspaper of general paid circulation with a periodicals mailing permit. The final publication was made at least 10 days prior to the public hearing per MCA 7-12-4177.

4: EFFECTIVE DATE. This resolution shall be effective upon adoption.

ADOPTED AND APPROVED this 26<sup>th</sup> day of September, 2022.

CITY OF BILLINGS:

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

ATTEST:

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

## City Council Regular

**Date:** 09/26/2022  
**Title:** City Zone Change 1017- Blue Creek Road /Santiago-CMU1 to CX-First Reading  
**Presented by:** Karen Husman  
**Department:** Planning & Community Services  
**Presentation:** Yes  
**Legal Review** Not Applicable

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## RECOMMENDATION

Zone Change 1017 -Zoning Commission recommends approval of Zone Change 1017 and adoption of the findings of the 10 review criteria.

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

City Zone Change 1017-- Intersection of Santiago Blvd/Blue Creek Rd. -- From CMU1 to CX - A zone change request from Corridor Mixed Use (CMU1) to Heavy Commercial (CX), on, Lot 1 of Blue Creek Storage Subdivision an 39,934 square foot parcel of land. A pre-application neighborhood meeting was held on Monday, July 25, 2022, via Zoom virtual meeting. Tax ID: D01954

The property owners are requesting a zone change to CX in order to develop on this odd shaped parcel. The application is for a zone change from Corridor Mixed Use 1 (CMU1) to Heavy Commercial (CX). The proposed zoning allows a site design for a car wash that does not meet the requirements of the existing CMU1 zoning. The applicants would like to develop the parcel as a car wash with a design that would be difficult to meet the lot area restrictions and building siting standards in the CMU1 zone. The CX zone allows the proposed site design to meet the zoning requirements.

The CMU1 zone district allowed a car wash with a special review approval, however, the lot size and dimension would not allow certain building placement to function easily with the CMU1 "build to" zone requirements. A Special Review approval in the CMU1 district would allow a car wash, but would also require a variance from the build to zone for a different site development. There are similar types of uses allowed in both districts, included in the attachments is a list of uses that differ in each district.

## APPLICATION DATA

**OWNER:** Blue Creek Storage, LLC  
**AGENT:** Taylor Kasperick, Performance Eng.  
**LEGAL DESCRIPTION:** Lot 1, Blue Creek Storage Sub.  
**ADDRESS:** Generally located at the intersection of Santiago Blvd. & Blue Creek Road  
**CURRENT ZONING:** CMU1  
**EXISTING LAND USE:** Vacant  
**PROPOSED USE:** Commercial as a self-service Carwash  
**SIZE OF PARCEL:** 39,934 SF

## SURROUNDING LAND USE & ZONING

**NORTH:** Zoning: CMU1  
**Use:** Water Facility  
**SOUTH:** Zoning: CX  
**USE:** self-service storage facility  
**EAST:** Zoning: CX, N3 & P2  
**USE:** (City Public Utilities)  
**WEST:** Zoning: N4 (County)  
**USE:** Residential

## ZONING HISTORY

See Attachments

## STAKEHOLDERS

The applicant conducted a pre-application neighborhood meeting on July 25, 2022, via Zoom virtual meeting. The Planning Division has received six letters against the development of the property as a car wash, and against the

zone change (in attachments). Staff Received 3 letters in opposition after the Staff report was submitted (for a total of 6 letters in attachments).

The Zoning Commission held a public hearing on September 6, 2022, staff gave a brief presentation along with the recommendation. The applicants' agent Taylor Kasperick, Performance Eng., concurred with staff and reviewed the reasons for the requested zone change. He said they chose to do the zone change because of the site limitation, dimensions, topography and flood plain area were part of the reason they designed the building layout as proposed. MDT has denied an access point from Blue Creek Road, so the only possible access is from Santiago. There were three residents in attendance that spoke in opposition of the zone change, all concurred that the addition of a business on the property would have a significant negative effect on the traffic at this intersection. They were concerned with the amount of vehicles that would be adding to an already congested intersection at peak hours. They were concerned with the noise from the vehicles and the equipment from the proposed car wash, as well as safety for residents. There are no sidewalks along Santiago and pedestrian safety is a very big concern.

Mr. Kasperick said the noise data on the equipment was 94 decibels at the machine on site, being about 130 feet from the nearest residential property that would be about 35 decibels heard at the nearest home (about the decibel of a refrigerator). He said the design was developed to have the noise of the bays facing away from the easterly residential development. The building permit process would instigate requirements for a queuing analysis for the development, as well as requirements for landscaping, road improvements such as curb gutter and sidewalk, stormwater runoff maintenance in addition to the building itself. The requirement for a traffic study is for any use that would instigate 500 vehicle trips per day, the proposed car wash is not anticipated to have more than 250 trips per day and would not require a traffic study.

The Zoning Commission closed the public hearing and discussed the application. Commissioner David Goss was concerned that the applicant did not research the application process for a Special Review and a Variance for the property. The zoning commissioners encouraged residents to seek help for a resolution to the traffic safety issues at this intersection. A zone change application process is not a hearing that can address traffic and safety issues in a detailed or technical manner, and the traffic activity from the proposed development is not expected to trigger a traffic study. Standard regulatory access and site development requirements will be applied by the City for any development of the site.

A motion was made by Commissioner Dan Brooks to forward a recommendation of approval and adoption of the findings of the 10 review criteria to the City Council, the motion was seconded by Commissioner Greg McCall and passed with a 3-1 voice vote.

After the meeting ended the applicants' agent Taylor Kasperick, wanted to reiterate the reason for the zone change application. The following statement in an email was his concern with commissioner David Goss' comment; "I did want to follow up on Commissioner David Goss' sentiments in relation to this property being evaluated as a special review first instead of a zone change, and his subsequent "nay" vote on approval seemingly because of this procedural difference. As the public comment period was over, I was not able to interject when the discussion was occurring but would have indicated that this was originally contemplated as a special review with variances, but per our email thread below (attached) was changed to the zone change process as the number of variances that would be necessitated based on the proposed use and physical constraints of the site. I wanted to bring this up in the event this same discussion happens at the City Council meeting, and I feel that it is an important fact that we originally discussed a special review and variances but changed to the zone change process as it is more straightforward for this site." Correspondence with Nicole Cromwell; "I think pursuing the zone change for the carwash parcel is probably a better idea -- at least it is more straightforward. An industrial zone would not work here but the CX is a possible good choice. The car wash use allowed in CX and this little piece of CMU1 adjacent to the very large CX piece to the south seems out of synch." (email string attached).

## **ALTERNATIVES**

The City Council may:

- Recommend approval and adoption of the findings of the ten review criteria for Zone Change 1017; or,
- Recommend denial and adopt different findings of the ten review criteria for Zone Change 1017; 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 the City Council will consider the findings of the following:

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:

Essential Investments:

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

Community Fabric:

- Cost-effective landscaping of public rights-of-way and entryways makes Billings more visually appealing to residents and visitors

Prosperity: (promoting equal opportunity and economic advancement)

- A diversity of available jobs can ensure a strong Billings' economy
- Successful businesses that provide local jobs benefit the community
- Community investments that attract and retain a strong, skilled and diverse workforce also attracts businesses
- Retaining and supporting existing businesses helps sustain a healthy economy

Generally, new development on a previously vacant and underutilized site will meet several aspects of the Growth Policy, specifically the ones described above. The property is presently an underutilized site with access to full city services. The general vicinity has existing commercial businesses like a gas station nearby which is compatible for the proposed use. The site is accessed from a principle arterial street which is designed to carry larger volumes of traffic. Principle arterials are suited well for uses within the CX district. Development of the site will require curb gutter and sidewalk improvements as well as landscaping. The proposed business will create employment opportunities. Further, this is a local business seeking to expand its ventures within the community with additional services. The owners also own the storage facility to the south of the subject property and believe the addition of a new car wash at this under utilized parcel would provide a new service to the area.

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

The Heavy Commercial (CX) Zone requires adequate building separations and density limits which creates security from fire and other dangers. Specifically, the CX zone regulates setbacks, lot coverage, height and other site characteristics which preserve the ability to protect from fire and other dangers.

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

Public health and public safety are promoted by the proposed zoning. This is not a unique to the CX zone, but instead is promoted by all adopted zoning districts within the City of Billings. The site and structure regulations found in 27-400-6 in the CX district promote the minimum standards to ensure public healthy and safety and promote general welfare.

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

Transportation: The proposed zoning will not have a direct impact on the transportation system. The parcel will not have direct access to Blue Creek Road, an arterial street, which is designed to carry high volumes of traffic. The site itself will be accessed by Santiago Blvd. Most commercial zone districts have immediate or nearby access to arterial streets as it is necessary to accommodate the volume of trips per day associated with commercial development. These streets are designated to accommodate truck traffic as well as high volumes of daily traffic. The City Engineering Division stated if the proposed development has 500 Vehicle Trips Per Day per ITE Trip Generation then they would be required to submit a Traffic Impact Study. The development of the parcel will determine if the ITE or a TIS is triggered. Independent of and in addition to the TIS, if they have a drive through they would always have to submit a queuing analysis to demonstrate that the drive through would have enough storage to not back up and impact Santiago Blvd nor Blue Creek Rd. Blue Creek Road is maintained by MDT and it is its jurisdiction to grant approaches. On arterials, MDT discourages and often times will not approve accesses when there is an alternative. This is intentional as the more curb cuts and approaches on arterials the more safety concerns increase. This does not mean commercial uses are not appropriate along arterials, it means accesses need to be thoughtful and shared to the greatest extent possible. MDT may require a traffic study (TIS) because it would determine if intersection improvements are warranted as a result of the development.

Water and Sewer: the City is able to serve the property with utilities like water and sewer.

Schools and Parks: As a commercial use schools and parks are not negatively impacted from the proposed zone change. The property presently allows for commercial uses as does the proposed district therefore there is no change in the existing or future impact to these facilities.

Fire and Police: The subject property is presently served by city public safety services. The Police and Fire Departments had no concerns with the zone change. Both Police and Fire will continue to serve the property

regardless of the zone district.

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

Similar to criteria 2 and 3, the proposed CX zone, like all zones, requires minimum setbacks to allow for adequate separation between structures and adequate light and air. This parcel is presently vacant therefore any new structure will be required to meet the standards required by Section 27-400-6.

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

The property is undeveloped, so any improvements must consider the impact of traffic on the adjacent streets, and development would require curb and sidewalk to accommodate non motorized traffic. A self-service car wash could potentially generate up to 5.54 trips per stall while an automated car wash generates 14.12 trips per 1,000 square feet during peak afternoon hours. Based on the ITE Trip Generation Manual, 7th Edition, land uses such as a car wash can expect a reduction in trips based on "pass-by" trip reduction. This is often utilized as land uses such as a car wash are utilized by those citizens that live in or around the facility, therefore reducing the traffic that is generated solely by the facility. With this, it is not anticipated the proposed change would have a significant impact on public improvements. The existing street is designed to handle any increase in traffic volume that may come as a result of new uses constructed on the property because of the zone change. The City has no resources, plans, studies, or otherwise that have identified capacity issues to suggest a use associated with the new zoning would create impacts that cannot be absorbed through the existing infrastructure. The new zoning designation itself should not have any measurable effect on the transportation system.

7. Will the new zoning promote compatible urban growth?

The proposed zoning is compatible with the adjacent zoning and existing urban growth in the vicinity. The area has some vacant properties but the general vicinity is developed with a wide variety of uses that are compatible across multiple districts including CX and CMU1. The Property north of the subject parcel is zoned CMU2, and south is CX. Zoning to the west is N4, a residential district, and is outside the City Limits of Billings. The CX district does promote compatible urban growth considering the uses immediate to the subject property. It is typical to see commercial corridors that provide highway and driver oriented services. With the gas station, water facility, storage units and the proposed use it would not be out of character for the existing uses even with the proximity to residential uses in the general vicinity.

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

The proposed zoning does consider the character of the district and the suitability of the property for the proposed use. The proposed zoning is identical to the zoning south of the subject property and is an appropriate zone with the adjacent businesses and arterial street. The property to the north is a water distribution site, and north of that is a gas station on Blue Creek Road. The closest residential property to the east is N3 and located about 122 feet from the eastern property line, and the N4 zone district about 170 feet to the west across Blue Creek Road. Criteria 7 may be cross-referenced.

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

There are currently no buildings on the property, therefore the new zoning does not propose a risk of creating a non conformity or other value associated issues. Any new development must be in conformance with the zoning regulations. There has been no evidence to support the zone change will negatively affect the surrounding property and existing buildings. The new zoning is not expected to alter the value of any buildings in the area.

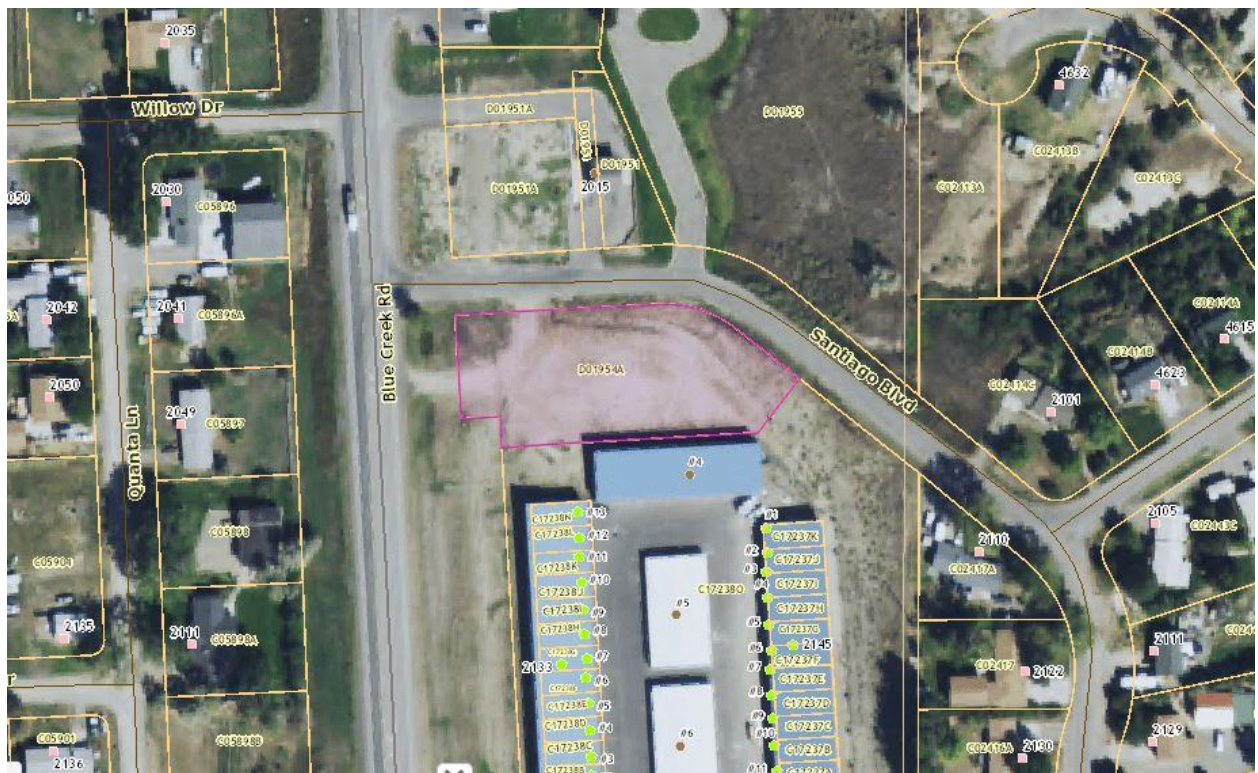
10. Will the new zoning encourage the most appropriate use of land throughout the City of Billings?

As collectively mentioned in above criteria, the proposed zoning will encourage an appropriate commercial use and building form on this property.

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## Attachments

Zoning Map & Site Photos  
Application & Applicant Letter  
History  
Neighborhood Meeting information  
Site Plan  
Engineering comments  
Opposition letters  
Use Comparison  
Email from applicant post ZC hearing

[illegible]



Looking South on Blue Creek



South



East on Santiago



North Across Santiago



Looking North along Blue Creek Rd.



West Across Blue Creek Rd.

## APPLICATION FORM

CITY ZONE CHANGE

Billings Zone Change # 1017 - Project # P2X-22-00193

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 CMU1

Proposed Zoning: CX

TAX ID# D01954A CITY ELECTION WARD 3

Legal Description of Property: Lot 1 of Blue Creek Storage Subdivision

Address or General Location (If unknown, contact City Engineering): Intersection Santiago Blvd/Blue Creek Rd

Size of Parcel (Area & Dimensions): 0.917 Acres (39,934 SF)

Present Land-Use: Undeveloped

Proposed Land-Use: Commercial (Car Wash)

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): Blue Creek Storage, LLC

(Recorded Owner) 2222 Virginia Lane, Billings, MT 59102

(Address) 406-697-1791 phillrx@hotmail.com

(Phone Number) (email)

Agent(s): Taylor J. Kasperick

(Name) 608 N 29th Street, Billings, MT 59101

(Address) 406-384-0080 taylor@performance-ec.com

(Phone Number) (email)

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

Signature: [Signature]

(Recorded Owner)

Date: 7/27/22



## **Zone Change Criteria Synopsis – Zone Change Application**

Property: Lot 1 of Blue Creek Storage Subdivision

### **Criteria:**

- 1. Is the new zoning designed in accordance with the growth policy?**
  - a. The proposed zoning falls in line with the planned growth in the 1-5 year timeframe. The existing zoning of the property is CMU-1 which already falls under the commercial use category, with the proposed zoning of CX allowing for site setbacks versus build-to requirements of the existing zoning.
- 2. Is the new zoning designed to secure from fire and other dangers?**
  - a. The proposed development is less than 200' from the nearest fire hydrant and structures will be located outside the adjacent floodplain.
- 3. Will the new zoning promote public health, public safety, and general welfare?**
  - a. The new zoning promotes the public health, public safety, and general welfare. The adjacent property to the south is zoned as CX, which is the proposed zoning for the subject property. There are no immediately adjacent properties that are zoned residential.
- 4. Will the new zoning facilitate the adequate provision of transportation, water, sewerage, schools parks, and other public improvements?**
  - a. The proposed development will be serviced by the City of Billings municipal systems and will minimally impact transportation and public improvements in the area. Based on the ITE Trip Generation Manual, 7<sup>th</sup> Edition, a self-service car wash generates 5.54 trips per stall while an automated car wash generates 14.12 trips per 1,000 square feet during the afternoon peak hour. The manual also states that land uses such as a car wash can expect a reduction in trips based on "pass-by" trip reduction. This is often utilized as land uses such as a car wash are utilized by those citizens that live in or around the facility, therefore reducing the traffic that is generated solely by the facility. With this, it is not anticipated the proposed zone change would have significant impact on public improvements.
- 5. Will the new zoning provide adequate light and air?**
  - a. The proposed zoning will have minimal to no impact on adequate light and air. Improvements on the subject property will need to meet the zoning requirements laid out in the City's Zoning Code in relation to site lighting.
- 6. How will the new zoning effect motorized and non-motorized transportation?**
  - a. The proposed zoning and development will minimally impact traffic in the area as the majority of car wash users will likely be residents in the area, as discussed previously under Item 4.
- 7. Will the new zoning be compatible with urban growth in the vicinity of cities or towns?**
  - a. The proposed zoning is compatible with urban growth.
- 8. Does the new zoning consider the character of the district and the peculiar suitability of the property for particular uses?**

- a. The new zoning is similar to surrounding developments and is suitable for the property per the growth policy. Adjacent property to the south is zoned as CX (the proposed zoning for the subject property) and is immediately across from properties zoned as CMU-1 or Public. Residential districts are surround this commercial corridor along Blue Creek Road.

**9. Will the new zoning conserve the value of buildings?**

- a. The new zoning is of the same district of those adjacent developments and will conserve the value of such buildings based on market comparisons.

**10. Does the new zoning encourage the most appropriate use of land throughout Yellowstone County?**

- a. The new zoning encourages appropriate use of land and falls in line with the growth policy. The subject property is adjacent to other commercial use properties, and is immediately next to a state highway.

| <b>SUBJECT<br/>PROPERTY</b>     | <b>Zone Change</b> | <b>DATE</b> | <b>FOR</b>             | <b>APPROVED<br/>(Y/N)</b> | <b>ADDITIONAL DATA</b>             |
|---------------------------------|--------------------|-------------|------------------------|---------------------------|------------------------------------|
| None                            |                    |             |                        |                           |                                    |
| <b>SURROUNDING<br/>PROPERTY</b> | <b>Zone Change</b> | <b>DATE</b> | <b>FOR</b>             | <b>APPROVED<br/>(Y/N)</b> | <b>ADDITIONAL DATA</b>             |
|                                 |                    |             |                        |                           |                                    |
| Essman Sub. Lot 1               | Var. 1331          | 5/5/2021    | Set back               | Y                         | To Accommodate floodplain boundary |
| 2015 Blue Creek Rd.             | ZC 970             | 11/8/2018   | From NC to CC          | Y                         | New Zone 2021-CMU1                 |
| CS 566 Tr. 1C<br>(Essman Sub)   | SR 804             | 2/27/2006   | Car Wash               | Y                         | To allow car wash in a NC Zone     |
| CS 566 Tr. 2<br>(Essman Sub)    | SE 90              | 11/9/1997   | Gas Station            | Y                         | New Zone 2021-CMU1                 |
| CS 1686 Tr.1                    | County ZC 455      | 9/23/1994   | AO to CI               | Y                         | New Zone 2021-CX                   |
| CS 990 Tr. 4 & 6                | County ZC 160      | 3/1/1975    | AO to CI               | Y                         | New Zone 2021-CX                   |
| CS 990 Tr. 3B &<br>3A           | County ZC 546      | 3/15/2002   | AG-O to CI<br>A1 to As | Y                         | New Zone C3 & RR1                  |
| CS 1788 Tr. 1                   | County ZC 307      | 6/23/1981   | A1 to CI               | Y                         | New Zone 2021-CX                   |
|                                 |                    |             |                        |                           |                                    |

## **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:** Corridor Mixed Use 1 (CMU1)  
\_\_\_\_\_
2. **Written description of the Zone Change Plan** including existing and proposed new zoning:  
To change Lot 1, Blue Creek Storage Subdivision currently zoned as CMU1 to CX  
\_\_\_\_\_
3. **Subject Property Map:** please attach to this form
4. **Legal Description of Property:**  
Lot 1 of Blue Creek Storage Subdivision  
\_\_\_\_\_  
\_\_\_\_\_
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 25, day of July, 2022
  - 2) The zone change application is based on materials presented at the meeting.

**Owner (s):** Blue Creek Storage, LLC Telephone: 406-697-1791  
**Address:** 2222 Virginia Lane Email: phillrx@hotmail.com  
Billings, MT 59102  
  
**Agent (s):** Performance Engineering - Taylor Kasperick Telephone: 406-384-0080  
**Address:** 608 N 29th Street Billings, MT 59101 Email: taylor@performance-ec.com  
\_\_\_\_\_  
\_\_\_\_\_

July 15, 2022

Dear Interested Neighbor,

On behalf of Blue Creek Storage, LLC (Owner), *Performance Engineering, LLC* is writing to inform you of a zone change pre-application neighborhood meeting being held on **Monday, July 25<sup>th</sup>**, at **5:30 p.m.** Due to the space necessitated for the number of interested parties, **the pre-application neighborhood meeting will be held online via Zoom.**

**Please see the following information below for access the Zoom meeting:**

Go to the following Website: **zoom.us/join**

Meeting ID: **859-8178-4563**

Password (Case Sensitive): **346922**

The owner is requesting that the property described below be granted a zone change from Corridor Mixed-Use (CMU1) to Heavy Commercial (CX). The subject property is described as:

**Lot 1 of the Blue Creek Storage Subdivision, located in the City of Billings, Yellowstone County, Montana. The parcel is a total of .917 acres, generally located on the southeast corner of Blue Creek Road and Santiago Boulevard.**

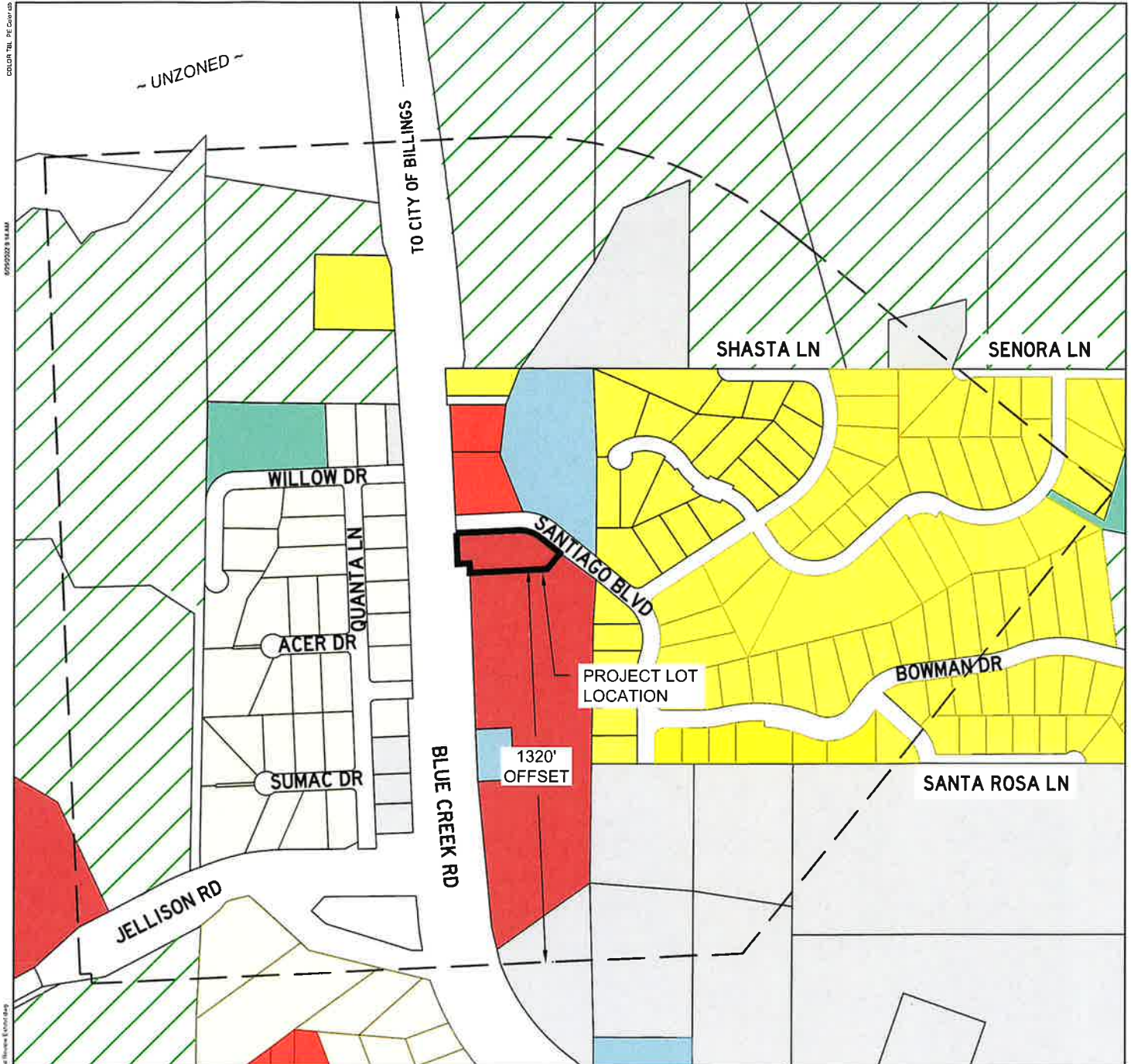
The intent of the meeting is to make neighboring property owners aware of the proposed zone change for the subject property, discuss any concerns with the proposed use, and to answer questions about the project.

