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 this meeting in person in the Billings Public Library Community Room, 510 N. Broadway. 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.)* Channel 7 or Channel 978 - TDS Fiber.
  - 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.

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

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

CITY OF Billings

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

CITY COUNCIL
REGULAR BUSINESS MEETING

AGENDA
REVISED
TITLE CORRECTION TO CONSENT AGENDA ITEM 1B AND REGULAR AGENDA ITEM 4, COUNCILMEMBER APPOINTMENT

BILLINGS PUBLIC LIBRARY - COMMUNITY ROOM
510 N. Broadway

JANUARY 27, 2025

5:30 P.M.

CALL TO ORDER: Mayor Cole

PLEDGE OF ALLEGIANCE: Mayor Cole

INVOCATION: Councilmember Shaw

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

MINUTES: January 13, 2025

COURTESIES:

PROCLAMATIONS:

COUNCIL REPORTS:

ADMINISTRATOR REPORTS - CHRIS KUKULSKI

PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Items: 1, 4 and 5 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. **Corrosion Inhibited Solid Sodium Chloride.** (Opened 1/7/25) Recommend Desert Mountain.
2. **Coulson Park North/South Improvements.** (Opened 10/1/24) Recommend K2 Civil.

B. **Contract** with Orion Planning and Design for completion of a land use plan and future land use map.

C. **Amendment No. 2, W.O. 23-96:** Water Treatment Plant Intake No. 2 Catwalk Improvements; AE2S.

D. **Change Order No. 4, W.O. 19-12: West End Reservoir Project;** Dick Anderson Construction, Inc.

E. **Amend Park Development Council** 2025 budget for Amend Park.

F. **Billings American Legion Baseball** 2025 annual budget for Pirtz Field.

G. **Exchange City Golf Corporation** 2025 annual budget for Par 3 Golf Course.

H. **Acceptance** of annual Federal Aviation Administration Airport Improvement Program grants.

I. **Donations** to the Billings Public Library from various donors.

J. **Resolution** establishing compliance with reimbursement under Internal Revenue Code for Amend Recreation Campus.

K. **Second/Final Reading Ordinance** for Zone Change 1059: Zimmerman Home Place, 3rd Filing.

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

1. December 23, 2024
2. December 30, 2024

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 FIRST READING ORDINANCE FOR ZONE CHANGE 1056**: High Sierra Subdivision. Zoning Commission recommends denial. *Quasi-Judicial

Recommended Motion: Having conducted a public hearing, considered written and spoken testimony, I move to deny First Reading Ordinance for Zone Change 1056, as recommended by the Zoning Commission.

3. **PUBLIC HEARING AND FIRST READING ORDINANCES** amending Billings, Montana City Code, Sections:

a. 24-411, Parking for Camping Purposes

Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve the first reading ordinance amending Section 24-411, Parking for Camping Purposes, as recommended by staff.

b. 18-1100, Graffiti

Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve the first reading ordinance amending Section 18-1100, Graffiti, as recommended by staff.

c. 18-1302, Civil Citations and Requirements

Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve the first reading ordinance amending Section 18-1302, Civil Citations and Requirements, as recommended by staff.

d. 6-1300, Display of Address Numbers

Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve the first reading ordinance amending Section 6-1300, Display of Address Numbers, as recommended by staff.

e. 13-400, Business, Occupation and Profession Tax

Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve the first reading ordinance amending Section 13-400, Business, Occupation and Profession Tax, as recommended by staff.

4. **MAYOR'S APPOINTMENT** of TJ Rogers for Ward III Councilmember replacement.

   Recommended Motion: I move to approve the Mayor's appointment of TJ Rogers for Ward III Councilmember replacement.

5. **COUNCIL APPOINTMENTS TO COMMUNITY BOARDS AND/OR COMMITTEES AND COUNCIL SUBCOMMITTEES.** Staff recommends City Council determine which Councilmembers will fill vacancies to serve on various community boards and/or committees and Council subcommittees.

   Recommended Motion: I nominate XXXXX to be appointed to serve on the Beartooth RC&D Board; and XXXXXXXXX to be appointed to serve on the Community Development Board.

   Recommended Motion: I nominate XXXX to be appointed to the Legislative and Local Affairs Council Subcommittee.

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:

1. Vehicle Allowances / Staff Mileage. (CM Kennedy)

ADJOURN:

Council Chambers are readily accessible to individuals with physical disabilities.

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

~ ~ ~

City Council Regular

Date: 01/27/2025
Title: Corrosion Inhibited Solid Sodium Chloride
Presented by: Debi Meling
Department: Public Works
Presentation: No
Legal Review: Not Applicable
Project Number: N/A

RECOMMENDATION

Staff recommends the City Council approve the purchase of Corrosion Inhibited Solid Sodium Chloride for $176.00 per ton from Desert Mountain for one year with the option of purchasing the material for years two and three based on the mutual consent of the City and the Supplier.

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

The Public Works Department uses Corrosion Inhibited Solid Sodium Chloride material on City streets and roads during the winter months as an aid in ice and snow removal. On average, between 800 and 2,000 tons of this material is used in a snow season. The bid for the Corrosion Inhibited Solid Sodium Chloride material was advertised on December 20 and 27 in the Yellowstone County News and on the City's website. Bids were opened on January 7, 2025 and 2 bids were received. Desert Mountain submitted the lowest responsible bid.

ALTERNATIVES

City Council may:

- Approve the award for the purchase of the Corrosion Inhibited Solid Sodium Chloride material; or,
- Not approve the award for the purchase of the Corrosion Inhibited Solid Sodium Chloride material. If not awarded, the Public Works Department will not be able to place material at the intersections to help melt snow which will increase safety concerns and diminish the level of service citizens have come to expect.

FISCAL EFFECTS

The following bids were received:

Vendor	Price per ton each Year	Vendor	Price per ton each Year
Desert Mountain	$176.00 /Ton Year 1	Envirotech Services	$300.00/Ton Year 1
Desert Mountain	$179.00/Ton Year 2	Envirotech Services	$309.00/Ton Year 2
Desert Mountain	$182.00/Ton Year 3	Envirotech Services	$320.00/Ton Year 3

The Corrosion Inhibited Solid Sodium Chloride material is budgeted in FY25 using Street and Traffic Funds. The price is a 10% increase over the price in the current agreement which was anticipated for this product. There is sufficient budget to award this bid.

City Council Regular

Date:	01/27/2025
Title:	Coulson Park North/South Improvements Construction Bid Award
Presented by:	Brad Wright
Department:	Parks/Rec/Public Lands
Presentation:	No
Legal Review:	Not Applicable
Project Number:	N/A

RECOMMENDATION

PRPL staff recommends the City Council award a contract base bid for Coulson Park North/South Improvements to K2 Civil in the amount of $249,179. This includes the base bid of $192,784 and alternate 1 for $56,395.

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

The funding for this project is from a NRDP (Natural Resource Damage Program) grant. This agenda item is contingent on Council accepting and approving the use of funds. The North/South improvements are a combined project. The need for combining the project was due to the fact the original consulting firm that designed the master plan and was to administer construction services was no longer in business. Steiner Thuesen combined plans for each and made it one project. The project includes a new restroom, 60x40 shelter, updated sidewalks, trails, and parking areas. A new trail will also be installed connecting the north and south areas. These were accepted funds from flooding in 2018. Attached is the council memo and the contract. Although the park was partially open to the public over the last 7 years, the bulk of the park was shutdown due to covid and worked performed by Phillips 66 and Sletten Construction.

Project bids were opened on October 1, 2024.

STAKEHOLDERS

Billings Parks and Recreation, City of Billings

ALTERNATIVES

City Council may: Approve the bid from K2 Civil, or reject all bids and not approve.

FISCAL EFFECTS

Funding is coming from a NRDP Grant in the amount of $332,949.75. An additional $24,000 is currently being held by PRPL. PRPL will be responsible for ordering a prefabricated restroom and a 60x40 shelter. Installation costs of these items are covered by K2 Civil's bid. There will be approximately $59,770 remaining for bathroom and additional upcoming work. The current operating budget is approximately 20-22% of the master plan budget of $1,759,729.00. This budgetary number was determined in 2019. We do not expect to hire any FTEs. Any additional work added because of the improvements should still be handled in the allotted time that a park employee is already onsite. With proper maintenance we expect the restroom and shelter to surpass the suggested life expectancy by the manufacturer.

Attachments

Invitation to bid
K2 Bid Packet
BId Bond
Coulson Park Construction Drawings
Council Memo 2018
DOJ Contract
TO5

SECTION 00100

INVITATION TO BID

Separate sealed bids for the construction of Coulson Park North & South Improvements will be received by the Billings City Clerk, P.O. Box 1178, Billings, MT 59103 or bids@billingsmt.gov until 2:00 p.m. local time on Tuesday, October 1, 2024, and then publicly opened and read aloud. The bid opening will be via Facebook Live on the City's Facebook page: Billings MT City Government.

The project consists of: Fencing modifications, earthwork, sidewalk, trails, seating, site furnishings, shelter construction, restroom installation, parking, signage, and seeding.

The bidding documents consisting of Drawings and Project Manual may be examined or obtained at the office of STEINER THUESEN PLLC; 1925 Grand Avenue Suite 105, Billings, MT 59102 in accordance with Article 2.1 of Instructions To Bidders. Required deposit is $100.00 per set, which is not refundable. There is no charge for digital copies. Bidders submitting bids as a General Contractor must obtain a set of plans from the Landscape Architect and be listed on the Landscape Architect's Planholders list in accordance with Article 2.3 of the Instructions to Bidders. Bidding documents may also be examined at City of Billings PRPL, 390 N. 23rd Street Billings, MT 59101, and www.montanabid.com

There will be a non-mandatory Pre-Bid Conference at 10:00 AM on September 23, 2024. The Pre-Bid Conference will be held at 390 N. 23rd Street, Billings MT 59101. Interested CONTRACTORS are encouraged to attend.

CONTRACTOR and any of the CONTRACTOR'S subcontractors bidding or doing work on this project will be required to be registered with the Montana Department of Labor and Industry (DLI). Forms for registration are available from the Department of Labor and Industry, P.O. Box 8011, 1805 Prospect, Helena, Montana 59604-8011. Information on registration can be obtained by calling 1-406-444-7734. All laborers and mechanics employed by CONTRACTOR or subcontractors in performance of the construction work shall be paid wages at rates as may be required by the laws of Yellowstone County and the state of Montana. The CONTRACTOR must ensure that employees and applicants for employment are not discriminated against because of their race, color, religion, sex or national origin.

Each bid or proposal must be accompanied by a Certified Check, Cashier's Check, or Bid Bond payable to the "City of Billings, MT" in an amount not less than ten percent (10%) of the total amount of the bid. Successful BIDDERS shall furnish an approved Performance Bond and a Labor and Materials Payment Bond, each in the amount of one hundred percent (100%) of the contract amount. Insurance as required shall be provided by the successful BIDDER(s) and a certificate(s) of that insurance shall be provided. Bids submitted via email shall have the bid bond scanned and included with the bid. Bids submitted via mail shall have any of the bid securities included.

No bid may be withdrawn after the scheduled time for the public opening of bids, which is 2:00 p.m. local time, Tuesday, October 1, 2024.

For further information concerning this project, please contact Nathan Steiner, ASLA with STEINER THUESEN PLLC by telephone at (406) 252-5545 or by email at nathan@steinerthuesen.net or John Gayvert with Parks, Recreation, and Public Lands by telephone 406-657-8369 or by email GayvertJ@billingsmt.gov at 390 N 23rd St, Billings, MT 5910. End of day on Thursday, September 26, 2024 is the last day for questions.

The right is reserved to reject any or all proposals received, to waive informalities, to postpone the award of the contract for a period of not to exceed sixty (60) days, and to accept the lowest responsive and responsible bid which is in the best interest of the OWNER.

The City of Billings is an Equal Opportunity Employer.

Published on September 6, September 13, and September 20.

Denise R. Bohlman
Billings City Clerk
P.O. Box 1178
Billings, MT 59103

Dept:	PRPL
Published:	September 6, 2024
	September 13, 2024
	September 20, 2024

Billings
PARKS
AND RECREATION

STEINER
THUESEN
PLLC
GOLF COURSE ARCHITECTURE
IRRIGATION DESIGN
LANDSCAPE ARCHITECTURE
1925 GRAND AVE. SUITE 105
P.O. BOX 22943
BILLINGS, MT 59104
406/252-5545 FAX 245-9855

BID SUBMITTAL PACKAGE

COULSON PARK NORTH & SOUTH IMPROVEMENTS

BID SUBMITTED BY:

_____

THESE DOCUMENTS MUST BE EXECUTED FOR BID

- [✓] **BID FORM (COMPLETED)**
- [✓] **ADDENDUMS (ACKNOWLEDGED IN BID FORM)**
- [✓] **10% BID SECURITY (ENCLOSED)**
- [✓] **UNIT PRICES PER SP-43 (COMPLETED)**

- Bids submitted via email shall have the **bid bond** scanned and included with the bid. Emailed bids should be sent to bids@billingsmt.gov
- Bids submitted via mail shall have any of the bid securities included. Mailed bids should be sent to City of Billings, PO Box 1178, Billings, MT 59103.
- Bids submitted via hand delivery shall have any of the bid securities included. Hand delivered bids should be delivered to City of Billings at the Office of the City Clerk, 210 N. 27th Street, Billings, MT 59101.

SECTION 00300

BID FORM

PROJECT IDENTIFICATION:

Coulson Park North & South Improvements

(Name of Project)

Charlene Street
Billings, Montana 59102

(Location)

CONTRACT IDENTIFICATION AND NUMBER:

Coulson Park North & South Improvements

THIS BID SUBMITTED TO:

City of Billings
bids@billingsmt.gov

or

City of Billings
P.O. Box 1178
Billings, MT 59103

1.01 The undersigned Bidder proposes and agrees if this Bid is accepted, to enter into an Agreement with Owner in the form included in the Bidding Documents, to perform and furnish all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.

2.01 Bidder accepts all of the terms and conditions of the Advertisement or Invitation to Bid, and Instructions to Bidders, including without limitations those dealing with the disposition of Bid Security. This Bid will remain subject to acceptance for sixty (60) days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.

3.01 In submitting this Bid, Bidder represents, as set forth in the Agreement, that:

A. Bidder has examined and carefully studied the Bidding Documents, other related data identified in the Bidding Documents, and the following Addenda, receipt of all which is hereby acknowledged:

Addendum No.	Addendum Date
1	9/23/24
2	9/27/24

B. Bidder has visited the Site and become familiar with and is satisfied as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work

C. Bidder is familiar with and is satisfied as to all federal, state and local Laws and Regulations that may affect cost, progress, and performance of the Work.

D. Bidder has carefully studied all (1) reports of explorations and tests of subsurface conditions at or contiguous to the Site and all drawings of physical conditions in or relating to existing surface or subsurface structures at or contiguous to the Site (except Underground Facilities) which have been identified in the Special Provisions as provided in paragraph 4.02 of the General Conditions, and (2) reports and drawings of a Hazard Environmental Condition, if any, which has been identified in the Special Provisions as provided in paragraph 4.06 of the General Conditions.

E. Bidder has obtained and carefully studied (or assumes responsibility for having done so) all additional or supplementary examinations, investigations, explorations, tests, studies and data concerning conditions (surface, subsurface and Underground Facilities) at or contiguous to the Site which may affect cost, progress, or performance of the Work or which relate to any aspect of the means, methods, techniques, sequences, and procedures of construction expressly required by the Bidding Documents to be employed by Bidder, and safety precautions and programs incident thereto.

F. Bidder does not consider that any further examinations, investigations, explorations, tests, studies or data are necessary for the determination of this Bid for performance of the Work at the price(s) bid and within the times and in accordance with the other terms and conditions of the Bidding Documents.

G. Bidder is aware of the general nature of the Work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.

H. Bidder has correlated the information known to Bidder, information and observations obtained from visits to the Site, reports and drawings identified in the Bidding Documents, and all additional examinations, investigations, explorations, tests, studies and data with the Bidding Documents.

I. Bidder has given Engineer/Architect written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and the written resolution thereof by Engineer/Architect is acceptable to Bidder .

J. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance of the Work for which this Bid is submitted.

4.01 Bidder further represents that this Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation; Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; Bidder has not solicited or induced any person, firm or corporation to refrain from bidding; and Bidder has not sought by collusion to obtain for itself any advantage over any other Bidder or over Owner.

The Bidder certifies that no official of the Owner, Engineer/Architect or any member of such officials immediate family, has direct or indirect interest in the pecuniary profits or Contracts of the Bidder.

5.01 The Bidder will complete the Work in accordance with the Contract Documents for the following price(s):

LUMP SUM BID

Base Bid:

TOTAL LUMP SUM BID PRICE $ 192,784.00
(Figures)

TOTAL LUMP SUM BID PRICE One Hundred Ninety Two Thousand Seven Hundred Eighty Four Dollars and No Cents
(Words)

Additive [or Deductive] Alternate(s):

Alternate No. 1: Shelter Installation

TOTAL LUMP SUM ALTERNATE PRICE $ 56,395.00
(Figures)

TOTAL LUMP SUM ALTERNATE PRICE Fifty Six Thousand Three Hundred Ninety Five Dollars and No Cents
(Words)

Alternate No. 2: Concrete at Trail Between Restroom and Existing Trail

TOTAL LUMP SUM ALTERNATE PRICE $ 6,570.00
(Figures)

TOTAL LUMP SUM ALTERNATE PRICE Six Thousand Five Hundred Seventy Dollars and No Cents
(Words)

Alternate No. 3: Concrete at Trail Between Existing Trail and Fire Pit

TOTAL LUMP SUM ALTERNATE PRICE $ 4,125.00
(Figures)

TOTAL LUMP SUM ALTERNATE PRICE Four Thousand One Hundred Twenty Five Dollars and No Cents
(Words)

A. Lump Sum Prices have been computed in accordance with 11.01 of the General Conditions.

B. The OWNER reserves the right to reject any or all bids.

6.01 Bidder agrees that the Work will be substantially completed and competed and ready for final payment in accordance with 14.07 of the General Conditions on or before the dates or within the number of calendar days indicated in the Agreement.

6.02 Bidder accepts the provisions of the Agreement as to liquidated damages in the event of failure to complete the Work within the times specified above, which shall be stated in the Agreement.

7.01 The following documents are attached to and made a condition of the Bid:

A. Required Bid security in the amount of 10% of the maximum Bid price including alternates, if any, and in the form identified in the Instructions To Bidders.

B. Unit Prices, See Special Provisions.

8.01 The terms used in this Bid with the initial capital letters have the meanings indicated in the Instructions To Bidders, General Conditions, and the Supplementary Conditions.

SUBMITTED on October 1, 2024.
(Date)

Montana Contractor's Registration # (if any) 261453

Montana Contractor's Gross Receipts Account # 6827193-003-CGR
(Example: XXXXXX-XXX-CGR)
Employer's Tax ID No. 87-0840189

If BIDDER is:

An Individual: _____
(Name typed or printed)
By: _____
(Individual's Signature)
Doing business as: _____

Business Address: _____

_____

Phone No.: _____ FAX No: _____

A Partnership: _____
(Partnership Name)
By: _____
(Signature)

_____
(Name, typed or printed)
Business Address: _____

_____

Phone No.: _____ FAX No: _____

A Corporation: K2 Civil, inc.

(Corporation Name)

State of Incorporation: Montana

Type (General Business, Professional, Service, Limited Liability): General Business

By: _____

(Signature of person authorized to sign)

Title: Vice President

Attest: _____

(Signature)

Business Address: 6611 Trade Center Ave. Billings, MT 59101

Phone No.: 406-325-6001 FAX No: 406-325-6002

Date of Qualification To Do Business Is: June 2022

_____

(Corporate Seal)

A Joint Venture: Each Joint Venture Must Sign

Joint Venturer Name: _____

(Name)

By: _____

(Signature of Joint Venture Partner)

Name: _____

(Name, printed or typed)

Title: _____

Business Address: _____

Phone No.: _____ FAX No: _____

Joint Venturer Name:_____
(Name)

By:_____
(Signature of Joint Venture Partner)

Name:_____
(Name, printed or typed)

Title:_____

Business Address:_____

_____

Phone No.:_____FAX No: _____

Address of Joint Venture for Receipt of Official Communication:
Address:_____

_____

Phone No.:_____FAX No: _____

(Each Joint Venture must sign. The manner of signing for each individual, partnership and corporation that is a party to the joint venture should be in the manner indicated above.)

END OF SECTION

SP-43 UNIT PRICES

The following unit prices may be used to adjust the contract sum in the event the Owner desires to increase or decrease the scope of work. The Contractor understands the Owner reserves the right to select any, all or none of the unit prices, and to adjust the contract amount accordingly.

All unit prices shall be for all work required to furnish and install, including incidentals, complete-in-place systems. Unit price items may or may not be included in base bid work. No adjustment to base bid and alternative amounts shall be made without written authorization prior to commencement of the work.

These unit prices are to be filled out and provided with the Bid. Bids received without this section filled out may be considered non-responsive.

UNIT	ITEM DESCRIPTION	UNIT COST
CY	Strip and stockpile topsoil	$7.00
CY	Site grading	$12.00
CY	Place topsoil from stockpile	$7.50
CY	Import clean fill material	$22.50
SF	Finish grade topsoil	$0.15
EA	Relocate existing boulder at parking area	$110.00
EA	Rock bench as detailed.	$500.00
EA	ADA parking sign	$515.00
EA	6' Concrete parking block	$200.00
EA	Parking striping	$18.00
EA	ADA parking symbol striping	$75.00
EA	Project Sign	$700.00
LF	Trench drain	$87.00
LF	12" CMP culvert	$97.00
EA	Flared end for 12" CMP culvert	$150.00
LS	Fence modifications for walkway	$250.00
SF	6' wide gravel trail as detailed	$3.20
SF	6' wide concrete walkway as detailed.	$8.60
SF	6" thick concrete over base gravel at parking	$11.00
SF	Concrete pad at shelter	$6.50
EA	Bike rack as detailed	$310.00
SF	Hydroseeding dryland grass	$0.17
SF	Broadcast dryland grass	$0.10
EA	Standard picnic table	$1,570.00
EA	ADA picnic table installed	$1,810.00

EA	Bench installed	$400.00
EA	Firepit installed	$500.00
LS	Fastlog flood protection unit	$8750.00
LS	Restroom installation	$4350.00
LS	Shelter installation	$18,500.00
LS	Stormwater Pollution Prevention Plan	$3,425.00

END OF SECTION

AIA® Document A310™ – 2010

Bid Bond

Bond No. BD027175

CONTRACTOR:
K2 CIVIL, INC.

6611 Trade Center Avenue
Billings, MT 59101

SURETY:
First Indemnity of America Insurance Company
2740 Route 10 West Suite 205
Morris Plains, NJ 07950

OWNER:
City of Billings Parks and Recreation
390 North 23rd Street
Billings, MT 59101

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

BOND AMOUNT: 10% of the Amount Bid Not to Exceed $28,600.00

PROJECT:
Coulson Park North & South Improvements

Project Number, if any:

The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this 1st day of October 2024

(Witness)

(Witness) Gabrielle Glinbizzi

K2 CIVIL, INC.
(Principal) (Seal)

(Title)

First Indemnity of America Insurance Company
(Surety) (Seal)

Gina Ring, Attorney-in-fact

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SURETY ACKNOWLEDGEMENT

State of New Jersey

ss:

County of Morris

On this 1st day of October, 2024, before me personally comes Gina Ring to me known; who, being by me duly sworn, deposes and says that he/she resides in Cedar Grove, NJ, that he/she is the Attorney-in-Fact of the First Indemnity of America Insurance Company the Corporation described in and which executed the foregoing instrument; that he/she knows the seal of the said Corporation; that the seal affixed to the said instrument is such Corporate seal; that it was so affixed by the order of the Board of Directors of the said Corporation, and that he/she signed his/her name thereto by like order.