Representatives for *Performance Engineering, LLC* will be on the Zoom meeting to answer questions from those who attend. For those unable to attend the Zoom meeting, written letters can be directed to Performance Engineering at **608 North 29<sup>th</sup> Street, Billings, MT 59101**, attention Taylor Kasperick, PE, or emails may be sent to [taylor@performance-ec.com](mailto:taylor@performance-ec.com). We look forward to discussing the proposed special review with you and hope to see you on **July 25<sup>th</sup>**.

Sincerely,



Taylor Kasperick, PE  
Project Manager

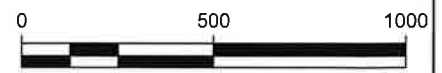


### LEGEND

|  |                                     |  |                                    |
|--|-------------------------------------|--|------------------------------------|
|  | A (AGRICULTURE 10+ ACRES)           |  | CX (HEAVY COMMERCIAL)              |
|  | P1 (PARKS & OPEN SPACE)             |  | N3 (SUBURBAN NEIGHBORHOOD)         |
|  | N4 LARGE LOT SUBURBAN NEIGHBORHOOD  |  | P2 (PUBLIC, CIVIC, & INSTITUTIONS) |
|  | RR1 (RURAL RESIDENTIAL 1-2.9 ACRES) |  | PROJECT PROPERTY                   |
|  | CMU1 (CORRIDOR MIXED USE 1)         |  | LOT LINE, TYP.                     |

### LEGAL DESCRIPTION

S20, T01S, R26E,  
BLUE CREEK STORAGE  
SUBDIVISION LOT 1



IN FEET

PROJECT TITLE  
**BLUE CREEK CAR WASH**

DRAWN BY

APN

DATE

7/2022

CHECKED BY

TJK

CLIENT

**KE CONSTRUCTION**

3588 ELK RIVER ROAD  
BILLINGS, MT 59101



**PERFORMANCE**  
ENGINEERING

608 NORTH 29TH STREET  
BILLINGS, MT 59101

(406) 384-0080  
www.performance-ec.com

EXHIBIT

**1**

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## **Preapplication Neighborhood Meeting Minutes and Roster – Zone Change Application**

Property: Lot 1 of Blue Creek Storage Subdivision, Section 20 Township 01S Range 26E

### **Attendees:**

- Rhiannon Briggs: 4506 San Fernando Drive, Billings MT 59101
- Sherry & Jim Danielson: 2214 Sumac Drive, Billings MT 59101
- Wendy & Charles Stiff: 4507 Bowman Drive, Billings MT 59101
- Roxy & Tim Shilhanek: 4431 Bowman Drive, Billings MT 59101
- John Raty: 4426 Sonora Lane, Billings MT 59101
- Susan Hendrickson: 2101 Santiago Boulevard, Billings, MT 59101

### **Meeting Notes:**

- It was requested what size of vehicles would be able to be accommodated by the car wash facility.
  - It is assumed the majority of vehicles would be average sized trucks and cars like other similar car washes around Billings, with potential to fit RVs on site.
- It was indicated that several owners are not inclined to have access off of Santiago Boulevard due to traffic and safety concerns. Many attendees expressed discontent that site would not be accessed off Blue Creek Road or through adjacent property to south.
  - Access off of Blue Creek Road was denied by MDT due to the number of approaches in the area and access through Blue Creek Storage to the south is infeasible based on existing buildings on that property.
- It was noted that noise from traffic, vacuum islands, and wash bays, was a primary concern for quality of life to the surrounding residences.
- It was inquired whether a walking path would be constructed along with the project or in the future.
- Additional comments and discussion from the meeting are included in the video recording of the meeting submitted with this package. A link to this video is provided below.

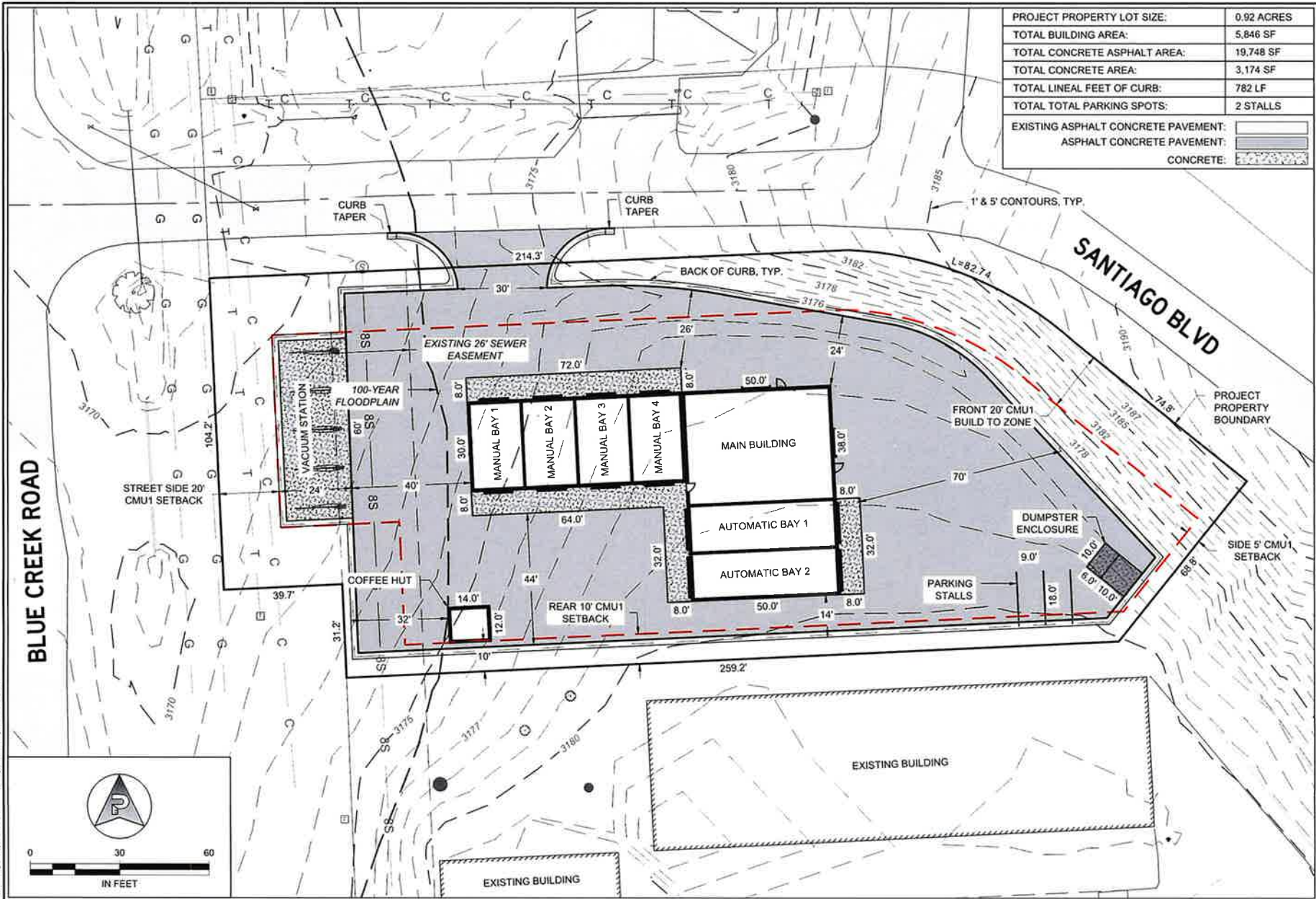
### **Pre-Application Neighborhood Meeting Recording:**

<https://www.dropbox.com/t/ryoNYHv2VqRpGRUC>

Hyperlink to Web-File Transfer of Neighborhood Meeting Recording:

<https://www.dropbox.com/t/tSYovvzp8f6GzJqE>

Video can be downloaded by Planning staff from this link. The file size was too large to upload via Citizens Access.



|                                     |                                                                                     |
|-------------------------------------|-------------------------------------------------------------------------------------|
| PROJECT PROPERTY LOT SIZE:          | 0.92 ACRES                                                                          |
| TOTAL BUILDING AREA:                | 5,846 SF                                                                            |
| TOTAL CONCRETE ASPHALT AREA:        | 19,748 SF                                                                           |
| TOTAL CONCRETE AREA:                | 3,174 SF                                                                            |
| TOTAL LINEAL FEET OF CURB:          | 782 LF                                                                              |
| TOTAL TOTAL PARKING SPOTS:          | 2 STALLS                                                                            |
| EXISTING ASPHALT CONCRETE PAVEMENT: |  |
| ASPHALT CONCRETE PAVEMENT:          |  |
| CONCRETE:                           |  |



BLUE CREEK CAR WASH

BELLINGHAM, WA 98201

2135 BLUE CREEK ROAD

[illegible]

**SHEET TITLE**

## PROPOSED SCHEMATIC LAYOUT

PROJECT NUMBER  
2019-010

SHEET NUMBER  
1 OF 1

DRAWING NUMBER

## EX A

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## Husman, Karen

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**From:** Friday, Wyeth  
**Sent:** Tuesday, August 9, 2022 3:01 PM  
**To:** Husman, Karen; Cromwell, Nicole  
**Subject:** FW: Car wash in Blue Creek

Just some background from Engineering on this application regarding TIS and traffic. Nothing to do with it just an FYI ...

|                                                                                                                                                                                                                                                                             |                                                                                                                                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|
| <br><small>BILLINGS - YELLOWSTONE COUNTY</small><br><br><small>METROPOLITAN PLANNING ORGANIZATION</small> | <b>Wyeth Friday</b><br>Planning & Community Services Director<br><a href="mailto:fridayw@billingsmt.gov">fridayw@billingsmt.gov</a> |
| <a href="http://billingsmt.gov">billingsmt.gov</a>                                                                                                                                                                                                                          | 2825 3rd Ave. N<br>Billings, MT 59101<br>P 406.247.8676                                                                             |

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**From:** Zisch, John <ZischJ@billingsmt.gov>  
**Sent:** Monday, August 8, 2022 7:24 AM  
**To:** Friday, Wyeth <FridayW@billingsmt.gov>; Green, Dave <greend@billingsmt.gov>; Fenton, Travis <fentont@billingsmt.gov>  
**Cc:** Fogelsong, Mac <FogelsongM@billingsmt.gov>  
**Subject:** RE: Car wash in Blue Creek

Wyeth,

The property in question is Tax Parcel D01951A I think.

If the proposed development has 500 Vehicle Trips Per Day per ITE Trip Generation then they would be required to submit a Traffic Impact Study. I don't know the size of the proposed development so I can't say if they trigger that requirement.

Independent of and in addition to the TIS, if they have a drive through they would always have to submit a queuing analysis to demonstrate that the drive through would have enough storage to not back up and impact Santiago Blvd nor Blue Creek Rd.

Blue Creek Rd is an MDT maintained road and we would point the applicant to MDT see if MDT needed a traffic study.

Traffic studies would determine if intersection improvements are warranted as a result of the development.

Regards,

John Zisch  
City of Billings Public Works Department  
Engineering  
2224 Montana Avenue  
Billings, MT 59101  
406-657-8234

---

**From:** Friday, Wyeth <[FridayW@billingsmt.gov](mailto:FridayW@billingsmt.gov)>  
**Sent:** Friday, August 5, 2022 2:04 PM  
**To:** Green, Dave <[greenend@billingsmt.gov](mailto:greenend@billingsmt.gov)>; Fenton, Travis <[fentont@billingsmt.gov](mailto:fentont@billingsmt.gov)>; Zisch, John <[ZischJ@billingsmt.gov](mailto:ZischJ@billingsmt.gov)>  
**Subject:** FW: Car wash in Blue Creek

All,

Can you help me with this inquiry?

I am not aware of a car wash out there and any traffic control plans for it.

Thank you.



**Wyeth Friday**  
Planning & Community Services Director  
[fridayw@billingsmt.gov](mailto:fridayw@billingsmt.gov)

[billingsmt.gov](http://billingsmt.gov)

2825 3rd Ave. N  
Billings, MT 59101  
P 406.247.8676

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**From:** Neese, Roy <[neeser@billingsmt.gov](mailto:neeser@billingsmt.gov)>

**Sent:** Friday, August 5, 2022 1:25 PM

**To:** Friday, Wyeth <[FridayW@billingsmt.gov](mailto:FridayW@billingsmt.gov)>

**Cc:** Kukulski, Chris <[kukulskic@billingsmt.gov](mailto:kukulskic@billingsmt.gov)>; Council <[council@billingsmt.gov](mailto:council@billingsmt.gov)>; Dahl, Gina <[dahlg@billingsmt.gov](mailto:dahlg@billingsmt.gov)>

**Subject:** Car wash in Blue Creek

Wyeth,

I received a message from this resident in Blue Creek regarding a car wash development. Can you provide me with any information you have on this or address what he has stated in his message?

I did look up the area. It appears to be CMU1. I know the noise ordinance may apply. More specifically to address the caller, how would the entrance and exit be address with a property so close to the intersection. Will a light need to be installed? I think we have several busy business on corners through out the city. I have one in my neighborhood. As we leave our neighborhood the congestion is often an issue. Traffic comes to a stop while people wait for traffic to clear and turn in or exit. While I don't expect we can fix the current spots, If the traffic flow of a new development will create congestion at a busy intersection, is there anything in our code that mitigate or prevent a development from creating traffic congestion points like this (similar to what the state code must have done to indicate and entrance/exit cannot be on the state road)?

Thank you,

**Roy Neese** | Billings City Councilman Ward 2 |  
Office: 406-794-3318 | Email: [Neeser@billingsmt.gov](mailto:Neeser@billingsmt.gov) |

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James and Sherry Danielson  
Denise A. Tripp  
2214 Sumac Drive  
Billings, Montana 59101

County Zoning Commission  
2825 3rd ave N  
Billings, Montana 59101

August 13th, 2022

re: zoning change 1017 from CMU1 to CX-lot 1, Blue Creek Storage sub

To all concerned:

Taylor Kasperich, Performance Eng. has requested a zone change that is not acceptable to our area.

Many believe that this chance for a "car wash" will not be the only business opened on that corridor.

But giving Performance Eng. the benefit of doubt, a car wash is not a neighborhood friendly business! There are usually loud blowers, increased traffic, heavy traffic delivering soaps and waxes, diesel powered vehicles hauling large campers, boats, horse trailers and equipment associated with car washes. There is extra lighting and extended hours of operation at such places as well.

There are two car washes with 2 to 3 miles of this location. Both located in Holiday Service Stations. So the NEED for such a service is unwarranted.

They are not permitted to access entry off Blue Cree Road do to safety issues which would mean more people trying to enter the highway. So they are preposing entering and exiting off Santiago. While this would stop yet another outlet onto Blue Creek Road, the traffic factor still needs to be considered. No matter where they come from, it will still be an issue for entering the highway.

We own three properties in Quanta Subdivision. This car wash would be FEET away from our back doors. This is not a neighborhood friendly business! While we look forward to new development in our area, again, a carwash is NOT NEIGHBORHOOD FRIENDLY!

We oppose this zone change and feel it would be detrimental to the neighborhood and impose a traffic issue that is safety related. We do have school buses on the highway picking up and letting children off at various times.

We did not oppose the storage units as they were thought to be neighborhood friendly and have been. A carwash is a whole other thing!

I worry that by allowing the carwash, with the amount of land left over, we will be setting ourselves up for other businesses that are not a plus to our neighborhood and could end up devaluing our properties.

We oppose this change wholeheartedly! Three votes NO!

Thank you,

Sherry Daniels  
James Smith  
Devin Koff

## Husman, Karen

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**From:** Cromwell, Nicole  
**Sent:** Tuesday, August 16, 2022 7:47 AM  
**To:** Husman, Karen  
**Subject:** FW: City Council Zoning Comity for Cedar Park on 9/6/2022

Please share with the applicant and agent.

And reply to Shirley that you received the comment ☺

**From:** Meyers, Shirley <SMeyers1@billingsclinic.org>  
**Sent:** Monday, August 15, 2022 6:37 PM  
**To:** Cromwell, Nicole <CromwellN@billingsmt.gov>  
**Subject:** [EXTERNAL] City Council Zoning Comity for Cedar Park on 9/6/2022

I am writing in reference to the Zoning Meeting for the car wash that is scheduled for 9/6/2022. I am very concerned about the safety of having the entrance and exit to this car wash on Santiago Blvd. We already have the traffic flow from the people that live in Cedar Park and the water fill station that is located right at the beginning of Santiago Blvd. Then on Blue Creek Road we have the entrance for the Blue Creek Boat Ramp, 2 entrances to the Quanta Subdivision, Casey's Corner, Blue Creek Storage, the garbage trucks that pass by many times during the day, Hillcrest, and the church. Blue Creek Road already backs up traffic on Santiago and it makes it tough to get out safely. In the winter, the roads can be very slippery from the water that spills out of the trucks and then to add more moisture it will be like an ice skating pond coming off of the hill. We also have children loading and unload off the school buses that are already in danger. This car wash will cause even more dangerous traffic for the children walking around this area.

Please, please don't allow this car wash to have an entrances and exit onto Santiago Blvd as this community will have undesirable consequences to this action.

Regards,

Shirley Meyers  
4440 Bowman Dr.  
Billings, MT 59101  
406-671-5562

## Husman, Karen

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**From:** Cromwell, Nicole  
**Sent:** Tuesday, August 16, 2022 1:47 PM  
**To:** Husman, Karen  
**Subject:** FW: [EXTERNAL] Blue Creek Storage Car Wash

More ----

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**From:** Heather Haynes <racemama@yahoo.com>  
**Sent:** Tuesday, August 16, 2022 1:28 PM  
**To:** Cromwell, Nicole <CromwellN@billingsmt.gov>  
**Subject:** [EXTERNAL] Blue Creek Storage Car Wash

My name is Heather Haynes. I am a homeowner and resident in Cedar Parks Subdivision.

It has come to my attention that Blue Creek Storage is requesting a zone change to Heavy Commercial, and to place a car wash off Santiago.

With the growing number of homes south of Santiago already, Blue Creek Road is already becoming increasingly difficult to get on and off to Santiago. Adding more traffic to Santiago by creating the entrance and exit on Santiago would make this even more difficult for us homeowners to access, increasing the danger of being on that road. We have already seen significant growth in the area, this will increase the dangers associated with adding traffic.

Currently, with the water-fill station, we are already experiencing a backup of vehicles to access Blue Creek Road from Santiago. If a vehicle is turning left onto Blue Creek Road, you can expect to sit behind them for several minutes, or longer depending on the time of day, regardless of which way you are wanting to exit Santiago onto Blue Creek Road. Adding a left-turn lane would be a potential solution.

Cedar Park Subdivision only has one access road – Santiago. There is no other option. Adding traffic to that one road could also pose a potential for safety issues for emergency responses if the road is congested with traffic for a car wash.

Have you seen car wash lines backed up around town on a nice day? Imagine that on Santiago, where traffic would be lined up on Blue Creek Road in the turning lane, just waiting for a car wash, and no one that lives up there can get home.

Further, there is already a HUGE backup of traffic each morning and afternoon due to the school bus stopping on the highway in each direction for children. Several children from the Cedar Park Subdivision walk down to the bus and back home in the afternoon. By adding traffic to Santiago – we are putting those children in more danger.

I am begging for this zoning request to be denied for the safety of the residents of Cedar Park Subdivision.

Respectfully Submitted,  
Heather Haynes

**Husman, Karen**

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**From:** drykow <drykow@gmail.com>  
**Sent:** Tuesday, September 6, 2022 10:49 AM  
**To:** Husman, Karen  
**Subject:** [EXTERNAL] Car wash



My husband and I have lived in cedar park subdivision since 1987. We have had very little crime incidents in our subdivision. We feel that this will bring crime into our neighborhood with new people coming to our subdivision. When they put the water filling station in it started to destroy our entrance with all the heavy loads. We feel this would make it worse. Also the kids walking down to the bus at Casey's corner and home after school would be in more danger. As you know our subdivision has dead end entrances to all our neighborhoods, and we feel it would bring more unwanted traffic to them. The city isn't very good at maintaining our roads as it is and this would destroy Santiago worse plus all the mud and junk. There are rumors that the owner might put up a Dispensory also in that area which we strongly disagree about.

Why can't they make a road from the storage entrance? There is room between the units and the highway. We will not be able to go to the meeting tonight and am sending this with our opinions.

Doug and Donna Rykowski  
406-672-2735  
4447 Bowman Drive  
Billings MT 59101

Sent from my Verizon, Samsung Galaxy smartphone

Jacquie Kittson  
2105 Santiago Blvd  
Billings, MT 59101  
406-861-2653  
[jacquiepk@yahoo.com](mailto:jacquiepk@yahoo.com)



September 5, 2022

Billings Planning & Community Services  
Planning Division  
2825 3<sup>rd</sup> Ave. N, 4<sup>th</sup> Floor  
Billings, MT 59101

RE: City Zone Change 1017 –From CMU1 to CX – Lot 1, Blue Creek Storage Sub - Cedar Park Subdivision

Dear Billings Planning Division, Zone Commissioners & County Commissioners,

I am expressing my concern over the Zone Request for Heavy Commercial on the corner of Santiago Blvd and South Billings Blvd. I am the third house upon entering the subdivision. The front windows of my house face down the hill on Santiago Blvd. Currently I can hear trucks and refrigeration cars when they are idling. I enjoy having my windows open at night for the fresh air and don't want to listen to a car wash going off 24/7. I couldn't attend the first Zoom meeting due to my work schedule but have requested time off for the Zone meeting on Tuesday, September 6<sup>th</sup> and the Hearing on September 26<sup>th</sup>.

I'm requesting a traffic study; the current speed limit is 50 MPH on South Billings Blvd where Santiago Blvd intersects with it. There are approximately 67 houses in Cedar Park Subdivision with only one way in/out. That entrance/exit is shared with the water station as well and the traffic it brings just off South Billings Blvd exiting onto Santiago Blvd. Depending on the day there may be three water trucks in front of you turning left. For the residents we have to allow extra time to get to work, school, etc. because of the traffic volume as well as the speed limit. It's not a safe area to turn in front of heavy sanitation trucks picking up speed and trying to get their job done in a safe manner.

In the winter time when the road is icy, drivers need to safely build momentum in order to prevent getting stuck on Santiago just past the entrance to the Billings City Water Pump Station. With additional traffic entering and exiting on Santiago Blvd this will compound the problem as well as adding more water onto the road besides what leaks from the water trucks.

We have no sidewalks in our subdivision and the children of our neighborhood have to walk on the road to and from the school bus stop which is at Casey's Corner. I'm concerned for their safety with additional traffic from not only the car wash but the future business to go into the other location between the Storage Units and Casey's Corner. Side note: As a tax payer and a concerned citizen I don't want to see a pot shop opening up in that small location so close to the bus stop endangering the students and residents with the possibility of increasing the crime rate in our neighborhood and dropping our home values.

To summarize I am not in support of a zone change that is currently being proposed. The small entrance and exit to a residential neighborhood doesn't allow for additional traffic. Proceed with a traffic study and see if engineers would allow an increase in traffic with the current road configuration.

Thank you for your time.

Sincerely,

Jacquie Kittson

Eileen Pritting  
2105 Santiago Blvd  
Billings, MT 59101  
[smilesfromtheheart@juno.com](mailto:smilesfromtheheart@juno.com)



September 5, 2022

Billings Planning & Community Services  
Planning Division  
2825 3<sup>rd</sup> Ave. N, 4<sup>th</sup> Floor  
Billings, MT 59101

RE: City Zone Change 1017 –From CMU1 to CX – Lot 1, Blue Creek Storage Sub -  
Cedar Park Subdivision

Billings Planning Division, Zoning Commissioners and County Commissioners:

There is a zoning change request in my neighborhood. It is a residential neighborhood with only one way in and one way out. The road is asphalt with unfinished edges. No sidewalks. When I take my daily walk to the convenience store to mail a letter or get a cup of coffee I walk along the uneven edges. As a senior I have to watch each step I take for uneven ground. My fear is more traffic will be entering our subdivision and the pedestrians will be in more danger. I no longer drive and to walk is my only means to get to the store.

The noise from the additional traffic and business will rise up the hill and disturb our peace. Additional traffic puts the neighborhood children, pets, wild turkey and deer at risk of injury or death.

Please think about this zoning change. The disadvantages outweigh the advantages in this situation.