Kathleen Fochesto

(Signature & Title of Official Taking Acknowledgment)

KATHLEEN FOCHESTO
Commission # 2394310
Notary Public, State of New Jersey
My Commission Expires
March 16, 2025

FIRST INDEMNITY OF AMERICA
INSURANCE COMPANY

2740 Rt. 10 West, Suite 205 Morris Plains, New Jersey 07950
Telephone: (973) 402-1200

POWER OF ATTORNEY FOR BONDS AND UNDERTAKINGS

Know All Men By These Presents: That First Indemnity of America Insurance Company, a Corporation of the State of New Jersey does hereby appoint: Gina Ring, its true and lawful Attorneys-in-Fact: to make, execute, sign, acknowledge, affix the Company Seal to, deliver any and all surety bonds, undertakings, recognizances, and other contracts of indemnity and writings obligatory in the nature of a bond, for and on behalf of said Company and as an act and deed of said Company.

IN WITNESS WHEREOF, First Indemnity of America Insurance Company of the State of New Jersey has executed these presents this 25th day of November, 2019.

Patrick J. Lynch, President

STATE OF NEW JERSEY)
COUNTY OF MORRIS) ss:

On this 25th day of November, 2019, before me came the above named officer of First Indemnity of America Insurance Company of New Jersey, to me personally known to be the individual and officer described herein, and acknowledge that he executed the foregoing instrument and affixed the seal of said corporation thereto by authority of this office.

KATHLEEN FOCHESTO
Commission # 2394310
Notary Public, State of New Jersey
My Commission Expires
March 16, 2025

CERTIFICATE

Excerpts of Resolutions (Article V, Paragraph 5, of the By-Laws of said Company) adopted by the Board of Directors of the First Indemnity of America Insurance Company of the State of New Jersey, November 25, 2019.

RESOLVED, on November 25, 2019, that the President, or any one of the Vice Presidents specially authorized to do so by the Board of Directors, or by the Executive Committee, shall have power to appoint Attorneys-in-Fact as the business of the company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertakings, recognizances, stipulations, policies, contracts, agreements, deeds, and release and assignment of judgments, decrees, mortgages and instruments in the nature of mortgages, and also all other instruments and documents which the business of the Company may require and to affix the Seal of the Company thereto.

FURTHER RESOLVED, that the signatures and attestations of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating to the Power of Attorney by facsimile and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company with respect to any bond, undertaking, recognizances or other contract of indemnity of writing obligatory in the nature thereof.

I, Jane E. Lynch, Secretary of First Indemnity of America Insurance Company of New Jersey, do hereby certify that the foregoing excerpts of the Resolution adopted by the Board of Directors of the Corporation and the Powers of Attorney issued pursuant thereto, are true and correct and that both the Resolution and the Powers of Attorney are in full force and effect.

IN WITNESS WHEREOF, I have herewith set my hand and affixed the seal of said Corporation this 01 day of October, 2024.

Jane E. Lynch, Secretary

[FIA POWER 2014 06 03]

FIRST INDEMNITY OF AMERICA INSURANCE COMPANY
2740 Route 10 West, Suite 205, Morris Plains, N.J. 07950
STATEMENT OF FINANCIAL CONDITION AS OF DECEMBER 31, 2023

Assets:		
Bonds		$ 13,948,551
Preferred & Common Stocks		6,760,615
Mortgage Loans		97,104
Real Estate		1,354,308
Cash and Short Term Investments		5,432,614
Investment Income Due and Accrued		144,555
Premiums in the Course of Collection (under 90 days)		907,137
Reinsurance Recoverable on Loss and LAE Payments		112,171
Deferred Tax Asset		593,605
Other Assets		38,472
Total Admitted Assets		$ 29,389,132
Liabilities and Surplus:		
Reserve for Loss and Loss Adjustment Expenses		6,610,281
Other Expenses		489,345
Taxes Licenses and Fees		51,509
Federal Income Tax Payable		438,252
Unearned Premium		2,979,370
Amounts Withheld or Retained for Others		4,536,068
Ceded Reinsurance Balances Payable		353,055
Security Deposits		12,600
Total Liabilities		15,470,480
Capital & Surplus:		
Common Stock, Paid Up	2,500,000	
Paid in and Contributed Surplus	1,480,945	
Unassignd Surplus	9,937,707	
Surplus as Regards to Policyholders		13,918,652
Total Liabilities and Surplus		$ 29,389,132

I, Glenn A. Runne, Chief Financial Officer of First Indemnity of America Insurance Company, do hereby certify that the foregoing statement is a correct exhibit of the assets and surplus of the said company, on the 31st day of December, 2023, according to the best information, knowledge, and belief.

Glenn A. Runne
Chief Financial Officer

State of New Jersey)
County of Morris) SS:
Subscribed and sworn to, before me, a Notary Public of the State of New Jersey in the Township of Morris Plains, this 21st day of February, 2024.

Kathleen Fochesto
My Commission Expires March 16, 2025

KATHLEEN FOCHESTO
Commission # 2394310
Notary Public, State of New Jersey
My Commission Expires
March 16, 2025

COULSON PARK NORTH & SOUTH IMPROVEMENTS

BILLINGS, MONTANA

SEPTEMBER 6, 2024

SHEET INDEX

SOUTH

L1	LAYOUT & MATERIALS PLAN
L2	SITE GRADING PLAN
L3	SITE DETAILS
L4	SHELTER DETAILS
L5	SHELTER DETAILS

NORTH

L1.0	EXISTING CONDITIONS & DEMOLITION PLAN
L2.0	MATERIALS & LAYOUT PLAN
L3.0	SITE DETAILS
L3.1	SITE DETAILS
L3.2	SITE DETAILS

VICINITY MAP



GENERAL NOTES:

1. CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS PRIOR TO BEGINNING WORK.
2. CONTRACTOR SHALL VERIFY LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION. ANY DAMAGE TO EXISTING UTILITIES ON-SITE OR ADJACENT PROPERTY SHALL BE THE CONTRACTOR'S RESPONSIBILITY. UTILITIES ARE INDICATED ACCORDING TO THE BEST INFORMATION AVAILABLE AT THE TIME OF THE SURVEY. ACCURACY OF INFORMATION IS NOT GUARANTEED. SERVICE LINES MAY NOT BE IN STRAIGHT LINES OR AS INDICATED ON THE PLANS.
3. ALL EXISTING IMPROVEMENTS TO REMAIN AND BE PROTECTED UNLESS NOTED OTHERWISE.
4. CONTRACTOR SHALL PROVIDE EROSION AND SEDIMENTATION CONTROL MEASURES THROUGHOUT CONSTRUCTION AND UNTIL NEW VEGETATION HAS BEEN ESTABLISHED.
5. CONTRACTOR TO PROVIDE ALL LAYOUT AND GRADE STAKING AS SPECIFIED.
6. ALL AREAS DISTURBED BY CONSTRUCTION ACTIVITIES SHALL BE PREPARED AND SEEDED AS SPECIFIED. A DISTURBED AREA IS DEFINED AS AN AREA WHERE CONSTRUCTION ACTIVITIES INCLUDING DEMOLITION, TRENCHING, EARTHWORK, MATERIAL STORAGE, STAGING, PARKING, OR ANY FORM OF EXCAVATION, COMPACTION, OR TRAFFIC RESULTS IN THE REMOVAL OR DISPLACEMENT OF EXISTING GROUND COVER OR GRADE. CONTRACTOR SHALL REVIEW ALL OTHER CONTRACT DOCUMENTS TO DETERMINE FULL SCOPE OF POTENTIAL SITE DISTURBANCE TO BE RECLAIMED.
7. STANDARD SHEET SIZE IS 24" X 36", ADJUST DRAWING SCALE AS APPROPRIATE FOR SHEETS PRINTED AT OTHER SIZES.
8. REFER TO ALL DRAWINGS AND SPECIFICATIONS FOR ADDITIONAL INFORMATION AND REQUIREMENTS.

811 Know what's below. Call before you dig.

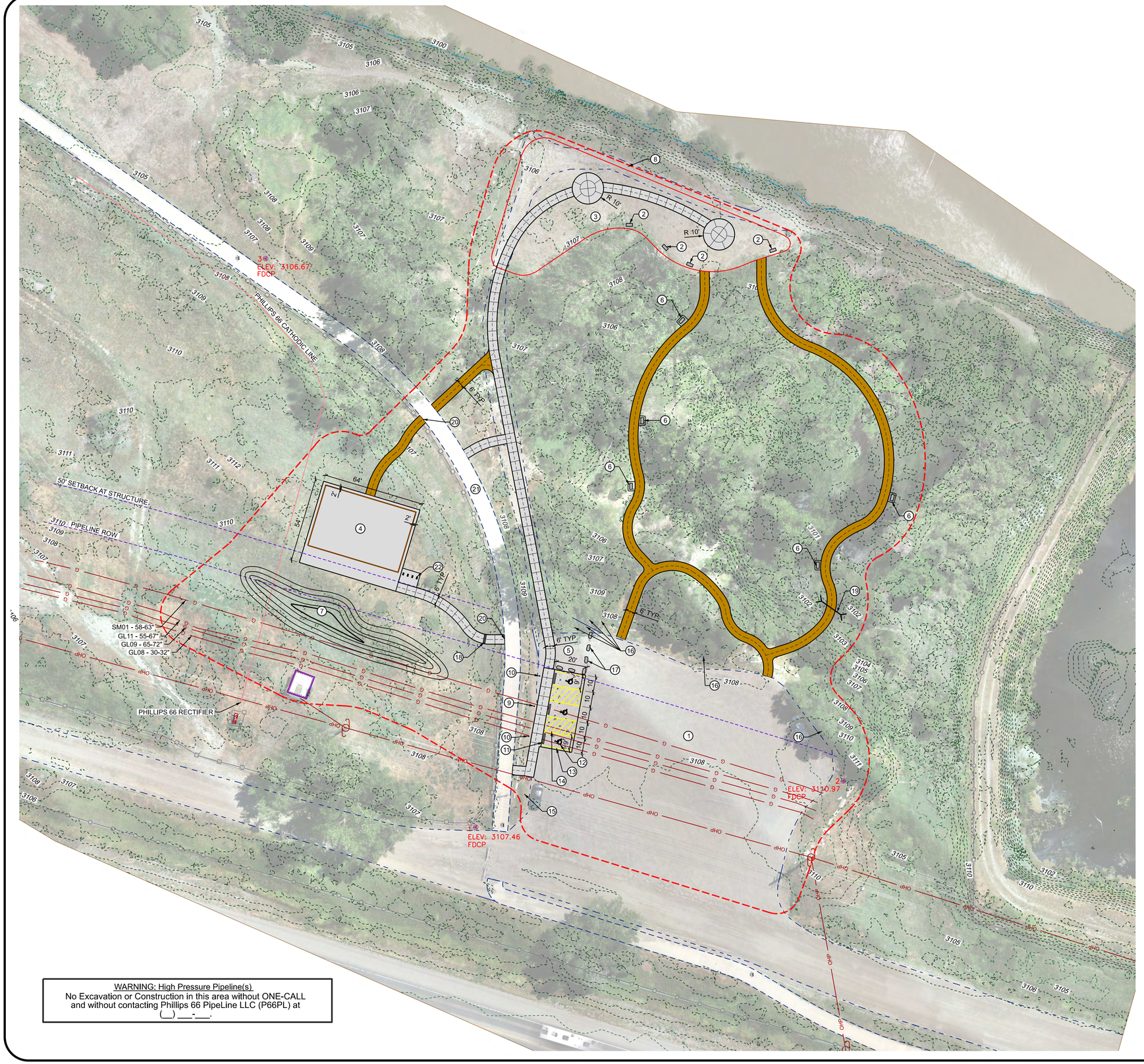
PREPARED FOR:

Billings PARKS AND RECREATION

PREPARED BY:

STEINER THUESEN PLLC
GOLF COURSE ARCHITECTURE
IRRIGATION DESIGN
LANDSCAPE ARCHITECTURE
1925 GRAND AVE. SUITE 105
P.O. BOX 22943
BILLINGS, MT 59104
406/252-5545 FAX 245-9855

MONTANA NATHAN G. STEINER 09 REGISTERED LANDSCAPE ARCHITECT



WARNING: High Pressure Pipeline(s).
No Excavation or Construction in this area without ONE-CALL and without contacting Phillips 66 PipeLine LLC (P66PL) at (__) ___-___.

LEGEND:

- CONSTRUCTION LIMITS
- G — EXISTING GAS LINE, REFER TO PLAN FOR BURY DEPTH
- OHP — EXISTING OVERHEAD ELECTRICAL
- 3151.0 EXISTING CONTOUR (1' INTERVAL)
- EXISTING POST AND RAIL FENCE
- 6' WIDE GRAVEL TRAIL, SEE 2/L3
- CONCRETE PARKING AREA: 6" OF CONCRETE OVER 6" OF 1-1/2" MINUS COMPACTED AGGREGATE AS SPECIFIED, SEE 1/L3.
- CONCRETE WALKWAY: 4" OF CONCRETE OVER 4" OF 1-1/2" MINUS COMPACTED AGGREGATE AS SPECIFIED, SEE 1&3/L3.

NOTES:

1. CONTRACTOR TO VERIFY EXISTING CONDITIONS AND LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION.
2. ANY DAMAGE TO EXISTING UTILITIES ON-SITE OR ADJACENT PROPERTY SHALL BE CONTRACTOR'S RESPONSIBILITY.
3. PROVIDE SUBMITTALS FOR PARKING LOT STRIPING, ADA SIGNAGE, PARKING BLOCKS ETC.
4. LAYOUT OF GRAVEL TRAIL IN WOODED AREA IS CONCEPTUAL. CONTRACTOR TO STAKE TRAIL. SITE CLEARING TO BE PROVIDED BY CONTRACTOR TO ACCOMODATE TRAIL CONSTRUCTION. CLEARING TO BE MINIMIZED TO RETAIN NATURAL CHARACTER OF SITE. COORDINATE W/ LANDSCAPE ARCHITECT TO FIELD ADJUST AS REQUIRED TO FIT TO SITE.
5. ALL CONCRETE SHALL BE 4000 PSI MIN.
6. REFER TO DETAILS AND SPECIFICATIONS FOR ADDITIONAL INFORMATION.

KEY NOTES:

1. EXISTING GRAVEL PARKING AREA.
2. ROCK BENCHES (22" X 48"), SEE 4/L3.
3. GRAVEL GATHERING AREA AT POINT. ENTIRE AREA TO BE GRADED SMOOTH WITHIN SOLID RED LINE AT COMPLETION OF PROJECT.
4. 40' X 60' SHELTER PURCHASED BY OWNER, INSTALLED BY CONTRACTOR, SEE L4 & L5.
5. FUTURE RESTROOM LOCATION.
6. ROCK BENCHES (22" X 48"), SEE 4/L3. PROVIDE 12"- 18" W x 4" DEEP SECTION OF CRUSHER FINES AROUND BASE AT LOCATIONS ALONG TRAIL.
7. 4'-5' BERM SEE GRADING PLAN.
8. IMPROVEMENTS TO BE 10' MIN. OFF BANK, FIELD VERIFY WITH LANDSCAPE ARCHITECT PRIOR TO BEGINNING CONSTRUCTION.
9. ACCESSIBLE VAN PARKING SIGN ON 2" SQ GALVANIZED POST, SEE 5/L3. COORDINATE W/ PHILLIPS 66 PRIOR TO EXCAVATIONS AT SIGNS ADJACENT TO UTILITY. EXCAVATION SHALL BE NON-MECHANICAL.
10. ACCESSIBLE PARKING SIGN ON 2" SQ GALVANIZED POST, SEE 5/L3. COORDINATE W/ PHILLIPS 66 PRIOR TO EXCAVATIONS AT SIGNS ADJACENT TO UTILITY. EXCAVATION SHALL BE NON-MECHANICAL.
11. 6' CONCRETE PARKING BUMPER WITH REINFORCING. PIN TO SURFACE, TYP.
12. 48" PAINTED ADA PARKING EMBLEM, VERIFY CITY REQUIREMENTS, TYP.
13. 4" WIDE PARKING LOT STRIPING, TYPICAL (YELLOW).
14. 4" WIDE SRIPING AT 45° ANGLE, 24" O.C. (YELLOW).
15. PROJECT SIGN, SEE DETAIL 8/L3.
16. (6) EXISTING BOULDERS TO BE RELOCATED, SEE KEY NOTE #17. COORDINATE WITH LANDSCAPE ARCHITECT.
17. RELOCATED BOULDER - 4' BETWEEN - FIELD LOCATE WITH LANDSCAPE ARCHITECT. FILL LOW SPOTS UNDER BOULDERS WITH MATERIAL FROM ON-SITE EXCAVATION.
18. TRENCH DRAIN, SEE 7/L3. FIELD FIT TO EXISTING GRADES.
19. 12" CMP CULVERT W/ FLARED END SECTIONS. FIELD FIT TO EXISTING GRADES.
20. CREATE 6'- 6" WIDE OPENING AT EXISTING FENCE. INSTALL NEW POSTS AND ADJUST RAILS TO FIT.
21. EXISTING CONCRETE TRAIL.
22. BIKE RACKS, SEE 6/L3.

0 15' 30' 60' NORTH

MONTANA
NATHANIEL G. STEINER
LANDSCAPE ARCHITECT
REGISTERED

THIS DRAWING IS THE PROPERTY OF THE LANDSCAPE ARCHITECT. IT HAS BEEN PREPARED SPECIFICALLY FOR THIS SITE AND IS NOT TO BE USED FOR ANY OTHER PURPOSE, LOCATION, OR OWNER WITHOUT WRITTEN CONSENT OF THE LANDSCAPE ARCHITECT.

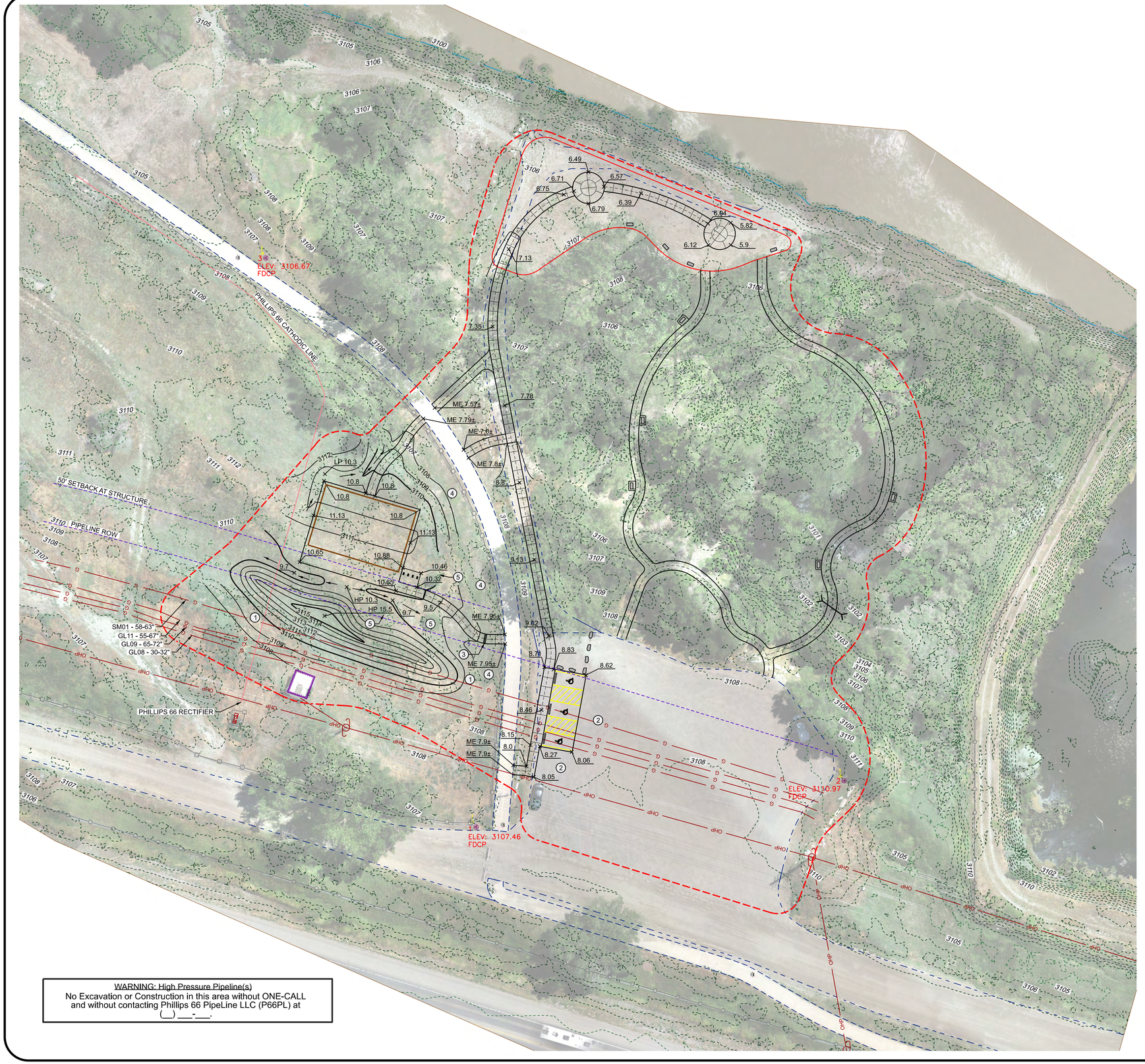
COULSON PARK SOUTH IMPROVEMENTS
LAYOUT & MATERIALS PLAN

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IRRIGATION DESIGN
LANDSCAPE ARCHITECTURE
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P.O. BOX 22943
BILLINGS, MT 59104
406/252-5545 FAX 245-9855

DRAWN BY: JAV, GSG
DATE: 9/6/24
CHECKED BY: NGS
DATE: 9/6/24
REV: -
REV: -
FILE: L1 LAYOUT & MATERIALS PLAN.DGN

SHEET
L1



WARNING: High Pressure Pipeline(s)
No Excavation or Construction in this area without ONE-CALL and without contacting Phillips 66 PipeLine LLC (P66PL) at (__) ___-___.

LEGEND:

- CONSTRUCTION LIMITS
- C — EXISTING GAS LINE, REFER TO PLAN FOR BURY DEPTH
- OHP — EXISTING OVERHEAD ELECTRICAL
- 3151.0 — EXISTING CONTOUR (1' INTERVAL)
- EXISTING POST AND RAIL FENCE
- 6' WIDE GRAVEL TRAIL, SEE 2/L1.3
- 3152 — PROPOSED CONTOUR (1' INTERVAL)
- 53.32 — FINISH SPOT GRADE
- ME — MATCH EXISTING GRADE
- HP — HIGH POINT
- LP — LOW POINT

NOTES:
1. CONTRACTOR TO VERIFY EXISTING CONDITIONS AND LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION. ANY DAMAGE TO EXISTING UTILITIES ON-SITE OR ADJACENT PROPERTY SHALL BE CONTRACTOR'S RESPONSIBILITY.
2. STRIP VEGETATION AND TOPSOIL AS REQUIRED TO ACCOMMODATE CONSTRUCTION.
3. CONCRETE WALKWAY SLOPES SHALL MEET THE FOLLOWING ADA REQUIREMENTS:
   - LONGITUDINAL SLOPE: 1:20 MAX. (5%)
   - CROSS SLOPE: 1:48 MAX. (2%)
   - PARKING SLOPE NOT STEEPER THAN 1:48 (2%)
4. PROVIDE 1.5% CROSS SLOPE ON WALKWAYS.
5. ALL DISTURBED AREA SHALL BE RESTORED WITH LIKE MATERIALS. (CRUSHED AGGREGATE, SEED ETC.)
6. ALL DISTURBED AREAS SHALL BE RESTORED WITH SEED. PLACE 4" MIN. OF ON-SITE TOPSOIL PRIOR TO SEEDING.
7. FINISH GRADE ALONG CONCRETE TO BE 1" BELOW TOP OF CONCRETE PRIOR TO SEEDING.
8. GRAVEL TRAILS TO BE FIT TO EXISTING SITE GRADES AS MUCH AS POSSIBLE.
9. REFER TO DETAILS AND SPECIFICATIONS FOR ADDITIONAL INFORMATION.

KEY NOTES:

1. TIE BACK TO EXISTING GRADES AT 15:1 SLOPE MAX UNLESS NOTED OTHERWISE.
2. TIE BACK INTO EXISTING GRADES WITH 1" MINUS CRUSHED AGGREGATE AT 15:1 SLOPE MAX. COMPACT TO 95%.
3. FIT TRENCH DRAIN TO EXISTING GRADES.
4. MAINTAIN EXISTING SWALE.
5. EXISTING TREES TO REMAIN. GRADE AROUND BASE AS NECESSARY TO PROTECT ROOTS.

0 15' 30' 60' NORTH

MONTANA
NATHANIEL G. STEINER
REGISTERED LANDSCAPE ARCHITECT

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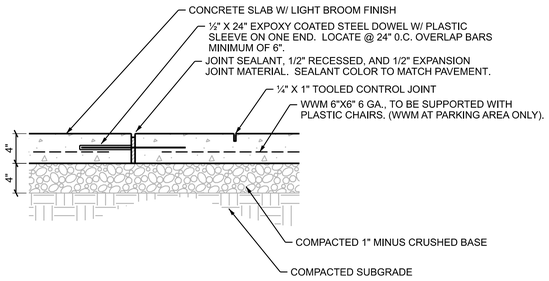
COULSON PARK SOUTH IMPROVEMENTS
SITE GRADING PLAN

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DRAWN BY: JAV, GSG
DATE: 9/6/24
CHECKED BY: NGS
DATE: 9/6/24
REV: -
REV: -
FILE: L2 SITE GRADING PLAN.DGN

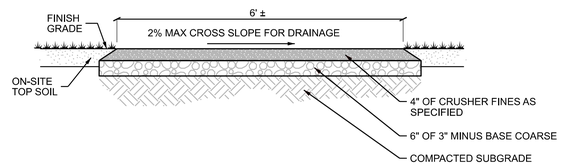
SHEET
L2



NOTES:
1. 6" CONCRETE OVER 6" OF AGGREGATE AT PARKING.
2. SAWCUT JOINTS ARE NOT ALLOWED.
3. DOWELS REQUIRED AT CONNECTION TO EXISTING WALKWAY.

1 CONCRETE FLATWORK

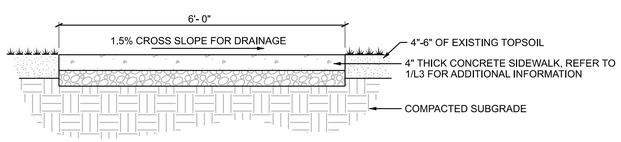
NOT TO SCALE



NOTES:
1. DISTURBED AREAS ALONG PATHWAY TO BE SEEDED AS SPECIFIED.
2. COMPACT SUBGRADES AND AGGREGATES TO 95% PROCTOR.

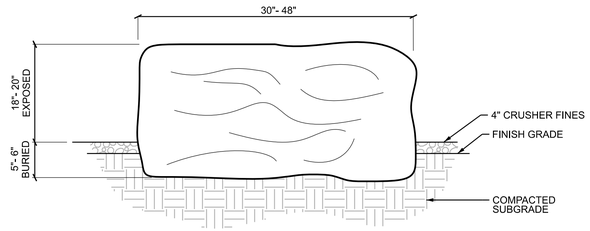
2 TYPICAL GRAVEL TRAIL SECTION

NOT TO SCALE



3 TYPICAL SIDEWALK SECTION

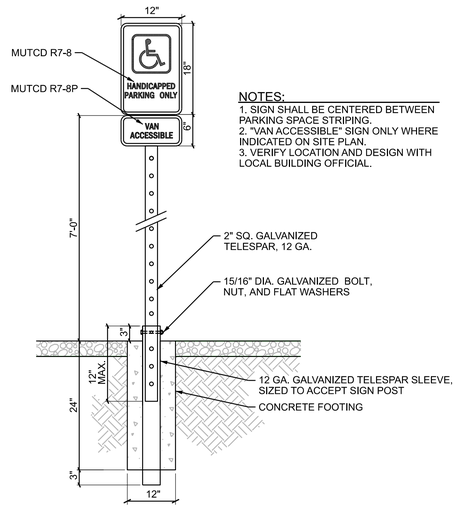
NOT TO SCALE



NOTES:
1. 22" BLOCK ROCK AS SUPPLIED BY YVRS 406-670-9114 OR EQUAL APPROVED IN ADVANCE.

4 ROCK BENCH INSTALLATION

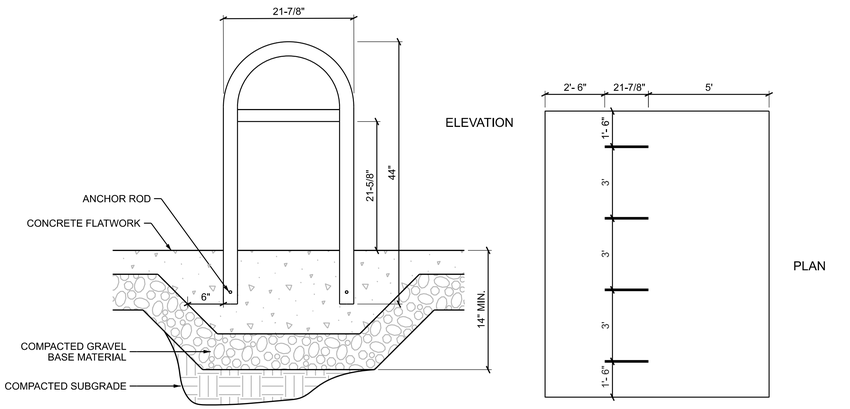
NOT TO SCALE



NOTES:
1. SIGN SHALL BE CENTERED BETWEEN PARKING SPACE STRIPING.
2. "VAN ACCESSIBLE" SIGN ONLY WHERE INDICATED ON SITE PLAN.
3. VERIFY LOCATION AND DESIGN WITH LOCAL BUILDING OFFICIAL.

5 HANDICAP ACCESSIBLE PARKING SIGN

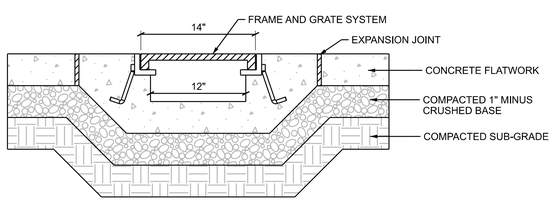
NOT TO SCALE



NOTES:
1. BIKE RACK SHALL BE U238-LB-IG-P (BLACK POWDER COAT FINISH) MANUFACTURED BY MADRAX.
2. INSTALL ACCORDING TOP MANUFACTURER'S RECOMMENDATIONS.
3. SEE L1 FOR LOCATIONS.

6 BIKE RACK

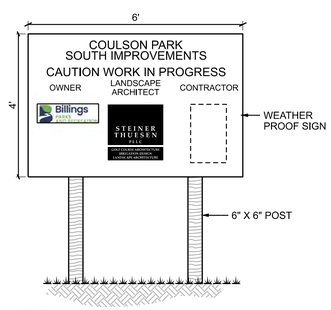
NOT TO SCALE



NOTES:
1. FRAME AND GRATE SYSTEM TO BE NEENAH R-4999-DX W/ TYPE D SOLID LID. PROVIDE SUBMITTALS.
2. TRENCH DRAIN TO BE APPROXIMATELY 6" DEEP. BOTTOM TO MATCH EXISTING SWALE DEPTH AND SLOPE, ADJUST AS REQUIRED.
3. REFER TO CONCRETE FLATWORK DETAIL FOR ADDITIONAL INFORMATION

7 TRENCH DRAIN

NOT TO SCALE



NOTES:
1. PROVIDE COLOR SHOP DRAWING FOR APPROVAL.
2. BACKGROUND TO BE WHITE.
3. PROJECT TITLE TO BE GREEN.
4. "OWNER", "LANDSCAPE ARCHITECT", AND "CONTRACTOR" TO BE BLACK.
5. LOGOS TO BE FULL COLOR.
6. LOCATION TO BE DETERMINED.
7. REMOVE AT END OF PROJECT.

8 PROJECT SIGN

NOT TO SCALE

NATHANIEL G. STEINER
LICENSED LANDSCAPE ARCHITECT
MONTANA

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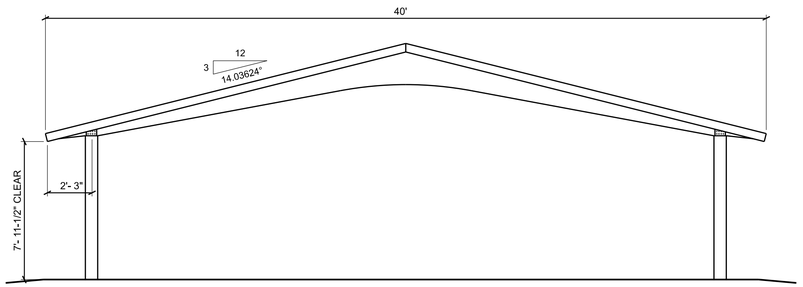
COULSON PARK SOUTH IMPROVEMENTS
SITE DETAILS

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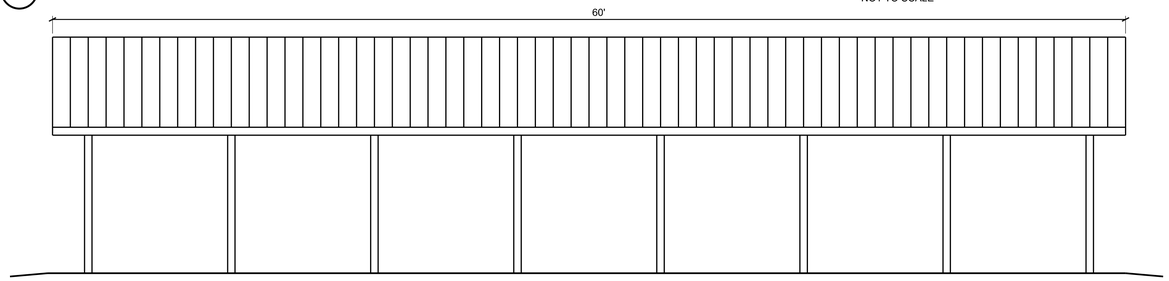
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DATE: 9/6/24
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REV: -
FILE: L3 SITE DETAILS.DGN

SHEET
L3



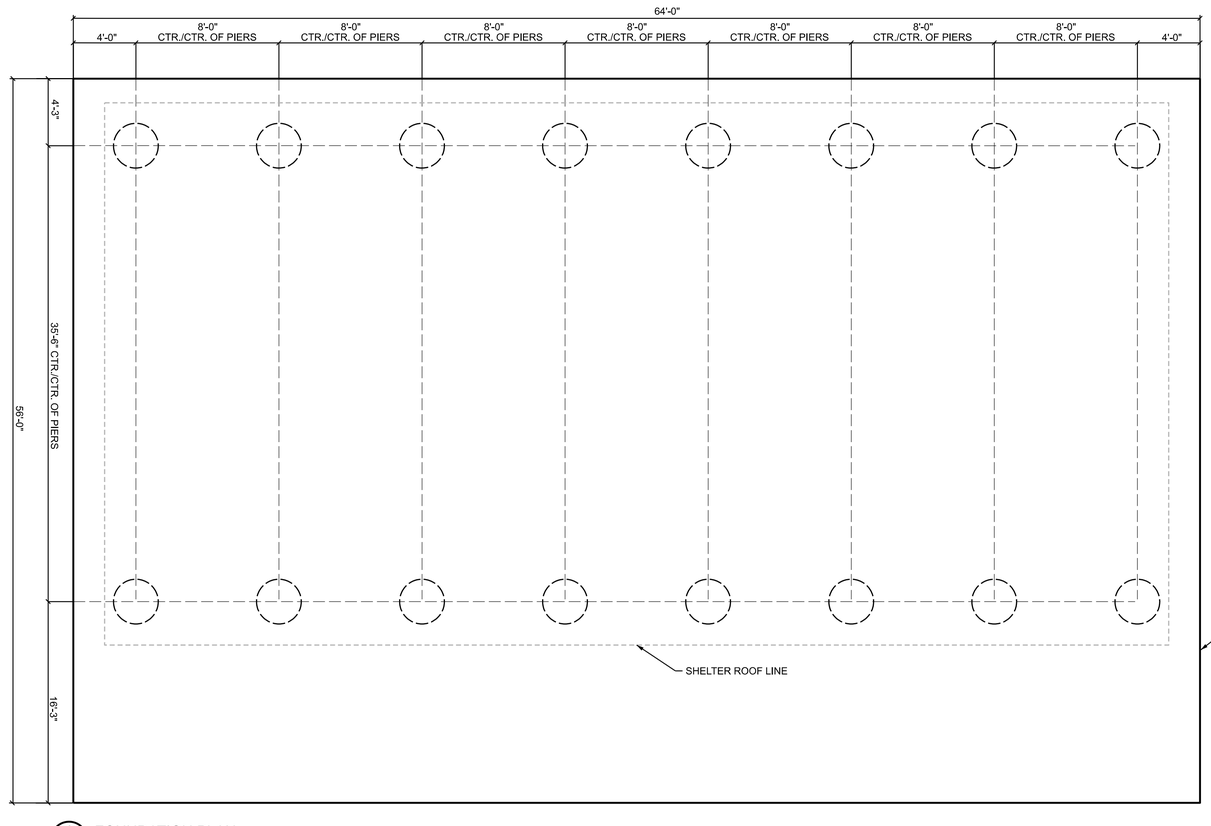
1 END ELEVATION

NOT TO SCALE



2 SIDE ELEVATION

NOT TO SCALE

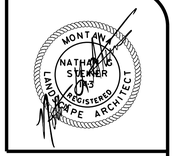


3 FOUNDATION PLAN

NOT TO SCALE

NOTES:

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3. CONTRACTOR TO SUBMIT JOINTING PLAN FOR SLAB AT SHELTER.
4. REFER TO GEOTECHNICAL REPORT FOR ADDITIONAL INFORMATION REGARDING EXISTING CONDITIONS AND FOR FOUNDATION REQUIREMENTS.



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COULSON PARK SOUTH IMPROVEMENTS
SHELTER DETAILS

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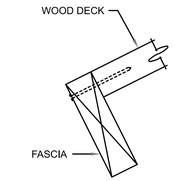
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GOLF COURSE ARCHITECTURE
IRRIGATION DESIGN
LANDSCAPE ARCHITECTURE

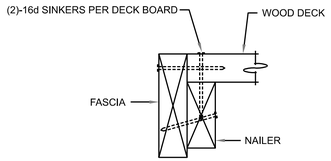
1925 GRAND AVE. SUITE 105
P.O. BOX 22943
BILLINGS, MT 59104
406/252-5545 FAX 245-9855

DRAWN BY: JAV, GSG
DATE: 9/6/24
CHECKED BY: NGS
DATE: 9/6/24
REV: -
REV: -
FILE: L4 SHELTER DETAILS.DGN

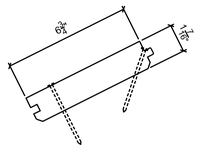
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L4



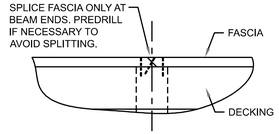
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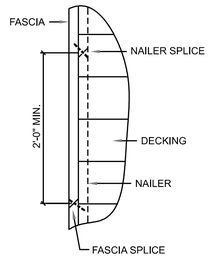
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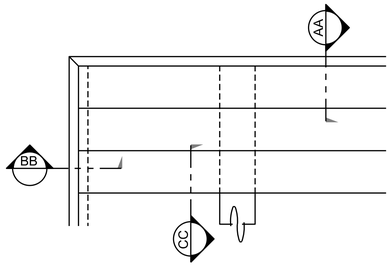
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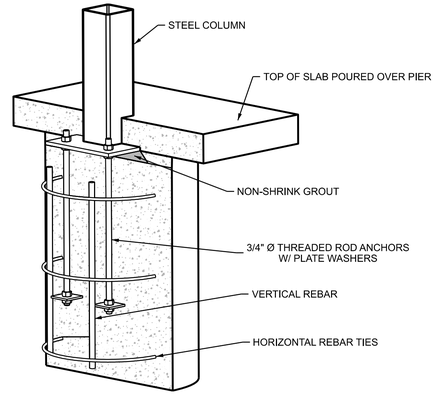
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DETAIL B



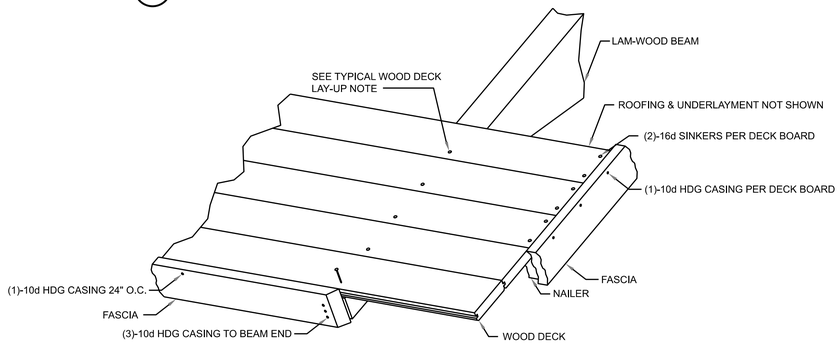
DECK PLAN AT CORNERS

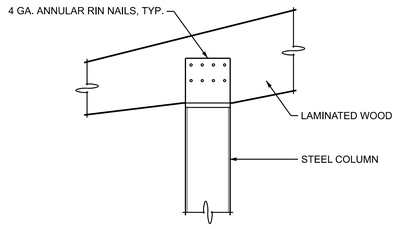


NOTES:
1. TYPICAL PIER DIAMETER IS BETWEEN 2'-0" AND 3'-0"±
TYPICAL PIER DEPTH IS BETWEEN 4'-0" AND 5'-6"±.
2. ACTUAL DESIGN WILL VARY DUE TO BUILDING CODE REQUIREMENTS AND MAY BE LARGER.
3. REFER TO GEOTECHNICAL REPORT FOR ADDITIONAL REQUIREMENTS.

2 STEEL COLUMN PIER DETAIL

NOT TO SCALE





3 COLUMN TO BEAM CONNECTION

NOT TO SCALE

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TYPICAL DECK LAY-UP

1. START LAYING DECK AT EAVE W/ TONGUES UP.
2. DRIVE COURSES TIGHT W/ BLOCKING.
3. TOE NAIL & FACE NAIL AT EACH SUPPORT (BEAMS) USING 16d COMMON NAILS.
4. SNAP CHALK LINE AT BUILDING RAKE & CUT DECKING STRAIGHT AND SQUARE.
5. DECKING IS FURNISHED IN SPECIFIED LENGTHS, ALTERNATE COURSES.

FASCIA NOTES:

1. ALL FASCIA CORNERS AND SPLICES ARE TO BE MITERED.
2. SEE DETAILS A & B FOR SPLICE DETAILS.
3. ATTACH FASCIA WITH 10d HDG CASING NAILS:
   a. TO 2x4 NAILER - 24" O.C.
   b. TO BEAM ENDS - 3 NAILS PER FASCIA
   c. TO ENDS OF ROOF DECKING - 1 NAIL PER DECK BOARD
   d. AT CORNERS - 2 NAILS EACH DIRECTION
   e. OTHER LOCATIONS - 24" O.C. TO ROOF DECKING

2 x 4 NAILER

1. MITER ALL SPLICES
2. NAIL SPLICES TOGETHER WITH (2) 10d HDG CASING NAILS, DRIVE NAILS AT AN ANGLE TO AVOID PUNCHING THRU FASCIA.

1 DECKING DETAILS

NOT TO SCALE

0 15' 30' 60' NORTH

NATHANIEL STEINER
MONTANA
REGISTERED
LANDSCAPE ARCHITECT

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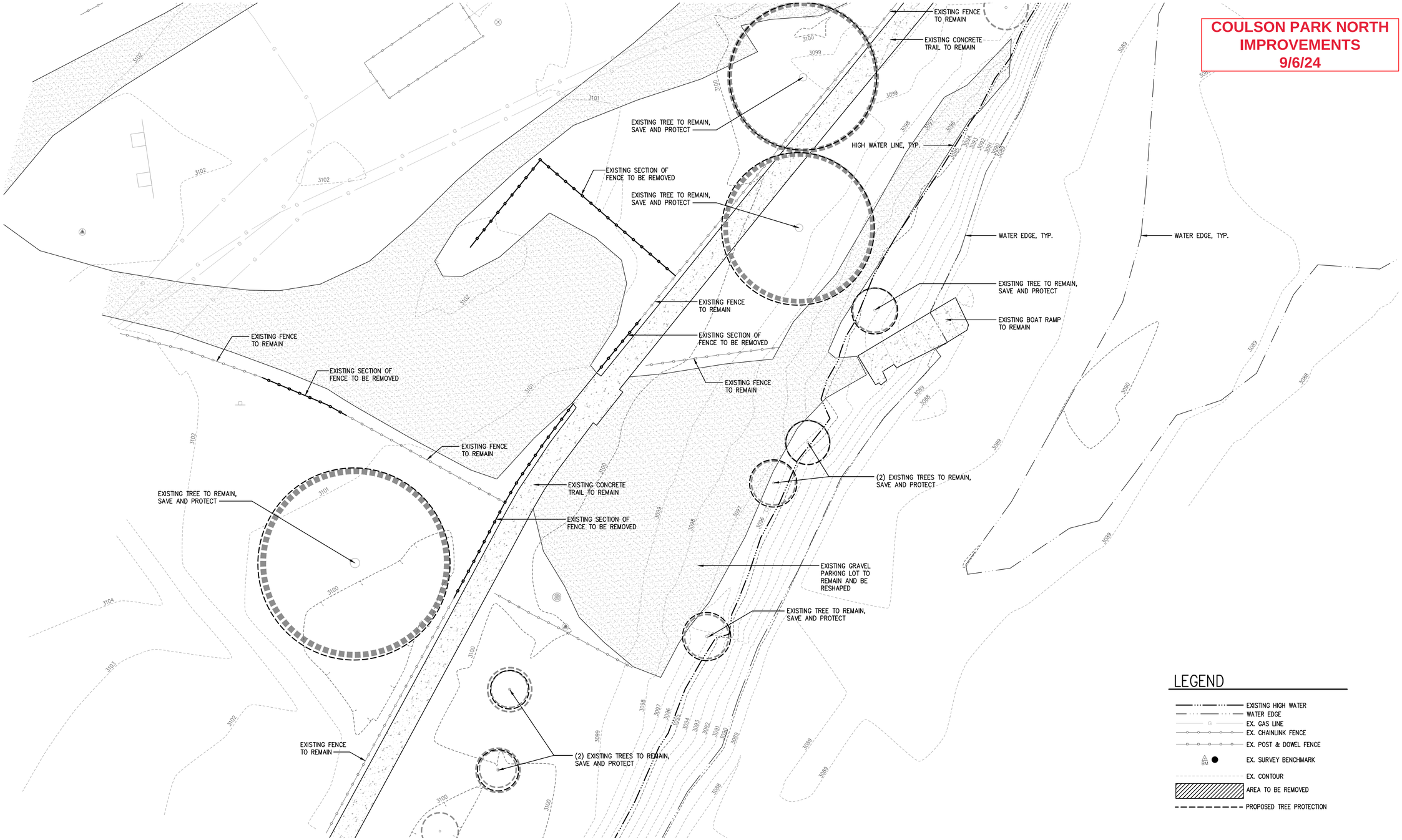
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REV: -
REV: -
FILE: L5 SHELTER DETAILS.DGN

SHEET L5



LEGEND

- EXISTING HIGH WATER
- WATER EDGE
- EX. GAS LINE
- EX. CHAINLINK FENCE
- EX. POST & DOWEL FENCE
- EX. SURVEY BENCHMARK
- EX. CONTOUR
- AREA TO BE REMOVED
- PROPOSED TREE PROTECTION

SITE DEMOLITION GENERAL NOTES

1. THE LOCATION OF EXISTING UTILITIES AS SHOWN ON THE PLAN MAY VARY FROM THE ACTUAL CONDITIONS; ADDITIONAL UTILITIES, NOT SHOWN ON PLANS, MAY ALSO EXIST. CONTRACTOR TO FIELD VERIFY ALL UTILITIES AND BRING ANY DISCREPANCIES TO THE ATTENTION OF THE OWNER AND LANDSCAPE ARCHITECT IMMEDIATELY.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REPAIR OF ANY DAMAGE TO EXISTING UTILITIES, WALKWAYS, OTHER EXISTING STRUCTURES AND IMPROVEMENTS THAT ARE TO REMAIN, AS A RESULT OF THE CONTRACTOR'S WORK. THE REPAIR OF SUCH DAMAGE WILL BE AT NO ADDITIONAL COST TO THE OWNER.
3. IT IS THE CONTRACTORS RESPONSIBILITY TO DOCUMENT ALL DAMAGES AND BRING TO THE ATTENTION OF THE OWNER AND LANDSCAPE ARCHITECT PRIOR TO BEGINNING WORK. ANY DAMAGES NOT DOCUMENTED AND BROUGHT TO THE ATTENTION OF THE OWNER AND LANDSCAPE ARCHITECT PRIOR TO BEGINNING ANY WORK, SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.
4. THE EXISTING CONDITIONS PLAN INDICATES THE APPROXIMATE LOCATIONS OF WORK ITEMS WHICH WILL BE REQUIRED AS PART OF THIS CONTRACT. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO FAMILIARIZE THEMSELVES WITH THE EXISTING SITE CONDITIONS PRIOR TO START OF PROJECT. ANY DISCREPANCIES BETWEEN EXISTING SITE CONDITIONS AND THIS PLAN MUST BE BROUGHT TO THE ATTENTION OF THE OWNER AND LANDSCAPE ARCHITECT PRIOR TO BIDDING FOR CONSIDERATION OF SCOPE MODIFICATION.
5. ALL EQUIPMENT AND MATERIALS TO BE DEMOLISHED AND REMOVED MUST BE DISPOSED OF OFFSITE BY THE CONTRACTOR UNLESS OTHERWISE NOTED AS PART OF THE BID AND AT NO ADDITIONAL EXPENSE TO THE OWNER.
6. CONTRACTOR TO REVIEW AND FOLLOW ALL CITY OF BILLINGS AND COUNTY STANDARDS & SPECIFICATIONS AS WELL AS REVIEW PROJECT SPECIFICATIONS FOR ADDITIONAL PROJECT REQUIREMENTS. CITY AND COUNTY STANDARDS & SPECIFICATIONS SHALL TAKE PRECEDENCE OVER PROJECT SPECIFICATIONS.