Sincerely,

Eileen Pritting

| Table 27-1000.1: Permitted Primary Uses      | Residential                                                                                                      |    |    |     |     |     |     | Mixed-Use and Commercial |     |      |      |    |     |    | Indust. |    | EBURC  |     |    |    |    | Public |    |       |       |        |                      |
|----------------------------------------------|------------------------------------------------------------------------------------------------------------------|----|----|-----|-----|-----|-----|--------------------------|-----|------|------|----|-----|----|---------|----|--------|-----|----|----|----|--------|----|-------|-------|--------|----------------------|
|                                              | Key: P = Permitted, PL = Location Limits in Zone District, PR = Applicable Use Restrictions, SR = Special Review |    |    |     |     |     |     |                          |     |      |      |    |     |    |         |    |        |     |    |    |    |        |    |       |       |        |                      |
| Use Table                                    | N3                                                                                                               | N2 | N1 | NX1 | NX2 | NX3 | RMH | NO                       | NMU | CMU1 | CMU2 | DX | CED | CX | I1      | I2 | RSV MS | RSV | CW | 13 | IS | P1     | P2 | P3Civ | P3 Ed | P3 Med | Additional Standards |
| RESIDENTIAL                                  |                                                                                                                  |    |    |     |     |     |     |                          |     |      |      |    |     |    |         |    |        |     |    |    |    |        |    |       |       |        |                      |
| Households Living (du/structure)             |                                                                                                                  |    |    |     |     |     |     |                          |     |      |      |    |     |    |         |    |        |     |    |    |    |        |    |       |       |        |                      |
| 1 du                                         | P                                                                                                                | P  | P  | P   |     |     | P   | P                        | PL  | PL   | PL   | PL | PL  |    |         |    | PL     | P   | P  | PL |    |        | PR | PR    | PR    | PR     | 27-10C3              |
| 2 dus                                        |                                                                                                                  | P  | P  | P   | P   |     |     | P                        | PL  | PL   | PL   | PL | PL  |    |         |    | PL     | P   | P  | PL |    |        | PR | PR    | PR    | PR     | 27-10C3              |
| 3-4 dus                                      |                                                                                                                  |    |    | P   | P   |     |     | P                        | PL  | PL   | PL   | P  | P   |    |         |    | PL     | P   | P  | PL |    |        | PR | PR    | PR    | PR     | 27-10C3              |
| 5-8 dus                                      |                                                                                                                  |    |    |     | P   | P   |     |                          | PL  | PL   | PL   | P  | P   |    |         |    | PL     | P   | P  | PL |    |        | PR | PR    | PR    | PR     | 27-10C3              |
| 9+ dus                                       |                                                                                                                  |    |    |     |     | P   |     |                          |     | PL   | PL   | P  | P   |    |         |    | PL     | P   | P  | PL |    |        | PR | PR    | PR    | PR     | 27-10C3              |
| Groups Recognized by Montana Statute         |                                                                                                                  |    |    |     |     |     |     |                          |     |      |      |    |     |    |         |    |        |     |    |    |    |        |    |       |       |        |                      |
| Comm. Res. Facility, Large (> 8 res.)        | SR                                                                                                               | SR | SR | SR  | SR  | P   | SR  | P                        | PL  | PL   | PL   | P  | PL  |    |         |    | PL     | P   | P  | PL | PL |        | P  |       |       | P      | 27-1003              |
| Comm. Res. Facility, Small (8 or fewer res.) | P                                                                                                                | P  | P  | P   | P   | P   | P   | P                        | PL  | PL   | PL   | P  | PL  |    |         |    | PL     | P   | P  | PL | PL |        | P  |       |       | P      | 27-1003              |
| Independent Groups                           |                                                                                                                  |    |    |     |     |     |     |                          |     |      |      |    |     |    |         |    |        |     |    |    |    |        |    |       |       |        |                      |
| Fraternity/ Sorority House                   |                                                                                                                  |    |    |     |     | P   |     |                          | P   | P    | P    | P  | P   |    |         |    |        |     |    |    |    |        |    |       | P     |        | 27-1003              |
| Long-Term Care Facility                      |                                                                                                                  |    |    |     |     |     |     |                          |     | P    | P    | P  | P   | P  |         |    | P      | P   |    |    |    |        |    |       |       | P      | 27-1003              |
| Retirement Home or Village                   | SR                                                                                                               | SR | SR | SR  | SR  | P   | SR  | P                        | PL  | PL   | PL   | P  | P   |    |         |    | PL     | P   | P  | PL | PL |        |    |       | P     | P      | 27-1003              |
| PUBLIC, CIVIC, AND INSTITUTIONAL             |                                                                                                                  |    |    |     |     |     |     |                          |     |      |      |    |     |    |         |    |        |     |    |    |    |        |    |       |       |        |                      |
| Assembly                                     |                                                                                                                  |    |    |     |     |     |     |                          |     |      |      |    |     |    |         |    |        |     |    |    |    |        |    |       |       |        |                      |
| Civic Assembly                               | SR                                                                                                               | SR | SR | SR  | SR  | SR  | SR  | SR                       | P   | P    | P    | P  | P   |    | P       | P  | P      | P   | P  | P  | P  | PR     | P  | PR    | PR    | PR     | 27-1004              |
| Religious Assembly                           | SR                                                                                                               | SR | SR | SR  | SR  | SR  | SR  | SR                       | P   | P    | P    | P  | P   | SR | SR      | SR | P      | P   | P  | P  | P  |        | P  | PR    | PR    | PR     | 27-1004              |
| Educational                                  |                                                                                                                  |    |    |     |     |     |     |                          |     |      |      |    |     |    |         |    |        |     |    |    |    |        |    |       |       |        |                      |
| School, Trade, Business, Voc/Tech            |                                                                                                                  |    |    |     |     |     |     | P                        | PL  | PL   | PL   | P  | P   | P  | P       |    | PL     | P   | P  | PL | P  |        | P  |       | P     | PR     | 27-1004              |
| Government and Public Safety                 |                                                                                                                  |    |    |     |     |     |     |                          |     |      |      |    |     |    |         |    |        |     |    |    |    |        |    |       |       |        |                      |
| Government Facilities, Yards, and Storage    |                                                                                                                  |    |    |     |     |     |     |                          |     |      |      |    |     | P  | P       | P  |        |     | P  | P  | P  | PR     | P  | P     |       |        |                      |
| Amusement & Recreation, Indoor               |                                                                                                                  |    |    |     |     |     |     |                          |     |      |      |    |     |    |         |    |        |     |    |    |    |        |    |       |       |        |                      |
| Large (50,000 sf GFA or more)                |                                                                                                                  |    |    |     |     |     |     |                          |     |      | P    | P  | P   | P  | P       |    |        |     | P  | P  | P  | P      | P  |       |       |        | 27-1005              |
| Amusement & Recreation, Outdoor              |                                                                                                                  |    |    |     |     |     |     |                          |     |      |      |    |     |    |         |    |        |     |    |    |    |        |    |       |       |        |                      |
| Large (1 acre or more)                       |                                                                                                                  |    |    |     |     |     |     |                          |     |      | P    | P  | P   | P  | P       |    |        |     | P  | P  | P  | P      | P  |       |       |        | 27-1005              |

| Table 27-1000.1: Permitted Primary Uses        | Residential                                                                                                      |    |    |     |     |     |     |    | Mixed-Use and Commercial |       |       |    |     |       |    | Indust. |        | EBURD |    |    |    |    | Public |       |       |        |                      |         |
|------------------------------------------------|------------------------------------------------------------------------------------------------------------------|----|----|-----|-----|-----|-----|----|--------------------------|-------|-------|----|-----|-------|----|---------|--------|-------|----|----|----|----|--------|-------|-------|--------|----------------------|---------|
|                                                | Key: P = Permitted, PL = Location Limits in Zone District, PR – Applicable Use Restrictions, SR = Special Review |    |    |     |     |     |     |    |                          |       |       |    |     |       |    |         |        |       |    |    |    |    |        |       |       |        |                      |         |
| Use Table                                      | N3                                                                                                               | N2 | N1 | NX1 | NX2 | NX3 | RMH | NO | NMU                      | CMU1  | CMU2  | DX | CBD | CX    | I1 | I2      | RSV MS | RSV   | CW | 13 | IS | P1 | P2     | P3Civ | P3 Ed | P3 Med | Additional Standards |         |
| Animal Sales and Services                      |                                                                                                                  |    |    |     |     |     |     |    |                          |       |       |    |     |       |    |         |        |       |    |    |    |    |        |       |       |        |                      |         |
| Shelter, Animal                                |                                                                                                                  |    |    |     |     |     |     |    |                          |       | P     |    |     | P     | P  | P       |        |       |    |    |    |    | P      | P     |       |        | 27-1005              |         |
| Small Animal Veterinary                        |                                                                                                                  |    |    |     |     |     |     | P  | P                        | P     | P     | P  |     | P     | P  | P       | P      | P     | P  | P  | P  |    |        |       |       |        | 27-1005              |         |
| With boarding                                  |                                                                                                                  |    |    |     |     |     |     |    |                          | P     | P     | P  |     | P     | P  | P       | P      | P     | P  | P  | P  |    |        |       |       |        | 27-1005              |         |
| Large Animal Veterinary (with or w/o boarding) |                                                                                                                  |    |    |     |     |     |     |    |                          |       |       |    |     | P     | P  | P       |        |       |    | P  | P  |    |        |       |       |        | 27-1005              |         |
| Assembly, Entertainment and Trade              |                                                                                                                  |    |    |     |     |     |     |    |                          |       |       |    |     |       |    |         |        |       |    |    |    |    |        |       |       |        |                      |         |
| Large (125,000 or more sf of exhibit space)    |                                                                                                                  |    |    |     |     |     |     |    |                          |       | P     | P  | P   | P     | P  | P       | PL     | P     | P  | P  | P  | PL | SR     | P     | P     | P      | P                    | 27-1005 |
| Eating and Drinking Establishment              |                                                                                                                  |    |    |     |     |     |     |    |                          |       |       |    |     |       |    |         |        |       |    |    |    |    |        |       |       |        |                      |         |
| No Alcohol                                     |                                                                                                                  |    |    |     |     |     |     |    |                          |       |       |    |     |       |    |         |        |       |    |    |    |    |        |       |       |        |                      |         |
| Restaurant                                     |                                                                                                                  |    |    |     |     |     |     |    | P                        | P     | P     | P  | P   | P     | P  |         | P      | ⌋     | P  | P  | ⌋  |    |        | P     | P     | P      | 27-1005              |         |
| with drive-thru                                |                                                                                                                  |    |    |     |     |     |     | SR | P                        | P     | SR    |    |     | P     | P  |         |        | ⌋     | P  | P  | ⌋  |    |        | P     | P     | P      | 27-1009              |         |
| Beer and Wine License, On-Premises Consumption |                                                                                                                  |    |    |     |     |     |     |    |                          |       |       |    |     |       |    |         |        |       |    |    |    |    |        |       |       |        |                      |         |
| Bar or Tavern                                  |                                                                                                                  |    |    |     |     |     |     |    |                          | SR PR | SR PR | P  | P   | SR PR | P  |         | P      | ⌋     | P  | P  | ⌋  |    |        |       |       |        | 27-1005              |         |
| Craft Alcohol                                  |                                                                                                                  |    |    |     |     |     |     |    |                          | P     | P     | P  | P   | P     | P  |         | P      | ⌋     | P  | P  | ⌋  |    |        | P     | P     | P      | 27-1005              |         |
| Restaurant                                     |                                                                                                                  |    |    |     |     |     |     |    | P                        | P     | P     | P  | P   | P     | P  |         | P      | P     | P  | P  | ⌋  |    |        | P     | P     | P      | 27-1005              |         |
| All-Beverage License, On-Premises Consumption  |                                                                                                                  |    |    |     |     |     |     |    |                          |       |       |    |     |       |    |         |        |       |    |    |    |    |        |       |       |        |                      |         |
| Bar or Tavern                                  |                                                                                                                  |    |    |     |     |     |     |    |                          | SR PR | SR PR | P  | P   | SR PR | P  |         | P      | ⌋     | P  | P  | ⌋  |    |        |       |       |        | 27-1005              |         |
| Craft Alcohol                                  |                                                                                                                  |    |    |     |     |     |     |    |                          | P     | P     | P  | P   | P     |    |         | P      | ⌋     | P  | P  | ⌋  |    |        | P     | P     | P      | 27-1005              |         |
| Restaurant                                     |                                                                                                                  |    |    |     |     |     |     |    | P                        | P     | P     | P  | P   | P     | P  |         | P      | ⌋     | P  | P  | ⌋  |    |        | P     | P     | P      | 27-1005              |         |
| Lodging                                        |                                                                                                                  |    |    |     |     |     |     |    |                          |       |       |    |     |       |    |         |        |       |    |    |    |    |        |       |       |        |                      |         |
| Bed and Breakfast Inn                          | SR                                                                                                               | SR | SR | SR  | SR  | SR  | SR  | P  | P                        | P     |       | P  | P   |       |    |         | P      | P     | P  | P  | P  |    |        | P     | P     | P      | 27-1005              |         |
| Campground/RV Park                             |                                                                                                                  |    |    |     |     |     |     |    |                          |       |       |    |     | P     |    |         |        |       | P  |    |    | SR | SR     |       |       |        | 27-1005              |         |
| Office                                         |                                                                                                                  |    |    |     |     |     |     |    |                          |       |       |    |     |       |    |         |        |       |    |    |    |    |        |       |       |        |                      |         |
| Research and Testing Laboratories              |                                                                                                                  |    |    |     |     |     |     |    |                          |       | SR    | P  | P   | P     | P  | P       |        |       | P  |    | P  |    |        | P     | P     | P      |                      |         |
| Parking, Commercial                            |                                                                                                                  |    |    |     |     |     |     |    |                          |       |       |    |     |       |    |         |        |       |    |    |    |    |        |       |       |        |                      |         |
| Surface Parking, primary use                   |                                                                                                                  |    |    |     |     |     |     | SR | SR                       | SR    | SR    | SR | SR  | P     | P  | P       |        | P     | P  | P  | P  |    |        |       |       |        |                      |         |

| Table 27-1000.1: Permitted Primary Uses                  | Residential                                                                                                      |    |    |     |     |     |     | Mixed-Use and Commercial |     |      |      |    |     |    | Indust. |    | EBURD  |       |       |       |       | Public |    |       |       |        | Additional Standards |
|----------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|----|----|-----|-----|-----|-----|--------------------------|-----|------|------|----|-----|----|---------|----|--------|-------|-------|-------|-------|--------|----|-------|-------|--------|----------------------|
|                                                          | Key: P = Permitted, PL = Location Limits in Zone District, PR = Applicable Use Restrictions, SR = Special Review |    |    |     |     |     |     |                          |     |      |      |    |     |    |         |    |        |       |       |       |       |        |    |       |       |        |                      |
| Use Table                                                | N3                                                                                                               | N2 | N1 | NX1 | NX2 | NX3 | RMH | NO                       | NMU | CMU1 | CMU2 | DX | CBD | CX | I1      | I2 | RSV/MS | RSV   | CW    | 13    | IS    | P1     | P2 | P3Civ | P3 Ed | P3 Med |                      |
| Retail Sales                                             |                                                                                                                  |    |    |     |     |     |     |                          |     |      |      |    |     |    |         |    |        |       |       |       |       |        |    |       |       |        |                      |
| Agricultural                                             |                                                                                                                  |    |    |     |     |     |     |                          |     |      |      |    |     | P  | P       |    |        |       | P     | P     | P     |        |    |       |       |        |                      |
| Retail, Large-Format                                     |                                                                                                                  |    |    |     |     |     |     |                          |     |      | P    |    |     | P  |         |    |        | P     | P     | P     | P     |        |    |       |       |        |                      |
| Vehicle Sales and Service, Personal                      |                                                                                                                  |    |    |     |     |     |     |                          |     |      |      |    |     |    |         |    |        |       |       |       |       |        |    |       |       |        |                      |
| Car Wash                                                 |                                                                                                                  |    |    |     |     |     |     |                          |     | SR   | P    |    |     | P  | P       |    |        |       | P     | P     | P     |        |    |       |       |        | 27-1035              |
| Vehicle Sales and Rental                                 |                                                                                                                  |    |    |     |     |     |     |                          |     |      | P    | P  | SR  | P  | P       | P  |        | P     | P     | P     | P     |        |    |       |       |        |                      |
| Outdoor Sales Lot                                        |                                                                                                                  |    |    |     |     |     |     |                          |     |      | PR   | SR | SR  | P  | P       | P  |        | PR    | P     | P     | P     |        |    |       |       |        | 27-1039              |
| Vehicle Maintenance and Repair, Minor (5,000 SF or less) |                                                                                                                  |    |    |     |     |     |     |                          |     | P    | P    | P  | SR  | P  | P       | P  |        | P     | P     | P     | P     |        |    |       |       |        |                      |
| Vehicle Maintenance and Repair, Major (>5,000 SF)        |                                                                                                                  |    |    |     |     |     |     |                          |     |      | SR   |    |     | P  | P       | P  |        |       | P     | P     | P     |        |    |       |       |        |                      |
| Vehicle Service Station                                  |                                                                                                                  |    |    |     |     |     |     |                          |     | PR   | PR   | PR | PR  | P  | P       | P  |        | PR    | PR    | PR    | PR    |        |    | P     | P     | P      | 27-1005              |
| with Convenience Store                                   |                                                                                                                  |    |    |     |     |     |     |                          | SR  | PR   | PR   | PR | PR  | P  |         |    |        | PR    | PR    | PR    | PR    |        |    | P     | P     | P      | 27-1005              |
| INDUSTRIAL, WHOLESALE, AND STORAGE                       |                                                                                                                  |    |    |     |     |     |     |                          |     |      |      |    |     |    |         |    |        |       |       |       |       |        |    |       |       |        |                      |
| Industrial and Construction Services                     |                                                                                                                  |    |    |     |     |     |     |                          |     |      |      |    |     |    |         |    |        |       |       |       |       |        |    |       |       |        |                      |
| Auction House                                            |                                                                                                                  |    |    |     |     |     |     |                          |     |      |      |    |     | P  | P       | P  |        |       |       |       |       |        |    |       |       |        |                      |
| Contractor Yard, General/Trade                           |                                                                                                                  |    |    |     |     |     |     |                          |     |      |      |    |     | P  | P       | P  |        |       | P     | P     | P     |        |    |       |       |        |                      |
| Heavy                                                    |                                                                                                                  |    |    |     |     |     |     |                          |     |      |      |    |     |    | P       | P  |        |       | P     |       | P     |        |    |       |       |        |                      |
| Grain Elevator                                           |                                                                                                                  |    |    |     |     |     |     |                          |     |      |      |    |     |    | P       | P  |        |       |       |       |       |        |    |       |       |        |                      |
| Industrial Sales and Services                            |                                                                                                                  |    |    |     |     |     |     |                          |     |      |      |    |     | P  | P       | P  |        |       |       |       |       |        |    |       |       |        |                      |
| Manufactured Home Sales and Service                      |                                                                                                                  |    |    |     |     |     |     |                          |     |      |      |    |     | P  | P       | P  |        |       |       |       |       |        |    |       |       |        |                      |
| RV and Trailer Rental, Sales and Service                 |                                                                                                                  |    |    |     |     |     |     |                          |     |      | P    | P  |     | P  | P       | P  |        |       | P     | P     | P     |        |    |       |       |        |                      |
| Truck and Heavy Equip Rental, Sales, and Service         |                                                                                                                  |    |    |     |     |     |     |                          |     |      |      |    |     | P  | P       | P  |        |       | P     | P     | P     |        |    |       |       |        |                      |
| Truck Stop/Wash                                          |                                                                                                                  |    |    |     |     |     |     |                          |     |      |      |    |     | P  | P       | P  |        |       |       |       |       |        |    |       |       |        |                      |
| Manufacturing, Assembly, or Processing                   |                                                                                                                  |    |    |     |     |     |     |                          |     |      |      |    |     |    |         |    |        |       |       |       |       |        |    |       |       |        |                      |
| Artisan/Craft                                            |                                                                                                                  |    |    |     |     |     |     |                          | PL  | PL   | PL   | P  | P   | P  | P       | P  | PR PL  | PR PL | PR PL | PR PL | PR PL |        |    |       |       |        | 27-1006              |
| Limited - Special Order                                  |                                                                                                                  |    |    |     |     |     |     |                          |     |      |      | P  | P   | P  | P       | P  |        |       | P     | P     | P     |        |    |       |       |        |                      |
| General                                                  |                                                                                                                  |    |    |     |     |     |     |                          |     |      |      |    |     | P  | P       | P  |        |       | P     | P     | P     |        |    |       |       |        |                      |



## Husman, Karen

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**From:** Taylor Kasperick <taylor@performance-ec.com>  
**Sent:** Wednesday, September 7, 2022 8:42 AM  
**To:** Cromwell, Nicole; Husman, Karen  
**Subject:** [EXTERNAL] FW: Zoning Applications

Nicole and Karen,

Thanks again for the presentation at the Zoning Commission last night for City Zone Change 1017. I am glad the commission agreed with your recommendation.

I did want to follow up on Commissioner David Goss' sentiments in relation to this property being evaluated as a special review first instead of a zone change, and his subsequent "nay" vote on approval seemingly because of this procedural difference. As the public comment period was over, I was not able to interject when the discussion was occurring but would have indicated that this was originally contemplated as a special review with variances, but per our email thread below was changed to the zone change process as the number of variances that would be necessitated based on the proposed use and physical constraints of the site. I wanted to bring this up in the event this same discussion happens at the City Council meeting, and I feel that it is an important fact that we originally discussed a special review and variances but changed to the zone change process as it is more straightforward for this site. I would be happy to address this as well, but dependent on timing of discussion that it is brought up (whether it is in public comment period or not) would appreciate help in clarifying this by Planning Department staff if needed.

Please let me know if you have any questions. Again, I appreciate the help and presentation on this project.

Taylor

Taylor Kasperick, PE  
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**From:** Cromwell, Nicole <CromwellN@billingsmt.gov>  
**Sent:** Thursday, July 7, 2022 10:54 AM  
**To:** Taylor Kasperick <taylor@performance-ec.com>  
**Cc:** Scott Aspenlieder <scott@performance-ec.com>; Plecker, Monica <PleckerM@billingsmt.gov>; Green, Dave <greend@billingsmt.gov>; Husman, Karen <husmank@billingsmt.gov>  
**Subject:** RE: Zoning Applications

Hi Taylor,

I think pursuing the zone change for the carwash parcel is probably a better idea – a least it is more straightforward. An industrial zone would not work here but the CX is a possible good choice.

The car wash use is allowed in CX and this little piece of CMU1 adjacent to the very large CX piece to the south seems out of synch.

So MDT will make you close the drive approach on Blue Creek Road that already exists? They normally don't do that but I guess there are so many drive approaches on this stretch of Blue Creek Road, it probably is a good for traffic safety. Glacier car wash under construction on 24<sup>th</sup> St West was also a tight site but their format is a little different than the one you are proposing. They have one long wash tunnel similar to the Mint carwash on Exposition Drive.

Both of the zone change applications will require a 1,320 radius notification area.

I am going to encourage you to use the same method we are using for notifying these large lists of owners: send a postcard with the required information and with a url/or QR code that links to information you post on your webpage/or facebook page. You can also include your email contact and phone number on the postcard.

Let me know if this is helpful.

Thanks,  
Nicole

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**From:** Taylor Kasperick <[taylor@performance-ec.com](mailto:taylor@performance-ec.com)>

**Sent:** Thursday, July 7, 2022 9:45 AM

**To:** Cromwell, Nicole <[CromwellN@billingsmt.gov](mailto:CromwellN@billingsmt.gov)>

**Cc:** Scott Aspenlieder <[scott@performance-ec.com](mailto:scott@performance-ec.com)>; Plecker, Monica <[PleckerM@billingsmt.gov](mailto:PleckerM@billingsmt.gov)>; Green, Dave <[greend@billingsmt.gov](mailto:greenD@billingsmt.gov)>; Husman, Karen <[husmank@billingsmt.gov](mailto:husmank@billingsmt.gov)>

**Subject:** [EXTERNAL] RE: Zoning Applications

Nicole,

Thank you for the detailed follow up on both projects, and appreciate the work to get the radius maps and addresses pulled together. As you referenced on the Michelotti property, we are planning to include NX2 as a "buffer" between the adjacent N2 area and proposed NX3 zone, but wanted to get the prelim layout in front of you before determining the proposed line to try to head off any hurdles before getting it zoned. As you referenced, we will hear out the neighbors during the pre-app neighborhood meeting and tool our plan following that.

In relation to the Blue Creek project, we had assumed Santiago Boulevard would be considered the front of the lot as access off Blue Creek Road to the lot is not be permitted by MDT. This doesn't change much in relation to the comments you have provided, other than which side we would likely need to screen the vacuum stalls and front façade requirements. Previously in other municipalities, we have found that build-to and front façade requirements are very difficult to achieve for a car wash or service bay-style building unless a very large lot is used to facilitate vehicle movements. With that being said, I would be curious as to if you think we would be better served going a zone change route to a CX or I1 district where the build-to and façade requirements are more in line with a car wash than pursuing the special review for allowed use under CMU1?

Thanks a bunch and please feel free to let me know your thoughts.

Taylor

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**From:** Cromwell, Nicole <[CromwellN@billingsmt.gov](mailto:CromwellN@billingsmt.gov)>

**Sent:** Thursday, July 7, 2022 8:52 AM

**To:** Taylor Kasperick <[taylor@performance-ec.com](mailto:taylor@performance-ec.com)>

**Cc:** Scott Aspenlieder <[scott@performance-ec.com](mailto:scott@performance-ec.com)>; Plecker, Monica <[PleckerM@billingsmt.gov](mailto:PleckerM@billingsmt.gov)>; Green, Dave <[greend@billingsmt.gov](mailto:greend@billingsmt.gov)>; Husman, Karen <[husmank@billingsmt.gov](mailto:husmank@billingsmt.gov)>

**Subject:** RE: Zoning Applications

Hi Taylor,

I will attempt to get the lists, the pre-app labels etc. later today or tomorrow.

There are several issues with the layout of the proposed car wash.

*27-1005.Q.*

*Vehicle service station. The following standards apply in the CMU1, CMU2, DX, CBD, and EBURD districts:*

*1. Service bays. Vehicular service bays, including garages and car wash bays, shall not be located on the front facade, unless otherwise permitted by the frontage type.*

*2. Outdoor storage. Disabled or inoperable vehicles and those awaiting pick-up may be stored outdoors if:*

*(a) The vehicles are not stored for more than two (2) days.*

*(b) The storage area is located in the rear yard screened from view of the front lot line.*

*(c) The storage area is screened using the side and rear yard buffer outlined in [article 27-1200](#).*

*3. Outdoor activities.*

*(a) All repairs or washing activities must occur inside a structure.*

*(b) Vacuuming activities may occur in open air but must be located in the side or rear yards, screened from the front lot line.*

*(c) Temporary outdoor display of seasonal items, such as windshield wiper fluid or salt, is permitted during business hours under the canopy and adjacent to the principal structure.*

We have granted a build-to area variance for the lot to the north because of the 100-year flood plain so that is not a big hurdle to get over. If we consider Blue Creek Road to be the “front” then the vacuum bays will have to be screened – at least on the west side of the vacuum bays. The build-to area on Blue Creek Road (5 to 20 feet), the requirement to build to the corner, and the build-to area on Santiago Blvd (side adjacent street – 5 to 20 feet), the minimum front lot line coverage (65% in the build-to area on Blue Creek Rd), and the 65% window and door coverage on the front facade can all be considered by the City Council as variances from the CMU1 zone district requirements through the special review process. Please call out these variances in your application and address each one.

The proposed NX3 zone for the Michelloti property has been through one pre-app neighborhood meeting already (March 2022) with Sanderson Stewart as the agent. I don’t know if this is a different buyer or not. I would not go for all NX3 – I would draw a line between the apartments on the east half and the townhomes on the west half – the west half would be NX2 and the east half NX3. The site plan does not jump out as noncompliant – it appears you have forgotten about the requirement to provide active recreation space. There is some cloudiness on the interpretation of the phrase “for every three contiguous acres”. You should plan on providing at least 2 separate open space areas on the site plan. They can both be the same type – but they should be separate locations.

I would not get too far ahead on the Master Site Plan application before you at least hear from the neighbors.

*27-308.D.5.*

Open space. One of the following open space types must be provided for every three contiguous acres of NX2 or NX3 district:

(a) Parklet. A parklet is a landscaped open space with a minimum seventy (70) percent living plant material, with at least twenty (20) feet of street frontage.

(b) Green. A green is a larger, landscaped space, with at least fifty (50) feet of street frontage.

(c) Natural area. A natural area is a large area, defined to conserve a natural feature, such as a stream, wetland or woodland. At least fifty (50) feet of street frontage is required for a natural area.

Will be in touch soon.

Thanks,  
Nicole

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**From:** Taylor Kasperick <[taylor@performance-ec.com](mailto:taylor@performance-ec.com)>  
**Sent:** Wednesday, July 6, 2022 4:42 PM  
**To:** Cromwell, Nicole <[CromwellN@billingsmt.gov](mailto:CromwellN@billingsmt.gov)>  
**Cc:** Scott Aspenlieder <[scott@performance-ec.com](mailto:scott@performance-ec.com)>  
**Subject:** [EXTERNAL] Zoning Applications

Nicole,

We will be moving forward on two zoning applications here shortly, the first being a zone change upon annexation into the City of Tract 2B of Certificate of Survey No 2974, Amended (Michelloti Project), and the second being a special review for a car wash in CMU1 for Lot 1 of Blue Creek Storage Subdivision. I have attached preliminary zoning exhibits and layouts for each site with this email for your reference. If you could please provide the radius map and list of property owner names for these two parcels it would be much appreciated.

As the Michelloti Project will entail a master site plan, I would also like to setup a Master Site Pre-Application meeting to talk through and nail down if and where we should draw the line between NX2 and NX3 for the site and feasibility of prelim layout. I will work to get that setup in Citizens Access here shortly. In regards to the Blue Creek Car Wash project, we would anticipate needing variances from the "build-to" aspects of the CMU districts. I believe this would be handled separately from the special review, but please let me know if that is not the case.

Please let me know if you have any questions on the above information.

Thank you!

Taylor

Taylor Kasperick, PE  
Project Manager  
[taylor@performance-ec.com](mailto:taylor@performance-ec.com)  
Office: 406.384.0080  
Mobile: 801.657.0372



608 North 29<sup>th</sup> Street • Billings, MT 59101  
[www.performance-ec.com](http://www.performance-ec.com)

**City Council Regular**

**Date:** 09/26/2022  
**Title:** Building Code Board of Appeals Ordinance - First Reading  
**Presented by:** Jessica Fust  
**Department:** City Hall Administration  
**Presentation:** No  
**Legal Review** Yes

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**RECOMMENDATION**

Staff recommends approval of the revised ordinance establishing the City's Board of Appeals

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

The current Board of Appeals ordinance requires specific occupations for each board member, has six voting members, and has the Building Official as an ex-officio member.

The changes include:

1. No specific requirement for occupation of board members
2. Reduction to 5 voting members
3. Addition of an appointed city staff member instead of the Building Official as an ex-officio member
4. 'House-keeping' changes to remove the former jurisdictional area in the County, which is no longer under the jurisdiction of the City Building Division

**ALTERNATIVES**

City Council may:

- Approve; or,
- Not Approve

**FISCAL EFFECTS**

There are no fiscal effects for this ordinance change

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**Attachments**

Board of Appeals Ordinance

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

AN ORDINANCE OF THE CITY OF BILLINGS,  
PROVIDING THAT THE BILLINGS, MONTANA CITY  
CODE (BMCC) BE AMENDED BY REVISING SECTION 6-  
205, ESTABLISHING A BOARD OF APPEALS

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

**Section 1.** That Section 6-205 of the Billings, Montana City Code (BMCC) is amended so that such section shall read as follows:

**Sec. 6-205. Board of appeals.**

(a) *Appeals within the city.* For appeals involving property within the city, the City shall establish the board of appeals referenced in the State Building Code. The members shall not be employees of the jurisdiction and shall be residents of the City for at least 1 year. A city employee appointed by the City Administrator shall be an ex-officio member of the board but shall have no vote on any matter before the board. The appointed employee shall act as secretary of the board and provide guidance to the board in establishing bylaws and procedures. The board of appeals members who are not ex-officio shall be appointed by the mayor with the consent of the council and serve at the pleasure of the mayor and council. The board shall adopt reasonable rules and regulations for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official. The board of appeals shall consist of five (5) appointed members. The five (5) appointed members shall be qualified by experience and training to pass upon matters pertaining to building construction. No more than two members shall have the same occupation, profession, or trade. The members shall elect a chairperson annually.

(b) *Term.* The members shall serve four-year terms. All vacancies shall be filled for the unexpired term.

(c) *Authority.* The Authority of the Board shall be as established in the State Building Code. An application for appeal shall be based on a claim that the true intent of the code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equivalent or better form of construction is proposed. The board shall not have the authority to waive requirements of the code or interpret the administration of the code.

(d) *Meetings*. The board shall meet annually, upon notice from the chairperson, and within 10 days of the filing of an appeal.

(e) *Administration of decisions*. The building official shall take immediate action in accordance with the decision of the board.

**Section 2. EFFECTIVE DATE.** This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

**Section 3. REPEALER.** All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

**Section 4. 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 \_\_\_\_\_ day of \_\_\_\_\_, 2022.

PASSED, ADOPTED and APPROVED on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

CITY OF BILLINGS

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

Attest:

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

**City Council Regular**

**Date:** 09/26/2022  
**Title:** Buy/Sell Agreement for Fire Station No. 8 (760 Lake Elmo Dr)  
**Presented by:** Jessica Fust  
**Department:** City Hall Administration  
**Presentation:** Yes  
**Legal Review** Yes

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**RECOMMENDATION**

Staff recommends approval of the buy/sell agreement to purchase the building located at 760 Lake Elmo Drive for \$575,000 with the following contingencies: (1) Council Approval, (2) Appraised Price, and (3) Due Diligence Inspections.

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

Council directed staff to obtain property for a future eighth fire station located in the Heights. City staff worked with property broker NAI to locate appropriate properties, and they found that the owner of a former fire station located at 760 Lake Elmo Dr. was interested in selling the property. The fire department and facilities toured the building and determined it is in an advantageous location, and good condition, to serve again as a fire station. This station, according to the ESCI long-range master plan from 2018, is strategically located. ESCI advised that we build the next station in the Heights on Topaz and Hilltop, approximately five blocks from the desired location. Except for some renovation, this former fire station is ready for service and would be much less expensive than purchasing, developing, and building a new station. The Fire Department will present current and projected data on the advantages of this location in serving the Heights and Billings Community. This station could meet the immediate needs of housing the Mobile Response Teams that should be operational in December 2022.

**ALTERNATIVES**

City Council may:

- Approve; or,
- Not Approve

**FISCAL EFFECTS**

The property purchase will use fire department FY23 budget allocated for a new Heights fire station.

Purchase Price: \$575,000

Due Diligence Cost: Estimated at \$12,000

Remodel Costs: Estimated at \$300,000

The Fire Department has allocated approximately \$2,000,000 in FY23 for a second Heights fire station.

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**Attachments**

760 Lake Elmo Drive Buy/Sell

**AGREEMENT TO SELL AND PURCHASE****AND RECEIPT FOR EARNEST MONEY  
COMMERCIAL AND INVESTMENT PROPERTIES**Date 9/8/2022

THE EXECUTION OF THIS AGREEMENT HAS IMPORTANT LEGAL CONSEQUENCES AND THE PARTIES SHOULD SEEK COMPETENT LEGAL ADVICE IF NOT UNDERSTOOD. THIS IS A LEGAL AND BINDING CONTRACT.

**1. PARTIES AND PROPERTY:****City of Billings with right to assign.**

Buyer, taking title as:

☐ Joint tenants with rights of survivorship, ☐ Tenants in common, ☐ Single in his/her own name, ☒ Other \_\_\_\_\_  
agrees to buy, and the Seller agrees to sell on the terms and conditions set forth in this Contract, the following described real property  
in the City of Billings County of Yellowstone State of Montana

Property commonly known as: 760 Lake Elmo DriveSMOKY SUBD, S27, T01 N, R26 E, BLOCK 1, Lot 1, LESS .21 AC FOR RD & LESS 5371 SQ FTLegal description of the Property: OF LT 1 W OF RAMP RD

If the legal description of the Property is not complete or is inaccurate, this Agreement shall not be invalid and the legal description shall be completed or corrected to meet the requirements of the title company referred to in Section 10.

**2. PURCHASE PRICE AND TERMS:**The purchase price shall be \$ 575,000.00 payable in U.S. Dollars by Buyer as follows:\$ 5,000.00 (A) **Earnest Money** in the form of ☐ Personal Check ☐ Cashiers Check ☐ Other To be:☐ 1) Held and not deposited until acceptance by all parties.☒ 2) Deposited within 3 business days of acceptance.Earnest Money to be held by Stewart Title ☐ Broker ☐ Attorney ☐ Title Company

in a trust account on behalf of both Seller and Buyer. Broker is authorized to deliver the earnest money deposit to the closing agent, if any, at or before closing. Parties agree that interest accruing on earnest money, if any, while deposited shall be payable to Broker in consideration for services rendered. The undersigned sales representative hereby acknowledges receipt from Buyer of the above noted Earnest Money.

\$ 570,000.00 (B) **Cash at closing**, plus Buyer's closing costs, to be paid by Buyer at closing by cashier, certified check or electronic funds.

\$ \_\_\_\_\_ (C) Seller to finance Buyer's purchase under the following terms and conditions: \_\_\_\_\_

\$ \_\_\_\_\_ (D) Assumption of Existing Financing: \_\_\_\_\_

\$ 575,000.00 **TOTAL PURCHASE PRICE****Additional Provisions:**See attached Addendum**3. PERSONAL PROPERTY AND FIXTURES:**

The following personal property shall be included in this sale and transferred by Bill of Sale at closing.

☐ Security Deposits ☐ Signs ☐ Dumpster(s) ☐ NA

The following personal property is leased and not included in the sale: \_\_\_\_\_

Buyers initials

Sellers initials

DS DS DS  
/ WEV [Signature] [Signature]

Fixtures: All permanently installed fixtures and fittings that are attached to the Property are included in the purchase price, such as electrical, plumbing, and heating fixtures, built in appliances, attached floor coverings, antennas, coolers or air conditioners, mailbox, and trees and shrubs, if any, except \_\_\_\_\_

All personal property and fixtures sold with the Property described above are sold **"AS IS"** without warranty by the Seller, either expressed or implied **NO WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE IS MADE.**

#### 4. CLOSING AND RELATED PROVISIONS:

(A) The date of closing shall be See attached Addendum. The parties may, by mutual agreement, agree to close the transaction at any time prior to the date specified. If third party financing is required by the terms of this Agreement (includes assumptions, contracts for deed, and lender financing), the closing shall occur on the date specified or as soon thereafter as financing is complete but no later than 45 days after the stated closing date. Buyer and Seller will deposit with the closing agent all instruments and moneys necessary to complete the purchase in accordance with this Agreement.

(B) Possession and Keys: Seller shall deliver to Buyer possession of the Property and allow occupancy at the date of closing.

(C) Closing Costs, Documents and Services: Seller shall pay their respective closing costs and all other items required to be paid at closing except as otherwise provided herein. Buyer and Seller shall sign and complete customary or required document at or before closing. Fees for real estate closing services shall be split equally between the Parties.

(D) Place of closing shall be: Stewart Title

#### 5. PRORATION:

As of the date of closing Seller and Buyer agree to prorate current real estate taxes, pre-paid rents, current year assessments for special improvement debt that is assumed, and interest on any assumed loan(s), as well as: \_\_\_\_\_

#### 6. CONTINGENCIES:

The closing of this agreement and sale of the property between Buyer and Seller is contingent upon the following, with this sale to terminate and earnest money returned to the Buyer if not satisfied in writing on or before See attached Addendum

(Check those which apply)

- ☒ Buyer receipt and approval of any reports and or property inspections conducted by the Buyer.
- ☐ Buyer receipt of written City approval for Buyer's use of the property.
- ☐ Buyer receipt of acceptable zone change or special review.
- ☒ Buyer approval of preliminary title report including subdivision restrictions and S.I.D.'s, and future S.I.D.'s.
- ☒ Buyer approval of curb valve inspection report and access to water/sewer/gas/elec. services.
- ☒ Buyer approval of Lead Base Paint, Radon, Asbestos and Mold Reports, and Americans with Disabilities Audit.
- ☒ Buyer approval of leases, contracts, income/expenses information.
- ☒ Buyer approval of Property Condition and of subsoil conditions, measurements, access, ditches, and of floodplain exclusion.
- ☒ Buyer approval of: ☒ Survey ☒ Corner identification, Paid by ☒ Buyer ☐ Seller ☐ Shared Equally.
- ☒ Buyer approval of Phase One Environmental Report, Cost paid by ☒ Buyer ☐ Seller ☐ Shared Equally.
- ☐ Buyer closing of exchange property.
- ☒ Buyer's legal counsel review of this Agreement.
- ☒ Buyer receipt of acceptable funding and commercial appraisal.
- ☒ Any due diligence deemed necessary

Buyer agrees to diligently pursue each contingency checked. If Buyer shall fail to notify its Broker, Seller, or Seller's Broker, in writing, by the date noted above that the contingencies checked have not been satisfied then it shall be conclusively presumed that the Buyer has waived those contingencies for which no notice has been given. If Buyer, after due diligence, shall timely Notify Seller, Buyer's Broker or Seller's Broker, in writing, of a deficiency, then in such event this Agreement shall terminate and Buyer shall be entitled to prompt return of Buyer's Earnest Money deposit, less escrow holder or title cancellation fees

The Seller shall have the option of:

- a) Making said items operational
- b) Giving the Buyer(s) a credit for the items, or

Buyers initials

Sellers initials

c) Canceling the Agreement to Sell and Purchase and refunding to the Buyer(s) any Earnest Money deposit or similar payments previously made to Seller.

Should Seller cancel the Agreement because of environmental condition, then Seller ☐ shall, ☒ shall not pay, or reimburse Buyer for the cost of the Phase One Environmental Audit.

## 7. CONDITION OF PROPERTY AND RELATED ISSUES:

Seller agrees that the Property shall be in the same condition, broom clean, normal wear and tear excepted, from the date of the execution of this Agreement up to the time Buyer takes possession of the Property. Seller has no knowledge of any notice of violations of City, County, State, Federal, Building Zoning, Fire, Health Codes or ordinances, condemnation, hazardous waste, underground storage tanks, special improvement districts or other governmental regulation filed or issued against the Property, except noted herein:

If the property is damaged by fire, hail, or other casualty prior to time of closing. Seller ☒ shall be, ☐ shall not be obligated to repair the same **before the date of closing**. If such damage is not repaired within said time, this Contract may be terminated at the option of the Buyer and the Earnest Money shall be returned to Buyer. Should Buyer elect to carry out the Contract despite such damage, Buyer shall be entitled to credit for all the insurance proceeds resulting from such damage to the Property and Inclusions, not exceeding, however, the total purchase price. Should any Inclusion(s) or service(s) fail or be damaged between the date of this Contract and the date of closing or the date of possession, whichever shall be earlier, then Seller shall be liable for the repair or replacement of such Inclusion(s) or service(s) with a unit of similar size, age, and quality, or an equivalent credit, less any insurance proceeds received by Buyer covering such repair or replacement. **Buyer agrees to accept property in "AS IS, WHERE IS" condition except as herein provided.**

## 8. ASSIGNABILITY:

~~This Contract shall not be assignable by Buyer without Seller's prior written consent, which assignment shall not be unreasonably withheld by Seller. Except as so restricted, this Contract shall inure to the benefit of and be binding upon the heirs, personal representatives, successors and assigns of the parties.~~

## 9. CONVEYANCE:

Seller shall convey the real Property by Warranty Deed including all interest of Seller in vacated alleys and streets, easements, other apportionments and improvements free of all liens and encumbrances except those described in the title insurance section of this agreement, and reservations or conveyances of record. All water rights, entitlements, claims, certificates and permits are included with the property, **with any transfer fees split equally.**

## 10. TITLE INSURANCE:

Seller, at Sellers expense, shall furnish Buyer title insurance from Stewart Title (Title Company) pursuant to a standard form American Land Title Association title insurance commitment in the amount equal to the purchase price, committing to insure merchantable title to the real Property in Buyer's name, free and clear of all liens and encumbrances except: encumbrances hereinabove mentioned, zoning ordinances, building and use restrictions, reservations and exceptions in patents from the United States and the State of Montana, all standard ALTA exceptions, beneficial utility easements apparent or of record, other easements of record, real estate taxes for the year in which closing occurs, Special Improvement Districts (including rural SID's) either noticed to seller by the city / county but not spread, or currently assessed, if any which will be:

☒ PAID OFF BY SELLER AT CLOSING

☐ ASSUMED BY BUYER AT CLOSING,

The following loans NA the following leases NA

should be assigned to Buyer at closing. If the Seller's title is not merchantable and cannot be made merchantable before the stated closing date, 30 ADDITIONAL DAYS SHALL BE ALLOWED FOR THE SELLER TO MAKE SUCH TITLE MERCHANTABLE. If at that time the title is still not merchantable, this Contract may be terminated by Buyer with no penalty, and the earnest money will be returned to Buyer. Encumbrances to be discharged by Seller shall either be satisfied prior to closing or from Sellers' proceeds at time of closing.

## 11. TAX DEFERRED EXCHANGE: (check, where applicable)

☒ Buyer herein acknowledges that it is the intention of Seller to create IRC Section 1031 tax deferred exchange and that Seller's rights and obligations under this agreement may be assigned to facilitate such exchange. Buyer agrees to cooperate with Seller in any manner necessary to enable Seller to qualify for said exchange at no additional cost or liability to Buyer, including the execution of an Assignment Agreement.

Buyers initials

Sellers initials

DS DS DS  
1 WEV [Signature] [Signature]

☐ Seller herein acknowledges that it is the intention of Buyer to complete IRC Section 1031 tax deferred exchange and that Buyer may assign his rights and obligations under this agreement for the purpose of completing such exchange. Seller agrees to cooperate with Buyer in any manner necessary in order to complete said exchange at no additional cost or liability to Seller, including the execution of an Assignment Agreement.

## 12. STATUTORY DISCLOSURES:

**METHAMPHETAMINE:** If the property is inhabitable real property, the Seller represents to the best of Seller's knowledge that the Property ☐ has ☒ has not been used as a clandestine Methamphetamine drug lab. If the Property has been used as a clandestine Methamphetamine drug lab Seller agrees to execute and provide any documents or other information that may be required under Montana law concerning the use of the Property as a clandestine Methamphetamine drug lab.

**RADON:** Radon is a naturally occurring radioactive gas that, when it has accumulated in a building in sufficient quantities, may present health risks to persons who are exposed to it over time. Levels of radon that exceed federal guidelines have been found in buildings in Montana. Additional information regarding radon and radon testing may be obtained from your county or state public health unit. Buyer acknowledges receipt of a copy of this statement prior to entering into the agreement to sell and purchase – commercial

If the Property is inhabitable real property as defined in the Montana Radon Control Act, Seller(s) represent that to the best of Seller's knowledge the Property ☐ has ☒ has not been tested for radon gas and/or radon progeny and the Property ☐ has ☒ has not received mitigation or treatment for the same. If the Property has been tested for radon gas and/or radon progeny, Seller agrees to provide, as available, test results to Broker along with any evidence of mitigation or treatment.

**LEAD-BASED PAINT:** If a residential dwelling exists on the Property and was built before the year 1978, the Seller ☐ has ☒ has no knowledge of lead-based paint and/or lead-based paint hazards on the Property. If Seller has knowledge of lead-based paint and/or lead-based paint hazards on the Property Seller agrees to provide all pertinent reports and records concerning that knowledge. Seller acknowledges that the Broker has advised the Seller of Seller's obligation to make lead-based paint disclosures and Broker's obligation to ensure that the Seller satisfies this obligation.

**MOLD:** If the Property is inhabitable real property as defined in the Montana Mold Disclosure Act the Seller represents to the best of Seller's knowledge that the Property ☐ has ☒ has not been tested for mold and that the Property ☐ has ☒ has not received mitigation or treatment for mold. If the Property has been tested for mold or has received mitigation or treatment for mold Seller agrees to provide any documents or other information that may be required under Montana law concerning such testing, treatment or mitigation.

**MEGAN'S LAW:** Pursuant to the provisions of Title 46, Chapter 23, Part 5 of the Montana Code Annotated, certain individuals are required to register their address with the local law enforcement agencies as part of Montana's Sexual and Violent Offender Registration Act. In some communities, law enforcement offices will make the information concerning registered offenders available to the public. If you desire further information please contact the local County Sheriff's office, the Montana Department of Justice, in Helena, Montana, and the probation officers assigned to the area.

## 13. TIME OF ESSENCE / REMEDIES:

Time is of the essence hereof. If any note or check received as Earnest Money hereunder or any other payment due hereunder is not paid, honored or tendered when due, or if any other obligation hereunder is not performed or waived as herein provided, there shall be the following remedies:

(A) If Buyer is in default: If Seller accepts the offer contained in this Agreement and Buyer refuses or neglects to consummate the transaction within the time period provided in this agreement, Seller may:

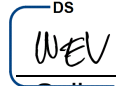
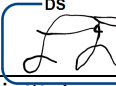
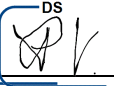
- 1) Declare the earnest money paid by Buyer to Broker to be forfeited to Seller as liquidated damages, which sum the parties agree is a reasonable sum, as the actual damages to Seller would be extremely difficult or impractical to ascertain; **or**
- 2) Demand that Buyer specifically perform Buyer's duties and obligations under this Agreement; **or**
- 3) Demand Buyer pay monetary damages for Buyer's failure to perform the terms of this Agreement.

(B) If Seller is in default: If Seller fails to accept the offer contained in this Agreement within the time period provided, all earnest moneys shall be returned to Buyer. If Seller accepts the offer contained in this Agreement but refuses or neglects to consummate the transaction within the time period provided in this Agreement, Buyer may:

- 1) Demand immediate repayment of all moneys that Buyer has paid to Broker as earnest money, and upon return of such money the rights and duties of Buyer and Seller under this agreement shall be terminated.
- 2) Demand that Seller specifically perform Seller's obligations under this Agreement; **or**
- 3) Demand monetary damages from Seller for Seller's failure to perform the terms of this Agreement.

## 14. EARNEST MONEY DISPUTE:

Buyers initials

1     
Sellers initials

Notwithstanding any termination of this Contract, Buyer and Seller agree that, in the event of any controversy regarding the Earnest Money and things of value held by Broker or Closing Agent, unless mutual written instructions are received by the holder of the Earnest Money and things of value, Broker or Closing Agent shall not be required to take any action but may await any proceeding, or at Broker's or Closing Agent's option and sole discretion, may interplead all parties and deposit any moneys or things of value into a court of competent jurisdiction and shall recover court costs and reasonable attorney fees.

#### 15. BUYER'S CERTIFICATION:

By entering into this Agreement, each person or persons executing this Agreement as Buyer represents that he/she is eighteen (18) years of age or older, of sound mind, and legally competent to own real property in the State of Montana; and if acting on behalf of a corporation, partnership, or other non-human entity, that he/ she is duly authorized to enter into the Agreement on behalf of such entity.

#### 16. SELLER'S CERTIFICATION:

By entering into this Agreement, each person or persons executing this Agreement as Seller represents that he/she is eighteen (18) years of age or older, of sound mind, and legally entitled at this time to transfer title to the real property free and clear of all liens and encumbrances except those described in this Agreement; and if acting on behalf of a corporation, partnership, or other non-human entity, that he/she is duly authorized to enter into the Agreement on behalf of such entity.

#### 17. ALTERNATIVE DISPUTE RESOLUTION:

**MEDIATION:** If a dispute arises between the parties relating to this Contract, the parties may agree to submit the dispute to mediation. The parties may jointly appoint an acceptable mediator and may share equally in the cost of such mediator. If mediator proves unsuccessful, the parties may then proceed with such other means of dispute resolution as they so choose.

#### 18. ATTORNEY'S FEES:

If either party defaults in its performance of this Agreement and the other party employs an attorney because of such default, the defaulting party agrees to pay, on demand, all costs, charges, and expenses, including reasonable attorney's fees, reasonably incurred at any time by the other party because of the default.

#### 19. ENTIRE CONTRACT:

All prior Agreements between the parties are incorporated in this Agreement, which constitutes the entire Contract. Its terms are intended by the parties as a final expression of their Agreement with respect to such terms as are included herein and may not be contradicted by evidence of any prior Agreement or contemporaneous oral Agreement. The parties further intend that this Agreement constitutes the complete and exclusive statement of its terms and that no extrinsic evidence whatsoever may be introduced in any judicial or arbitration proceeding, if any involving this Agreement. If any portion of this Agreement shall be held to be void or unenforceable, the balance hereof shall nonetheless be effective. This Agreement shall be governed by the laws of the State of Montana and shall be binding upon the heirs, successors and permit assigns of the parties.

#### 20. BROKER RELATIONSHIPS: The following agency relationship(s) are hereby confirmed for this transaction.

Listing Agent **Haley Vannatta of NAI Business Properties** ☒ Is the agent of (check one): ☒ Seller exclusively  
(Print Agent name) ☐ Both /Buyer & Seller

Selling Agent **Matt Robertson of NAI Business Properties** ☒ Is the agent of (check one): ☒ Buyer exclusively  
(Print Agent name) ☐ Both /Buyer & Seller

#### 21. ADDENDUM ATTACHED: \_\_\_\_\_

**22. CONSENT TO DISCLOSE:** Buyer and Seller hereby consent to the procurement and disclosure by Buyer, Seller, Broker, and their attorneys, closing agents, and other parties having interest essential to this Agreement, of any and all information reasonably necessary to consummate the transaction described in this Agreement, specifically including access to escrow agents and lenders for review of contracts, deeds, trust indentures, inspections, or similar documents of prior transaction concerning this property or underlying obligations pertaining thereto.

#### 23. COUNTERPARTS / FACSIMILE:

\_\_\_\_\_  
Buyers initials

\_\_\_\_\_  
Sellers initials

A copy of this document may be executed by each party, separately, and when each party has executed a copy thereof, such copies taken together shall be deemed to be a full and complete Contract between the parties. The parties agree that a facsimile copy of this Agreement to Sell and Purchase which contains the parties' signatures may be used as the original.

#### 24. BUYER'S COMMITMENT:

Buyer agrees to purchase the above-described Property on the terms and conditions set forth in the above offer and grants said sales Representative until 9/27/2022 at 5:00 PM to secure Seller's written acceptance.

Buyer may withdraw this offer at anytime prior to Seller's written acceptance. If Seller has not accepted by the time specified, this offer is automatically withdrawn. Buyer hereby acknowledges receipt of a copy of this Agreement of Sell and Purchase-Commercial and Investment Properties, bearing Buyer's signature(s) and that Buyers have read and understand this Agreement.

Buyer's Phone: \_\_\_\_\_ Buyer's Signature: \_\_\_\_\_

Address: \_\_\_\_\_ Buyer's Signature: \_\_\_\_\_

#### 25. SELLER'S COMMITMENT:

Seller agrees to sell and convey to Buyer the above-described Property on the terms and conditions hereinabove stated.

Seller acknowledges receipt of a copy of this Agreement bearing the signature(s) of Buyer and Seller.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ At \_\_\_\_\_ am/pm.

Seller's Phone: \_\_\_\_\_ Seller's Signature: \_\_\_\_\_

Address: \_\_\_\_\_ Seller Signature: \_\_\_\_\_

#### 26. DELIVERY TO BUYER OF A COPY OF ACCEPTED OFFER (use one of the following:)

Date \_\_\_\_\_  
The undersigned buyer acknowledges receipt of a copy of this Contract bearing his / her signature and that of the Seller.

Date \_\_\_\_\_  
A copy of this Contract bearing Buyer(s) signature and that of the Seller(s) was sent via ordinary or certified mail to Buyer.

\_\_\_\_\_  
Buyer

\_\_\_\_\_  
Agent

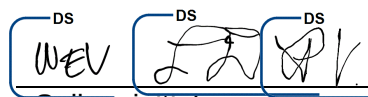
#### ACTION TAKEN, IF OTHER THAN ACCEPTANCE:

I/We acknowledge receipt of this agreement bearing my/our initial(s) and the signature(s) of the Buyer(s) named above.