NORTH

0 10 20 40

SCALE: 1"=20'-0"

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COULSON PARK PHASE 1

Boat Ramp & Restroom Improvements

City of Billings, Montana

PROJECT NUMBER: 18322.00
DATE: 12.22.2020
DESIGNED:
DRAWN:
CHECKED:

REVISIONS:
02.16.2021

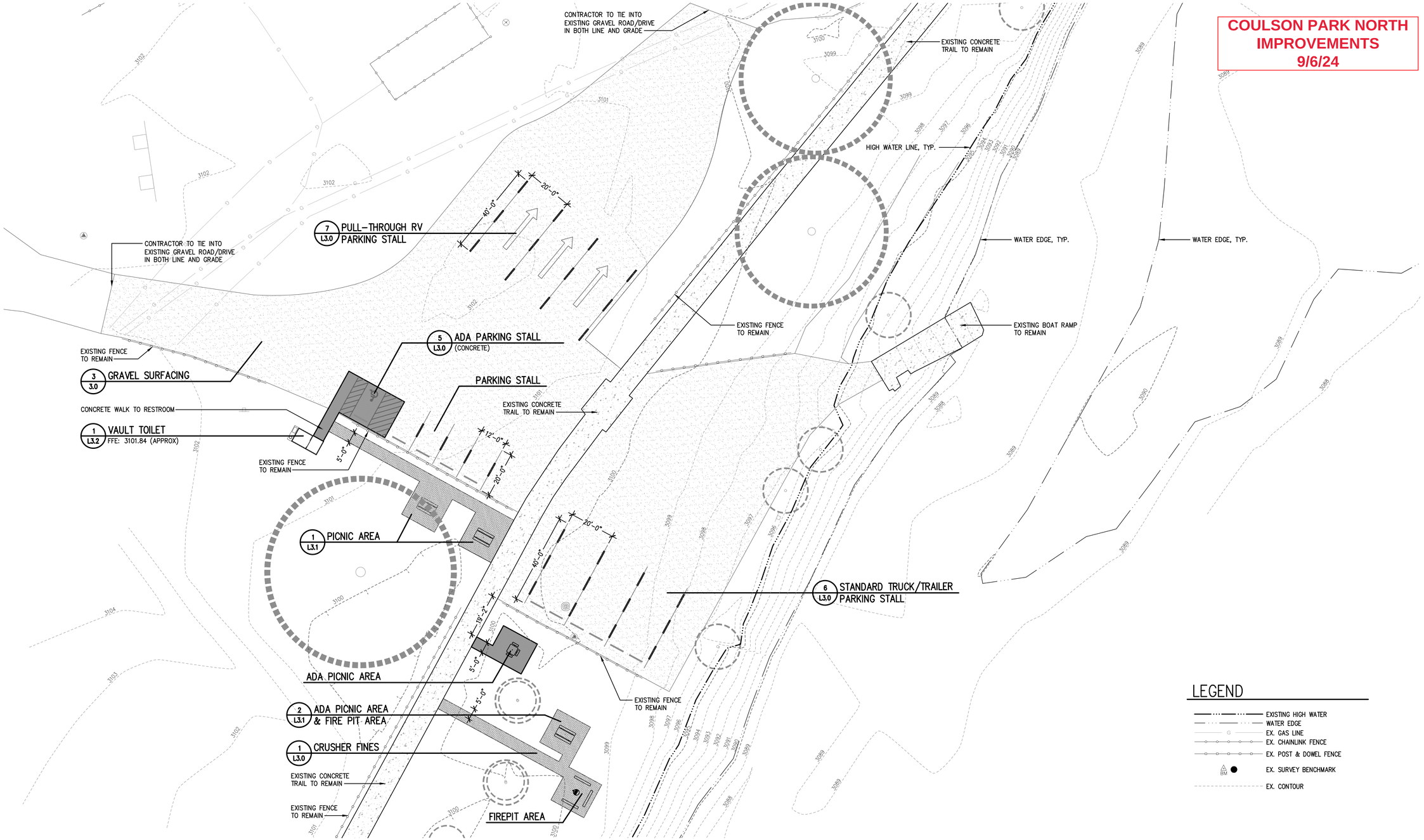
JOB DESCRIPTION: 95% CONSTRUCTION DOCUMENTS

SHEET TITLE: EXISTING CONDITIONS AND DEMOLITION PLAN

SCALE: AS SHOWN

SHEET NUMBER: **L1.0**

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PLOT DATE: 2/16/2021 - 8:46 AM - Jeffrey



SITE LAYOUT GENERAL NOTES

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL STAKING BOTH LINE AND GRADE. ANY DISCREPANCIES, ERRORS OR OMISSIONS ON THE CONSTRUCTION DRAWINGS SHALL BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT IMMEDIATELY PRIOR TO MOVING FORWARD WITH ANY WORK. FAILURE TO IMMEDIATELY NOTIFY THE OWNER AND LANDSCAPE ARCHITECT WILL RESULT IN THE CONTRACTOR TAKING FULL RESPONSIBILITY FOR ADJUSTMENTS TO THE DESIGN, AT NO ADDITIONAL COST TO THE OWNER.
2. THE CONTRACTOR SHALL STAKE ALL KEY AREAS TO BE REVIEWED BY THE OWNER AND LANDSCAPE ARCHITECT PRIOR TO PROCEEDING WITH CONSTRUCTION.
3. REFER TO SITE SURVEY FOR ADDITIONAL INFORMATION. CONTRACTOR TO FIELD VERIFY EXISTING CONDITIONS PRIOR TO BIDDING OR PERFORMING ANY CONSTRUCTION OPERATIONS. ANY DISCREPANCIES, ERRORS OR OMISSIONS ON THE CONSTRUCTION DRAWINGS SHALL BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT IMMEDIATELY PRIOR TO MOVING FORWARD WITH ANY WORK.
4. PROVIDE PROTECTIVE BARRIERS, FENCING, ETC., AS REQUIRED BY THE CITY OF BILLINGS STANDARDS, PLANS AND SPECIFICATIONS.
5. BEFORE CONSTRUCTION, CONTRACTOR SHALL LOCATE ALL PUBLIC AND PRIVATE UNDERGROUND UTILITIES WITH RESPECTIVE UTILITY COMPANIES AND BECOME FAMILIAR WITH ALL EXISTING UTILITY CONDITIONS.
6. CONTRACTOR TO REPAIR ANY ASPHALT, CONCRETE AND OTHER SITE FEATURES DAMAGED DURING CONSTRUCTION AT NO ADDITIONAL COST TO OWNER.
7. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL MATERIALS TESTING. ALL RESULTS SHALL BE SUBMITTED TO THE OWNER AND LANDSCAPE ARCHITECT FOR IMMEDIATE REVIEW.
8. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ANY PERMITS OR LICENSES REQUIRED FOR THE PERFORMANCE OF THE WORK AS APPLICABLE TO THIS PROJECT.
9. ADDITIONAL CAD LAYOUT INFORMATION WILL BE PROVIDED TO THE SELECTED CONTRACTOR PRIOR TO CONSTRUCTION FOR LAYOUT PURPOSES.
10. DUE TO SCALE OF DRAWINGS, NOT ALL CONDITIONS/ITEMS CARRY A DETAIL CALLOUT OR NOTATION ON THE PLAN. THIS DOES NOT EXCLUDE THIS CONDITION/ITEM FROM THE PROJECT. QUESTIONS OR CONCERNS REGARDING WHAT IS INCLUDED WITHIN THIS PROJECT SHOULD BE BROUGHT TO THE ATTENTION OF THE OWNER AND LANDSCAPE ARCHITECT PRIOR TO BIDDING OTHERWISE ALL ELEMENTS, FEATURES, UTILITIES, ETC. SHALL BE INCLUDED WITHIN THE ORIGINAL BID..
11. CONTRACTOR TO RELOCATE ANY EXISTING SITE UTILITIES THAT MAY CAUSE CONFLICT WITH WALLS, FOOTING, AND GRADING AT NO ADDITIONAL COST TO OWNER.

LEGEND

- EXISTING HIGH WATER
- WATER EDGE
- EX. GAS LINE
- EX. CHAINLINK FENCE
- EX. POST & DOWEL FENCE
- EX. SURVEY BENCHMARK (BM)
- EX. CONTOUR

NORTH

0 10 20 40

SCALE: 1"=20'-0"

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City of Billings, Montana

PROJECT NUMBER: 18322.00
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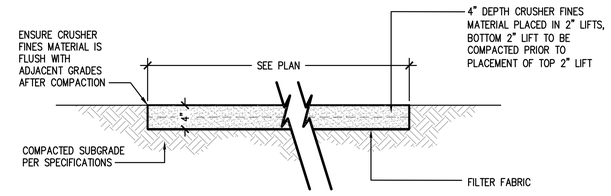
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SCALE: AS SHOWN

SHEET NUMBER: **L2.0**

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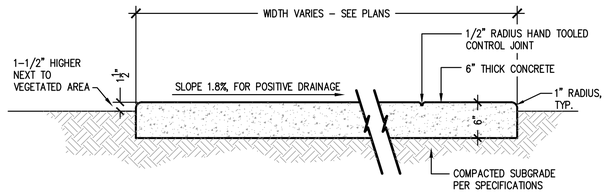


CRUSHER FINES:

1. CRUSHER FINES MATERIAL SHALL MEET THE FOLLOWING SPECIFICATIONS: CLEAN, HARD, DURABLE PARTICLES OR FRAGMENTS OF 3/8" MINUS SELECT GREY CRUSHED GRANITE, RIVER ROCK OR BASALT. FINES SHALL BE ANGULAR AND MINIMUM OF 90% SHALL HAVE AT LEAST ONE FRACTURED FACE. COLOR TO BE APPROVED BY LANDSCAPE ARCHITECT, SAMPLES OF FINES WILL BE SUBMITTED FOR APPROVAL PRIOR TO APPLICATION.
2. TRAIL SUB-BASE SHALL BE ROLLED AND COMPACTED WITH NO LESS THAN 10 PASSES OF THE ROLLER. BOTH 2" LIFTS OF CRUSHER FINE APPLICATION SHALL BE WATERED, ROLLED AND COMPACTED WITH NO LESS THAN 5 PASSES EACH OF THE ROLLER, NO TRAIL COMPACTION TESTING WILL BE REQUIRED.
3. CONTRACTOR TO PROVIDE A FABRIC UNDER THE ENTIRE LENGTH AND WIDTH OF THE CRUSHER FINES TRAIL. TYPE #3401 THERMALLY SPUN POLYPROPYLENE, NON-WOVEN, THIN WEED CONTROL FABRIC 4.0 OZ/LINEAL YARD WEIGHT OR APPROVED EQUAL. CONTRACTOR TO PROVIDE A 12"x12" SAMPLE FOR APPROVAL PRIOR TO APPLICATION.

1 CRUSHER FINES

NOT TO SCALE

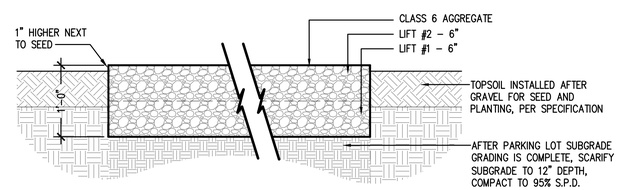


CONCRETE PAVEMENT:

1. 4000 PSI CONCRETE PAVING W/MEDIUM BROOM FINISH PERPENDICULAR TO TRAFFIC FLOW. RE: SPEC FOR MIX DESIGN.
2. ALL FINISH SURFACES TO DRAIN AT 1.8% MAXIMUM CROSS SLOPE, UNLESS OTHERWISE NOTED.
3. ALL CONTROL JOINTS IN PLAZA AREAS TO BE HAND TOOLED TO 1/3 DEPTH OF CONCRETE, REFER TO PLANS FOR EXACT LOCATIONS
4. CONTROL JOINTS AT WALKWAYS SHALL BE AT 10' MAX, SCORE JOINTS SHALL BE AT 5' MAX.

2 CONCRETE PAVING

NOT TO SCALE

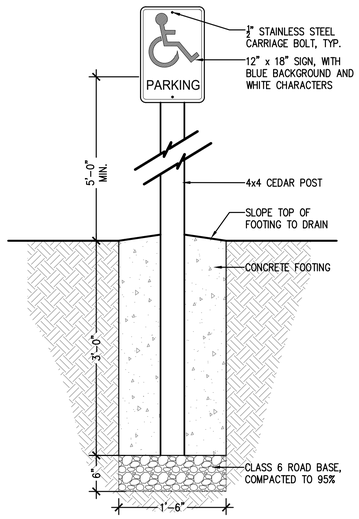


GRAVEL PAVING:

1. REFER TO RECOMMENDATIONS FROM GEOTECHNICAL ENGINEER FOR PARKING LOT SURFACE. GEOTECH RECOMMENDATIONS TAKE PRECEDENCE OVER DETAIL.
2. CONTRACTOR TO PROOF-ROLL SUBGRADE, AND REMOVE SECTIONS THAT SHOW EXCESSIVE HEAVING OR DEFORMATION, REPLACE WITH SUITABLE FILL AND RE-COMPACT.

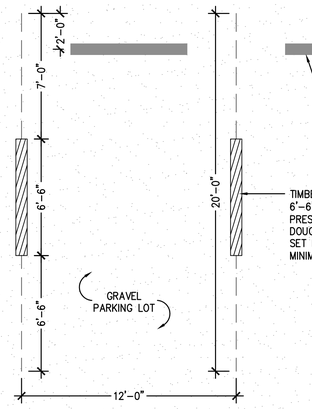
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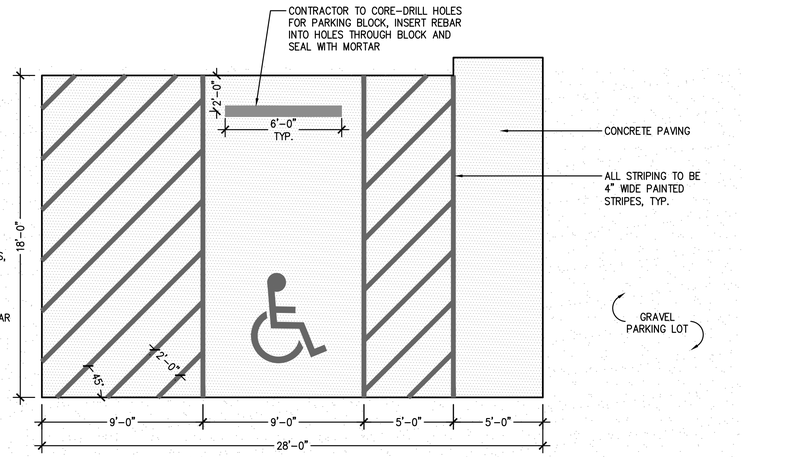
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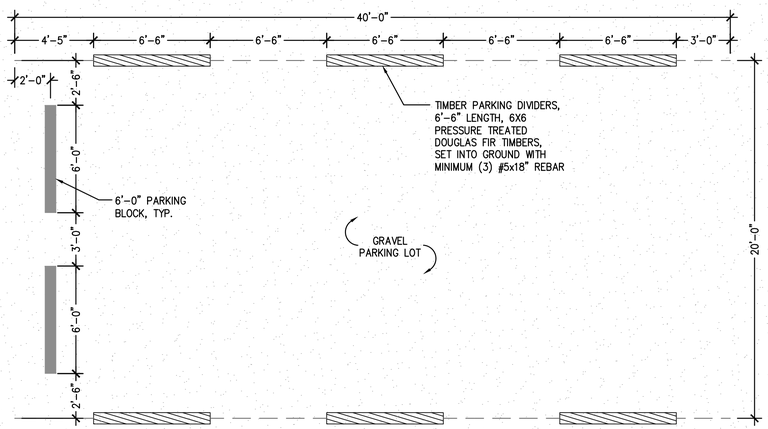
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5 ADA PARKING STALL

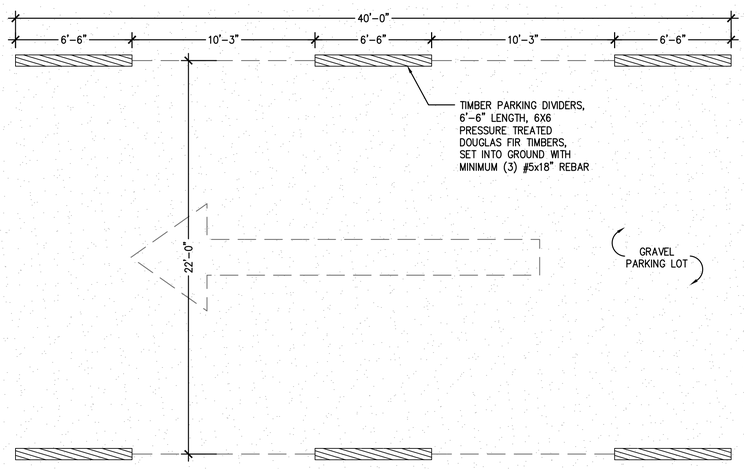
NOT TO SCALE





6 STANDARD TRUCK/TRAILER PARKING STALL

NOT TO SCALE



7 PULL-THROUGH RV PARKING STALL

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JOB DESCRIPTION: 95% CONSTRUCTION DOCUMENTS

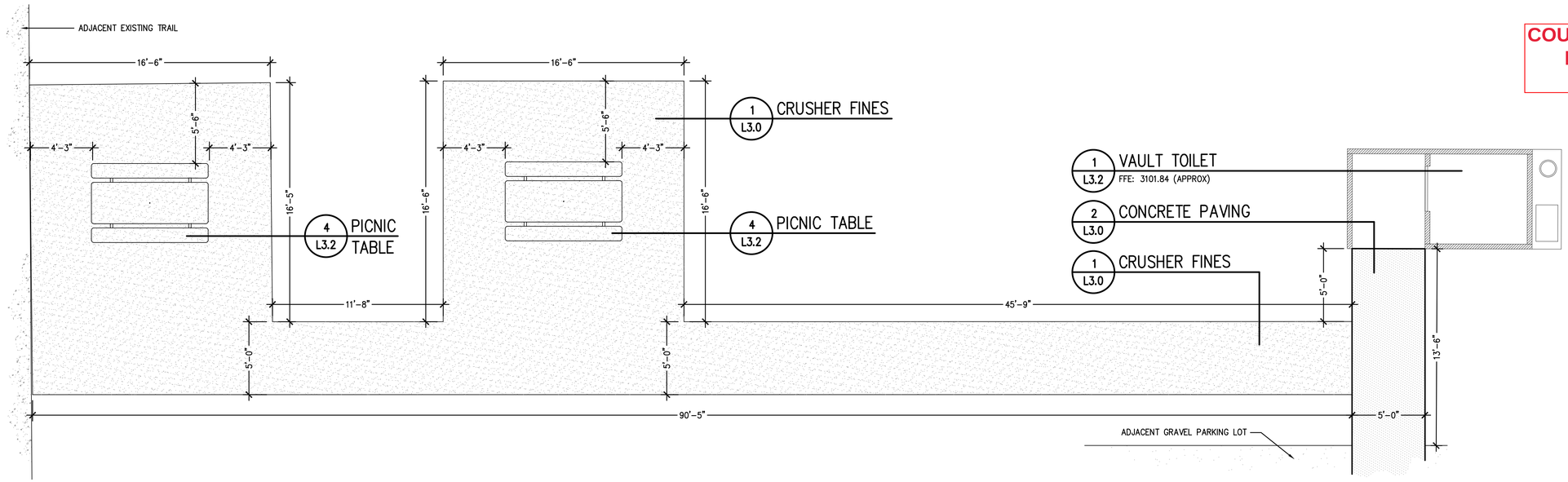
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SCALE: AS SHOWN

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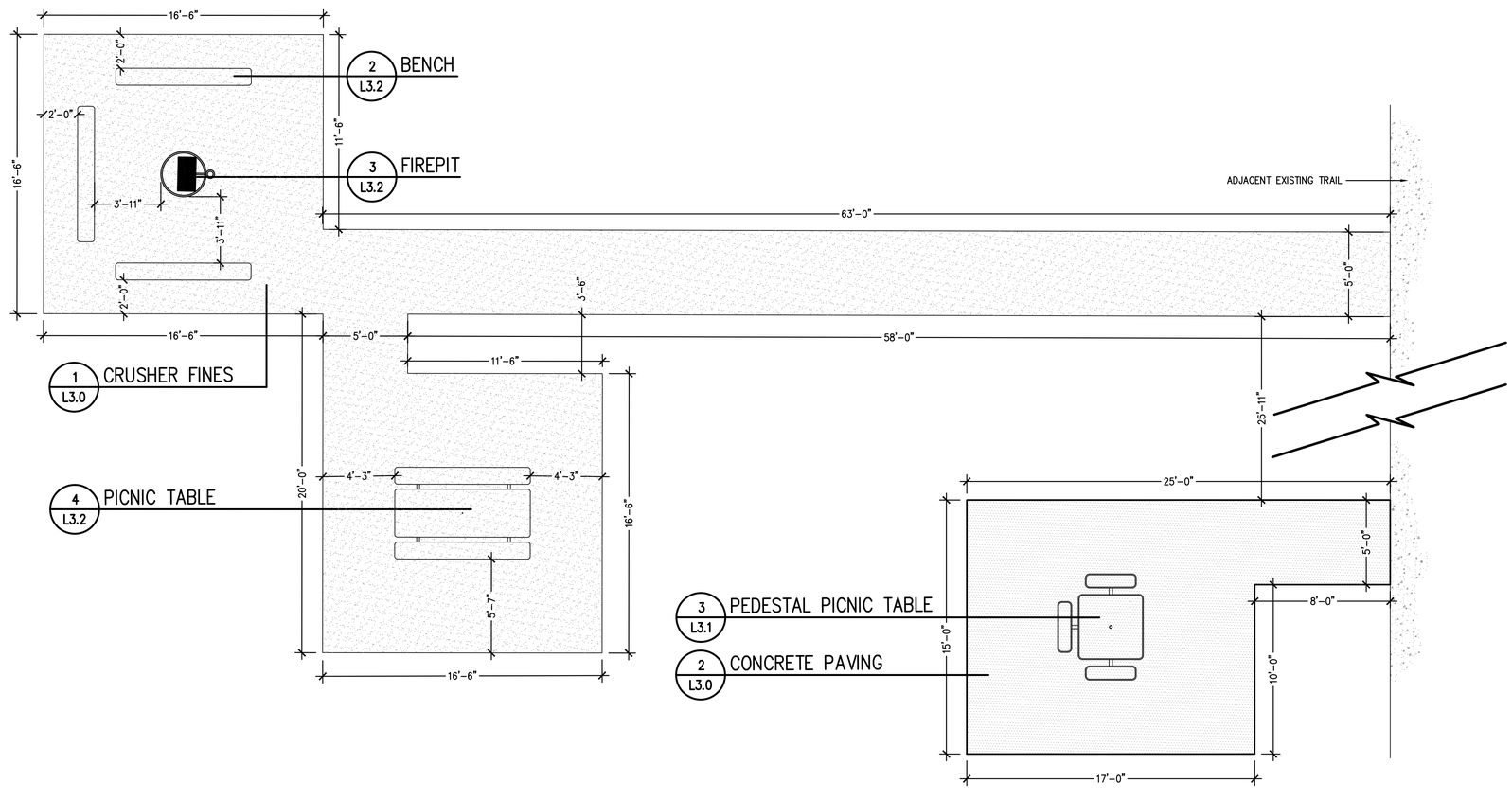
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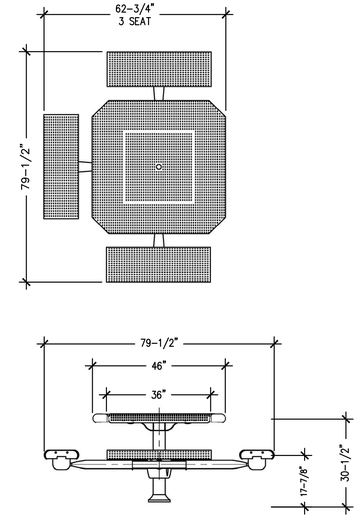
1 PICNIC AREA

NOT TO SCALE



2 ADA PICNIC AREA & FIRE PIT AREA

NOT TO SCALE



3 PEDESTAL PICNIC TABLE

NOT TO SCALE

MANUFACTURER: URBANSCAPE
(OR APPROVED SUBSTITUTE)
MODEL: PODP51C, 46" SQUARE TABLE
SEATS: 3 (ADA MODEL)
COLORS: SEAT/TABLETOP – PEWTER VEIN
FRAME – TEXTURED BLACK
MOUNTING: **SURFACE MOUNT** ON 6" THICK CONCRETE PAD
PERFORATION: SQUARE

COULSON PARK NORTH IMPROVEMENTS 9/6/24

DHM DESIGN
900 S. Broadway
Suite 300
Denver, CO 80209
303.892.5566
www.dhmdesign.com

REUSE OF DOCUMENT
This document is the property of DHM Design Corp. The ideas and design incorporated on this document is an instrument of professional service and shall not be used for any other project without written authorization of DHM Design Corp.