☐ Rejected by the Seller \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
Seller's Initials Date

☐ Modified per Attached Counter \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
Seller's Initials Date

\_\_\_\_\_  
Buyers initials

1 /   
\_\_\_\_\_  
Sellers initials

## ADDENDUM FOR AGREEMENT TO SELL AND PURCHASE

This is an addendum to a Buy/Sell Agreement dated 9/8/2022, between Vanderloos Properties, LLC. (Seller) and City of Billings with right to assign (Buyer) concerning the following described property:  
760 Lake Elmo Road, Billings, MT.

**Additional Provisions:** The above-mentioned Sell and Purchase agreement represents the interest and motivation of the City of Billings, once executed by the Seller the document will be sent to the City Council for approval. The Agreement is subject to the approval of the City of Billings City Council. Should approval not be granted this agreement shall be considered null and void.

**Contingency Date:** Buyer's Due diligence shall begin upon acceptance and execution by City Council and expire 60 days thereafter or upon the City of Billings City Council's vote to remove said contingencies.

**Closing Date:** 10 Business Days from Contingency Release.

\_\_\_\_\_  
\_\_\_\_\_  
Buyer(s)  
\_\_\_\_\_  
Date

DocuSigned by: WILLIAM E VANDERLOOS  
DocuSigned by: S. Vanderloos  
DocuSigned by: City of Billings  
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2F1E8BEEDDC1482...  
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9/13/2022  
Date

\_\_\_\_\_  
Buyers initials

DS  
WEV  
\_\_\_\_\_  
Sellers initials

**City Council Regular**

**Date:** 09/26/2022  
**Title:** Low Barrier Shelter Grant Discussion and Possible Decision  
**Presented by:** Chris Kukulski, City Administrator  
**Department:** City Hall Administration  
**Presentation:** Yes  
**Legal Review** Not Applicable

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**RECOMMENDATION**

Continue the low barrier shelter conversation from Sept. 6. Consider making a commitment to help finance low barrier sheltering services for this year's cold season. At the time of this memo deadline I do not have a recommendation.

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

Improving the safety of Billings remains the city's #1 priority. Our September 6 work session conversations focused on crime prevention. When discussing the 2021 PSML (public safety mill levy) we included two additional mills to invest in mental health and substance abuse. The conversations were broad, consistently including, what causes crime and crime prevention. Our strategies to improve safety include a commitment to reduce violent crime, improve downtown safety, improve traffic safety, and support mental health, substance abuse and prevention partners.

The FY 2023 anticipates collecting approx. \$865,000 (2 mills = \$432,452 + 3% marijuana local option tax \$432,500) and will be placed in a fund to improve public safety and reduce crime in our community through programs addressing substance abuse, mental and behavioral health, housing essential to public safety, and related support services.

**Low Barrier Shelter Services:**

Conversations have continued throughout September to understand how best to invest city dollars in low barrier sheltering services consistent with the Council's earlier direction. As I have discussed the issues with first responders and service providers we want to ensure any city investments ensure:

- 1) Proper data collection and reporting, to understand users and services provided
- 2) Coordinated entry is defined and used
- 3) Services will be offered in good faith to all who do not belong in jail, an emergency room or the Crisis Center
- 4) Service providers will share their "do not serve" and "no trespass" lists with one another and first responders on a weekly basis
- 5) Good faith participation in the CoC
- 6) Hours of service for the LBS will be clearly defined and agreed to

This list is not final but has been discussed with CoC and MRM for their feedback.

We have received written proposals from CoC (Continuum of Care) and MRM (Montana Rescue Mission). (see attachments from CoC and MRM)

The final CoC project budget was included in a Progress Update that Kari Boiter sent to the Mayor, City Council, and city on July 30th. The total for both program components is \$410,000. This includes seasonal sheltering and case management services. The year-round Care Coordination component (aka case management) would be designed to augment the CoC's Coordinated Entry System (CES), which is presently utilized by 17 service providers in our community.

MRM's proposal is also attached. The following is abbreviated:

**Proposed Budget: Addressing Public Safety Community Needs Through Emergency Sheltering Services**

| Category                     | Annual Cost      |
|------------------------------|------------------|
| Staffing:                    | \$373,300        |
| Sheltering:                  | \$ 60,000        |
| Data/Adm in/Overhead:        | \$ <u>76,700</u> |
| Total Annual Budget/ Request | \$510,000        |

**Terms and Conditions:**

- 24 Month Contract.

- Payable in quarterly installments, net 30 days from invoice.
- We will operate our emergency shelter 365 days per year.
- We will accept those who are not a danger to themselves or others.
- We will accept qualifying referrals from Law Enforcement, Mobile Crisis Team, and Crisis Center, as well as walk ins.
- We will file quarterly reports with numbers served, numbers moved to our regular shelter, number of law enforcement, crisis center or mobile crisis unit referrals/hand offs as well as walk ins.
- We will meet with the City Administrator to deliver this data and provide quarterly updates.

### **Crisis Response Unit:**

The City's RFP (request for proposals) is being advertised and proposals are due in late September. The SAC (Substance Abuse Connect) executive committee voted to respond to the RFP with a proposal. Some SAC partners have indicated that they will also consider responding to the RFP. We hope to present the Council with a recommendation October 10 and anticipate needing approx \$250,000 to implement and operate a CRU (crisis response unit) in the first year.

### **Nurse Family Partnership:**

RiverStone presented their NFP program to the Council and shared its findings Sept. 6. Over the last 10 years, NFP has served more than 400 Yellowstone County families. This voluntary program with home visits from RiverStone Health nurses has improved the lives of pregnant women, new moms and dads, and their babies. Among participants, smoking decreased 25%, alcohol use dropped 56%, reports of domestic violence dropped 63% and the number of mothers who were back in the workforce 12 weeks after delivery increased 31%. (see attachments)

As we continue our dialogue with Riverstone, I anticipate requesting \$200,000 year one and growth in the program in years two and three. For the program to meet our community's need we will need to partner with other agencies. School District 2 (SD2) is also considering providing financial support. The goal is to allow every expecting mother in Billings to participate in NFP. Why, the hard data in this programs' history over the past 40 years throughout the US and for its shorter history in Montana show an \$8 to \$1 return of investment (ROI). This ROI is primarily connected to the high numbers of NFP families who stay out of the criminal justice system, achieve educational goals, and remain in the workforce (several reports have been provided to the council on the impacts of NFP over the past few months).

I am also working with SAC to understand other prevention programs that fit with our strategies to reduce crime.

### **STAKEHOLDERS**

These challenges can only be overcome by working collaboratively with our community. No-one within our community is immune from the effects of crime, addiction and trauma. Implementing plans and strategies developed by our stakeholders in SAC and CoC along with all those who work in the criminal justice system, crime and addiction prevention, intervention and treatment all contribute to long term solutions.

### **ALTERNATIVES**

N/A

### **FISCAL EFFECTS**

Per the adopted budget, \$864,952 dollars are anticipated (2 mills = \$432,452 + 3% marijuana local option tax \$432,500) and will be placed in a fund to improve public safety and reduce crime in our community through programs addressing substance abuse, mental and behavioral health, housing essential to public safety, and related support services.

Difficult decisions will need to be made since there is not enough revenue to meet this growing need and problem. This is one of the reasons that partnerships are so critical. It is also important that we remain engaged with our state and federal partners to ensure appropriate reimbursements are available to the City and our partners who are providing medical services.

As a reminder - The Council appropriated \$200,000 in last years budget to help the YWCA build their new facility for victims of domestic violence. Reducing domestic violence and breaking the cycle of DV must be one of our critical strategies. When you research DV, (Hope Rising Chapter 13) you will learn that men who strangle women have a strong propensity to commit homicide of their partners and police officers.

### **SUMMARY**

Background information is being shared with the council and public to provide informed guidance on future appropriations of funds for the purpose of improving public safety and reducing crime in our community through programs addressing substance abuse, mental and behavioral health, housing essential to public safety, and related support services.

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## Attachments

Nurse-Family Partnership  
CoC LBS Progress Update  
CoC LBS Memorandum of Agreement  
LBS Questionnaire - CoC  
LBS Questionnaire - OTS  
MRM Shelter Proposal  
MRM Emergency Shelter Questionnaire  
LBS Questionnaire - MRM



## **NURSE-FAMILY PARTNERSHIP IN YELLOWSTONE COUNTY**

### **Why Nurse-Family Partnership® (NFP)?**

NFP is an evidence-based, community health support that helps transform the lives of pregnant, vulnerable mothers. Each mother served by NFP is partnered with a registered nurse in pregnancy and receives ongoing nurse home visits that continue through her child's second birthday. Independent research proves that communities benefit from this relationship. Nurses are the most trusted professionals in America, rated highest for honesty and ethics, positioning nurses to provide an intensive level of support to the highest families in need. Nurses support family health through building strong relationships with parents.

### **NFP GOALS:**

- Improve pregnancy outcomes.
- Improve child health and development
- Improve the economic self-sufficiency of the family

### **POSITIVE OUTCOMES LOCALLY SINCE 2012**

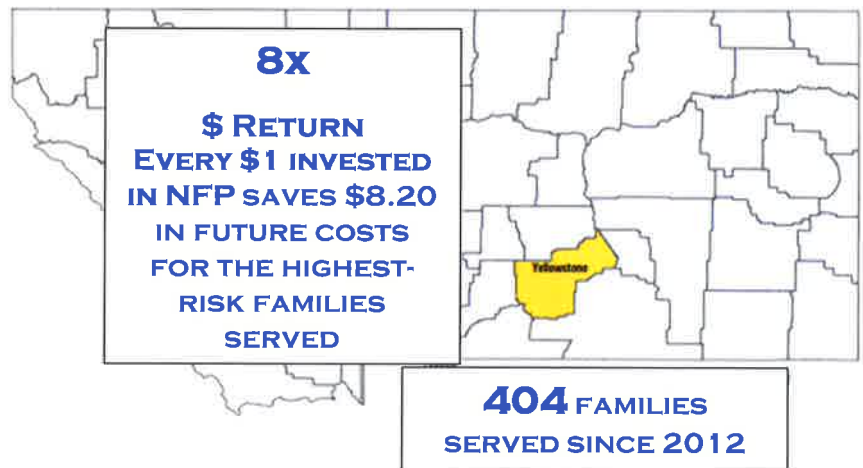
- Smoking in pregnancy - **DECREASED** by 25%\*
- Alcohol use in pregnancy - **DECREASED** by 56%\*
- Reported experience of Intimate Partner Violence - **DECREASED** by 63%\*\*

\*Intake to 36 weeks gestation

\*\*Intake to 12 weeks postpartum; self-report

For questions or more information about Nurse-Family Partnership, contact:

RiverStone Health  
Nurse-Family Partnership of Montana  
123 South 27th Street  
Billings, Montana 59101  
Phone: 406.247.3360



### **CLIENT DEMOGRAPHICS**

#### **At Intake**

|          |                     |
|----------|---------------------|
| 22 Years | Median Age          |
| \$12,250 | Median income       |
| 75%      | Medicaid Recipients |
| 89%      | Single Parent Home  |

#### **Race**

|     |                                           |
|-----|-------------------------------------------|
| 1%  | Black or African American                 |
| 75% | White                                     |
| 7%  | Asian                                     |
| 5%  | Multi-racial                              |
| 1%  | Native Hawaiian or other Pacific Islander |
| 17% | American Indian or Alaska Native          |

#### **Ethnicity**

|     |                     |
|-----|---------------------|
| 16% | Hispanic/Latina     |
| 84% | Non-Hispanic/Latina |

Data current through August 2022

## Nurse Family Partnership - Support for moms, babies, families, community

Year 1-2 Goal: Add 3 nurses to our existing Nurse Family Partnership team, allowing us to serve 75-90 additional families. This is double the number of families we currently serve and significantly expands our community impact.

Year 3-5 Goal: Our vision is to identify cost-effective approaches to provide home visiting services to all families in our community who need/want them. Sustain funding and build on our successes to find ways to support serving additional families.

Each year data will be reported and opportunities for program sustainability discussed.

### RiverStone Health's Commitment

- Employ, train, and supervise qualified nurses.
- Provide management, administration, and infrastructure.
- Collect data continue to monitor effectiveness of Nurse Family Partnership
- Outreach and connections with community referral sources



### City of Billings Request

A 5-year commitment to fund 3 additional nurses at a cost of \$100,000 per nurse per year.

## Core Activities - Nurse Family Partnership

Support at risk pregnant women and their families

- Identify current needs and concerns
- Support parenting and life skill development, building protective factors
- Follow evidence-based model to fidelity to realize long term benefits
- Deliver screenings to support mom and baby physical, mental, emotional health

Short term health outcomes:

- Safe home environment
- Healthy birth weight
- Decreased risk behaviors
- Increased protective factors

Long term health outcomes:

- Positive mom-baby interactions/competent care
- Improve pregnancy outcomes-preventative health practices
- Improve economic self-sufficiency by helping parents develop vision for their own future

Community connections

- Consult with providers and social service agencies ensuring care coordination for benefit of clients
- Establish and support key referral sources needed to best support client

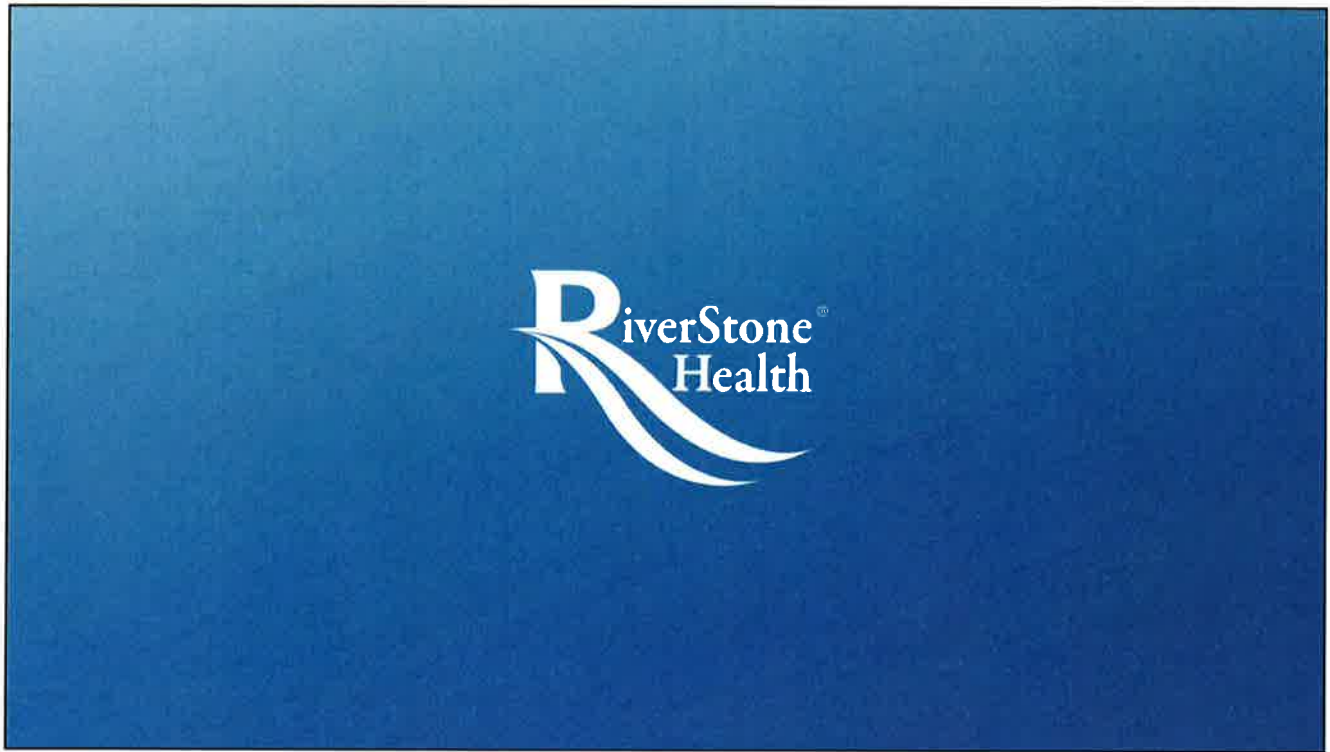
## Additional Local Home Visiting Program Offerings and Opportunities

Current Offerings:

- Parents As Teachers: existing evidence-based model offered at RiverStone Health, delivered by parent coaches  
<https://homvee.acf.hhs.gov/effectiveness/Parents%20as%20Teachers%20%28PAT%29%C2%AE/In%20Brief>
- Maternal Child Health Home Visits: short term intervention based, focused on goals of client, typically 2-4 visits in duration.

Future Opportunity:

- Universal Home Visiting: a broader opportunity, with evidence of success through Family Connects (Durham Connect) <https://homvee.acf.hhs.gov/effectiveness/Family%20Connects/In%20Brief>
- This would include connecting with every person giving birth in Yellowstone County to determine level of need and interaction.



1



# Nurse Family Partnership

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Billings City Council

September 6, 2022

Eric Owen, Vice President of Public Health Services  
Shannon Hauck, RN, Nurse Supervisor, Nurse Family Partnership  
Greg Upham, School District 2 Superintendent



2



## Overview



- Why Prevention?
- Why Nurse Family Partnership?
- Why Invest?

3



## Key Concept - Trauma



**A painful or distressing experience often resulting in lasting mental and physical effects.**

-NCSL Preventing and Mitigating the effects of ACEs report (2018)

4



## Key Concept – Adverse Childhood Experiences (ACEs)



1. Physical abuse
2. Sexual abuse
3. Verbal abuse
4. Physical neglect
5. Emotional neglect
6. A family member who is depressed or diagnosed with other mental illness
7. A family member who is addicted to alcohol or another substance
8. A family member who is in prison
9. Witnessing a mother being abused
10. Losing a parent to separation, divorce or death

<https://www.resilientchildfund.org/top-10-aces/>

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## Key Concept – Toxic Stress



**Extreme or extended activation of the body's stress response without the presence of adult support.**

-NCSL Preventing and Mitigating the effects of ACEs report (2018)

6



## Impact of ACEs/Toxic Stress - Individual

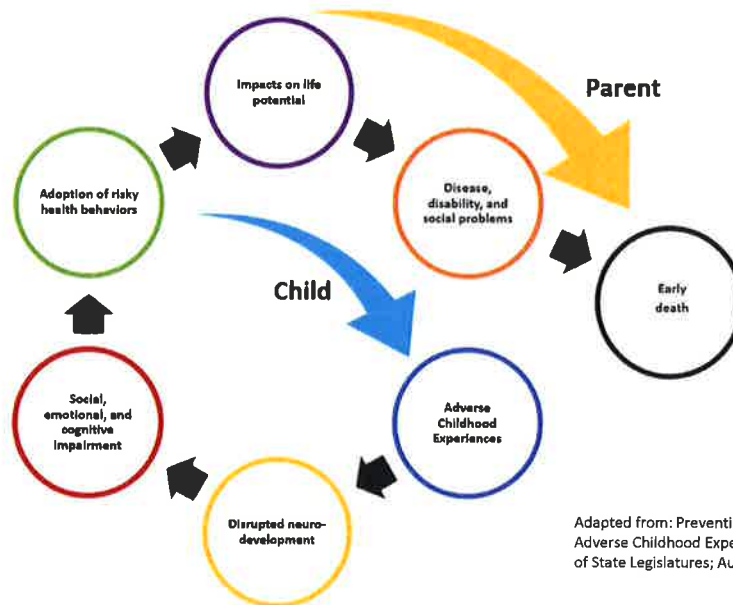


Figure 2: Behavioral, Physical, and Mental Health Consequences of ACEs  
Source: National Center for Chronic Disease Prevention and Control

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## Impact of ACEs – Life Cycle and Family



Adapted from: Preventing and Mitigating the Effects of Adverse Childhood Experiences; National Conference of State Legislatures; August 2018

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## Experiences with ACEs

### Experience with ACEs: 2011 -2014 – 23 states\*

- 62% of adults reported at least 1 ACE
- 25% of adults reported 3 or more

### National Foster Care System Rates Ages 0-17\*\*

- National Average: 3-4/1,000
- Montana: 15/1,000

### Montana Foster Care System Rates Ages 0-5\*\*

- 26.8/1,000: Montana
- 36/1,000: Yellowstone County

\* Preventing and Mitigating the Effects of Adverse Childhood Experiences; August 2018; National Conference of State Legislatures

\*\* Kids Count Data Center; 2020; Annie E. Casey Foundation

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## Preventing ACEs - Positive Experiences

Positive Childhood Experiences

### Counter-ACEs

- Liking school
- Teachers who care
- Opportunities to have fun
- A predictable home routine
- Feeling comfortable with yourself
- Having a caregiver whom you feel safe with
- Beliefs that provide comfort
- Having good friends and neighbors



<https://earlymilestones.org/counter-effects-of-aces/>

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# Preventing ACEs - Systemically

The infographic is titled "Preventing ACEs" at the top. It features several categories of interventions, each represented by a red arrow pointing towards a central box on the right. The categories are:

- Strengthen economic supports to families**:
  - Strengthening household financial security
  - Family-friendly work policies
- Promote social norms that protect against violence and adversity**:
  - Public education campaigns
  - Approaches to reduce corporal punishment
  - Men and boys as allies in prevention
- Ensure a strong start for children**:
  - Early childhood home visitation
  - High-quality child care
  - Preschool enrichment with family engagement
- Teach skills**:
  - Social-emotional learning
  - Safe dating and healthy relationship skills
  - Parenting and family relationship approaches
- Connect youth to caring adults and activities**:
  - Mentoring programs
  - After-school programs
- Intervene to lessen immediate and long-term harms**:
  - Enhanced primary care & victim-centered services
  - Treatment to lessen the harms of ACEs
  - Treatment to prevent problem behavior & violence
  - Family-centered treatment for substance use disorders

A large red arrow points from the "Ensure a strong start for children" category to a central box on the right, which contains the following items:

- Early childhood home visitation
- High-quality child care
- Preschool enrichment with family engagement

Icons representing families, children, and educational settings are used throughout the infographic.

[https://linkprotect.cudasvc.com/url?u=https%3a%2f%2fnihcm.us17.list-manage.com%2ftack%2fclick%3fu%3d1fba4d4a6bdd6cba1b8dd2c77%26id%3de386f54ec5%26e%3dc1e22bfedab&c=6ydcstxwvdywz&m=MVYKZAgM2KhbaalIRtAkd7AboupAcouID6&y=R1\\_AkAh9g73nCCj9aw7lGjOOI9C5EaoS9\\_9l2PVCAhGMFXBarm75vEIGQ\\_&tvp=1](https://linkprotect.cudasvc.com/url?u=https%3a%2f%2fnihcm.us17.list-manage.com%2ftack%2fclick%3fu%3d1fba4d4a6bdd6cba1b8dd2c77%26id%3de386f54ec5%26e%3dc1e22bfedab&c=6ydcstxwvdywz&m=MVYKZAgM2KhbaalIRtAkd7AboupAcouID6&y=R1_AkAh9g73nCCj9aw7lGjOOI9C5EaoS9_9l2PVCAhGMFXBarm75vEIGQ_&tvp=1)

# RiverStone Health

## Why Home Visiting Works

*Trusted Relationship, Healthy Pregnancy, Positive Birth Outcomes, Healthy Birthweight, Positive Parenting Skills and Supports, safe/stable home environment*

- = School Readiness
- = Reading at 3<sup>rd</sup> Grade
- = School engagement, graduation
- = Gainfully employed
- = Avoiding criminal justice





## What is Nurse Family Partnership?

Nurse Home Visiting + Relational Skill Building = Healthy Mom, Healthy Baby

- Evidence based nursing intervention
- Pregnancy through 2 years
- 25-30 families per Nurse
- Parenting Skills-Confident and competent care
- Parent self-efficacy: develop a vision for their own future
- Promoting stable, safe, and caring environment during most important time for child's development

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## Why Nurse Family Partnership?

1. Not a new program - expanding capacity of **existing** program
2. Data, studies, and experts agree – Nurse Family Partnership is the gold standard
3. Nurses are a trusted resource
4. Relationship, relationship, relationship
5. Consistently effective
6. Individualized
7. Multi-generational
8. Long-lasting impacts



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## Why a City of Billings Investment?

### Why Public Safety Mill? Why Marijuana Tax Dollars?

- Crime, violence, school performance...all impact decisions of people moving into community and our children staying
- Relational crime-break the cycle-relational problems take relational responses
- Our situation will continue to have negative impact on our quality of life and place to raise a family if we don't get control of crime



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## Why Billings School District 2?



- Prepare our children for pre-K and promote school readiness
- Reduced dropouts means reduced juvenile crime
- School environment is mirroring our community environment
- When families are more stable and children are ready we create a guardrail against increased city tax dollars needed to react to more expensive down-stream problems.

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## A Case/Cost Comparison

Nurse Family Partnership  
Average Cost Per Family Served

**\$8,500**

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## A Case/Cost Comparison

- A parent struggling with substance use disorder, unsafe behaviors, criminal actions, and CPS placement of child
  - ~ \$2,000 – Child and Family Services Cost
  - ~ \$1,000 – Law Enforcement Intervention
  - ~ \$5,000 – Court Costs
  - ~ \$15,000 – Foster Care Placement
  - ~ \$5,000 – Outpatient Treatment
  - ~ \$36,500 – One year of incarceration

18



## A Cost Comparison

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Preventive  
Nurse Family Partnership  
Intervention

~\$8,500

Downstream Costs of  
Dealing with After the Fact  
Consequences

~\$64,500

19



## Why Prevention Works

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Nurse Family Partnership Return on Investment

8.2 times for every dollar spent

20



## Benefits of Prevention-Based Services

- Prevents harm before it happens
- Supports development of a safe, stable, caring environment for children's first 5 critical years of development
- Breaks the intergenerational cycle of
- Cost effective compared to addressing downstream consequences

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## Proposal



### Let's build on something that works!

Let's share this commitment... council, school district and public health!

Our goal: Finding a sustainable way to provide home visiting services to all families in our community who need/want the support.

RiverStone Health's investment: data, outreach, infrastructure, training and supervision; alignment with public health and coalition efforts in the community

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# Preventing and Mitigating the Effects of Adverse Childhood Experiences Health

NATIONAL CONFERENCE of STATE LEGISLATURES | AUG 2018



# **Preventing and Mitigating the Effects of Adverse Childhood Experiences**

BY AMBER BELLAZAIRE

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The National Conference of State Legislatures is the bipartisan organization dedicated to serving the lawmakers and staffs of the nation's 50 states, its commonwealths and territories.

NCSL provides research, technical assistance and opportunities for policymakers to exchange ideas on the most pressing state issues, and is an effective and respected advocate for the interests of the states in the American federal system. Its objectives are:

- Improve the quality and effectiveness of state legislatures
- Promote policy innovation and communication among state legislatures
- Ensure state legislatures a strong, cohesive voice in the federal system

The conference operates from offices in Denver, Colorado and Washington, D.C.

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# Executive Summary

The term adverse childhood experiences (ACEs) is defined as potentially traumatic events that occur before the age of 18. Such experiences can interfere with a person's health and opportunities throughout his or her lifetime—and can even affect future generations. Researchers have identified connections between ACEs and a greater likelihood of developing risky behaviors, chronic health conditions and poor workforce performance, among other outcomes.<sup>1</sup> Moreover, ACEs can be cyclical.<sup>2</sup> Research suggests that children who experience physical abuse, for example, may be more likely to commit violence, including abusing or neglecting their own children, as well as to be revictimized in the future.<sup>3,4</sup>

From 2011 to 2014, over half of all U.S. adults (62 percent) from 23 states reported having at least one adverse childhood experience and 25 percent of adults reported three or more.<sup>5</sup> As such, some state policymakers are interested in preventing such experiences, mitigating their effects, and reducing the associated costs to state health care, education, child welfare and correctional systems. This brief presents research on adverse childhood experiences and highlights state strategies to prevent and reduce their occurrence and negative effects. Such policies include strategies to build resilience in children and families, help parents reduce stress, and increase screening and treatment for ACEs.

# Introduction

Early life experiences, whether beneficial or harmful, have tremendous effects on one's development, behavior, and long-term health and opportunity. The Adverse Childhood Experience (ACE) Study provided evidence of this connection, noting that ACEs—potentially traumatic events that occur before the age of 18—increase an individual's risk of disease and behavioral challenges, such as obesity, depression and alcoholism.<sup>1</sup> And, the greater the number of ACEs, the greater the risk for negative outcomes.<sup>6</sup> Researchers have even identified a link between ACEs and a higher risk of premature death.<sup>7</sup>

Nearly all people experience stress in their life, such as the stress felt before an important test or job interview. However, chronic stress sustained over time can be damaging to the body and the brain. This is particularly true for children because the earliest years are a critical time for development. In our first three years of life, we create 1 million brain connections every second and develop critical abilities, such as language, memory and socialization.<sup>8</sup> The accumulation of excessive stress in the body (a result of ACEs) interferes with the development of healthy neural, immune and hormonal systems and can alter the expression of our DNA. Furthermore, when a child lacks a supportive adult to turn to in times of adversity, this continuous stress activation becomes particularly toxic.<sup>9</sup>

Toxic stress on our bodies and brains affects behavior in addition to development. The stress of ACEs can inhibit natural, positive methods of coping. In place of healthy behaviors, people with ACEs are more prone to impulsivity and risky behaviors, such as smoking or illicit drug use. These high-risk behaviors account for nearly 50 percent of the increased risk of negative consequences associated with ACEs.<sup>10</sup>

## Glossary

**TRAUMA:** A painful or distressing experience often resulting in lasting mental and physical effects.

**ADVERSE CHILDHOOD EXPERIENCE:** A potentially traumatic experience, which occurs before 18 years of age. Types of ACEs include:

### Abuse

- Emotional abuse
- Physical abuse
- Sexual abuse

### Neglect

- Emotional neglect
- Physical neglect

### Household Challenges

- Mother treated violently
- Household substance abuse
- Mental illness in household
- Parental separation or divorce
- Incarcerated household member

**TOXIC STRESS:** Extreme or extended activation of the body's stress response without the presence of adult support.

*Sources: Felitti, 1998; National Institute of Mental Health; Centers for Disease Control and Prevention; Center on the Developing Child at Harvard University*

## How ACEs Influence Health



*Source: Centers for Disease Control and Prevention*



### **The Adverse Childhood Experiences (ACE) Study<sup>1</sup>**

Beginning in the '90s, an obesity clinic doctor grew curious about why so many of his patients were prematurely ending their treatment. Through surveys and analysis, the doctor identified that these patients, struggling to overcome obesity and often choosing to end treatment entirely, consistently reported a history of childhood sexual abuse. This observed connection between childhood trauma and poorer health later in life ultimately led to the seminal Adverse Childhood Experiences Study.

Between 1995 and 1997, the Centers for Disease Control and Prevention (CDC) and Kaiser Permanente surveyed more than 17,000 male and female adults residing in Southern California. Participants of the study were predominately middle-income, with at least some college experience, white (75 percent) and over the age of 40 (85 percent).

Participants completed a confidential survey about their childhood and current health status and behaviors. Questions about the individual's childhood measured 10 ACEs: emotional, physical and sexual abuse; emotional and physical neglect; parental separation and divorce; parental incarceration; domestic violence; and substance misuse and mental illness in the household. (Since the original study, research on ACEs has expanded to include additional potentially traumatic experiences such as bullying, teen dating violence, community violence, homelessness, economic hardship and the death of a parent.)<sup>11,12</sup> Participants' ACE scores were derived by summing up each of the 10 ACEs the individual had experienced. ACE scores do not reflect frequency or severity of experiences and do not account for positive experiences early in life that may protect a child from the effects of trauma.

Study findings indicated that adverse childhood experiences were prevalent among participants. Nearly two-thirds reported at least one such experience, and more than 20 percent reported three or more. The most common ACEs reported by study participants were physical and sexual abuse, exposure to substance misuse and mental illness in the household, and parental separation and divorce.

The study also revealed the connection between a high ACE score and an increased risk of disease. Autoimmune disease, chronic lung disease and liver disease were some of the chronic health conditions found to be associated with ACEs. In addition, individuals with multiple ACEs were more likely to perform poorly in school, be unemployed and develop high-risk behaviors, such as smoking and promiscuity.

## The Scope of the Challenge

From 2011 to 2014, over half of all U.S. adults (62 percent) from 23 states reported having at least one adverse childhood experience and 25 percent of adults reported three or more.<sup>5</sup> The prevalence of ACEs and their association with various negative outcomes mean costs to states can be high. For example, the Centers for Disease Control and Prevention (CDC) estimates that child abuse and neglect, which account for half of the 10 original ACEs, cost approximately \$124 billion per year.<sup>13</sup> These costs affect employers through lost productivity, as well as the health care, education, child welfare and corrections systems. Lost productivity and health care spending contribute the most to overall annual costs.<sup>14, 15</sup>

### Behavioral Risk Factor Surveillance System (BRFSS)<sup>16</sup>

The BRFSS, an annual phone survey administered by the Centers for Disease Control and Prevention, collects state data about health-related risk behaviors, chronic health conditions and the use of preventive services. Each year, residents in 50 states, Washington, D.C., and three U.S. territories complete the survey.

Since 2009, 42 states and D.C. have included ACE questions in their BRFSS survey for at least one year, making it a tool for identifying state-specific trends in adverse childhood experiences.

## Strategies for Prevention and Mitigation

In the two decades since the original ACE study, an extensive number of publications have added to the body of research on adverse childhood experiences. Many of these publications provide evidence of effective strategies to prevent and manage the consequences of ACEs. For example, many of the recommendations for achieving strong physical health—adequate sleep, good nutrition and regular exercise—are also useful for protecting children from the harms of ACEs. Social support and stress reduction strategies, such as mindfulness and psychotherapy, are also well-supported.<sup>10</sup> Efforts that focus on building healthy families early in the life of a child are cited as among the most influential means of preventing ACEs and reducing their damaging effects.<sup>17,18</sup>

## Resilience

### STRATEGY

### STATE OPTIONS

Build Resilience

- Increase positive parenting skills and safe, stable and nurturing relationships through home visitation.
- Explore opportunities to expand access to quality early child care and education.

The Center on the Developing Child at Harvard University offers three principles for policymakers to consider in helping families with young children thrive: enhancing responsive relationships, strengthening core life skills and reducing sources of stress.<sup>19</sup> These principles target characteristics of the individual, family and community that are associated with physical health—sometimes referred to as protective factors.<sup>17,20</sup> Such factors are important because they increase a family's ability to effectively cope and adapt to hardship and change. This ability to grow and recover from adverse experiences is called resilience.<sup>21</sup> In other words, protective factors, such as strong family bonds, cultivate greater resilience

that can help protect children from the detrimental effects of adverse experiences.<sup>22</sup> When children perceive at least one stable, supportive adult in their life, they are less likely to experience toxic stress and develop unhealthy coping strategies, such as bullying or substance misuse. Safe, stable and nurturing relationships help to build resilience, prevent violence, improve mental health and support health across one's lifespan.<sup>4,23,24</sup>

## Home Visiting

Developing strong family bonds is a teachable skill, and high-quality home visiting programs are one way to do so.<sup>25</sup> Home visiting programs employ nurses, social workers, early childhood educators and other trained professionals to visit families in their homes during pregnancy and early childhood. These programs teach positive parenting skills (including best practices for coping with stress), provide health education, and connect families to supportive services such as the Women, Infants and Children (WIC) Food and Nutrition Service program.

Home visiting has been linked to positive results. These include improved school readiness, higher-quality parenting, more positive child-parent interactions and improvements in parents' mental health as they develop more responsive connections to their children. Home visiting has also been found to reduce the likelihood of child abuse and neglect. For families facing added challenges, such as substance dependence, maternal depression, or limited social or financial support, home visiting programs may be especially beneficial.

States that recognize the potential return on investment of home visiting programs may support them through a combination of federal, state, local and private funds. The federal Maternal, Infant and Early Childhood Home Visiting Program, for example, provides funding for all 50 states, the District of Columbia and five territories to operate home visiting programs for at-risk pregnant women and parents with infants or young children.<sup>26</sup> For more on home visiting, please visit the NCSL Home Visiting webpage.

### State Examples

- In 2015, Oklahoma lawmakers enacted the Family Support Accountability Act, which mandates that home visiting programs work in partnership and sets minimum outcomes programs must achieve.
- In 2016, the Rhode Island General Assembly enacted the Rhode Island Home Visiting Act, which requires the Department of Health to implement a statewide home visiting system using evidence-based models.
- In 2016, New Jersey established a three-year Medicaid home visitation demonstration project to provide ongoing health and parenting information, parent and family support, and links to essential health and social services during pregnancy, infancy and early childhood.

A more complete list of home visitation legislation passed between 2008 and 2017 can be found [here](#).

### Did You Know?

Nurse Family Partnership (NFP) is the most extensively evaluated early home visitation program in the U.S. NFP helps new parents keep themselves and their babies healthy, connect to needed services, and continue their education or find work. NFP has been found to reduce child abuse and neglect by 48 percent and emergency room visits for accidents and poisoning by 56 percent.<sup>27</sup>

Additionally, there are many evidence-based programs that offer positive parenting education and parenting support services, such as Healthy Families America®, Incredible Years®, Minding the Baby®, SafeCare® and Triple P®.

## Quality Early Child Care and Education

In addition to building secure attachments with caring adults, expanding access to early childhood education is a promising pathway to resilience. Early learning opportunities allow children to think, play and explore, which exercise critical executive functions such as “working memory” (storing and accessing information for a limited time) and self-regulation. Children learn to take turns, manage information and avoid distractions, and the more these abilities are practiced the stronger they become. Early childhood education also supports social and emotional development, which includes building self-confidence and positive relationships. These critical abilities emerge through mastering new tasks and learning to interact with others. They also instill in children the motivation, persistence and other life skills necessary to be inventive, flexible and functional adults, and to be resilient in the face of life’s challenges.

Moreover, according to a recent report by Child Trends and the Alliance for Early Success, preschool participation is associated with markedly better academic outcomes, such as improved math, reading and language skills.<sup>28</sup> Additionally, high-quality early childhood education may contribute to long-term benefits such as higher earnings, better health and less criminal activity.<sup>29</sup> Dr. James Heckman, an economics professor at the University of Chicago, demonstrates a 13 percent return on investment for high-quality, birth-to-5 early childhood education for each year of a child’s life.<sup>30</sup> Because high-quality child care and education equip children with opportunities to establish healthy connections with others and skills to be productive adults, broadening access may help prevent the accumulation of toxic stress commonly associated with ACEs.

### State Examples

- In 2017, Washington state established a state-supported early childhood education and assistance program.
- In 2017, state lawmakers in Louisiana created a special fund to support early childhood education.
- In 2015, New Hampshire lawmakers tasked the state’s Wellness and Primary Prevention Council to establish a system of family resource centers to provide parental education and support for children from birth to age 5.

### Did You Know?

Between January and May of 2018, at least 68 legislative proposals in 25 states incorporated ACEs. These bills addressed appropriations for prevention, task force creation, and training for educators and others on trauma-informed practices.

For more on what states are proposing to address ACEs, please visit the NCSL Injury Prevention Legislation Database. Visitors to the database can search legislation from all 50 states and the District of Columbia on 10 injury prevention topics, including adverse childhood experiences and child abuse and neglect. Searches can be organized by topic, state and year.

# Parental Stress

## STRATEGY

### Support Parental Stress Reduction

## STATE OPTIONS

- Consider economic supports, family-friendly workplace policies and affordable housing developments.

Nearly a quarter of U.S. children live below the federal poverty level, and, in almost every U.S. state, economic hardship is now the most common adverse childhood experience.<sup>12,31</sup> Economic hardship affects children because it can cause high parental stress and increase their likelihood of experiencing abuse or neglect. Efforts to strengthen families' economic security may help reduce parental stress and establish greater household stability—two factors that can help protect children from abuse and neglect.<sup>32</sup> Policies such as minimum wage increases, full pass-through child support payments and earned income tax credits are potential mechanisms for reducing ACEs.<sup>33,34,35</sup>

For example, the earned income tax credit (EITC) is a policy the federal government, 29 states, the District of Columbia, Guam, Puerto Rico and some municipalities have implemented to build workers' economic security, especially those with children.<sup>36</sup> The Center on Budget and Policy Priorities reports that, in 2016, the EITC lifted nearly 6 million people—half of them children—out poverty. Research suggests the policy encourages workforce participation and increased earnings, and people most often use the tax credit refund to pay bills and debts and to build their assets.<sup>37,38</sup> Furthermore, while government policies that provide economic supports to families are not the only option for addressing ACEs—business leaders also play a role—research does support the effectiveness of such policies in improving parents' ability to provide for the physical and emotional needs of their children.<sup>39</sup> The following highlights states that have enacted some of these measures.





## States with a Minimum Wage Greater than \$7.25 Per Hour



State minimum wage  
greater than federal rate  
of \$7.25 per hour

Source: NCSL, *State Minimum Wages*

## States with Paid Family and/or Sick Leave



Paid Sick Leave  
 Paid Family Leave  
 Paid Family and Sick Leave

Source: NCSL, *State Family and Medical Leave Laws*

## Housing

Unstable or unaffordable housing, poor neighborhood quality and eviction can also be profound sources of stress for parents and children. Neighborhood quality often informs the quality of available jobs, schools and health care, as well as a families' social mobility.<sup>40,41,42</sup> And research suggests that the stress associated with housing instability can increase known risk factors for child abuse and neglect, such as harsh parenting practices and maternal depression.<sup>20,22,43</sup> Nearly 80 percent of mothers experiencing homelessness have significant histories of childhood trauma, and many have experienced intimate partner violence as adults.<sup>44,45,46,47</sup> Thus, housing instability can be thought of as both a cause and a consequence of ACEs.

Harvard University's Joint Center for Housing Studies reports that in 2016, nearly a third of U.S. households were cost-burdened, meaning they paid more than 30 percent of their income for housing.<sup>48</sup> In a survey by the University of Southern California and the Los Angeles Business Council, 60 percent of surveyed companies reported that housing costs are a barrier to employee retention.<sup>49</sup> Thus, housing and zoning policies that increase the number of available, affordable units in a community and support neighborhood investments and diversification are likely to benefit employers as well as families.

Examples of such policies include rent control and inclusionary zoning. Rent control refers to the limits on the rent that landlords may charge. Research on the effectiveness of rent control is mixed. For example, some experts suggest that rent-controlled buildings can suffer from deterioration from lack of investment and rent control laws exacerbate housing shortages. Others assert that rent control helps to maintain neighborhood diversity and stability, often increasing property values.

Inclusionary zoning requires a specified percentage of new housing construction to be affordable to people with low to moderate incomes. Current research about the effects of inclusionary zoning policies is limited. Proponents note the policy's ability to increase the production of affordable homes, while opponents argue such policies increase building costs and place the burden of providing affordable units on developers and market-rate purchasers. At least three states—[Connecticut](#), [Louisiana](#) and [New Hampshire](#)—allow inclusionary zoning where there is rent control pre-emption.

Additional policies communities can consider when seeking to address the issue of housing affordability include reductions in regulatory barriers to development and shared equity homeownership, such as community land trusts.<sup>50,51</sup> Given the role of counties and municipalities in establishing and altering housing policy, lasting solutions to affordability and availability will likely require a comprehensive strategy from multiple levels of government, as well as support from the private sector.

## Screening and Treatment

### STRATEGY

Increase Screening and Treatment

### STATE OPTIONS

- Broaden access to and coverage of comprehensive health services.

Between 14 percent and 20 percent of U.S. children experience a diagnosable mental, emotional and behavioral disorder, such as depression, anxiety and obsessive-compulsive disorder.<sup>52</sup> However, for people with adverse childhood experiences, the likelihood of developing one or more of these disorders is significantly greater. Specifically, those with four or more ACEs are about four times more likely to develop depression and 12 times more likely to attempt suicide.<sup>53</sup> Children with four or more ACEs are also 32 times more likely to have a learning or behavioral issue when compared to children with no adverse childhood experiences.<sup>54</sup> Frequent classroom disruptions, aggression, underperformance, truancy, poor attitude, bullying and social withdrawal are symptoms commonly expressed by children struggling to manage a learning or behavioral issue.

Schools and child care centers are uniquely positioned to detect these issues early and link children to supportive services and formal assessments. Early interventions may mitigate the most dire consequences of childhood trauma and frequently demonstrate positive effects on long-term health.<sup>55,56</sup> Many children report feeling most comfortable receiving health-related services at school and a majority of those accessing mental health services do so through their school.<sup>57,58</sup> Thus, school-based mental health services may prove to be an effective method for addressing the health care needs of children with ACEs. Specifically, efforts by schools and child care settings to consider a child's history of trauma and subsequent coping strategies—an approach commonly called trauma-informed care—are likely to be highly valuable in mitigating some of the consequences of ACEs.<sup>59</sup>

Finally, children who grow up in households with family members with an untreated substance use disorder (SUD) or mental illness often witness significant dysfunction. Preventing these types of ACEs may require innovative policies that support comprehensive health care for children and parents. For example, parental opioid dependence is increasingly damaging the health of infants and children. Recent data suggests that, on average, every 15 minutes a baby is born in the U.S. withdrawing from opioids.<sup>60</sup> In response, states have begun integrating addiction treatment into existing home visiting programs, as well as supporting addiction treatment programs designed specifically for pregnant women and women with young children. Kentucky, Ohio and Vermont are three states with programs designed specifically for mothers combatting an SUD.<sup>61,62,63</sup> Such efforts to provide comprehensive health services may support better SUD treatment, mental health and child welfare outcomes.<sup>64</sup>

### State Examples

In 2015, Iowa enacted a [law](#) allowing for state block grant allocation to develop a range of children, youth and family services through existing community mental health centers. Services include school-based mental health projects, mobile crisis intervention services and mental health assessment capacity development based in public and nonpublic schools.

In 2013, Connecticut enacted a [law](#) allowing school-based health centers to extend their hours and provide services to students who do not reside in the school district where a health center is located. It also allows the centers to provide behavioral health services, expand health care services, conduct community outreach about their services, and receive reimbursement from private insurance.

In 2017, Indiana lawmakers established an [opioid addiction recovery pilot program](#) to assist expectant mothers with an opioid addiction. The program provides treatment in a residential care facility and home visitation services following discharge from the facility.

Moreover, 19 states have either created or funded drug treatment programs specifically for pregnant women, and 17 states and the District of Columbia provide pregnant women with priority access to state-funded drug treatment programs.<sup>65</sup>

## Conclusion

Adverse childhood experiences affect development and behavior and, if left unaddressed, threaten long-term health and well-being. To improve the lives of families and reduce the societal costs of ACEs, policymakers are exploring a range of strategies to prevent and mitigate childhood trauma. Effective strategies include building resilience in children and families, supporting parents to develop stress management and positive parenting skills, and increasing access to and use of comprehensive health services.

## What Now?

- **Identify existing evidence-based prevention efforts in your state.** Learning about initiatives already underway can help avoid duplication of efforts. For example, does your state or district have an operational home visiting program?
- **Connect with potential partners.** The effects of ACEs are evident in many sectors, so it may be useful to identify and collaborate with businesses, community- and faith-based organizations, and government agencies invested in lessening the occurrence and harms of ACEs.
- **Support evaluation and needs assessment.** Data enables state leaders to recognize policy gaps, target limited resources to populations most in need and understand which strategies are most effective in specific contexts. For example, do public agencies, academic institutions or other entities in your state collect a range of social and economic data?

## Notes

1. V.J. Felitti et al., "Relationship of childhood abuse and household dysfunction to many of the leading causes of death in adults: The Adverse Childhood Experiences (ACE) Study," *American Journal of Preventive Medicine* 14, no. 4 (May 1998): 245-58, <https://www.ncbi.nlm.nih.gov/pubmed/9635069>.
2. C.S. Widom and M.G. Maxfield, *An Update on the "Cycle of Violence"* (National Institute of Justice Research in Brief) (Washington, D.C.: National Institute of Justice, February 2001), <https://www.ncjrs.gov/pdffiles1/nij/184894.pdf>.
3. J.E. Langsford et al., "Early physical abuse and later violent delinquency: a prospective longitudinal study," *Child Maltreatment* 12, no. 3 (2007): 233-245, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2771618/>.
4. M.T. Merrick et al., "Examining the role of safe, stable, and nurturing relationships in the intergenerational continuity of child maltreatment—introduction to the special issue," *Journal of Adolescent Health* 53, no. 4 (2013): S1-S3, <http://www.sciencedirect.com/science/article/pii/S1054139X13003571>.
5. M.T. Merrick, et al., "Adverse Childhood Experiences: An Update from Twenty-Four States, 2011-2014" (*JAMA Pediatrics*, in press).
6. K. Hughes et al., "The effect of multiple adverse childhood experiences on health: a systematic review and meta-analysis," *The Lancet Public Health* 2, no. 8 (August 2017): 356-366, <https://www.sciencedirect.com/science/article/pii/S2468266717301184>.
7. Centers for Disease Control and Prevention, "About Adverse Childhood Experiences" (Atlanta, Ga.: CDC, April 1, 2016), [https://www.cdc.gov/violenceprevention/acestudy/about\\_ace.html](https://www.cdc.gov/violenceprevention/acestudy/about_ace.html).
8. Center on the Developing Child at Harvard University, *Five Numbers to Remember about Early Childhood Development* (Cambridge, Mass.: Harvard University, 2009), <https://developingchild.harvard.edu/resources/five-numbers-to-remember-about-early-childhood-development/>.
9. National Scientific Council on the Developing Child, Center on the Developing Child at Harvard University, "Excessive Stress Disrupts the Architecture of the Developing Brain: Working Paper 3" (Cambridge, Mass.: Harvard University, 2014), [https://developingchild.harvard.edu/wp-content/uploads/2005/05/Stress\\_Disrupts\\_Architecture\\_Developing\\_Brain-1.pdf](https://developingchild.harvard.edu/wp-content/uploads/2005/05/Stress_Disrupts_Architecture_Developing_Brain-1.pdf).
10. N.B. Harris, "Treating the Lifelong Harm of Childhood Trauma," interview by David Bornstein, *New York Times* (Jan. 30, 2018), <https://www.nytimes.com/2018/01/30/opinion/treating-the-lifelong-harm-of-childhood-trauma.html>.
11. World Health Organization, Violence and Injury Prevention, "Adverse Childhood Experiences International Questionnaire (ACE-IQ)" (Geneva, Switzerland: World Health Organization, n.d.), [http://www.who.int/violence\\_injury\\_prevention/violence/activities/adverse\\_childhood\\_experiences/en/](http://www.who.int/violence_injury_prevention/violence/activities/adverse_childhood_experiences/en/).
12. V. Sacks, D. Murphey, and K. Moore, "Adverse Childhood Experiences: National and State-level Prevalence" (Bethesda, Md.: Child Trends, July 2014), [https://www.childtrends.org/wp-content/uploads/2014/07/Brief-adverse-childhood-experiences\\_FINAL.pdf](https://www.childtrends.org/wp-content/uploads/2014/07/Brief-adverse-childhood-experiences_FINAL.pdf).
13. Centers for Disease Control and Prevention, National Center for Injury Prevention and Control, Division of Violence Prevention, "Child Abuse and Neglect: Consequences" (Bethesda, Md.: CDC, April 10, 2018), <https://www.cdc.gov/violenceprevention/childabuseandneglect/consequences.html>.
14. R.F. Anda et al., "Childhood Abuse, Household Dysfunction, and Indicators of Impaired Adult Worker Performance," *The Permanet Journal* 8, no. 1 (2004): 30-38, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4690705/>.
15. X. Fang et al., "The economic burden of child maltreatment in the United States and implications for prevention," *Child Abuse & Neglect* 36 (2012): 156-165.
16. Centers for Disease Control and Prevention, National Center for Injury Prevention and Control, Division of Violence Prevention, "About Behavioral Risk Factor Surveillance System ACE Data" (Atlanta, Ga.: CDC, n.d.).
17. V. Banyard et al., "Health effects of adverse childhood events: Identifying promising protective factors at the intersection of mental and physical well-being," *Child Abuse & Neglect*, 65 (March 2017): 88-98, <https://www.sciencedirect.com/science/article/abs/pii/S014521341730011X>.
18. J. Cohen et al., "Trauma-Focused Cognitive Behavioral Therapy for Traumatized Children and Families," *Child and Adolescent Psychiatric Clinics of North America* 24, no. 3 (April 22, 2015): 557-570, <https://www.ncbi.nlm.nih.gov/pmc/articles/>

PMC4476061/.