COULSON PARK PHASE 1
Boat Ramp & Restroom Improvements
City of Billings, Montana

PROJECT NUMBER: 18322.00
DATE: 12.22.2020
DESIGNED:
DRAWN:
CHECKED:

REVISIONS:
02.16.2021

JOB DESCRIPTION: 95% CONSTRUCTION DOCUMENTS

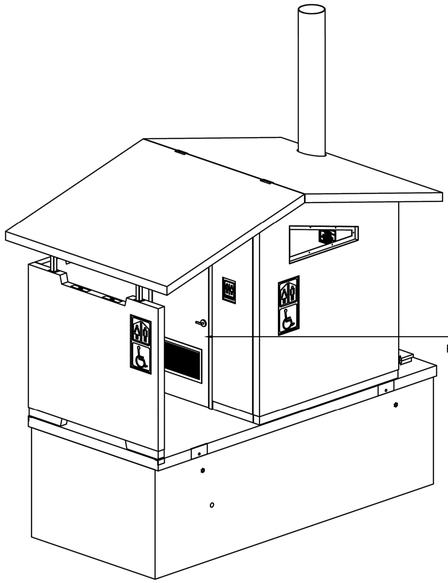
SHEET TITLE: SITE DETAILS

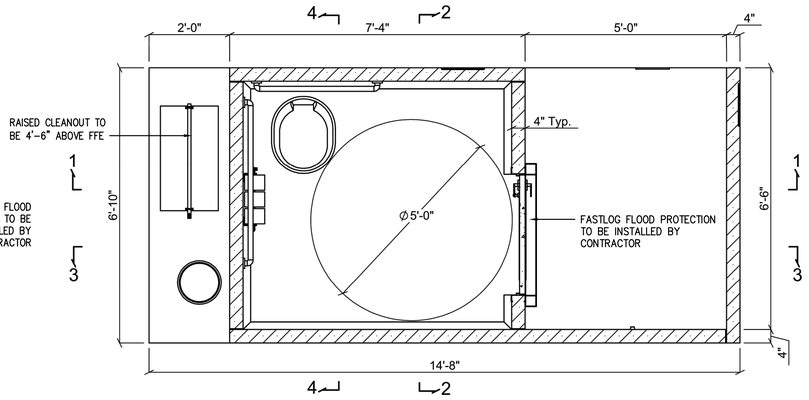
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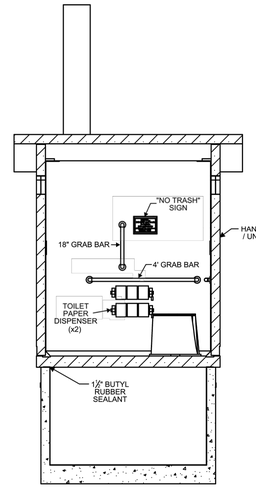
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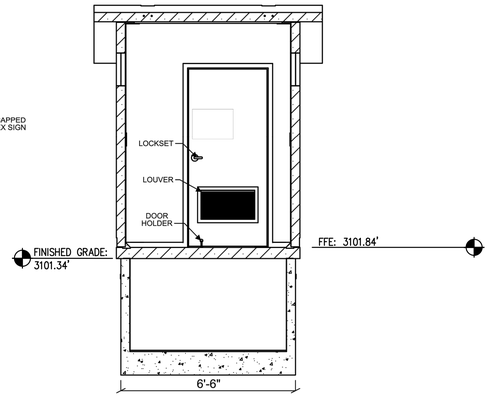
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PLOT DATE: 2/16/2021 - 8:46 AM - jkerson

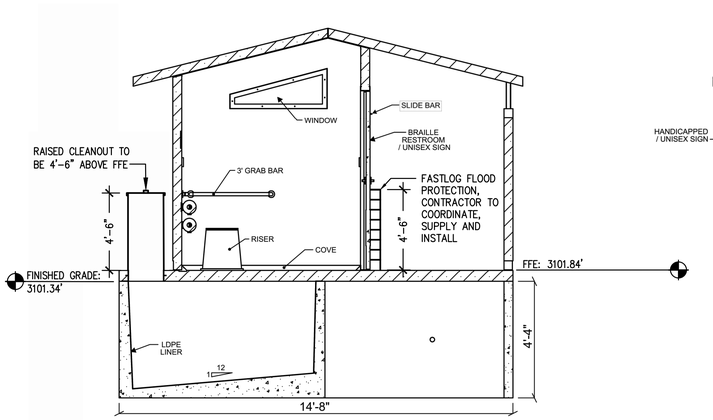
COULSON PARK NORTH IMPROVEMENTS 9/6/24

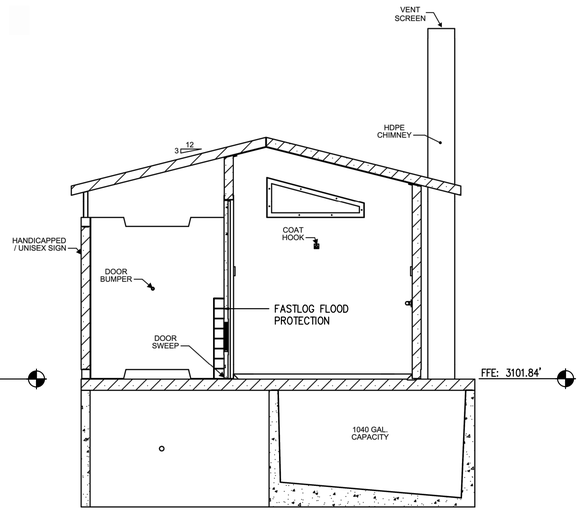


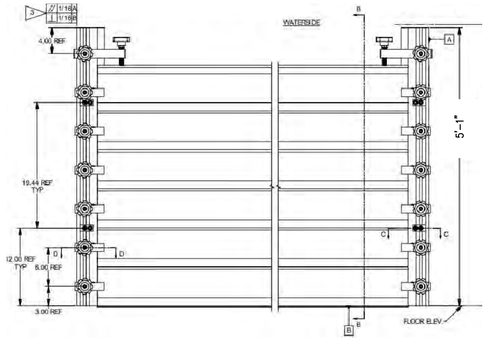












FASTLOG FLOOD PROTECTION

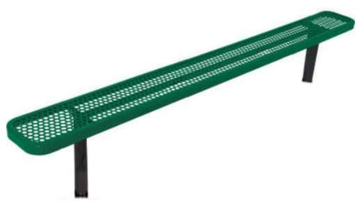
PRESRAY FASTLOG MODEL #AL6061–T6,
SUPPLIED BY PRESRAY, OR APPROVED SUBSTITUTE
PHONE: 845–373–6700

VAULT RESTROOM NOTES:

1. VAULT RESTROOM STRUCTURE PROVIDED BY (NO APPROVED SUBSTITUTE):
   MISSOULA CONCRETE, INC.
   PO BOX 16086
   MISSOULA, MONTANA 59808
2. CONTRACTOR IS RESPONSIBLE FOR PREPARING ALL SUBGRADE IMPROVEMENTS PRIOR TO RESTROOM DELIVERY.
3. ALL DRAWINGS ON THIS SHEET PROVIDED BY MISSOULA CONCRETE, INC.
4. IT IS THE CONTRACTORS RESPONSIBILITY TO MAKE THEMSELVES AWARE OF NECESSARY REQUIREMENTS BY THE RESTROOM MANUFACTURER PRIOR TO BIDDING AS ALL IMPROVEMENTS NECESSARY TO INSTALL RESTROOM STRUCTURE SHALL BE INCLUDED WITHIN THE BID AND AT NO ADDITIONAL COST TO THE OWNER.
5. CONTRACTOR TO PROVIDE AND INSTALL FASTLOG FLOOD PROTECTION GATES @ DOOR TO A HEIGHT OF: 4'–6", COORDINATE W/ MANUFACTURER OF RESTROOM AND FLOOD GATES.
6. VAULT VENT/ COVER TO BE RAISED/ EXTENDED BY 4'–6" TO ELEVATE IT ABOVE THE 3104.25' FLOODPLAIN ELEVATION, BY RESTROOM MANUFACTURER.

1 VAULT TOILET

NOT TO SCALE



2 BENCH

ULTRAPLAY BENCH MODEL #WBB1915823, FRAME TO BE COLOR BLACK, SEAT TO BE COLOR GREEN. AS SUPPLIED BY GLOBAL INDUSTRIAL, OR APPROVED SUBSTITUTE

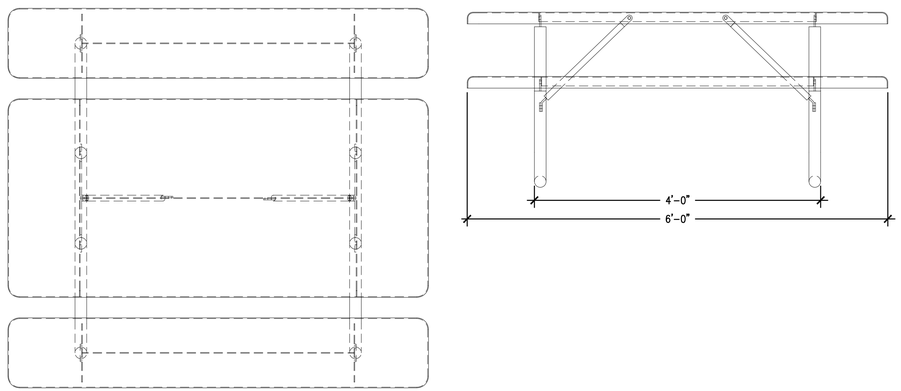
NOT TO SCALE



3 FIREPIT

NATIONAL OUTDOOR FURNITURE MODEL #JTA 11301. AS SUPPLIED BY NATIONAL OUTDOOR FURNITURE, OR APPROVED SUBSTITUTE

NOT TO SCALE



4 PICNIC TABLE

WAUSAU TILE PICNIC TABLE MODEL #MF1055, FRAME TO BE COLOR MF BLACK–8, TABLE TOP AND SEATS TO BE COLOR MF BROWN–4. AS SUPPLIED BY WABASH VALLEY, OR APPROVED SUBSTITUTE

NOT TO SCALE

DHM DESIGN
900 S. Broadway
Suite 300
Denver, CO 80209
303.892.5566
www.dhmdesign.com

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COULSON PARK PHASE 1
Boat Ramp & Restroom Improvements
City of Billings, Montana

PROJECT NUMBER: 18322.00
DATE: 12.22.2020
DESIGNED:
DRAWN:
CHECKED:

REVISIONS:
02.16.2021

JOB DESCRIPTION: 95% CONSTRUCTION DOCUMENTS

SHEET TITLE: SITE DETAILS

SCALE: AS SHOWN

SHEET NUMBER: **L3.2**

XREFS
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PLOT DATE: 9/6/2024 - 9:46 AM

Consent 1.D.

Regular City Council Meeting
Meeting Date: 11/13/2018
TITLE: Umbrella agreement, State of Montana Department of Justice Natural Resource Damage Program
PRESENTED BY: Mike Whitaker, Parks, Recreation & Public Lands Director
Department: Parks/Rec/Public Lands
Presentation: No

PROBLEM/ISSUE STATEMENT

The purpose of this agreement is for the City of Billings to implement projects to restore, replace, rehabilitate, or acquire the equivalent of natural resources and services injured or lost due to the July 1, 2011, ExxonMobil Pipeline Company Yellowstone River Oil Spill. The agreement between the City of Billings and the State of Montana Department of Justice, Natural Resource Damage Program (NRDP) is for grant funding to implement the eight approved projects.

A copy of the agreement is available at the City Clerk's office for review.

ALTERNATIVES ANALYZED

City Council may:

- Approve the agreement between the State of Montana, Department of Justice, Natural Resource Damage Program and the City of Billings, or;
- Disapprove and provide Staff guidance on how to proceed.

FINANCIAL IMPACT

Total budget for all eight proposed and funded projects is $1,402,453 in grant funding from the NRDP; no City matching funds are required.

RECOMMENDATION

Staff recommends approval of the agreement between the State of Montana, Department of Justice, Natural Resource Damage Program and the City of Billings.

APPROVED BY CITY ADMINISTRATOR

Attachments

Agreement

AGREEMENT

An Agreement is hereby entered into by and between the State of Montana, Department of Justice, Natural Resource Damage Program (hereinafter referred to as "NRDP"), whose address and phone number are 1720 9th Avenue, Helena, MT 59601 and (406) 444-0205, and the City of Billings (hereinafter referred to as "Contractor"), whose address and phone number are 390 North 23rd Street, Billings, MT 59101 and (406) 657-8371.

The purpose of this Agreement is for the Contractor to implement projects to restore, replace, rehabilitate, or acquire the equivalent of natural resources and services injured or lost due to the July 1, 2011 ExxonMobil Pipeline Company Yellowstone River Oil Spill, as proposed in the *Final Programmatic Damage Assessment and Restoration Plan and Final Programmatic Environmental Assessment for the ExxonMobil Pipeline Company July 1, 2011 Yellowstone River Oil Spill (Restoration Plan)*. The May 30, 2018 Yellowstone River recreation project priority plan was completed as part of the implementation of the Restoration Plan. The recreation project priority plan identifies preferred recreation projects and funding amounts to meet the restoration plan goal of providing additional recreational human use opportunities to offset those lost due to the July 1, 2011 ExxonMobil Pipeline Company Yellowstone River Oil Spill. The applications for these projects to the Recreation Advisory Committee are hereby incorporated by reference. These projects were approved by Governor Bullock on May 30, 2018 as part of the Yellowstone River recreation project priority plan. The City of Billings (Contractor) was awarded funding under the recreation project priority plan for up to eight recreation projects.

In consideration of the mutual covenants and stipulations described below, NRDP and Contractor agree as follows:

1. DATES TO COMMENCE AND COMPLETE SERVICES

As long as signed by both parties, the Contract's initial term is from the Effective Date of **July 1, 2018** through **June 30, 2022,** unless terminated earlier as provided in this Contract. In no event is this Contract binding on NRDP unless NRDP's authorized representative has signed it. The legal counsel signature approving legal content of the Contract does not constitute an authorized signature. This Contract may not be renewed.

2. SERVICES

The Contractor agrees to perform the services outlined in subsequent task orders under the terms of this Agreement. All work will be detailed in subsequent task orders which will contain a detailed scope of work, budget, and project schedule for implementation of certain City of Billings recreation projects. Projects for which task orders may be developed are listed in Attachment A. Contractor will initiate projects in the order listed in Attachment A or as otherwise approved by NRDP. City of Billings projects are subject to the individual project funding limits and conditions set forth in the recreation project priority plan.

3. CONSIDERATION/PAYMENT

In consideration of the services to be provided, NRDP shall pay Contractor an amount not to exceed $1,402,453. The budget is included as **Attachment A**, Budget.

1. Travel expenses will be reimbursed at the current State reimbursement rates for meals, lodging, and mileage.
2. The Contractor shall be reimbursed for any other reasonable and appropriate expenses incurred in performing this contract such as telephone, copying, typing, drafting, computer programming, and other computer costs.
3. The contractor will be paid and/or reimbursed as specified above after submission to NRDP of an invoice for the amount claimed.
4. The invoice must identify the number of hours worked, the time frame in which the hours were worked, and a description of the work performed. If reimbursement for automobile travel is sought, the invoices must contain the dates of travel, the destination, and the mileage. If reimbursement for other expenses is sought, the invoice must sufficiently document the expenses and copies of receipts may be requested.
5. NRDP will not provide services or facilities to Contractor as part of this Agreement.
6. In addition to its other remedies under this Contract, at law, or in equity, NRDP may withhold payments to Contractor if Contractor has breached this Contract. Such withholding may not be greater than, in the aggregate, 10% of the total value of the subject statement of work or applicable contract.
7. NRDP has thirty (30) days to pay invoices, as allowed by Mont. Code Ann. § 17-8-242. Contractor shall provide banking information at the time of Contract execution in order to facilitate NRDP's electronic funds transfer payments. Invoices must be mailed to NRDP or e-mailed to DOJNRDPInvoice@mt.gov.
8. The Contract number MUST appear on all invoices, packages, and correspondence pertaining to the Contract. If the number is not provided, NRDP is not obligated to pay the invoice.

4. ACCESS AND RETENTION OF RECORDS

Contractor shall provide NRDP, Legislative Auditor, or their authorized agents access to any records necessary to determine Contract compliance. NRDP may terminate this Contract under Section 14, Contract Termination, without incurring liability, for Contractor's refusal to allow access as required by this section. (Mont. Code Ann. § 18-1-118.) Contractor must consult with NRDP in conjunction with releasing information to the Legislative Auditor. Contractor shall not release any records except for in compliance with Section 13.

Contractor shall create and retain all records supporting the technical consulting services for a period of eight years after either the completion date of this Contract or termination of the Contract.

5. ASSIGNMENT, TRANSFER, AND SUBCONTRACTING

Contractor may not assign, transfer, or subcontract any portion of this Contract without NRDP's prior written consent. (Mont. Code Ann. § 18-4-141.) Contractor is responsible to NRDP for the acts and omissions of all subcontractors or agents and of persons directly or indirectly employed by such subcontractors, and for the acts and omissions of persons employed directly by Contractor. No contractual relationships exist between any subcontractor and NRDP under this Contract.

6. REQUIRED INSURANCE

The Contractor, as a political subdivision of the State of Montana, shall maintain for the duration of this Contract, at its cost and expense, all insurance required of a political subdivision under Mont. Code Ann. § 2-9, against claims for injuries to persons or damages to property, including contractual liability, which may arise from or in connection with the performance of the work by Contractor, agents, employees, representatives, assigns, or subcontractors. This insurance shall cover such claims as may be caused by any negligent act or omission.

The State, its officers, officials, employees, and volunteers are to be covered and listed as additional insureds for liability arising out of activities performed by or on behalf of Contractor, including the insured's general supervision of Contractor, products, and completed operations, and the premises owned, leased, occupied, or used.

7. COMPLIANCE WITH WORKERS' COMPENSATION ACT

Contractor shall comply with the provisions of the Montana Workers' Compensation Act while performing work for NRDP in accordance with Mont. Code Ann. § 39-71-401, § 39-71-405 and § 39-71-417. Proof of compliance must be in the form of workers' compensation insurance, an independent contractor's exemption, or documentation of corporate officer status. Neither Contractor nor its employees are NRDP employees. This insurance/exemption must be valid for the entire Contract term. Upon expiration, a renewal document must be sent to NRDP, P.O. Box 201425, Helena, MT 59620-1425.

8. COMPLIANCE WITH LAWS

Contractor shall, in performance of work under this Contract, fully comply with all applicable federal, NRDP, or local laws, rules, regulations, and executive orders including but not limited to the Montana Human Rights Act, the Equal Pay Act of 1963, the Civil Rights Act of 1964, the Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973. Contractor is the employer for the purpose of providing healthcare benefits and paying any applicable penalties, fees, and taxes under the Patient Protection and Affordable Care Act [P.l. 111-148, 124 Stat. 119]. Any subletting or subcontracting by Contractor subjects subcontractors to the same provisions. In accordance with Mont. Code Ann. § 49-3-207 and Executive Order No. 04-2016, Contractor agrees that the hiring of persons to perform this Contract will be made on the basis of merit and qualifications and there will be no discrimination based on race, color, sex, pregnancy, childbirth or medical

conditions related to pregnancy or childbirth, political or religious affiliation or ideas, culture, creed, social origin or condition, genetic information, sexual orientation, gender identity or expression, national origin, ancestry, age, disability, military service or veteran status, or marital status by the persons performing this Contract.

9. DISABILITY ACCOMMODATIONS

NRDP does not discriminate on the basis of disability in admission to, access to, or operations of its programs, services, or activities. Individuals who need aids, alternative document formats, or services for effective communications or other disability related accommodations in the programs and services offered are invited to make their needs and preferences known to this office. Interested parties should provide as much advance notice as possible.

10. OWNERSHIP AND PUBLICATION OF MATERIALS

NRDP and any other persons or entities authorized by NRDP shall have a royalty-free, non-exclusive, and irrevocable right to reproduce, publish, or otherwise use the materials resulting from the performance of this Agreement for any NRDP or public purpose. The Contractor may establish a claim to copyright of the materials resulting from the performance of this Agreement provided, that in such event, the Contractor shall affix the applicable copyright notices and acknowledgement of NRDP's sponsorship to such materials.

11. CONTRACT TERMINATION

Either party may terminate this Contract in whole or in part for the other party's failure to materially perform any of the services, duties, terms, or conditions contained in this Contract after giving Contractor written notice of the stated failure. The written notice must demand performance of the stated failure within a specified period of time of not less than ten (10) calendar days. If the demanded performance is not completed within the specified period, the termination is effective at the end of the specified period.

NRDP, at its sole discretion, may terminate or reduce the scope of this contract if available funding is reduced for any reason. (See Mont. Code Ann. § 18-4-313(4).) As stated above, NRDP shall be liable to Contractor only for the payment, or prorated portion of that payment, owed to Contractor up to the date NRDP's termination takes effect. This is Contractor's sole remedy. NRDP shall not be liable to Contractor for any other payments or damages arising from termination under this section including but not limited to general, special, or consequential damages, such as lost profits or revenues.

12. FORCE MAJEURE

Neither party is responsible for failure to fulfill its obligations due to causes beyond its reasonable control, including without limitation, acts or omissions of government or military authority, acts of God, materials shortages, transportation delays, fires, floods, labor disturbances, riots, wars, terrorist acts, or any other causes, directly or indirectly beyond the reasonable control of the nonperforming party, so long as such party uses its best efforts to

remedy such failure or delays. A party affected by a force majeure condition shall provide written notice to the other party within a reasonable time of the onset of the condition. In no event, however, shall the notice be provided later than five (5) working days after the onset. If the notice is not provided within the five-day period, then a party may not claim a force majeure event. A force majeure condition suspends a party's obligations under this Contract, unless the parties mutually agree that the obligation is excused because of the condition.

13. CONFORMANCE WITH CONTRACT

No alteration of the terms, conditions, delivery, price, quality, quantities, or specifications of the Contract shall be granted without both parties' prior written consent. Services provided that do not conform to the Contract terms, conditions, and specifications may be rejected at Contractor's expense.

14. LIAISONS AND SERVICE OF NOTICES

All project management and coordination on NRDP's behalf must be through a single point of contact designated as NRDP's liaison. Contractor shall designate a liaison that will provide the single point of contact for management and coordination of Contractor's work. All work performed under this Contract must be coordinated between NRDP's liaison and Contractor's liaison:

NRDP Liaison:
Alicia Stickney
1720 9th Avenue
PO Box 201425
Helena, MT 59620
Telephone: (406) 444-1346
E-mail: AliciaStickney@mt.gov

City of Billings Liaison:
Mike Pigg, Superintendent of Parks
390 North 23rd Street
Billings, MT 59101
Telephone: (406)657-8371
E-mail: piggm@ci.billings.mt.us

NRDP's liaison and Contractor's liaison may be changed by written notice to the other party. Written notices, requests, or complaints must first be directed to the liaison. Notice may be provided by personal service, mail, or e-mail. If notice is provided by personal service, or e-mail, the notice is effective upon receipt; if notice is provided by mail, the notice is effective within three business days of mailing. A signed and dated acknowledgement of the notice is required of both parties.

The personnel identified or described in Contractor's proposal shall perform the services provided for NRDP under this Contract. Contractor agrees that any personnel substituted during the term of this Contract must be able to conduct the required work to industry standards and be

equally or better qualified than the personnel originally assigned. NRDP reserves the right to approve Contractor personnel assigned to work under this Contract and any changes or substitutions to such personnel. NRDP's approval of a substitution will not be unreasonably withheld. This approval or disapproval shall not relieve Contractor to perform and be responsible for its obligations under this Contract. NRDP reserves the right to require Contractor personnel replacement. If Contractor personnel become unavailable, Contractor shall provide an equally qualified replacement in time to avoid delays to the work plan.

15. MEETINGS

15.1 Technical or Contractual Problems. Contractor shall meet with NRDP's personnel, or designated representatives, to resolve technical or contractual problems occurring during the Contract term or to discuss the progress made by Contractor and NRDP in the performance of their respective obligations, at no additional cost to the NRDP. NRDP may request the meetings as problems arise and the meetings will be coordinated by NRDP. NRDP shall provide Contractor a minimum of three full working days' notice of meeting date, time, and location. Face-to-face meetings are desired; however, at Contractor's option and expense, a conference call meeting may be substituted. Contractor's consistent failure to participate in problem resolution meetings, Contractor missing or rescheduling two consecutive meetings, or Contractor's failure to make a good faith effort to resolve problems may result in termination of the Contract.

15.2 Progress Meetings. During the term of this Contract, NRDP's Project Manager shall plan and schedule progress meetings with Contractor to discuss Contractor's and NRDP's progress in the performance of their respective obligations. These progress meetings will include NRDP's Project Manager, Contractor's Project Manager, and any other additional personnel involved in the performance of this Contract as required. At each meeting, Contractor shall provide NRDP with a written status report that identifies any problem or circumstance encountered by Contractor, or of which Contractor gained knowledge during the period since the last such status report, which may prevent Contractor from completing any of its obligations or may generate charges in excess of those previously agreed to by the parties. This may include the failure or inadequacy of NRDP to perform its obligation under this Contract. Contractor shall identify the amount of excess charges, if any, and the cause of any identified problem or circumstance and the steps taken to remedy the same.

15.3 Failure to Notify. If Contractor fails to specify in writing any problem or circumstance that materially affects the costs of its delivery of services or products, including a material breach by NRDP, about which Contractor knew or reasonably should have known with respect to the period during the term covered by Contractor's status report, Contractor shall not be entitled to rely upon such problem or circumstance as a purported justification for an increase in the price for the agreed upon scope.

15.4 NRDP's Failure or Delay. For a problem or circumstance identified in Contractor's status report, which Contractor claims was the result of NRDP's failure or delay in discharging any NRDP obligation, NRDP shall review and determine if such a problem or circumstance was in fact the result of such failure or delay. If NRDP agrees as to the cause of

such a problem or circumstance, then the parties shall extend any deadlines or due dates affected thereby and provide for any additional charges by Contractor. This is Contractor's sole remedy. If NRDP does not agree as to the cause of such a problem or circumstance, the parties shall each attempt to resolve the problem or circumstance in a manner satisfactory to both parties.

16. CHOICE OF LAW AND VENUE

Montana law governs this Contract. The parties agree that any litigation concerning this Contract must be brought in the First Judicial District in and for the County of Lewis and Clark, State of Montana, and each party shall pay its own costs and attorney fees.

17. TAX EXEMPTION

NRDP is exempt from Federal Excise Taxes (#81-0302402), except as otherwise provided in the federal Patient Protection and Affordable Care Act [P.l. 111-148, 124 Stat. 119].

18. SEVERABILITY

A declaration by any court or any other binding legal source that any provision of the Contract is illegal and void shall not affect the legality and enforceability of any other provision of the Contract, unless the provisions are mutually and materially dependent.

19. SCOPE, ENTIRE AGREEMENT, AND AMENDMENT

19.1 Agreement. This Agreement consists of nine numbered pages, and any Attachments as required. In the case of dispute or ambiguity arising between or among the documents, the order of precedence of document interpretation is the same.

19.2 Entire Agreement. These documents are the entire agreement of the parties. They supersede all prior agreements, representations, and understandings. Any amendment or modification must be in a written agreement signed by the parties.

20. WAIVER

NRDP's waiver of any Contractor obligation or responsibility in a specific situation is not a waiver in a future similar situation or is not a waiver of any other Contractor obligation or responsibility.

21. RESOLUTION OF DISAGREEMENTS. If a dispute arises between NRDP and Contractor over matters covered by the Agreement that cannot be resolved at the project officer/staff attorney level, the matter will be referred to the Parks, Recreation and Public Lands Director and the NRDP Restoration Program Chief for an informal dispute resolution process. To initiate this informal process, each party will identify and describe the disputed issues in writing and deliver this explanation to the other party. In the event that the dispute cannot be resolved within a reasonable time after discussions based upon the exchange of information, the matter will be referred to the City Attorney and the NRDP Lawyer/Program Manager for resolution. If

the dispute cannot be resolved within a reasonable time at this level, the matter will be referred to the Governor for resolution.

22. EXECUTION

The parties through their authorized agents have executed this Agreement on the dates set out below.

STATE OF MONTANA
Department of Justice
Natural Resource Damage Program
1720 9th Avenue
PO Box 201425
Helena, MT 59620

BY: _____
Doug H. Martin
Restoration Program Chief

DATE: Aug 21, 2018

CITY OF BILLINGS, MONTANA
390 North 23rd Street
Billings, MT 59101
Federal Tax ID # 81- 6001237

BY: _____
William A. Cole
Mayor

DATE: 11-13-18

Approved as to Legal Content:

_____
Katherine Hausrath
Assistant Attorney General
Natural Resource Damage Program

DATE: 8/22/2018

Approved as to Form:

_____
Brent Brooks
City Attorney
City of Billings, Montana

DATE: 11/13/18

ATTACHMENT A
BUDGET

As funding is available under the recreation project priority plan, the NRDP and the Contractor will develop a budget associated with an individual task order for the completion of each of the following projects under the recreation project priority plan:

1- Coulson Park Master Plan $45,000
2- Josephine Lake Fishing Habitat Improvement (Task 1) $50,000
3- Coulson Park Infrastructure $250,000
4- Norm's Island Latrines $68,500
5- Coulson Park Improvement $110,000
6- Riverfront Park Multi-Use Trail $420,000
7- Josephine Lake (Tasks 2-4) $100,000
8- William Clark Recreation Area Construction $358,953

Budgets should be provided in an Excel spreadsheet, broken down by staff, hours, salary, and contracted services.

NRDP shall pay Contractor an amount not to exceed $1,402,453. Projects are subject to the individual project funding limits and conditions set forth in the recreation project priority plan.

TASK ORDER 5

Coulson Park Infrastructure Improvements (2024 Forward)

This Task Order No. 5 (Task Order) is entered into between the State of Montana, Natural Resource Damage Program (NRDP) and the City of Billings (Contractor), as authorized by NRDP Contract No. 700121 (Agreement).

1.0 PURPOSE.

The purpose of this Task Order is to outline tasks necessary for Contractor to construct/install the latrines, boat ramp, parking and picnic areas at Coulson Park. This project will partially implement the Yellowstone River Recreation Project Priority Plan developed as part of the *Final Programmatic Damage Assessment and Recreation Plan* and *Final Programmatic Environmental Assessment for the Exxon Mobile Pipeline Company July 1, 2011 Yellowstone River Spill.*

2.0 BACKGROUND.

The City of Billings Coulson Park Master Plan proposed to install latrines, a boat ramp, parking and a picnic area. The Coulson Park infrastructure improvement project was approved in the Yellowstone River Recreation Project Priority Plan, which was completed as part of the implementation of the Final Programmatic Damage Assessment and Restoration Plan and Final Programmatic Environmental Assessment for the Exxon Mobile Pipeline Company July 1, 2011 Yellowstone River Spill prepared by the US Department of the Interior, through the Bureau of Land Management and US Fish and Wildlife Services and the State of Montana through the Natural Resource Damage Program (NRDP).

The priority plan identified preferred recreation projects and funding amounts to meet the restoration plan goal of providing additional recreational human use opportunities to offset those lost by the July 1, 2011 Exxon Mobile Yellowstone River Oil Spill. These projects were approved by the Governor on May 30, 2018, as part of the Yellowstone River Recreation Project Priority Plan. The purpose of this Task Order is to make the approved funds available to the City of Billings for the construction of the project.

3.0 EFFECTIVE DATE, END DATE, EXTENSION, AND TERMINATION.

3.1 *Effective Date*. The Effective Date of this Task Order is the latest date of authorized signature appearing in this Task Order's signature block in the Execution section. The Effective Date begins the term and period of performance for this Task Order, unless expressly stated otherwise. The NRDP legal counsel signature approving legal content of the Task Order does not constitute an authorized signature for NRDP. This Task Order is not binding on NRDP or Contractor unless respectively executed by each party's authorized representative.

3.2 *Task Order End Date*. This Task Order's initial term begins on the Effective Date, and will expire on the Task Order End Date, which is **December 31, 2026**.

3.3 *Extension.* This Task Order may be extended by an executed written modification of this Task Order. Any extension must occur within the contract term of the Contract.

3.4 *Termination.* This Task Order will expire on the Task Order End Date, as amended, or upon the date of termination or expiration of the Contract, whichever occurs earlier. NRDP may, with 14 calendar days advance written notice, terminate this Task Order before the Task Order End Date, without cause and without incurring liability to Contractor. NRDP will pay Contractor only that amount, or prorated portion thereof, owed to Contractor up to the date NRDP's termination takes effect. This is Contractor's sole remedy. NRDP will not be liable to Contractor for any other payments or damages arising from termination, including but not limited to general, special, or consequential damages such as lost profits or revenues. NRDP must, by law, terminate the Task Order if funds are not appropriated or otherwise made available to support NRDP's continuation of performance.

Contractor may terminate this Task Order for NRDP's failure to perform any of NRDP's duties under this Task Order, after giving NRDP written notice of the failure. The written notice must demand NRDP's performance of the stated failure within a specified period of time, which may not be less than 14 calendar days. If the demanded performance is not completed within the specified period, the termination is effective at the end of the specified period.

4.0 SCOPE OF WORK.

Contractor will perform the following tasks:

4.1 Task 1: Project Management

Contractor will prepare monthly invoices and project progress reports. Contractor will provide NRDP with updated schedule of deliverables, budgets, bid awards, and project schedule as information becomes available.

4.2 Task 2: Final Design

Contractor will prepare a final design document package that includes design sheets, specifications, bidding documents, and a construction cost estimate. Contractor will use the final design documents for bidding of the construction of the park amenities.

4.3 Task 3: Permits

Contractor will prepare and obtain all necessary permits prior to construction of the park amenities. Contractor will provide copies of the approved permits to NRDP.

4.4 Task 4: Construction of Park Amenities

Contractor will procure a contractor and oversee the construction of the park amenities and provide NRDP with copies of all as-built drawings once the construction has been completed.

5.0 SCHEDULE AND DELIVERABLES.

Contractor will provide NRDP with updated schedule of deliverables, budgets, bid awards, and project schedule as information becomes available.

1. Task 1. Project Management
   a. One (1) electronic Progress Report due with each monthly invoice.
2. Task 2. Final Design
   a. One (1) electronic copy of the final design documents will be provided to NRDP.
3. Task 3. Permits
   a. One (1) electronic copy of all necessary permits will be provided to NRDP.
4. Task 4: As-Built Drawings
   a. One (1) electronic copy of all as-built drawings will be provided to NRDP with the final invoice submittal.

6.0 COMPENSATION.

In consideration of the services provided, NRDP will pay Contractor an amount **not to exceed $332,949.75**. NRDP will pay Contractor according to the current rates in effect under the Contract, including time and materials, as estimated in the budget for this Task Order, attached as **ATTACHMENT A**. Contractor will submit monthly invoices conforming to Contract requirements, as well as Contractor's name, address, and Contract and Task Order numbers, to NRDP for costs actually incurred, unless no work was performed during the billing period. Invoices of subcontractors will be submitted without mark-up by Contractor. Progress reports will be submitted with all invoices that clearly identify the work performed, including hours, dates and personnel. Contractor must not exceed the costs specified in this section without prior written authorization in the form of a fully executed task order modification. NRDP has thirty (30) days to pay invoices, as allowed by 17-8-242, MCA. Contractor will submit invoices to Meranda Flugge, Natural Resource Damage Program, P.O. Box 201425, Helena, MT 59620-1425, or by email to: DOJNRDPInvoice@mt.gov.

7.0 TASK ORDER CONTACT AND NOTICE.

The Task Order liaisons listed below are each party's single point of contact, unless otherwise specified. Written notices, deliverables, requests, questions, or any other issues or communications regarding this Task Order will be directed to the following Task Order project managers:

For NRDP:

Pat Cunneen
1720 9th Ave.
PO Box 201425
Helena, MT 56920
Phone: 406-565-6924
Email: pcunneen@mt.gov

For Contractor: Mike Pigg
Superintendent of Parks
Billings Parks, Recreation and Public Lands
390 N 23rd St.
Billings, MT 59101
Phone: 406-237-6227
Email: piggm@billingsmt.gov

8.0 GENERAL REQUIREMENTS AND CONDITIONS.

8.1 NRDP will review all draft documents delivered by Contractor. NRDP may prepare and return a draft markup with comments and proposed changes to Contractor. Contractor will notify NRDP of any comments Contractor believes are incorrect, but will incorporate all comments into the final document (or subsequent draft) unless directed otherwise by NRDP.

8.2 All electronic documents must be fully modifiable and delivered to NRDP in both searchable Portable Document Format (PDF) and WORD formats unless otherwise specified. In addition, Contractor must provide to NRDP all files used to create the document(s) in their respective electronic formats (WORD, PDF, EXCEL, CAD, etc.). All electronic documents must be compliant with requirements of Section 508, Rehabilitation Act of 1973 unless otherwise directed by NRDP.

8.3 Images must meet a minimum resolution of 640 x 480 for electronic images and 1024 x 768 for images that will be printed. Images must be saved in the JPEG format and provided to NRDP as stand-alone files. Include the following documentation with the images that are included in deliverables unless otherwise directed by NRDP: date and time image was captured, organization and photographer that captured the image, name of the project, activity and location being captured, and direction the photographer was facing for the image capture.

8.4 Where time is stated in days, it is calculated using calendar days and includes weekends and legal holidays unless otherwise specified. Contractor must deliver required Deliverables to NRDP by 5:00 PM Mountain Time unless otherwise specified.

8.5 This Task Order and any subsequent modifications may be executed in counterparts, each of which will be deemed to be an original, but all of which, taken together, will constitute one complete, identical agreement. Electronic signature and electronic delivery of an executed counterpart of this Task Order is effective unless otherwise specified.

9.0 CONFLICT OF INTEREST.

Contractor has conducted a conflict of interest analysis and disclosed those results to NRDP. Contractor represents to and assures NRDP that Contractor has no conflict of interest related to this Task Order.

10.0 SUBCONTRACTED SERVICES AND PROCUREMENT OF SUPPLIES.

NRDP must pre-approve in writing of any services to be performed by a subcontractor or any supplies to be procured by Contractor. Contractor is responsible to State for the acts and

omissions of all subcontractors or agents and of persons directly or indirectly employed by such subcontractors, and for the acts and omissions of persons employed directly by Contractor. All Contractor procurement of subcontractors and supplies must comply with applicable Montana procurement laws and regulations. Prior to obtaining any subcontracted services or supplies in the amount of $10,000 or more, Contractor must obtain NRDP's written approval of the procurement method, subcontractor, subcontract, the subcontract price, the subcontractor agreement, and, as applicable, labor rates, overhead rates and any subcontractor fee. Contractor must use an NRDP-provided template or form for the procurement. Contractor must submit documentation of the NRDP-approved procurement with the invoice that includes subcontractor costs or supplies. NRDP may require documentation of publication of the procurement and submittal of forms, as applicable.

Contractor will subcontract for the construction of the infrastructure improvements, including: the restroom, boat ramp, picnic shelter, parking lot, gravel trail, bike racks, benches and signage.

11.0 EXECUTION.

The parties through their authorized agents have executed this Task Order on the dates set out below.

STATE OF MONTANA
NATURAL RESOURCE DAMAGE PROGRAM

By: Douglas H. Martin — Date
Program Administrator

Approved as to technical content:

Brian Bartkowiak — Date
Environmental Program Manager

Approved as to legal content:

NRDP Legal Counsel, Aspen Ward — Date

CITY OF BILLINGS, MONTANA

Mike Pigg
Parks and Recreation Director

1/10/2025
Date

ATTACHMENT A
BUDGET

90% Construction Estimate

COULSON PARK SOUTH IMPROVEMENTS
Billings, Montana

12/13/22

DEMOLITION							
QTY	UNIT	ITEM DESCRIPTION	SIZE	TYPE	DATE	UNIT COST	TOTAL COST
6,280	SF	Site clearing	2" deep			$0.50	$3,140.00
1	LS	Miscellaneous site demolition				$1,500.00	$1,500.00
39	CY	Disposal				$25.00	$975.00
		SUBTOTAL					$5,615.00
SITE WORK							
QTY	UNIT	ITEM DESCRIPTION	SIZE	TYPE	DATE	UNIT COST	TOTAL COST
372	CY	Strip and stockpile topsoil				$10.00	$3,720.00
431	CY	Site grading		Cut-total from site		$10.00	$4,310.00
372	CY	Place topsoil from stockpile				$10.00	$3,720.00
378	CY	Import Clean Fill Dirt				$30.00	$11,340.00
13,210	SF	Finish grade topsoil				$0.30	$3,963.00
40	EA	Granite block relocation				$150.00	$6,000.00
6	EA	Boulder relocation				$150.00	$900.00
14,818	SF	Hydroseeding		Hydroseeding at berm area		$0.23	$3,408.14
2	EA	Adjustment at existing fence				$5.00	$10.00
		SUBTOTAL					$37,371.14
PARKING							
QTY	UNIT	ITEM DESCRIPTION	SIZE	TYPE	DATE	UNIT COST	TOTAL COST
31	CY	Excavation and disposal of subgrade	10" deep			$18.00	$558.00
1,000	SF	Concrete parking		6" over 6" of aggregate		$12.00	$12,000.00
3	EA	ADA parking sign				$650.00	$1,950.00
3	EA	Parking striping				$750.00	$2,250.00
3	EA	Concrete parking block	6'			$35.00	$105.00
		SUBTOTAL					$16,863.00
BERM							
QTY	UNIT	ITEM DESCRIPTION	SIZE	TYPE	DATE	UNIT COST	TOTAL COST
263	CY	Berm installation	3-4' tall			$10.00	$2,630.00
2,990	SF	Finish Grading				$10.00	$29,900.00
		SUBTOTAL					$32,530.00
CONCRETE SIDEWALK							
QTY	UNIT	ITEM DESCRIPTION	SIZE	TYPE	DATE	UNIT COST	TOTAL COST
78	CY	Excavation to embankment	6" deep			$5.00	$390.00

Prepared by: STEINER THUESEN PLLC

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City Council Regular

Date:	01/27/2025
Title:	Contract with Orion Planning and Design for Billings Land Use Plan and Future Land Use Map
Presented by:	Wyeth Friday
Department:	Planning & Community Services
Presentation:	No
Legal Review:	Template Contract
Project Number:	NA

RECOMMENDATION

Staff recommends City Council approve the contract with Orion Planning + Design for completion of a land use plan and future land use map for Billings in an amount not to exceed $230,000. Final details of the schedule (Proposed Schedule Attached) and benchmarks will be refined when the project kicks off in February in coordination with the Interim Planning Commission, but the current state law-imposed deadline is May 2026.

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

The Montana Land Use Planning Act (MLUPA) was passed by the Montana Legislature in 2023. The MLUPA requires the City of Billings to complete a new Land Use Plan (formerly called a Growth Policy) and Future Land Use Map by May of 2026. The City embarked on two large neighborhood plans in 2024 - the West Billings Neighborhood Plan and the Billings Heights Neighborhood Plan - that while focused on these large and developing areas of the City also are designed to address some of the requirements of MLUPA for these areas.

The City must complete implementation of the MLUPA and has both planned and budgeted with Council support for this effort. This contract with Orion Planning + Design is the main component of that effort and will complete the Land Use Plan and Future Land Use Map for Billings. It will, among other elements, take into account the work of the West Billings Neighborhood Plan and the Billings Heights Neighborhood Plan; make projections for housing needs based on population growth in the next 20 years in Billings; develop a Future Land Use Map that shows the City's ability to accommodate the housing needs with zoning; analyze the economic development needs of new commercial and industrial growth; utilize existing utility master planning; and utilize the City's 2023 Long Range Transportation Plan and other existing plans to inform infrastructure and service needs. Critically, the effort will meet the MLUPA requirements of ongoing and robust public participation throughout the effort. Orion Planning + Design and its consultant team is well equipped to accomplish this effort with the Billings community and City staff.

STAKEHOLDERS

All Billings residents, business owners and other community members are stakeholders in this effort to develop and adopt a land use plan and future land use map for Billings. There will be ongoing public participation and involvement throughout the entire process to develop these long-range growth planning tools for the community where stakeholders will engage, provide direction and feedback, and help plot the course for the next 20 years of growth and development.