19. S. Cohen, "Three Principles to Improve Outcomes for Children and Families" (Cambridge, Mass.: Center on the Developing Child at Harvard University, October 2017), <https://developingchild.harvard.edu/resources/three-early-childhood-development-principles-improve-child-family-outcomes/>.
20. Centers for Disease Control and Prevention, National Center for Injury Prevention and Control, Division of Violence Prevention, "Child Abuse and Neglect: Risk and Protective Factors" (Atlanta, Ga.: CDC, April 5, 2016), <https://www.cdc.gov/violenceprevention/childabuseandneglect/riskprotectivefactors.html>.
21. R.J. Gillespie, "Early Childhood Development, Toxic Stress & Supporting Positive Parenting: Implications for Policy" (presentation at the Legislative Summit of the National Conference of State Legislatures, Seattle, Wash., Aug. 5, 2015), [http://www.ncsl.org/documents/cyf/Toxic\\_Stress.pdf](http://www.ncsl.org/documents/cyf/Toxic_Stress.pdf).
22. B.L. Fortson et al., *Preventing Child Abuse and Neglect: A Technical Package for Policy, Norm, and Programmatic Activities* (Atlanta, Ga.: CDC, National Center for Injury Prevention, Division of Violence Prevention, 2016), <https://www.cdc.gov/violenceprevention/pdf/can-prevention-technical-package.pdf>.
23. Centers for Disease Control and Prevention, National Center for Injury Prevention and Control, Division of Violence Prevention, *CDC Special Supplement: Interrupting Child Abuse and Neglect across Generations through Safe, Stable, Nurturing Relationships* (Atlanta, Ga.: CDC, April 10, 2018), <https://www.cdc.gov/violenceprevention/childabuseandneglect/interrupting-child-maltreatment.html>.
24. R.D. Conger et al., "Disrupting Intergenerational Continuity in Harsh and Abusive Parenting: The Importance of a Nurturing Relationship with a Romantic Partner," *Journal of Adolescent Health* 53, no. 4 (2013): S11-S17, <https://www.sciencedirect.com/science/article/pii/S1054139X13001894>.
25. A. Garner, "Home Visiting and the Biology of Toxic Stress: Opportunities to Address Early Childhood Adversity," *Pediatrics* 132 (November 2013), [http://pediatrics.aappublications.org/content/132/Supplement\\_2/S65.long](http://pediatrics.aappublications.org/content/132/Supplement_2/S65.long).
26. Health Resources and Services Administration, Maternal and Child Health, "Home Visiting" (Washington, D.C.: HRSA, June 2017), <https://mchb.hrsa.gov/maternal-child-health-initiatives/home-visiting-overview>.
27. National Conference of State Legislatures, *State Policies Addressing Child Abuse and Neglect* (Denver, Colo.: NCSL, August 2015), [http://www.ncsl.org/Portals/1/Documents/Health/StatePolicies\\_ChildAbuse.pdf](http://www.ncsl.org/Portals/1/Documents/Health/StatePolicies_ChildAbuse.pdf).
28. Child Trends, "High-quality preschool can support healthy development and learning" (Bethesda, Md.: Child Trends, April 30, 2018), <https://www.childtrends.org/publications/high-quality-preschool-can-support-healthy-development-and-learning>.
29. Executive Office of the President of the United States, *The Economics of Early Childhood Investments* (Washington, D.C.: Executive Office of the President of the United States, December 2014), [https://obamawhitehouse.archives.gov/sites/default/files/docs/the\\_economics\\_of\\_early\\_childhood\\_investments.pdf](https://obamawhitehouse.archives.gov/sites/default/files/docs/the_economics_of_early_childhood_investments.pdf).
30. J. Heckman et al., "Quantifying the Life-cycle Benefits of a Prototypical Early Childhood Program" (Chicago, Ill.: no publisher, May 26, 2017), [https://heckmanequation.org/assets/2017/12/abc\\_comprehensivecba\\_JPE-SUBMISSION\\_2017-05-26a\\_sjs\\_sjs.pdf](https://heckmanequation.org/assets/2017/12/abc_comprehensivecba_JPE-SUBMISSION_2017-05-26a_sjs_sjs.pdf).
31. National Center for Children in Poverty at Columbia University, *Child Poverty* (New York, N.Y.: Columbia University, 2018), <http://www.nccp.org/topics/childpoverty.html>.
32. C.M. Rodriguez et al., "Parenting stress and anger expression as predictors of child abuse potential," *Child Abuse & Neglect* 21, no. 4 (1997): 367-377, [https://doi.org/10.1016/S0145-2134\(96\)00177-9](https://doi.org/10.1016/S0145-2134(96)00177-9).
33. K.M. Raissian and L.R. Bullinger, "Money matters: Does the minimum wage affect child maltreatment rates?" *Children and Youth Services Review* 72 (January 2017): 60-70, <https://www.sciencedirect.com/science/article/pii/S0190740916303139?via%3Dihub>.
34. M. Cancian et al., "The effect of additional child support income on the risk of child maltreatment," *Social Service Review* 87, no. 3 (September 2013): 417-437, <https://www.journals.uchicago.edu/doi/10.1086/671929>.
35. J. Kleven et al., "Effect of the Earned Income Tax Credit on Hospital Admissions for Pediatric Abusive Head Trauma, 1995-2013," *Public Health Reports* 132, no. 4 (July 2017): 505-511, [http://journals.sagepub.com/doi/abs/10.1177/0033354917710905?url\\_ver=Z39.88-2003&rft\\_id=ori:rid:crossref.org&rft\\_dat=cr\\_pub%3dpubmed](http://journals.sagepub.com/doi/abs/10.1177/0033354917710905?url_ver=Z39.88-2003&rft_id=ori:rid:crossref.org&rft_dat=cr_pub%3dpubmed).
36. National Conference of State Legislatures, "Tax Credits for Working Families: Earned Income Tax Credit (EITC)" (Denver, Colo.: NCSL, April 17, 2018), <http://www.ncsl.org/research/labor-and-employment/earned-income-tax-credits-for-working-families.aspx>.
37. Center on Budget and Policy Priorities, "Policy Basics: The Earned Income Tax Credit" (Washington, D.C.: CBPP, April 19, 2018) <https://www.cbpp.org/sites/default/files/atoms/files/policybasics-eitc.pdf>.
38. C. Marr et al., "EITC and Child Tax Credit Promote Work, Reduce Poverty, and Support Children's Development, Research Finds" (Washington, D.C.: Center on Budget and Policy Priorities, Oct. 1, 2015), <https://www.cbpp.org/sites/default/files/atoms/files/6-26-12tax.pdf>.
39. Executives Partnering to Invest in Children (EPIC) and Colorado Department of Public Health and Environment (CDPHE), *Family Friendly Workplace Toolkit* (Denver, Colo.: CDPHE, November 2017), <http://www.familyfriendlycolorado.com/toolkit>.
40. R. Chetty et al., "The Effects of Exposure to Better Neighborhoods on Children: New Evidence from the Moving to Opportunity Project," *American Economic Review* 106, no. 4 (2016), [https://scholar.harvard.edu/files/hendren/files/mto\\_paper.pdf](https://scholar.harvard.edu/files/hendren/files/mto_paper.pdf).
41. R. Chetty and N. Hendren, "The Impacts of Neighborhoods on Intergenerational Mobility I: Childhood Exposure Effects," *Quarterly Journal of Economics* 113, no. 3 (2018), [https://scholar.harvard.edu/files/hendren/files/movers\\_paper1.pdf](https://scholar.harvard.edu/files/hendren/files/movers_paper1.pdf).
42. H. Schwartz, "Housing Policy Is School Policy: Economically Integrative Housing Promotes Academic Success in Montgomery County, Maryland" (New York, N.Y.: The Century Foundation, 2010), <https://tcf.org/assets/downloads/tcf-Schwartz.pdf>.

43. J.M. Park et al., "Physical and Psychological Aggression Toward a Child Among Homeless, Doubled-Up, and Other Low-Income Families," *Journal of Social Service Research* 41, no. 3 (Jan. 1, 2015): 413-423, <https://www.tandfonline.com/doi/full/10.1080/01488376.2015.1018660>.
44. M.A. Hayes et al., *The Service and Housing Interventions for Families in Transition (SHIFT) Study: Final Report* (Washington, D.C.: American Institutes for Research, The National Center on Family Homelessness, n.d.), [https://www.air.org/sites/default/files/SHIFT\\_Service\\_and\\_Housing\\_Interventions\\_for\\_Families\\_in\\_Transition\\_final\\_report.pdf](https://www.air.org/sites/default/files/SHIFT_Service_and_Housing_Interventions_for_Families_in_Transition_final_report.pdf).
45. Administration for Children and Families, Family and Youth Services Bureau, "Domestic Violence and Homelessness: Statistics (2016)" (Washington, D.C., Family Youth and Services Bureau, June 26, 2016), <https://www.acf.hhs.gov/fysb/resource/dv-homelessness-stats-2016>.
46. National Coalition for the Homeless, "Domestic Violence and Homelessness" (Washington, D.C.: National Coalition for the Homeless, July 2009), <http://www.nationalhomeless.org/factsheets/domestic.html>.
47. P.H. Niolon et al., "Preventing Intimate Partner Violence across the Lifespan: A Technical Package of Programs, Policies, and Practices" (Atlanta, Ga.: Centers for Disease Control and Prevention, National Center for Injury Prevention and Control, Division of Violence Prevention, 2017), <https://www.cdc.gov/violenceprevention/pdf/ipv-technicalpackages.pdf>.
48. Joint Center for Housing Studies of Harvard University, *The State of The Nation's Housing* (Cambridge, Mass.: Harvard University, 2018), <http://www.jchs.harvard.edu/state-nations-housing-2018>.
49. T. Lien, "L.A.'s housing costs make it harder for companies to keep workers here, survey finds," *Los Angeles Times* (April 13, 2017) <http://www.latimes.com/business/technology/la-fi-tn-la-housing-costs-employers-20170413-story.html>.
50. U.S. Department of Housing and Urban Development (HUD), Office of Policy Development and Research, "Regulatory Barriers Clearinghouse" (Washington, D.C.: HUD, n.d.), <https://www.huduser.gov/portal/rbc/home.html>.
51. National Housing Conference, "Shared Equity Models of Ownership" (Washington, D.C.: National Housing Conference, n.d.), <https://www.nhc.org/policy-guide/shared-equity-homeownership-the-basics/shared-equity-models-of-ownership/>.
52. National Research Council (US) and Institute of Medicine (US), Committee on the Prevention of Mental Disorders and Substance Abuse Among Children, Youth, and Young Adults: Research Advances and Promising Intervention, *Preventing Mental, Emotional, and Behavioral Disorders Among Young People: Progress and Possibilities* (Washington, D.C.: National Academies Press, 2009), <https://www.ncbi.nlm.nih.gov/books/NBK32773/>.
53. R. Oral et al., "Adverse childhood experiences and trauma informed care: the future of health care," *Pediatric Research* 79 (2016): 227-233, <https://www.nature.com/articles/pr2015197>.
54. N. Burke et al., "The impact of adverse childhood experiences on an urban pediatric population," *Child Abuse & Neglect* 35, no. 6 (June 2011): 408-413, <https://www.sciencedirect.com/science/article/abs/pii/S014521341100113X>.
55. L.A. Karoly et al., *Early Childhood Intervention: Proven Results, Future Promise* (Santa Monica, Calif.: RAND Corp., 2005), 55-74, [https://www.rand.org/content/dam/rand/pubs/monographs/2005/RAND\\_MG341.pdf](https://www.rand.org/content/dam/rand/pubs/monographs/2005/RAND_MG341.pdf).
56. A.J. Reynolds et al., "School-based early childhood education and age-28 well-being: Effects by timing, dosage, and subgroups," *Science* 333, no. 6040 (July 15, 2011): 360-364, doi: 10.1126/science.1203618.
57. Interagency Working Group on Youth Programs, "School-based Supports" (Washington, D.C.: Youth.Gov, n.d.) <https://youth.gov/youth-topics/youth-mental-health/school-based>.
58. M. Rones, et al., "School-Based Mental Health Services: A Research Review," *Clinical Child Family Psychology Review* 3, no. 4 (December 2000): 223-241, <https://link.springer.com/article/10.1023/A:1026425104386>.
59. Substance Abuse and Mental Health Services Administration (SAMHSA), "Trauma-Informed Approach and Trauma-Specific Interventions" (Rockville, Md.: SAMHSA, April 27, 2018), <https://www.samhsa.gov/nctic/trauma-interventions>.
60. T.N.A. Winkelman et al. "Incidence and Costs of Neonatal Abstinence Syndrome among Infants with Medicaid: 2004-2014," *Pediatrics* (March 2018), <http://pediatrics.aappublications.org/content/early/2018/03/21/peds.2017-3520>.
61. E. Adams, "PATHways Program Demonstrates Success of Evidence-based, Collaborative Approaches to Perinatal Opioid Treatment" (Lexington, Ky.: University of Kentucky Healthcare, April 19, 2017), <https://uknow.uky.edu/uk-healthcare/pathways-program-demonstrates-success-evidence-based-collaborative-approaches>.
62. Ohio Maternal Opiate Medical Supports (MOMS), <http://momsOhio.org/moms/>.
63. N.K. Young et al. *Opioid Use in Pregnancy: A Community's Approach, the Children and Recovering Mothers (CHARM) Collaborative* (Washington, D.C.: National Center on Substance Abuse and Child Welfare, n.d.), [http://www.cfutures.org/files/webinar-handouts/CHARM%20Webinar%20-%20Final-s\\_O.pdf](http://www.cfutures.org/files/webinar-handouts/CHARM%20Webinar%20-%20Final-s_O.pdf).
64. J.C. Marsh and B.D. Smith, "Integrated Substance Abuse and Child Welfare Services for Women: A Progress Review," *Child Youth Services Review* 33, no. 3 (March 1, 2011): 466-472, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3076740/>.
65. Guttmacher Institute, "Substance Use During Pregnancy" (New York, N.Y.: Guttmacher Institute, July 1, 2018), <https://www.guttmacher.org/print/state-policy/explore/substance-use-during-pregnancy>.

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## NATIONAL CONFERENCE *of* STATE LEGISLATURES

**William T. Pound, Executive Director**

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The Yellowstone County Continuum of Care (CoC) has taken several steps toward establishing a temporary low-barrier shelter for the winter season, beginning October 1, 2022 and ending March 31, 2023. Our intent is to be responsive to feedback from City Council, provided during CoC presentations on May 9, June 6 & June 20, 2022. The CoC has also relied on the text of the Rupsis Amendment, particularly Item 4, which says:

*“The City Administrator should solicit input or proposals from agencies or firms that desire to provide seasonal low-barrier shelter and/or sobering center services for all or part of the period from October 1, 2022 through March 31, 2023. Input should include, but not be limited to, location, costs, implementation plan, and success metrics. Case management services would ideally be included as a factor of success for the program.”*

### **Broad Coalition Support**

During our Low Barrier Shelter Workgroup and General Membership meetings in July, the CoC:

- sought input from numerous coalition partners in a variety of ways;
- developed and circulated a questionnaire for parties interested in providing low barrier shelter this winter (see email attachments);
- conducted an electronic vote of the CoC General Membership to determine which option had the broadest coalition support.

Members voted overwhelmingly in support of the CoC proposal in partnership with the Community Crisis Center (CCC) and Billings First Congregational Church (BFCC), with 14 votes in favor. The questionnaires submitted by Montana Rescue Mission (MRM) and the newly-formed Off The Streets Corporation (OTSC) received two votes each. Moving forward, the CoC coalition will formally support and offer its limited operational capacity to the seasonal shelter proposal in conjunction with BFCC and CCC.

### **Memorandums of Agreement and Understanding**

With the timetable for implementation narrowing in on just 9 weeks, the CoC has moved forward with drafting MOA/MOU's with partner organizations and agencies who are interested in helping meet the critical need for low-barrier shelter this winter.

- The CoC, BFCC, and CCC have tentatively approved an operational MOA (see email attachments) for seasonal shelter, pending legal review.
  - The intent of partners is to operate a *temporary* low-barrier shelter for a 12-hour period overnight, located on the first floor of BFCC, allowing for ADA accessibility.
  - Trained staff from CCC will be on site nightly at BFCC to provide guest screening, assessments, and diversion to the most appropriate service provider.
  - On-site security, janitorial and laundry services will be provided by BFCC through outside contractors, to be procured once funding is secured.
  - Transportation will be provided on a limited basis by CCC when a guest is beyond the scope of basic shelter at BFCC. If a guest is an extreme danger to themselves or others, 9-1-1 will be called.
  - Success metrics and outcomes will be closely monitored through the CoC's Coordinated Entry and Homeless Management Information System (HMIS).

The CoC Board of Directors is in the process of soliciting letters of support and generating partner MOU's to augment the seasonal shelter, such as:

- warm clothing and sober living accommodations through Gratitude in Action;
- outreach and treatment referrals by Downtown Billings Alliance HOT & MAAP programs;
- social services from Salvation Army, such as mobile meals and hygiene items;
- referral arrangements for YWCA, HRDC, CLDI, MRM, Family Promise, HomeFront and other community partners who wish to take part in seasonal shelter efforts this winter.

The CoC is also convening a workgroup of willing community partners to discuss how to best design and implement the care coordination component that is referenced in the final sentence of Item 4 in the Rupsis Amendment. We anticipate seeking support from the City of Billings for 3.0 FTE's to address gaps within the Homeless Crisis Response System by bolstering system engagement, wraparound supports, and assessment/diversion of unhoused clients within the CoC Coordinated Entry and HMIS Systems.

**Total Project Budget: \$410,000**

1. The CoC anticipates the need for a minimum award amount of \$200,000 (not to exceed \$240,000) to operate an overnight seasonal shelter for our community's non-sober and disabled adult population during the six coldest months of winter. This allowance includes the cost of facilities, staffing, contracted services, transportation, training, project management, coordinated entry, and administrative oversight.
2. The CoC anticipates the Care Coordination component of the program referenced in the Rupsis Amendment, which would operate year-round rather than seasonally, would cost \$210,000 to fund. The 3.0 FTE's we are seeking support for would be in the following areas of the ***Crisis Response System from the National Alliance to End Homelessness***
  - a. Diversion and Prevention
  - b. Coordinated Entry
  - c. Permanent Housing Supports

Visit <https://endhomelessness.org/ending-homelessness/solutions/crisis-response/> to learn more about the Homeless Crisis Response System

**Conclusion**

In addition to the project above, the CoC remains committed to continuing the ongoing work in its five-year Strategic Plan to pursue development of critical infrastructure that includes a *permanent* Low-Barrier Shelter (LBS) in Billings and additional units of Permanent Supportive Housing (PSH). Much of this discussion occurs in the two Task Forces and related workgroups convened by the CoC on LBS and PSH. We welcome participation from Council Members, City Administration, and others who desire to play an active role in helping the CoC tackle housing instability in Billings and the surrounding community.

# MEMORANDUM OF AGREEMENT FOR SEASONAL LOW BARRIER SHELTER OCTOBER 1, 2022 – MARCH 31, 2023

| MOA Overview                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|--------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CONTEXT AND<br/>PURPOSE</b> | <p><b>History:</b> Below are key highlights that provide history and context for this MOA:</p> <ul style="list-style-type: none"> <li>• The Yellowstone County Continuum of Care (CoC) responded to community need during the COVID-19 pandemic by creating and managing a <i>temporary</i> quarantine/isolation site and low-barrier shelter called Off The Streets. After developing a Consensus Agreement with 12 community partners, Off The Streets opened Oct. 31, 2020 with the intent to operate until Oct. 31, 2021.</li> <li>• As the closing date for Off The Streets approached, the CoC convened a Low Barrier Shelter Task Force with community partners interested in developing a <i>permanent</i> low-barrier shelter facility in Billings. Participants identified seasonal shelter as a top priority, directing the CoC to continue its low-barrier sheltering efforts through Mar. 31, 2022.</li> <li>• A catastrophic sewage leak required the closure of Off The Streets on Dec. 30, 2021. The CoC responded by setting up a temporary, emergency shelter in partnership with Billings First Congregational Church (BFCC) and the Community Crisis Center (CCC). The project operated in the basement of BFCC from Dec. 30, 2021 through Apr. 3, 2022, when funding expired.</li> <li>• The CoC made a series of presentations to Billings City Council on May 9, June 6, and June 20, 2022, seeking funding for the purpose of providing low-barrier shelter from Oct. 1, 2022 through Mar. 31, 2023.</li> <li>• On June 27, 2022, the Billings City Council voted 7-4 in favor of setting aside two mills in the Public Safety Mill Levy (approx. \$400,000), plus the City's share of anticipated revenue from recreational cannabis taxes (approx. \$400,000), into a budget fund "explicitly designated for improving public safety and reducing crime in our community through programs addressing substance abuse, mental and behavioral health, housing essential to public safety, and related support services." In the same motion, City Council directed the City Administrator to solicit input or proposals from groups who desire to provide seasonal low-barrier shelter services from Oct. 1, 2022 through Mar. 31, 2023 with consideration factors to include "location, costs, implementation plan, and success metrics."</li> </ul> <p><b>Current:</b> The CoC together with its partners at BFCC and CCC now have plans in place to formally and fully develop a static site for seasonal low-barrier shelter from October 1, 2022 through March 31, 2023. BFCC has expressed a willingness to serve as a host location and manage contracted services as necessary, with CCC committing to provide security screening, medical and behavioral assessment, and where appropriate, diversion to alternative community service providers whenever possible.</p> <p><b>MOA Purpose:</b> This MOA is intended to clarify expectations of all parties.</p> |
| <b>PARTICIPANTS</b>            | Yellowstone County Continuum of Care (CoC), Billings First Congregational Church (BFCC), and Community Crisis Center (CCC).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>ACTIVE DATE</b>             | October 1, 2022 – March 31, 2023                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

# MEMORANDUM OF AGREEMENT FOR SEASONAL LOW BARRIER SHELTER OCTOBER 1, 2022 – MARCH 31, 2023

**FORMAL AGREEMENTS:** Participants agree to the following:

|                                                                                                                                                                                                                                                        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>1. Yellowstone County CoC Agrees To:</b>                                                                                                                                                                                                            |
| Coordinate communication and reporting to Billings City Council as required by the terms of any grant proposal, and if necessary, serve as primary signatory on any MOA developed with the City of Billings.                                           |
| Create and maintain a project within its Homeless Management Information System for enrolling shelter guests, tracking related data, and pulling project reports as requested by MOA participants.                                                     |
| Provide technical assistance and support to Billings First Congregational Church and the Community Crisis Center as requested and appropriate.                                                                                                         |
| <b>2. Community Crisis Center Agrees To:</b>                                                                                                                                                                                                           |
| Serve as fiscal agent and primary administrator of funds from the City of Billings, ensuring all MOA participants are justly compensated in the manner outlined in final project budget, to be formalized no later than Aug. 31, 2021.                 |
| Employ appropriately-trained staff to work on site at Billings First Congregational Church to provide security screening, required assessments, and diversion to alternate partners, as appropriate.                                                   |
| Act as liaison for CoC Coordinated Entry System, conducting nightly tracking of shelter diversion, including but not limited to: 1) referrals to community partners and 2) overnight stays by clients.                                                 |
| Conduct and offer regular trainings on de-escalation and trauma-informed care training to contracted security, staff, and/or volunteers at Billings First Congregational Church.                                                                       |
| Deliver transport from Billings First Congregational Church to the Community Crisis Center for guests deemed to be in crisis and/or in need of care beyond what is available at the low-barrier shelter site.                                          |
| Provide assistance and support to Billings First Congregational Church as requested and appropriate.                                                                                                                                                   |
| <b>3. Billings First Congregational Church Agrees To:</b>                                                                                                                                                                                              |
| Accept and utilize designated funding from the City of Billings for shelter operations, and comply with all terms and conditions in the grant proposal.                                                                                                |
| Oversee all shelter operations, starting no later than Oct. 1, 2022 and ending no earlier than Mar. 31, 2023.                                                                                                                                          |
| Assume responsibility for shelter staffing, laundry and janitorial services, and other operations and incidentals, upon the dates stated above.                                                                                                        |
| Act as project lead for CoC Homeless Management Information System, assuming responsibility for entering all required data, and developing mechanisms for 1) determining number of unique individuals served and 2) nightly tracking of shelter stays. |

Shelter services provided by Billings First Congregational Church are owned and managed by the Church, with technical assistance from the Community Crisis Center and the Yellowstone County CoC. MOA participants agree and affirm this project is not affiliated with the former Off The Streets site operated by the CoC, nor the newly-established corporation of the same name.

This MOA is entered into voluntarily. Participants acknowledge this Agreement constitutes a statement of mutual understanding and intentions. Agreement may be modified with written consent of all parties.

**MEMORANDUM OF AGREEMENT  
FOR SEASONAL LOW BARRIER SHELTER  
OCTOBER 1, 2022 – MARCH 31, 2023**

**AUTHORIZED SIGNATURES:**

Signature: \_\_\_\_\_  
Kari Boiter, Board President, Yellowstone County CoC

Date: \_\_\_\_\_

Signature: \_\_\_\_\_  
MarCee Neary, Director, Community Crisis Center

Date: \_\_\_\_\_

Signature: \_\_\_\_\_  
Lisa Harmon, Senior Pastor, Billings First Congregational Church

Date: \_\_\_\_\_

DRAFT

## **LOW-BARRIER SHELTER QUESTIONNAIRE**

1. Can you provide low-barrier shelter from October 1, 2022 – March 31, 2023?  
**YES**
2. What is your monthly budget for doing so?  
**\$30,000**
3. Where will low-barrier shelter services be located this winter?  
**Billings First Congregational Church**
4. What is the capacity that can be served nightly?  
**40-60**
5. Is the location compliant with building and fire codes OR are you willing to make modifications requested by the Fire Marshal and Building Inspector in order to bring the facility into compliance prior to October 1, 2022?  
**Similar to the emergency shelter operated earlier this year, Billings First Congregational Church and its community partners will work with the Fire Marshal and Building Inspector to ensure the shelter space is suitable for overnight occupancy.**
6. What hours of day/night will low-barrier shelter be open?  
**A 12-hour period overnight, TBD based on community need and partner capacity. Initial plans call for hours of operation from 7pm – 7am, with 6:30pm – 6:30am also being considered to equalize the gap between the available hours of programs at St. Vincent de Paul (8:00am – 5:00pm).**
7. Do you have operational procedures developed and/or in place?  
**YES**
8. How will you prevent liability and/or insure a low-barrier shelter?  
**Individual partners will carry insurance and/or liability for their facilities, staff and volunteers, with the contracted security obtained by Billings First Congregational Church required to carry an additional general liability policy with coverage of at least \$1,000,000.00**

9. Do you offer a warm handoff between service providers?  
**YES**
10. Do you plan to provide transportation to/from other service providers?  
**On a limited basis, primarily to/from the Community Crisis Center for screening, assessment, diversion, or crisis care.**
11. Do you plan to provide congregate or non-congregate shelter?  
**Primarily congregate, with the possibility of non-congregate shelter also being explored, depending on community need and the cost involved.**
12. How will you screen guests to ensure safety and security? If this service is provided by an outside entity or community partner, do you have an MOU or contract in place?  
**YES. An MOU between the Community Crisis Center, Billings First Congregational Church, and the Continuum of Care has been drafted and is being finalized now.**
13. Do you have processes in place for diverting guests to other service providers, when appropriate, as space is available?  
**YES. Similar to past efforts to shelter unhoused neighbors on the coldest nights of the year, the Community Crisis Center will provide nightly assessment, screening, and diversion of all guests.**
14. Are you a participant in the Homeless Management Information System? If not, how will data and success metrics be tracked and shared?  
**YES. The Community Crisis Center is a participant in HMIS, with Billings First Congregational Church willing to be onboarded if necessary.**
15. Are you a participant in the Coordinated Entry System? If not, are you willing to provide a Uniform Assessment to all shelter guests and participate in biweekly case conferencing?  
**YES. The Community Crisis Center is a participant in Coordinated Entry, with Billings First Congregational Church willing to be onboarded if necessary.**

16. Will you serve minors?  
**NO. Unaccompanied minors will be diverted to Tumbleweed for services, with youth and families being diverted to Family Promise for services. This can be revisited as community need arises, based on the need of adult populations who cannot be served elsewhere.**
17. Will you serve felons, sexual and/or violent offenders?  
**YES**
18. Will you serve people who do not meet sobriety requirements?  
**Sobriety requirements are not part of the policies and procedures**
19. Will you serve people who use assistive devices (wheelchair, walker, cane, etc.)?  
**YES**
20. Will you serve people who are accompanied by a trained Service Animal?  
**Billings First Congregational Church is a Certified WISE congregation. WISE stands for Welcoming, Inclusive, Supportive, Engaged for the mental health community. As such, guest accompanied by trained Service Animals are welcome.**
21. Will you serve people who are otherwise disabled, whether physically or mentally?  
**YES**
22. Will you serve people who do not meet employment requirements?  
**Employment requirements are not part of the policies and procedures**
23. Do you have a Diversity, Equity, and Inclusion policy of any kind? If not, will you commit to serving people regardless of race or ethnicity, gender or sexual orientation, or cultural background?  
**The Continuum of Care and its partners at Billings First Congregational Church and Community Crisis Center are committed to serving people regardless of race or ethnicity, gender or sexual orientation, or cultural background. BFCC also has a non-discrimination policy in place.**

24. Will you serve people of different faiths or religious beliefs?

**The CoC and its partners are committed to serving people of all faiths and religious beliefs. Chapel services and other forms of outreach will not be required to gain access to the CoC's low-barrier shelter.**

25. Are there certain types of individuals or groups that you will not serve?

**When people are a danger to themselves or others, they will be referred for psychiatric care, treatment at the ER, or 9-1-1 will be contacted in the most extreme cases. When people are in need of immediate crisis care beyond the scope of basic sheltering, they will be referred to the Community Crisis Center. Additionally, every night during the screening and assessment process, guests will be referred to other service providers whenever appropriate, as space is available.**

26. Do you maintain a no-services list? If so, what are the criteria for being put on the list or getting taken off the list?