ALTERNATIVES

City Council may:

- Approve the contract with Orion Planning + Design for completion of a land use plan and future land use map for Billings in an amount not to exceed $230,000.; or,
- Not approve the contract with Orion Planning + Design for completion of a land use plan and future land use map for Billings in an amount not to exceed $230,000. If the Council does not approve the contract, it will need to provide direction to staff as how to proceed since this work must be completed by May 2026 and since the RFP and selection process for this contract followed all City Procurement requirements per this type of request for professional services

FISCAL EFFECTS

The Planning Division has budgeted for this expenditure per funds approved by the City Council in FY24 and FY25, as well as a $30,000 Department of Commerce Grant to provide additional funding for the Housing Needs Analysis portion of this effort.

Attachments

Contract Document
Working Task Schedule

CONSULTANT AGREEMENT

THIS AGREEMENT is made and entered into on January_____, 2025 by and between the **CITY OF BILLINGS, MONTANA,** a municipal corporation organized and existing under the laws of the State of Montana, P.O. Box 1178, Billings, Montana 59103, hereinafter referred to as "**CITY**," and **ORION PLANNING + DESIGN, LLC**, of 1105 Village Way, Missoula, MT 59802, hereinafter referred to as "**CONSULTANT**."

WITNESSETH:

WHEREAS, the **CITY** proposes to develop a Billings Land Use Plan and Future Land Use Map and desires to hire **CONSULTANT** as an independent contractor to perform the services as described in the Scope of Work attached hereto as Exhibit "A" and by this reference made a part hereof.

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

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

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

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

2. TERM: This **AGREEMENT** shall be for a period of 16 months, from the execution of this **AGREEMENT**. This **AGREEMENT** may be extended for one, 3 month option by mutual agreement of both parties, in writing, thirty (30) days prior to termination of each term.

3. PAYMENT: In consideration of the services provided by the **CONSULTANT** under this **AGREEMENT**, the **CITY** agrees to pay **CONSULTANT** a price not to exceed $230,000.

Except as otherwise specified herein, the **CONSULTANT** shall invoice the **CITY** monthly for all services rendered pursuant to this **AGREEMENT**. Such invoices shall specify the services provided to the **CITY** during the preceding month and identify the applicable fees, and shall be accompanied by reasonable documentation or other reasonable explanations supporting such charges.

Except as otherwise specified herein, the **CITY** shall pay, net of applicable withholding tax, if any, the **CONSULTANT** for said invoice within thirty (30) days after receipt.

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

The prices established in this **AGREEMENT** may be extended to other political subdivisions within the State of Montana solely at the **CONSULTANT'S** discretion.

4. INCORPORATION BY REFERENCE: All exhibits and addenda attached hereto, as well as any bid or proposal referenced, are hereby incorporated into this **AGREEMENT** and made a part hereof. If there is any conflict between such exhibits or addenda and the terms of this **AGREEMENT**, the terms of this **AGREEMENT** shall control.

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

6. INDEMNITY:

The **CONSULTANT** SHALL:

A. Indemnify and hold **CITY**, its officers, agents and employees harmless from any and all losses, damage and liability to the extent caused by any

intentional or negligent act on the part of **CONSULTANT** or its agents or employees.

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

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

The **CITY** SHALL:

D. Indemnify and hold **CONSULTANT**, its officers, agents and employees harmless from any and all losses, damage and liability to the extent caused by any intentional or negligent act on the part of **CITY** or its agents or employees.

E. Not indemnify and hold the **CONSULTANT** harmless from claims, causes of action, lawsuits, damages, judgments, liabilities, and litigation costs and expenses or reasonable attorneys' fees and costs to the extent caused by the wrongful or negligent acts, error or omission of the **CONSULTANT** occurring during the course of or as a result of the performance of the **AGREEMENT**.

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

7. <u>INSURANCE</u>:

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

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

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

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

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

CONSULTANT shall comply with the applicable requirements of the Workers' Compensation Act, Title 39, Chapter 71, MCA, and the Occupational Disease Act of Montana, Title 39, Chapter 71, MCA.

CONSULTANT shall maintain workers' compensation insurance coverage for all members and employees of **CONSULTANT's** business, except for those members who are exempted as independent contractors under the provisions of §39-71-401, MCA.

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

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

A. Qualifications

The **CONSULTANT** is qualified to perform the services to be furnished under this **AGREEMENT** and is permitted by law to perform such services, and all personnel engaged in the work shall be qualified and so permitted to do the work they perform.

B. Solicitation of Agreement

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

C. Facilities and Personnel

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

D. Subcontracting

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

E. Affidavits of Compliance

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

9. AGREEMENTS OF CITY:

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

B. Name a Project Manager who shall be the liaison between the **CONSULTANT** and the **CITY**. For this project, the Project Manager for **CONSULTANT** designated is Allison Mouch and the Project Manager for the **CITY** designated is Wyeth Friday.

10. NONDISCRIMINATION:

A. **CONSULTANT** shall, in performance of work under this **AGREEMENT**, fully comply with all applicable federal, state, or local laws, rules, regulations, and executive orders including but not limited to, the Montana

Human Rights Act, the Equal Pay Act of 1963, the Civil Rights Act of 1964, the Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973. **CONSULTANT** is the employer for the purpose of providing healthcare benefits and paying any applicable penalties, fees and taxes under the Patient Protection and Affordable Care Act [P.L. 111-148, 124 Stat. 119]. Any subletting or subcontracting by **CONSULTANT** subjects subcontractors to the same provisions. In accordance with 49-3-207, MCA, and Executive Order No. 04-2016. **CONSULTANT** agrees that the hiring of persons to perform this Contract will be made on the basis of merit and qualifications and there will be no discrimination based on race, color, sex, pregnancy, childbirth or medical conditions related to pregnancy or childbirth, political or religious affiliation or ideas, culture, creed, social origin or condition, genetic information, sexual orientation, gender identity or expression, national origin, ancestry, age, disability, military service or veteran status, or marital status by the persons performing this **AGREEMENT**.

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

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

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

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

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

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

F. The **CONSULTANT** agrees to post, in conspicuous places available to employees and applicants for employment, notices setting forth the provisions of this non-discrimination clause.

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

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

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

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

If either party fails to comply with any condition of this AGREEMENT at the time or in the manner provided for, the other party may, at its option, terminate this AGREEMENT and be released from all obligations if the default is not cured within ten (10) calendar days after written notice is provided to the defaulting party. Said notice shall set forth the items to be cured. Additionally, the non-defaulting party may bring suit for damages, specific performance, and any other remedy provided by law. These remedies are cumulative and not exclusive. Use of one remedy does not preclude use of the others. Notices shall be provided in writing and hand-

delivered or mailed to the parties at the addresses set forth in the first paragraph of this AGREEMENT.

14. **CONFLICT OF INTEREST: CONSULTANT** shall exercise reasonable care and diligence to prevent any actions or conditions which could result **in** a conflict with **CITY'S** interest. During the term of this **AGREEMENT**, **CONSULTANT** shall not accept any employment or engage in any consulting work which creates a conflict of interest with **CITY** or in any way compromises the services to be performed under this **AGREEMENT**. **CONSULTANT** shall immediately notify **CITY** of any and all violations of this Section upon becoming aware of such violation.

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

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

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

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

19. **OWNERSHIP OF DOCUMENTS:** All information relating to the project and prepared under the terms of this **AGREEMENT**, including reports, data, recommendations, exhibits, analyses, and plans shall be deemed the property of the **CITY**. Reproducibles of all notes, reports, and plans shall be made available at the **CITY'S** request.

20. **PUBLIC INFORMATION:** The **CONSULTANT** shall not issue any statements, releases, or information for public dissemination without prior written approval of the **CITY**. All materials related to this **AGREEMENT** and services provided are considered public records under Article II, Section 9 of the Montana Constitution and §§ 2-6-102 and 7-1-4144, MCA and may be distributed by written request pursuant to Montana's Constitutional Right to Know or Public Records Acts.

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

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

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

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

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

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

CITY OF BILLINGS, MONTANA **ORION PLANNING AND DESIGN**

WILLIAM A. COLE, MAYOR

SIGNATURE

PRINT NAME

APPROVED AS TO FORM:

PRINT TITLE

CITY ATTORNEY'S OFFICE

ATTEST:

DENISE BOHLMAN, CITY CLERK

EXHIBIT A
SCOPE OF WORK

Project Overview:
The Montana Land Use Planning Act (Tile 76, Chapter 25)(MLUPA) is legislation aimed at fostering the well-being of Montana's residents by implementing comprehensive land use planning. The Act emphasizes coordinated and planned growth to ensure adequate housing, public services, and infrastructure. The legislation underscores the importance of broad public participation in the development, adoption, and amendment of land use plans, zoning regulations, and subdivision regulations. The intent is to create a framework that facilitates data collection, analysis, and inclusive decision-making to guide development in alignment with the overall land use plan, ensuring the protection of citizens, property, and the environment.

This project is broken into 2 major phases, the first focusing on the creation of a new Land Use Plan and Future Land Use Map for the City and the second focusing on updating regulatory documents like zoning and subdivision regulations to completely implement the MLUPA.

Consultants should be aware there are two efforts underway which should work in tandem with this effort, the West Billings Neighborhood and Plan and Heights Neighborhood Plan. The Scope of Work of these projects was written in such a way to have the land use mapping component and housing analysis to meet the requirements of the MLUPA and ultimately be adopted by reference into the complete Land Use Plan as part of Phase 1 of this project.

PHASE 1 – Land Use Planning

1. Project Kickoff
    a. Conduct a stakeholder meeting to present the project timeline and desired outcomes. The overall project timeline requires complete implementation of the land use plan, zoning, and subdivision regulations by May of 2026. The Land Use Planning Phase should be completed within 12 months.
    b. Form a steering committee, comprising key stakeholders representing diverse interests in the City, to make recommendations to the Interim Planning Commission on the elements of the Land Use Plan and Future Land Use Map and help guide the planning process. This committee can be comprised of staff representatives, local officials, Task Force members from the study area, and the public.

2. Public Participation and Engagement

a. City staff has developed a Public Participation Plan. The consultant will need to prepare a project specific outreach plan that is consistent with the City's adopted PPP. The consultant's strategy must allow for a final delivery which includes a complete log of all public engagement and comment for the duration of the project.
b. Conduct and analyze a series of community workshops, open houses, and focus group discussions to gather ideas, concerns, and suggestions. Open house or meeting presentations should be recorded and be included on the website for public view.
c. Create a dedicated project website for the benefit of the public. Facilitate online surveys, mapping or other tools and utilize social media platforms to gather public opinion and increase engagement.
d. Maintain transparency by sharing project progress, findings, and meeting minutes on the dedicated project website and through regular communications.

3. Visioning
    a. Utilizing the Interim Planning Commission, steering committee, community stakeholders, and public engagement to formulate a vision statement to guide the development of the plan.

4. Comprehensive Analysis – Each subsection shall be in compliance and incorporate all requirements within Part 2, 76-25-203, and 76-25-206 through 76-25-209 of the MLUPA.
    a. Concurrent project coordination – The West Billings and Heights Neighborhood Plans will be underway throughout the development of this growth policy effort. In order to achieve efficiency of process and budget, the consultant will need to account for utilizing the future land use map and housing analysis for these plan areas and incorporate them into the methodologies and ultimately the final plan product.
    b. Area and Issue Plans the City has adopted which should be acknowledged by reference in this plan and where feasible. A part of this task should include an analysis of whether the City's already adopted plans will substantially meet the requirements of Part 2, 76-214 and 76-25-215 of the MLUPA, and the detailed analysis requirements of Part 2, 76-25-203, and 76-25-206 through 76-25-209 of the MLUPA.
    c. Population
        1. Prepare an existing conditions and population projections for the study area, using the most recent census estimates, as well as other data sources that may be available.
    d. Housing
        1. Identify and analyze existing and projected housing needs for the City's projected population. The existing conditions analysis should be quantifiable and consider housing stock characteristics

including age, condition, occupancy, etc. The projected housing analysis needs to also be quantifiable and consider how much housing is needed in the future and what types of housing in order to accommodate the City's projected population.

2. Develop an inventory of sites for housing development, analyzing constraints such as zoning, unzoning, underutilized, vacant, potential redevelopment, development standards, and infrastructure needs. The City's Annexation Policy should be consulted when identifying sites for new housing development.
3. Complete a regulatory audit to ensure zoning regulations can accommodate the identified housing types.
4. Propose a list of recommendations to be implemented by the governing body in order to accommodate the projected housing needs.
5. Develop metrics to be used with each 5-year update of the plan to measure progress on housing needs.

e. Local Services and Facilities – The City has many adopted plans regarding local services and future needs. These plans should be reviewed and incorporated by reference in this plan. This element of the land use plan should contain a narrative with major highlights and anticipated needs. This portion of the plan should incorporate detailed planning efforts by reference.

    1. First Responders
        a. Create an inventory of maps that show service areas and response times for law enforcement, fire, and other emergency services.
        b. In the context of population projections, identify capital needs for law enforcement, fire, and other emergency services. (existing plans - These items may be incorporated by reference)
    2. Public Utilities
        a. Work with City Public Works to determine existing capacity, existing deficiencies, planned expansion, and anticipated levels of utility services necessary to serve the projected population in the jurisdiction, including water, wastewater, and storm water systems, solid waste disposal, and other utility services as directed by City Public Works
        b. Identify local utility capital and service improvements for the jurisdictional area necessary to meet the projected population. The City adopts a Capital Improvement Plan annually that can be incorporated by reference.

3. Transportation Networks
    a. Utilizing resources from the City's most recently adopted 2023 Long Range Transportation Plan (LRTP) and Billings Area Pedestrian & Bicycle Master Plan Update (near completion). Reference mapping resources that show all infrastructure.
    b. Identify future transportation capital and service improvement projects as identified in the LRTP and other plans like the Billings Area Pedestrian & Bicycle Master Plan Update. It is not expected for this to be a separate analysis, these items should be adopted in the final plan by reference.
4. Education
    a. Survey and summarize school district needs within the city and planned growth area to meet the projected population.

f. Economic Development
    1. Identify and analyze existing and projected economic development needs. The existing conditions and needs analysis should consider existing data sources and also include a series of surveys and interviews with local businesses and community organizations to understand existing conditions and future needs.
    2. Develop an inventory of sites for commercial and industrial development, analyzing constraints such as zoning, development standards, and infrastructure needs. The City's Annexation Policy should be consulted when identifying new sites for development. The analysis should also consider redevelopment of sites as applicable.
    3. Evaluate the financial feasibility for the City to meet anticipated economic growth (Billings Cost of Service Study (under final development) will be a resource for this item) Compile recommendations for potential funding sources and tools to meet financial demands of economic growth.
    4. Complete a regulatory audit to ensure zoning regulations can accommodate the identified commercial and industrial growth.
    5. Propose a list of recommendations to be implemented by the governing body in order to accommodate the economic development growth.

g. Natural Resources, Environment, Natural Hazards

1. Inventory and map natural resources within the City. The map should be supported by an explanation of the natural resources including historic resource utilization, current utilization, and projected trends for natural resource utilization.
2. Inventory and map the natural environment and summarize existing conditions and potential threats to the natural environment.
3. Inventory and map known natural hazards. The map should be supported with explanation of constraints caused by the identified hazards.
4. Incorporate by reference any disaster preparedness and mitigation planning in which the City has completed.

5. Plan Development
    a. Future Land Use Map
        1. Utilizing the mapping and site inventory resources created and developed in Phase 1-4. A-g of this Scope of Work, develop a Future Land Use Map as an interactive GIS-based tool to refine, inform and reflect comprehensive analysis of each plan element. The map should evaluate development needs for a 20-year horizon and include the components identified.
        2. Develop a detailed narrative to explain its purpose and the requirement that the Future Land Use Map be followed for land use planning development decisions. The narrative should also include a description of each land use identification type and describe anticipated densities, housing types, desire units, etc.
    b. Area and Issue Plans Acknowledgement
        1. The City has adopted a variety of plans which should be acknowledged by reference in this plan.
    c. Goals and Objectives
        1. Based on the comprehensive analysis outcomes and public participation create goals and objectives that will guide the community and its land use decisions for the 20-year horizon of the plan with supporting narrative.

6. Implementation Strategies and Reporting Metrics (76-25-216 MCA)
    a. Develop a specific implementation strategy for the comprehensive land use plan that identifies clear reporting metrics that can be used by the City during its 5-year review process.

b. Provide implementation direction with clear direction for the content of more detailed land use regulations.
c. Define clear process for land use plan amendments, including singular actions such as a map amendment.

PHASE 2 – Regulatory Audit, Assessment and Transition

1. Transition Planning
    a. Create a transition plan from the Montana Subdivision and Platting Act to the Land Use Planning Act, including a plan to achieve required milestones to effectively "go live" with all requirements of MLUPA.
2. Zoning Regulation Audit
    a. Identify whether inconsistencies exist between current zoning regulations and the land use plan and future land use map. If inconsistencies exist identify them with a timeframe for adoptions.
    b. In accordance with 76-25-302, create an audit documenting the housing strategies that are included in the regulations to document compliance with the bill.
    c. Review the City's adopted zoning regulations for compliance with 76-25-300. If it is found that the City's zoning regulations are found to carry out any items listed in 76-25-302, create a table that describes the code section where the activity is occurring that is non-compliant with a recommended action to resolve the issue.
    d. Propose zoning code amendments in accordance with outcome of item c. above.
3. Subdivision Regulation Audit and Re-Write
    a. Review, evaluate and recommend what portions of the subdivision regulations can remain unchanged. It is the City's intention to keep all design standards as currently required.
    b. Draft new administrative procedures for the review of all subdivisions in accordance with 76-25-400.

PLAN AND DOCUMENT ADOPTION

1. Adoption and "Go Live" of MLUPA
    a. The consultant should develop a schedule for both the adoption of the complete Land Use Plan and all regulatory documents. The consultant should anticipate a series of public hearings for the Land Use Plan and each regulatory document. The Plan and all documents are required to be fully adopted and in place by no later than the end of May 2026.

Plan Resource Inventory:
https://www.billingsmt.gov/2336/Transportation-Resources

https://www.billingsmt.gov/843/Community-Neighborhood-Plans

- Weekly email updates to the Steering Committee and local governing bodies.
- Electronic version of the Plan that may be posted to websites, and easily sent to stakeholders.
- Electronic version of the Executive Summary as a standalone document
- Up to 10 printed copies of the plan and digital copy with native files.

EXHIBIT B

Schedule (See Task/Schedule Document attached)

	Jan-25	Feb-25	Mar-25	Apr-25	May-25	Jun-25	Jul-25	Aug-25	Sep-25	Oct-25	Nov-25	Dec-25	Jan-26	Feb-26	Mar-26	Apr-26	May-26	Jun-26	Jul-26
Task 1, Phase 1: Establish project identity and timeline. This phase kicks off the Billings Land Use Plan update process. During this phase, the collaborating consultant team will orient themselves to the project, collaborating with staff to identify specific goals and challenges of the plan. A distinct plan identity will be created through branding and content generation. The goal of this phase is to begin early outreach and collaboration between our team, staff, and community members.																			
Task 2, Phase 1: **Evaluate existing conditions.** Task 2 will focus on collecting information and completing an analysis of the context and conditions of Billings today. Unique public engagement methods will be heavily utilized in this phase to build an informed knowledge base and understand residents' future visions. This phase entails a variety of opportunities for the Billings community to be involved in the planning process and provide meaningful feedback to shape the updated Land Use Plan. This analysis will include careful coordination with the teams tasked with updating the West Billings and Heights Neighborhood Plan.																			
Task 3, Phase 1: Draft and refine the City of Billings Land Use Plan using comprehensive analysis and stakeholder feedback. This task relies heavily on the data and insights amassed in Tasks 1 and 2 and includes the creation of a community-driven and implementable land use plan and future land use map based on all previous steps of the process. Once consensus on the plan framework is achieved, and existing conditions and future trends are assessed, development of the plan document can begin. The consultant team will seek to create a plan that is representative of the City of Billings and its vision and priorities for the future. In addition to clear and actionable implementation strategies, elements of the plan will include future development direction, desired land use patterns and place types, recommendations on key community focus areas, provisions for the natural environment, infrastructure needs, and any other components that may emerge during the public outreach and is achieved, and existing conditions and future trends are assessed, development of the plan document can begin.																			
Task 4, Phase 2: Regulatory Audit. The audit will rely on goals and recommendations introduced in the draft Land Use Plan supported by MCA76-25 and will evaluate the current land use and related regulations. This phase will include an evaluation of current best practice in drafting land use regulations from similarly situated jurisdictions nationwide. The audit findings will be organized as a summary and roadmap to guide the City and consultant team in the creation of new land use regulations.																			
Task 5, Phase 2: Transition Planning and Regulatory Amendments. This task will utilize the knowledge and planning tools crafted in the Land Use Plan development process to create a plan that transitions the City of Billings from the Montana Subdivision and Platting Act to the Land Use Planning Act, ensuring all requirements are met. The transition plan will include proposed amendments to the existing zoning code and subdivision regulations, with a focus on the subdivision administrative procedures.																			
Task 6, Phase 2: Deliver the final Land Use Plan and Future Land Use Map for adoption. The consultant team will iterate the City of Billings Land Use Plan based on review and feedback from various groups and entities. The plan will be revised to reflect ongoing feedback until a final draft is presented for adoption.																			

City Council Regular

Date:	01/27/2025
Title:	W.O. 23-96: Water Treatment Plant Intake No. 2 Catwalk Improvements, Amendment 2 to Professional Services Contract
Presented by:	Debi Meling
Department:	Public Works
Presentation:	No
Legal Review:	Template Contract
Project Number:	N/A

RECOMMENDATION

Staff recommends the City Council approve Amendment No. 2 to the Professional Services Contract with AE2S for W.O. 23-96: Water Treatment Plant Intake No. 2 Catwalk Improvements, in the amount of $306,900.

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

The City of Billings Water Treatment Plant (WTP) has two intakes on the Yellowstone River. Intake #1 is the primary intake. Intake No. 2 is located upstream and is in the middle of the river. Intake #2 serves as a critical asset to the City's water treatment process and is utilized more in the lower river flow months (October through April) when water levels are low or the river is covered in ice. During the major flood of 2022, the catwalk and building associated with Intake #2 sustained substantial damage. W.O. 23-96 involves repairs and renovations to the catwalk bridge, building, and some of the intake infrastructure. The construction contract to Dick Anderson Construction for W.O. 23-96 was approved by Council on November 25, 2024.

This amendment will add construction services to the AE2S contract. Additional professional services tasks included in Amendment 2 are Intake #2 screening system operations optimization, which will develop and assist the water plant staff with revised operations resulting from the new intake screens; continued assistance with FEMA and MT DES (Montana Disaster and Emergency Services) funding; construction contract administration services, including construction inspection, and follow-up coordination with multiple permitting agencies. The construction duration is approximately 11 months.

ALTERNATIVES

City Council may:

- Approve Amendment 2 to the professional services contract with AE2S for the total amount of $306,900; or
- Not approve Amendment 2, which would be detrimental to construction by removing oversight from the consultant that designed the project.

FISCAL EFFECTS

This project was budgeted in FY25 using insurance proceeds ($1,333,000), City Water Funds ($430,600), State of Montana DES funds ($536,000), and FEMA Public Assistance and Mitigation funds ($2,900,000) totaling $5,199,600. Amendment No. 2 increases the professional services contract amount by $306,900 and the cost of the amendment is reimbursable from FEMA and MT DES.

Considering previously encumbered funds for design and construction totaling $4,687,200 and this contract ($306,900), there are $205,500 in remaining funds. Remaining funds will be used for any change orders and materials testing. There are adequate funds to award this contract.