**Neither the CoC or Billings First Congregational Church have a no services list. On a case-by-case basis, the Community Crisis Center reserves the right to deny service to clients who have caused harm to staff, other guests, or visitors.**

27. How do you define "low barrier shelter?"

**Low barrier shelter is an option of last resort for unhoused neighbors with nowhere else to turn. The goal is to remove as many barriers to entry as possible, while providing a safe, warm, dry place for unhoused neighbors to obtain a full night's sleep.**

## **LOW-BARRIER SHELTER QUESTIONNAIRE**

1. Can you provide low-barrier shelter from October 1, 2022 – March 31, 2023?  
**Yes, provided we can obtain an adequate building.**
2. What is your monthly budget for doing so? **Depends on the building, however the monthly budget will be approximately \$40,000/month.**
3. Where will low-barrier shelter services be located this winter? **OTS is currently searching for a building.**
4. What is the capacity that can be served nightly? **Based on the building obtained, we are planning to serve at least 100.**
5. Is the location compliant with building and fire codes OR are you willing to make modifications requested by the Fire Marshal and Building Inspector in order to bring the facility into compliance prior to October 1, 2022?  
**Compliance is unknown as we have not yet obtained a building. OTS is not in a financial position to remodel any building, nor is there time to complete most renovations. The building we obtain will need to be compliant.**
6. What hours of day/night will low-barrier shelter be open? **Open those hours Saint Vincent de Paul is closed.**
7. Do you have operational procedures developed and/or in place? **Will be utilizing an advisory committee to produce.**
8. How will you prevent liability and/or insure a low-barrier shelter? **OTS has an agreement with an insurance company to provide any necessary insurance coverage.**
9. Do you offer a warm handoff between service providers? **Yes, on a limited basis.**

10. Do you plan to provide transportation to/from other service providers? **Yes, on a limited basis.**
11. Do you plan to provide congregate or non-congregate shelter? **Based on the building OTS obtains, we would have both types of shelter accommodations.**
12. How will you screen guests to ensure safety and security? If this service is provided by an outside entity or community partner, do you have an MOU or contract in place? **OTS will rely on several agency partners to provide initial and ongoing screening of all guests. OTS will employ on site security and staff to ensure all guests are kept safe.**
13. Do you have processes in place for diverting guests to other service providers, when appropriate, as space is available? **OTS anticipates the need to divert guests to other service providers based on need and building limitations. The process will be finalized by an advisory committee that will be comprised (in part) of said service providers. MOU's will be necessary.**
14. Are you a participant in the Homeless Management Information System? If not, how will data and success metrics be tracked and shared? **OTS is currently not enrolled in HMIS but plans to do so prior to opening. In addition, OTS plans to utilize Unite MT as an additional data source.**
15. Are you a participant in the Coordinated Entry System? If not, are you willing to provide a Uniform Assessment to all shelter guests and participate in biweekly case conferencing? **OTS is currently not an active participant in the Coordinated Entry System but is willing to provide a Uniform Assessment to all shelter guests and participate in biweekly case conferencing.**
16. Will you serve minors? **Yes, depending on the building obtained, OTS plans to serve minors provided there can be adequate separation and they are accompanied by a parent or adult family member.**
17. Will you serve felons, sexual and/or violent offenders? **Yes, depending on the building obtained. OTS plans to serve these populations provided there**

**can be adequate separation.**

18. Will you serve people who do not meet sobriety requirements? **OTS will serve those actively using drugs or alcohol provided they can self-toilet, are not a danger to themselves or others and are not in crisis.**
19. Will you serve people who use assistive devices (wheelchair, walker, cane, etc.)? **Yes, based on the building obtained. OTS is planning to serve these populations.**
20. Will you serve people who are accompanied by a trained Service Animal? **Yes, based on the building obtained. OTS is planning to serve these populations.**
21. Will you serve people who are otherwise disabled, whether physically or mentally? **Yes, based on the building obtained. OTS is planning to serve these populations.**
22. Will you serve people who do not meet employment requirements? **OTS will not have employment requirements.**
23. Do you have a Diversity, Equity, and Inclusion policy of any kind? If not, will you commit to serving people regardless of race or ethnicity, gender or sexual orientation, or cultural background? **No. OTS plans to serve all peoples regardless of race, ethnicity, gender, sexual orientation, or cultural background.**
24. Will you serve people of different faiths or religious beliefs? **Yes, OTS will serve all people regardless of their faith or religious beliefs.**
25. Are there certain types of individuals or groups that you will not serve? **Yes, again, based on the building obtained and the ability to segregate populations. Ideally, OTS would only “not” serve those who are a danger to themselves or others.**
26. Do you maintain a no-services list? If so, what are the criteria for being put on the list or getting taken off the list? **Yes, OTS will have a no-services list.**

**Ideally the list will be short or zero. An advisory committee will be charged with defining the ins and outs of the OTS no-services list.**

27. How do you define “low barrier shelter?” **Provide sheltering to as many homeless individuals as possible by removing their obstacles (barriers) for entering an overnight shelter.**



7/19/22

**To:** Honorable Mayor Cole, Administrator Kukulski, and Members of Council

**From:** Matt Lundgren, Executive Director Montana Rescue Mission

**Proposal:** Addressing Public Safety Community Needs Through Emergency Sheltering Services

**The Need:** Billings has experienced a dramatic increase of individuals with mental health and substance abuse issues gathering at various locations throughout our community and becoming a public health and public safety issue. These individuals are negatively impacting law enforcement, public services and private businesses. This increase has been exacerbated by the pandemic and the legalization of marijuana. The community has expressed a desire to work toward addressing this issue by directing a portion of the public safety mil levy toward mitigating this impact.

The City Council also has an opportunity to direct some funds from the marijuana tax money to help mitigate these negative impacts on public safety driven by mental health issues and substance abuse. (In harmony with our proposal, a Mobile Crisis Response Team is also necessary to meet those in crisis on our streets that are not interested in pursuing solutions and directing them to services in ways that require special training and expertise beyond the training of law enforcement. We fully support this effort.) In addition to a Mobile Crisis Response Team, once people in mental health and substance abuse crisis's are stabilized, there is a need for housing these individuals beyond the confines of a costly jail cell or the Crisis Center, which is limited to 17 beds.

**The Response:** Montana Rescue Mission proposes that we use our 75 years of expertise, our facilities and our well-trained staff to help the city address this community need. In partnership with the Mobile Crisis Response Team, Law Enforcement and the Crisis Center, we will provide an emergency shelter for people whose mental health and substance abuse issues do not require hospitalization or incarceration. Provided people are not a danger to themselves or the other clients we serve, we will welcome guests nightly to our emergency shelter seven days a week, 365 days a year. We know that homelessness is not seasonal and the needs of law enforcement and public safety for mental health and substance abuse mitigation in our city do not cease with the warm weather.

We are asking the city to take an active partnership with us by helping fund a portion of our emergency shelter service and thereby expand our ability to meet the growing community need and offer a path forward to individuals experiencing mental health and substance abuse issues combined with homelessness. Due to both the pandemic and the legalization of marijuana, we have seen homeless individuals with mental health and substance abuse issues increase 40%. This increase is straining our resources and city help is needed to avoid a larger community crisis. As individuals who are a risk to public safety with mental health and/or substance abuse issues stay with us in our emergency shelter partially funded by city dollars, they will be provided avenues through which to access our long term shelter services which include licensed addiction counseling, mental health therapy, case management, food, clothing, spiritual care, and basic medical care.

The goal of Montana Rescue Mission in this partnership with the City is to promote Public Safety by working with individuals experiencing mental health or substance abuse issues combined with homelessness and to direct them towards healthier lifestyles, more productive decision making, and ultimately, stabilization which leads to reintegration into society, an enlarged workforce, and more productive taxpaying citizens. While other entities may want to take on this sheltering responsibility by providing a bed on a part time or seasonal basis, the Montana Rescue Mission will not only provide a bed but also access to our robust stable of resources (see attached) to help individuals end their homelessness and move forward out of addiction and mental health crises.

2902 Minnesota Ave | PO Box 3232 | Billings, MT 59103 | (406) 259-3800 |  
[www.montanarescuemission.org](http://www.montanarescuemission.org)

**The Impact:** As you are aware, Montana Rescue Mission's investment in our community is substantial. We have proven this by the work we have done for the last 75 years to successfully lead thousands out of homelessness. It is also proven by our current investment in a new campus which is a \$22 million solution driven space to help aid in ending homelessness and promoting public safety in our community.

I invite you to see the attached "Services synopsis" and "Shelter Impact Data" that describes the fruit of our work at ensuring Public Safety in our community.

We know of no other organization that has our type of reach, history, housing, shelter, counseling, care, or commitment to invest in helping individuals who are a Public Safety risk and who are experiencing mental health and substance abuse issues combined with homelessness. It is our aim to honor taxpayer intent and steward taxpayer dollars to best mitigate impacts on Public Safety by providing emergency shelter services.

**Proposed Budget: Addressing Public Safety Community Needs Through Emergency Sheltering Services**

| <b>Category</b>              | <b>Annual Cost</b> |
|------------------------------|--------------------|
| Staffing:                    | \$373,300          |
| Sheltering:                  | \$ 60,000          |
| <u>Data/Admin/Overhead:</u>  | <u>\$ 76,700</u>   |
| Total Annual Budget/ Request | \$510,000          |

**Terms and Conditions:**

- 24 Month Contract.
- Payable in quarterly installments, net 30 days from invoice.
- We will operate our emergency shelter 365 days per year.
- We will accept those who are not a danger to themselves or others.
- We will accept qualifying referrals from Law Enforcement, Mobile Crisis Team, and Crisis Center, as well as walk ins.
- We will file quarterly reports with numbers served, numbers moved to our regular shelter, number of law enforcement, crisis center or mobile crisis unit referrals/hand offs as well as walk ins.
- We will meet with the City Administrator to deliver this data and provide quarterly updates.

We invite you to consider our proposal as detailed in our budget (above), impact data and operational specifics (attached).

If you have any questions or concerns, please feel free to reach out to me.

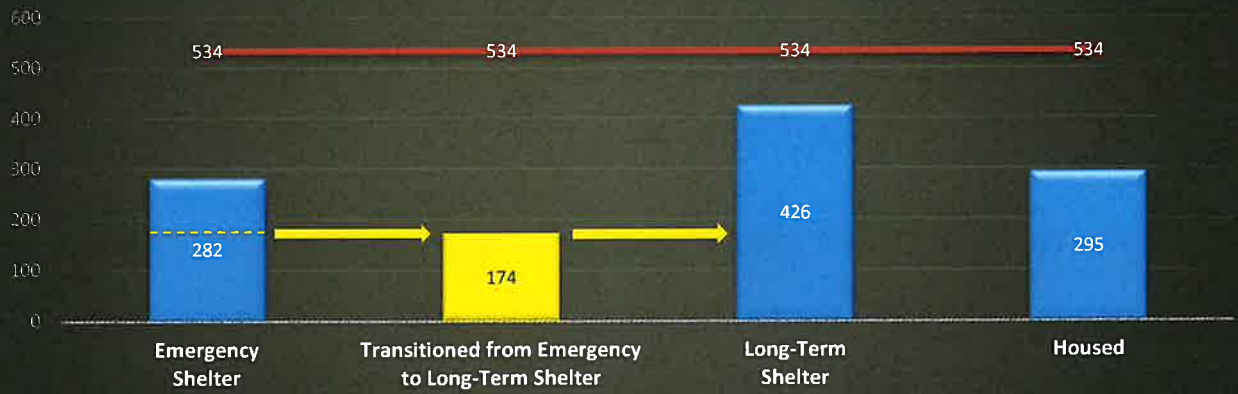
Thank you for this consideration.

Best,



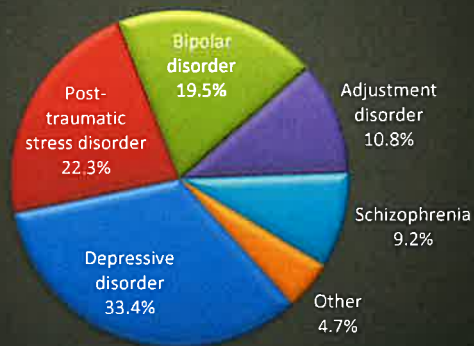
Rev. Matt Lundgren  
Executive Director  
Montana Rescue Mission

# **MRM Services Provided** 4/2022 through 6/2022 (one quarter) Total Unduplicated People Served = 534



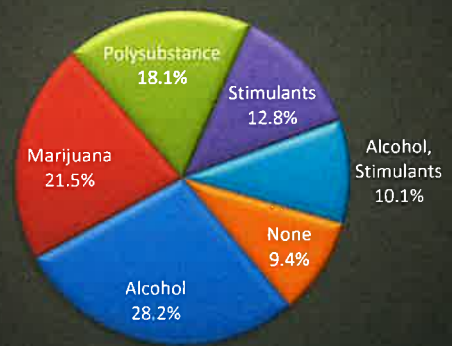
## **Population Mental Illness Diagnosis**

4/2022 through 6/2022  
 Total Unduplicated People Served = 534

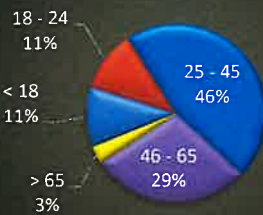


## **Population Substance Abuse Disorders**

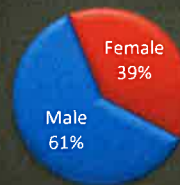
4/2022 through 6/2022  
 Total Unduplicated People Served = 534



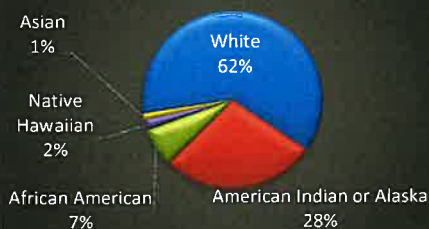
## **Age**



## **Sex**



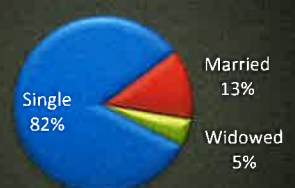
## **Race**



## **Ethnicity**



## **Marital Status**





### **Our Mission**

**To reflect the love of Jesus Christ, by providing emergency, temporary, and rehabilitative care for those experiencing hunger and homelessness.**

## **Services for those in need. Men, Women, and Family Shelter**

### **Basic Needs**

We meet basic needs, such as, meals, showers, clothing, transportation, and laundry service.

### **Shelter**

We offer safe emergency, temporary, and rehabilitative care facilities with secured entrances and surveillance systems. We provide 24/7/365 care with full support staff.

### **Behavioral Health/Case Management**

We provide comprehensive mental health and addiction services which include peer support, group therapy, individual therapy, and clinical assessments.

### **Addiction Recovery**

We provide substance abuse counseling through support and recovery groups. We offer chemical dependency evaluations.

### **Childcare/Youth Programs**

We provide preschool/afterschool programs so families can work on themselves during their stay. We offer programs for youth ages 3-19, as well as, parenting education and support.

### **Vocational Training**

We provide job skills training and internship programs to help guests gain experience to get back into the workforce.

### **Transitional Support**

We provide rental assistance and transportation to allow guests to find safe, permanent, affordable housing and a means to get back and fourth to work.

### **Medical**

We help with basic health check-ups and assist with referrals for medical support.

### **Education and Personal Growth**

We offer adult education and training to help with financial skills, life skills and healthy living skills.

### **Housing**

We help guests overcome housing barriers & assist with housing search & retention. Assist with essential housing needs, such as furniture and cookware and provide household management coaching.

LIVES • CHANGE • HERE

For More Information or to Learn About How We Can Help,  
Please Visit us at 2822 Minnesota Avenue, Billings, MT 59101

[www.montanarescuemission.org](http://www.montanarescuemission.org)

# **LOW-BARRIER SHELTER QUESTIONNAIRE**

## **Montana Rescue Mission Responses 7/20**

- 1. Can you provide low-barrier shelter from October 1, 2022 – March 31, 2023?**

Montana Rescue Mission has been and will continue to provide our Emergency Shelter (AKA) low-barrier shelter. We will certainly offer it during this specified timeframe.

- 2. What is your monthly budget for doing so?**

Approximately \$300,000 per year or \$25,000 per month with current hours of operation and services.

- 3. Where will low-barrier shelter services be located this winter?**

Our Emergency Shelter will be located on our campus at 2822 Minnesota Ave.

- 4. What is the capacity that can be served nightly?**

We have enough space to accommodate as many people as needed. We can expand if necessary.

- 5. Is the location compliant with building and fire codes OR are you willing to make modifications requested by the Fire Marshal and Building Inspector in order to bring the facility into compliance prior to October 1, 2022?**

Yes.

- 6. What hours of day/night will low-barrier shelter be open?**

We can be open whenever we perceive the homeless community needs us. Currently we are open from 10PM to 6AM for Emergency Shelter. We can expand if there is a verified need.

- 7. Do you have operational procedures developed and/or in place?**

Yes.

- 8. How will you prevent liability and/or insure a low-barrier shelter?**

We have insurance and have safety training and safety procedures in place.

**9. Do you offer a warm handoff between service providers?**

Yes.

**10. Do you plan to provide transportation to/from other service providers?**

Yes.

**11. Do you plan to provide congregate or non-congregate shelter?**

Depends on the individual guest's need. Both are available.

**12. How will you screen guests to ensure safety and security? If this service is provided by an outside entity or community partner, do you have an MOU or contract in place?**

We screen guests in house. We have 75 years of experience screening guests.

**13. Do you have processes in place for diverting guests to other service providers, when appropriate, as space is available?**

Yes.

**14. Are you a participant in the Homeless Management Information System? If not, how will data and success metrics be tracked and shared?**

Yes. Both HMIS and other databases. Our state HMIS is not user friendly, provides inconsistent data reports, has HIPAA violation issues, and is not customizable to meet the need of an organization that does more than assessments. As a result, Montana Rescue Mission is still enrolled in HMIS, but adopted an additional database to meet the data needs that HMIS does not supply.

**15. Are you a participant in the Coordinated Entry System? If not, are you willing to provide a Uniform Assessment to all shelter guests and participate in biweekly case conferencing?**

We find the Uniform Assessment to be a barrier to entry to our emergency shelter guests and MRM does not feel comfortable forcing guests to complete assessments in order to spend a night in a warm and safe place. If a guest would like to participate, they are welcome to. After basic needs are met, guests are more willing to share their basic information.

**16. Will you serve minors?**

Yes, in their own space.

**17. Will you serve felons, sexual and/or violent offenders?**

Yes.

**18. Will you serve people who do not meet sobriety requirements?**

Yes.

**19. Will you serve people who use assistive devices (wheelchair, walker, cane, etc.)?**

Yes.

**20. Will you serve people who are accompanied by a trained Service Animal?**

Yes.

**21. Will you serve people who are otherwise disabled, whether physically or mentally?**

Yes.

**22. Will you serve people who do not meet employment requirements?**

Yes.

**23. Do you have a Diversity, Equity, and Inclusion policy of any kind? If not, will you commit to serving people regardless of race or ethnicity, gender or sexual orientation, or cultural background?**

Yes.

**24. Will you serve people of different faiths or religious beliefs?**

Yes.

**25. Are there certain types of individuals or groups that you will not serve?**

No. However, individuals who are a threat to themselves or others will be served after evaluation, mitigation and release from a qualified entity.

**26. Do you maintain a no-services list? If so, what are the criteria for being put on the list or getting taken off the list?**

Yes. Our no services list works the same way as the Crisis Center. If a person was placed on a no-services list, they can meet with staff to request admission.

**27. How do you define “low barrier shelter?”**

Our Emergency Shelter/low barrier program has trauma informed and harm reduction service approach. People utilizing this service don't have sobriety, work or other “barrier” requirements, but rather behavioral expectations.

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**City Council Regular**

**Date:** 09/26/2022  
**Title:** Resolution establishing Council committees  
**Presented by:** Gina Dahl  
**Department:** Legal  
**Presentation:** No  
**Legal Review** Not Applicable

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**RECOMMENDATION**

Staff recommends Council adopt the resolution establishing Council committees.

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

In April 2022, Councilmember Shaw presented a Council Initiative to establish a legislative and county relations committee. Since that time, Councilmembers Owen and Shaw worked together to present an updated proposal to establish a legislative, budget and finance, local affairs, and Council operations committee. They provided a draft resolution setting forth the purpose, scope, and term for the committees which was presented at the September 19 work session. City staff advised Council that a formal resolution is not necessary to create committees of Council. Council agreed the resolution is appropriate and should be placed on a regular business meeting agenda for formal consideration.

At the September 19 work session, Council members had questions about the logistics of public notice and archiving records of committee meetings. There was also a concern expressed about the committee meetings if a quorum of Council was present.

City code section 2-223 requires that any Council committees must comply with all applicable open public meetings laws. Therefore, notice of any committee meetings must be provided to the public, the public must be allowed to participate, and minutes of any meetings must be kept in accordance with the law.

In order to provide notice of any committee meetings, the committee should develop an agenda in advance of the meeting and provide it to the clerk's office for publication. The clerk's office must be advised of the meeting sufficiently in advance so that notice of the agenda can be provided to the public. This is at least 48 hours in advance of the meeting but the Clerk generally requests the agendas be published 5 business days prior to the meeting. The agenda for these committee meetings should also provide an opportunity for public comment.

To satisfy the requirements of state law and city code, minutes shall include the following:

- (1) Date, time, and place of meeting;
- (2) A list of the individual members of the public body, agency, or organization in attendance;
- (3) The substance of all matters proposed, discussed, or decided; and
- (4) At the request of any member, a record by individual members of any votes taken.

Minutes must be open and available to the public. Following any committee meeting, the minutes should be provided to city staff so the documents can be stored and made available to the public on the City website. The City website will need to be updated to provide a webpage for Council committees with links to the agendas and minutes. If the committee decides to keep an electronic recording of the meeting as the official minutes, state law (2-3-212) requires a log or time stamp for each main agenda item for the purpose of providing assistance to the public in accessing that portion of the meeting. If the committee decides the official minutes will be a recording of the committee meeting, it will need to be determined what type of recording will be made and what type of equipment will be used to make the recordings. City Administration will need to determine which staff will be responsible for the creation of the webpage and posting/storing the materials.

It will be important for the committee members to understand the purpose and scope of the committees. It is possible that a quorum of Council members will be present at a committee meeting and any action taken by a quorum of Council is only appropriate at a regular business meeting. The proposed resolution establishing the committees sets forth the purpose and scope of the committees so that Council members appointed to each committee will understand their role as well as the purpose of the committee.

**ALTERNATIVES**

City Council may:

- Approve; or,
- Not Approve

#### **FISCAL EFFECTS**

The fiscal effects include Council and city staff time and resources to make the changes required to implement the Council committees.

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#### **Attachments**

Resolution

## **RESOLUTION 22-\_\_\_\_\_**

### **A RESOLUTION ESTABLISHING STANDING COUNCIL COMMITTEES**

WHEREAS, the City desires to have a more comprehensive approach to policy making, and

WHEREAS, Billings, Montana City Code Section 2-223 authorizes the city council to create from its number council committees as needed.

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

1. The following standing Council committees are established:

a. Budget & Finance Committee

- i. Three Council Members appointed by the Mayor
- ii. Scope: This committee focuses on development of the CIP and city budget in conjunction with staff; budget amendment process; debt issuance; and contracts relating to budget and finance items like cost allocation, fee studies, audits, and other professional services.

b. Legislative Committee

- i. Five Council Members appointed by the Mayor
- ii. Scope: This committee oversees the development of legislative proposals on behalf of the city of Billings; tracks relevant legislative committees, sub-committees, and policy developments; serves as a liaison to Billings-area legislators, and coordinates testimony among the Mayor, Council Members, and City Administrator.
- iii. This committee may focus on federal legislation as the need arises, or when asked to do so by a majority vote of council.
- iv. This committee is specifically prohibited from expressing a formal city position on any legislation without approval from City Council.

c. Local Affairs Committee

- i. Two Council Members appointed by the Mayor
- ii. Scope: This committee is jointly established with consent and participation of the Yellowstone County Commission and the Billings Public Schools Board. This committee focuses on areas of shared importance among local government bodies, including public safety, emergency planning, education and workforce,

economic development, long-term planning, and coordination of state and federal grant requests.

- iii. Lack of participation from any of the joint entities shall not prohibit the formation or operation of this committee.

d. Council Operations

- i. Mayor, Deputy Mayor, and Mayor Pro Tempore
- ii. Scope: this committee oversees general Council operations and logistics, including agenda development, Council meeting rules, strategic planning processes, new member orientation, and City Administrator annual review processes.

2. The purpose of these standing committees is for Council to explore policy and finance issues in depth. Committee meetings are open to the public and public comment is taken during the meetings. Minutes will be kept in accordance with all Montana open meeting laws.
3. Council Member terms on the committees are two years, beginning the January after each municipal election, except that:
  - a. Terms for the initial establishment of the committees will be from the effective date of this resolution through December 2023;
  - b. Council members are not permitted to remain on the same committee for two consecutive terms; and
  - c. Member terms on the Council Operations Committee shall last for the time period that a Council Member is elected to the designated leadership positions.
4. Except for the Council Operations Committee, no two Council Members from the same Ward shall sit on a committee at the same time. The Mayor shall only sit on the Council Operations Committee, but shall be considered an ex officio member of all remaining committees. Council Members are free to attend any committee meeting they wish and may be requested to participate in an advisory role on specific matters within a committee's jurisdiction.
5. No committee is authorized to take binding action on behalf of the City of Billings or speak on behalf of City Council. The sole purpose of the committees is to provide recommendations to the full Council. Committees may request the City Administrator provide staff support necessary to the work of the committee.
6. Within 30 days of the effective date of the resolution, Council Members shall be appointed to the committees and each committee shall hold an organizational meeting to establish the general rules of the committee, including meeting date, time, and place. The committee shall report their proposed rules to the Council and, in that report, shall indicate whether staff support is requested. Committee

rules shall be reviewed annually, and any proposed changes shall be submitted to Council.

7. EFFECTIVE DATE. This resolution shall be effective upon adoption.

ADOPTED AND APPROVED by the City Council of the City of Billings, Montana,  
on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

CITY OF BILLINGS

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

ATTEST:

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