Attachments

WO 23-96 Amendment 2

AMENDMENT NO. 2

TO

PROFESSIONAL ENGINEERING

SERVICES

W.O. 23-96 WATER TREATMENT PLANT INTAKE #2 RENOVATIONS

THIS AGREEMENT, made and entered into on _____, by and between the following:

CITY OF BILLINGS, a Municipal Corporation,
Billings, Montana 59103,
Hereinafter designated the City

and

Advanced Engineering and Environmental Services, LLC
3490 Gabel Road, Suite 200
Billings, MT 59102
Hereinafter designated the Engineer

WITNESSETH:

WHEREAS, the City and Engineer have entered into a contract dated November 29, 2023, for Engineer to provide engineering services to the City for Work Order 23-96 Water Treatment Plant Intake #2 Renovations;

WHEREAS, the City has need for additional engineering services, and;

WHEREAS, the City has authority to contract for consulting engineering services, and;

WHEREAS, the Engineer represents that they are qualified to perform such services, is in compliance with Montana Statutes relating to the registration of professional engineers and is willing to furnish such services to the City;

NOW, THEREFORE, in consideration of the terms, conditions, covenants and performance contained herein, or attached and incorporated herein, the Parties hereto agree as follows:

Appendix A, Section 3, Scope of Services is amended by adding the following:

Add: ***Intake #2 Screening System Operations/Optimization***

- Determine screening capacities and develop treatment performance for Intake #2 screens and process improvements included as part of the FEMA Improvements.
- Develop sedimentation #2 processes, treatment capacities, and goals and objectives with respect to utilizing Sedimentation Pond #2 as a primary treatment system.
- Determine hydraulic pumping capacities of pumping systems, water production data, and chemical feed system capacities taking into account new renovations to Intake #2.
- Submit a brief technical summary with recommendations for alternative operation procedures, identifying operational procedure testing, improvements, and seasonal considerations to optimize pretreatment operations and maintenance with process improvements provided in WO 23-96.
- Prepare at least one (1) alternative operational procedure and conduct Operations review workshop with City Staff.
- Update technical summary, as needed.
- Provide eight (8) hours of on-call assistance for operational testing of improvements.
- Estimated costs – $24,000 (not to exceed without written prior authorization by City)

Add: ***Additional FEMA/MT DES Funding Assistance***

- Participate in routine progress meetings (Virtual and Site visits) with FEMA/MT DES through final Project closeout.
- Provide documentation for assistance to the City to obtain reimbursement for costs incurred for Intake #1 and Intake #2.
- Prepare documentation, as requested by the City, to assist with amending the FEMA award amount to actual costs incurred.
- Prepare closeout documentation, records, and permits to assist with the closeout processes
- Estimated costs – $15,000 (not to exceed without written prior authorization by City)

Phase 060: Construction Phase

Scope of Services – Construction Phase

- Facilitate Preconstruction Conference.
- Submit Notice to Proceed.
- Review shop drawing submittals (Structural, Mechanical, Electrical, Architecture, Civil, Process, etc.).
- Conduct biweekly, or as needed, construction progress meetings.
- Provide on-site resident project representative services (estimate 1152 hours at 6 hours per day).
- Field Clarifications/Contractor interface.
- Interpret design/contract documents, respond to RFIs.
- Conduct special site visits by staff other than RPR (Structural, Architectural, and Electrical).
- Coordinate, observe, and interpret quality assurance/material testing services (paid for by City).
- Change Order/Field Directive creation and coordination.
- Review and coordinate Certified Payroll Reviews as required by FEMA.
- Review/approve Contractor Payment Applications and submit to City for payment.
- Organize and submit operations and maintenance manuals.
- US Fish and Wildlife permit reporting and administration.
- Walk-through(s), create and coordinate punchlists, issue Certificates for Substantial and Final Completion.

- Produce Record Drawings.
- Obtain close-out documents (lien releases, waivers, etc.) from Contractor and submit to City.
- Engineer shall not at any time supervise, direct, control, or have authority over any contractor's work, nor shall Engineer have authority over or be responsible for the means, methods, techniques, sequences, or procedures of construction selected or used by any contractor, or the safety precautions and programs incident thereto, for security or safety at a project site, nor for any failure of a contractor to comply with laws and regulations applicable to such contractor's furnishing and performing of its work. Engineer neither guarantees the performance of any contractor nor assumes responsibility for any contractor's failure to furnish and perform its work accordance with the contract between City and such contractor. Engineer shall not be responsible for the acts or omissions of any contractor, subcontractor, or supplier, or of any of their agents or employees or of any other persons (except Engineer's own employees) at a project site or otherwise furnishing or performing any construction work; or of any decision made regarding the construction contract requirements, or any application, interpretation, or clarification of the construction contract other than those made by Engineer.

Deliverables
- Final Executed contract documents, Notice to Proceed
- Construction Documentation, as needed
- Operations and Maintenance Manuals (1 Electronic, 2 hard copies)
- Progress Meeting Minutes
- As-built/Record Drawings (1 Electronic, 2 hard copies)

Estimated costs – $347,900 (not to exceed without written prior authorization by City)

Appendix B, Section 1.A is amended as follows:

- Total costs associated with Amendment 2: $386,900
- Budget surplus from original contract amount and Amendment 1: ($80,000) CREDIT

- **Net increase associated with Amendment 2: $306,900**

- Revised Contract Total: $836,400

All other terms and conditions of the contract to which this amendment applies shall remain in full effect.

CITY OF BILLINGS, MONTANA

BY: _____
City Administrator

DATE: _____

ATTEST:

_____
City Clerk

ADVANCED ENGINEERING AND ENVIRONMENTAL SERVICES, LLC

BY: _____

NAME: Brian R. Bergantine

TITLE: Project Quality Director

DATE: _____

City Council Regular

Date:	01/27/2025
Title:	W.O. 19-12, West End Reservoir Project, GC/CM Contract Change Order No. 4, Site Clearing & Preparation
Presented by:	Debi Meling
Department:	Public Works
Presentation:	No
Legal Review:	Template Contract
Project Number:	N/A

RECOMMENDATION

Staff recommends that the City Council approve Change Order No. 4 to the Standard Agreement and General Conditions Between Owner and General Contractor/Construction Manager (Construction Contract) with Dick Anderson Construction, Inc. for the W.O. 19-12: West End Reservoir Project in the amount of $2,168,482.86.

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

On December 11, 2023, City Council approved a Construction Contract with DAC for the West End Reservoir Project in the amount of $153,211.35. This initial contract Guaranteed Maximum Price (GMP) allowed the Project Team to begin dewatering the reservoir site through rental of temporary pumping equipment and purchase of permanent dewatering equipment.

Change Order No. 1 for the procurement of an electrical equipment substation for the Raw Water Pump Station (RWPS) for a GMP of $408,352.64 was approved by City Council on August 26, 2024. Early procurement of this equipment ahead of construction was necessary to maintain overall project schedule due to the 40-week lead time in delivering the project site.

On November 25, 2024, City Council approved Change Order No. 2 for the construction of the BBWA Raw Water Delivery (RWD) Facilities in a GMP amount of $13,553,020.76. Work includes construction of a BBWA Unloader Structure, Screen Structure, Diversion Channel, Raw Water Pump Station (RWPS), a Canyon Creek Diversion Structure, gravel access roads, and 36, 42, and 60-inch connecting piping.

Change Order No. 3 for dewatering pumping improvements for a GMP of $165,070.04 was approved by City Council on December 16, 2024 and allowed for construction of pumping systems that enabled more efficient winter operations and continuous dewatering of the north reservoir site.

Change order No. 4 now under consideration includes:

- Clearing, grubbing and stripping of approximately 35 acres along the north and east sides of the future north reservoir cell for installation of permanent dewatering drain pipe.
- Clearing 20 additional acres for future excavation and material transfer to the adjacent property.
- Removing refuse across the entire site and burning slash piles.
- Performing exploratory excavation to locate buried concrete and to confirm depth to shale.
- Removing 40,000 cubic yards of overburden soil along new dewatering trench; excavating trenches to one foot below shale for 5000 linear feet to install 12-inch perforated HDPE pipe surrounded by drainrock and geofabric, and backfilling trenches.
- Placing excavated material in lifts adjacent to the dewatering trench to 10-12 feet above grade for installation of WEWTP Zone 3 water transmission main.

Installing the drain pipe allows for continuous long-term dewatering of the majority of the site to enable future construction of the north reservoir cell. Filling 10-12 feet along 2500 feet of the eastern City property line brings a portion of the site to the future surface grade and enables construction of the remaining phase of the WEWTP Zone 3 water transmission main anticipated in 2025 under a separately bid project.

ALTERNATIVES

City Council may:

- Approve Change Order No. 4 to the Standard Agreement and General Conditions Between Owner and General Contractor/Construction Manager (Construction Contract) with Dick Anderson Construction, Inc., or,
- Not approve Change Order No. 4. If Council does not approve this change order, the north cell site cannot be fully

dewatered to enable construction of the reservoir, and the site will not be filled to future surface grade to enable construction of the WEWTP Zone 3 water transmission main in the most cost-effective manner.

FISCAL EFFECTS

The W.O. 19-12: West End Reservoir Project was budgeted in FY25 using Water Funds in the amount of $74,878,045. Considering previously encumbered funds of $16,794,570 and this change order in the amount of $2,168,482.86 there is $55,914,992 remaining in the budget.

Attachments

WO1912 WER GC/CM Contract CO#4

W.O. 19-12, West End Reservoir Project

Standard Agreement and General Conditions Between Owner and General Contractor/Construction Manager (GC/CM)

Change Order No. 4

OWNER: City of Billings

CONTRACTOR: Dick Anderson Construction, LLC

DATE: January 16, 2025

In accordance with the terms of this Contract, the following changes are approved:

CHANGE IN CONTRACT PRICE:

Original Contract Price:	$153,211.35
Net Increase from Previous Change Orders:	$14,126,443.44
Contract Price Prior to this Change Order:	$14,279,654.79
Net Increase of this Change Order:	**$2,168,482.86**
Contract Price with all Approved Change Orders:	$16,448,137.65

CHANGE IN CONTRACT TIME:

Original Contract Time:	N/A
Net Change from Previous Change Orders:	577
Contract Time Prior to this Change Order:	577
Net Increase of this Change Order:	0
Contract Time with all Approved Change Orders:	577

DESCRIPTION:

Dick Anderson Construction is directed to make the following changes in the Contract Documents:

- Clear, grub and strip 35 acres along the north and east sides of the future north reservoir cell for installation of dewatering drain pipe. Clear 20 additional acres for future excavation and material transfer to adjacent property. Remove refuse across the site, and burn slash piles. Perform exploratory excavation to locate buried concrete and confirm depth to shale. Remove 40,000 CY of overburden along the dewatering trench lines. Excavate trenches to 1 foot below shale for 5000 linear feet to install 12-inch perforated HDPE pipe surrounded by drainrock and geofabric, and backfill trenches. Place excavated material in lifts adjacent to the east trench to 10-12 feet above grade for installation of WEWTP Zone 3 Transmission Main by future project. Work is for a Guaranteed Maximum Price to be paid on a time and materials basis *($2,168,482.86 increase)*.

REASON FOR CHANGE ORDER:

Installing the drain pipe allows for continuous long-term overall site dewatering to enable future construction of the north reservoir cell. Building the 2500-foot long 10 to 12-foot high berm along the east City property line brings a portion of the site to the future surface grade and enables construction of the remaining phase of the WEWTP Zone 3 transmission main in 2025 under a separately bid project.

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ATTACHMENTS:

- Site Clearing & Preparation, Change Order No. 4 (6pp., 1/10/25)

In consideration of the terms and performance contained herein, or attached and incorporated herein, the Owner and Contractor also agree to the following modifications to the Standard Agreement and General Conditions Between Owner and General Contractor/Construction Manager dated December 13, 2023:

1. ARTICLE 2 GENERAL PROVISIONS, Section 2.6 DEFINITIONS, 2.6.1.1. Add the following to the list of exhibits that are part of this Agreement:

    - EXHIBIT H: W.O. 19-12 Billings West End Reservoir, Site Clearing & Preparation, Change Order No. 4 (6pp., 1/10/25)

2. ARTICLE 16 SCOPE OF WORK, Add the following:

    - 16.4 SCOPE OF WORK – CHANGE ORDER NO. 4. Pursuant to Section 3.4 and ARTICLE 7, the Owner and CG/CM desire to establish an additional Guaranteed Maximum Price (GMP) for performance of the portion of Work in accordance with the exhibits listed below, which are part of this Agreement:

        a) EXHIBIT H: W.O. 19-12 Billings West End Reservoir, Site Clearing & Preparation, Change Order No. 4 (6pp., 1/10/25)

The said Contract as hereby amended shall remain in full force and effect.

IN WITNESS WHEREOF the said Parties have caused this agreement to be executed as of the day and year signed below.

GENERAL CONTRACTOR/CONSTRUCTION MANAGER

Name: _____

By: _____

Title: _____

Date: _____

CITY OF BILLINGS, MONTANA

By: _____
Mayor

Date: _____

END OF DOCUMENT.

ConsensusDocs™ 525 - Change Order (Construction Manager Fee Adjustment) - © 2007, Revised 2011. THIS DOCUMENT MAY HAVE BEEN MODIFIED. The ConsensusDocs technology platform creates a redline comparison to the standard language which the purchaser of this contract is authorized to share for review purposes. Consultation with legal and insurance counsel are strongly encouraged. You may only make copies of finalized documents for distribution to parties in direct connection with this contract. Any other uses are strictly prohibited.

City Council Regular

Date:	01/27/2025
Title:	Amend Park Development Council 2025 Budget
Presented by:	Pigg Michael, Parks Director
Department:	Parks/Rec/Public Lands
Presentation:	No
Legal Review:	Not Applicable
Project Number:	N/A

RECOMMENDATION

Staff recommends City Council accept the 2025 proposed budget for Amend Park Development Council.

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

Per the signed 2023 agreement with the Amend Park Development Council, they are required to submit a proposed annual budget and fee schedule for City Council review and acceptance. The Park Board reviewed and recommended for Council approval the proposed 2025 budget at the January, 8 2025 meeting.

STAKEHOLDERS

Amend Park Development Council are the identified stakeholders.

ALTERNATIVES

City Council may:

- Approve; or,
- Not Approve the proposed 2025 budget.

FISCAL EFFECTS

The proposed budget includes reimbursement payments to the Parks Department for field maintenance services provided to the Amend Park Development Council. These services go beyond standard park maintenance and include mowing the turf multiple times per week to maintain a lower height, applying additional fertilizer and weed control, and performing aerification.

SUMMARY

The 2023 agreement between the City and Amend Park Development Council requires them to submit a proposed budget to City Council for approval. Attached are the 2023 agreement and the proposed budget, fee structure and statement of activities.

Attachments

2023 use agreement
Proposed 2025 fee structure
Proposed 2025 budget
Statement of Activities

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USE AGREEMENT FOR AMEND PARK

THIS USE AGREEMENT, made and entered this 3/4/2023, by and between the following:

THE CITY OF BILLINGS, a Montana Municipal Corporation, Billings, Montana, hereinafter designated as City, and

AMEND PARK DEVELOPMENT COUNCIL, a nonprofit corporation, hereinafter designated as APDC;

WITNESSETH;

WHEREAS, City owns the premises known as Amend Park (50+ acres) that has been developed as multi-use sports, and special events complex; and

WHEREAS, APDC was established in approximately 1992 with its mission to promote and maintain Amend Park, raise funds to develop Amend Park to complement the neighborhood and fill a community need for a multi-use, sports and special events complex, through the open space concept of park development with a focus on soccer;

WHEREAS, City has spent over $1,560,000, mowing, irrigation and trash removal at Amend Park since 1992;

WHEREAS, in 2016, City spent $30,000 replacing three roofs and remediation of black mold in the park restroom at Amend Park;

WHEREAS, the conception, construction, and maintenance of Amend Park has been funded by public funds provided by the City of Billings, user fees, and private donations, majority of which have come form the soccer community of players, parents, supporters;

WHEREAS, APDC cooperates with and is supported by the Billings Parks and Recreation Department of the City of Billing, School District 2, Yellowstone Soccer Association, Magic City Soccer Association, and the Edge Soccer Academy. Which collectively sponsor youth and adult recreational and competitive soccer programs for more than 5,000 players annually; and

WHEREAS, Amend Park is a "multi-use" park that serves as the "home" for Youth, High School**,** Adult Soccer, and High School Lacrosse.

NOW THEREFORE, the Parties agree as follows:

1. **SCOPE:** This Agreement shall relate to the scheduling, maintenance and development of Amend Park. Amend Park shall, at all times remain a public park available for public use

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consistent with this agreement and City policies and regulations. All development and operation of Amend Park will comply with all applicable provisions of the Land and Water Conservation Funds, as set forth in **Exhibit "A",** attached hereto and incorporated by this reference and City regulations, including any future amendments thereto.

2. **AGREEMENT MONITORING AND BUDGET FOR AMEND PARK OPERATIONS:** The management and operation of Amend Park will be subject to an annual review by City Staff. Such review will include financial statements, event and user fees and charges, maintenance performance, park usage and activities, capital improvements, facilities maintenance, and future programs. Such review will be completed by the first monthly meeting of the Billings Parks, Recreation and Cemetery Board's January meeting.

3. **APDC** shall submit an annual budget to the City Council for approval, setting forth the anticipated expenditures, event and user fees and charges for the operation of Amend Park. The City Council shall review and consider approving the proposed budget on or before the last regularly scheduled meeting in January of each year.

4. **TERM:** The term of this Agreement shall be for one calendar year commencing upon the date of its execution (Anniversary Date) by the parties. This Agreement shall renew automatically for like term, for each year up to five years, upon the Anniversary Date unless terminated by one of the parties as specified herein.

5. **PREMISES:** Amend Park covered by the Agreement shall include the Amend Park Soccer Complex, as in **Exhibit "B",** attached hereto and incorporated herein by this reference. Amend Park is located north of King Avenue East between South Billings Boulevard and The Streeter Brother Subdivision, approximately, in Billings, Montana.

6. **TERMINATION:** Either party may terminate this agreement by providing the other notice of their intent to terminate by providing at least ninety (90) days advance written notice. Said notice shall be delivered to the other party in accordance with the notice provision hereof. Upon termination, APDC shall have a duty to leave the premises in a condition similar to that of the Premises upon execution of this agreement.

7. **APDC'S RIGHTS & DUTIES:** In addition to the other provisions of this agreement, APDC shall have the following rights and duties:

7.1. **Schedule:** During the term of the agreement, APDC shall have exclusive right to schedule the fields and pavilion located on Amend Park utilizing the use process described herein.

7.2. **Maintenance Responsibilities:** APDC will, at minimum, ensure the following:

7.2.1. **Maintain** Amend Park restrooms, pavilion building, Amend Park signage; provide playing field layout and marking.

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7.2.2. **Provide** for the playing field turf maintenance and horticultural practices including practices including fertilization and aerification of the playing fields on the Amend Park premises, and the application of turf grass weed control and turf maintenance treatments, thereon as necessary turf; and make repairs incidental to wear and tear on the playing fields. The Sports Field Managers Association (SFMA) Annual Athletic Field Maintenance Calendar for Cool-Season turf Grasses shall be used as a guide in determining proper field maintenance and horticultural practices.

7.2.3. **Provide** for the mowing of the soccer fields, not otherwise provided herein, as needed to maintain an acceptable playing height during scheduled soccer use. The SFMA's Annual Athletic Field Maintenance Calendar for Cool-Season Turf Grasses shall be used as a guide in determining proper mowing height.

7.2.4. **Provide** regular cleanup of the premises following scheduled uses, to include picking up litter on playing fields and surrounding areas contiguous to the playing field and depositing all litter into appropriate garbage receptacles provided by City. If litter is not picked up prior to the weekly mowing, or in a timely manner after schedule activities, City has the authority to pick up the litter and charge APDC.

7.2.5. **Provide** for the day-to-day maintenance of the synthetic turf field in accordance with the manufacturer's guidelines and keep records of all maintenance activities. All records will be provided to City in conjunction with next season's budget as provided in section '2'.

7.2.6. **APDC** may contract with the City to perform any of its non-turf maintenance responsibilities described above.

7.2.7. **APDC** shall contract with the City to perform all turf related responsibilities described above. APDC shall also contract with the City for all snow removal from any fields. APDC will reimburse City for snow plowing of fields at a rate of $48.38 per hour, not to exceed $150.00 per field.

7.2.8. **City** and Amend Park will create a Spring/Summer and Fall/Winter turf maintenance memorandum of understanding detailing mowing, fertilization, irrigation, aeration, seeding, sodding, and pest control.

7.2.9. **APDC** may employ a facilities manager/director/ or administrator whose responsibility among others, will be to facilitate and coordinate APDC's duties under this agreement.

7.2.10. **Utilities:** APDC shall be responsible for all utility costs associated with the Amend Park Premises with the exception of water and electrical service related to the irrigation of Amend Park.

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7.2.11 **Restroom Facilities:** When permanent restrooms facilities are unavailable APDC shall provide for placement of adequate portable toilet units in Amend Park, except when no organized activities or events are scheduled. APDC shall clean the pavilion restrooms as often as needed to provide clean and sanitary restrooms for public use during usual Amend Park operation hour. If the restrooms are not kept clean and sanitary, City has the authority to clean the restrooms and charge APDC.

7.3 **Fees and Charges:** APDC may establish and charge fees and expenses, including but not limited to:

7.3.1. **Event fee** for all approved and schedules uses, including sport camps and schools, and other sporting, cultural, recreational events, and special events.

7.3.2. **Fee** for each individual, and/ or organization, for each approved Use Permit Applied for based on the current schedule of uses approved by APDC. Any such fee shall be equitably applied, charged and collected from all users, groups, organizations, or entities, public or private.

7.3.3. **City** scheduled events shall not be subject to any fee established by APDC, except for the costs directly attributable to that event, including the cost of stocking restrooms and providing portable toilets, field layout, paint, striping and damage associated with any event.

7.4. **Improvements:** APDC shall have the right to improve the Amend Park Premises in accordance with the Amend Master Plan, as currently adopted, or amended.

7.4.1. **Improvements** not contained in the Amend Park Master Plan must either be added to the Amend Park Master Plan through the Parks and Recreation Department's Park master Plan policy.

7.4.2. **In all cases,** APDC and City mutually agree to notify each other of any proposed new development sufficiently in advance to allow a reasonable time for each to review and approve preliminary plans or proposals.

7.4.3. **Any Project** greater the $25,000, will be awarded and managed by City. For all other projects APDC must secure all applicable permits and authorization under municipal, state, and federal law for any improvement under its control.

7.4.4. **All improvements** made to the Amend Park Premises in accordance herewith will become property of City upon completion.

7.5 **Concessions:** APDC shall have the right and responsibility for operation of any, and all, concessions associated with the Amend Park Premises during APDC scheduled uses and events. City will receive all revenue from City sponsored events for which they provide their own concessions. Concessions shall include all food and beverage items, as well as any other

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products or goods to be sold or served on the Amend Park Premises. APDC shall have the right to:

7.5.1. **Assign** its right to operate any and all concessions to other groups, organizations, or entities.
7.5.2. **Contract** in whole or in part any concessions services associated with the Amend Park premises, or to operate through its own employees or member or users.

Provided, however that:

7.5.3. **All concessions** shall meet all applicable City, Health, Fire and Building Codes, including Signage; shall comply with all existing, and/or future policies adopted by City relating to the operations of concessions and placement of vendors and be off irrigated fields.

7.6. **Naming:** During the term of agreement APDC shall submit naming and memorial contribution opportunity request, and recommendations to City to name and designate field spaces, buildings, other structures and amenities on the Amend Park Premises for review under the City of Billings Parks, Recreation & Public Lands (PRPL) park naming policy.

7.7. **Advertising sales:** Amend Park has the exclusive right to sell advertising rights, space and opportunities, within the facility and retain all revenue from such sales including, but not limited to, signage, banners, scoreboard advertising, displays, announcements, program advertisements and product placements. APDC will coordinate with PRPL for placements of advertising on irrigated fields.

8. **CITY'S RIGHTS AND DUTIES:** in addition to other provisions of this agreement and those provided by law, City shall have the following right and duties:

8.1. **Provide** for the timely and regular irrigation of the Amend Park and its playing fields including trees, shrubs and other plantings.

8.2. **Mow** all grass and weed areas in Amend Park during the growing season, including all playing surfaces that is consistent with standard park practices.

8.3. **Control** weed growth on fences, along curb lines, and walkways.

8.4. **Maintain** all City sewer lines, water lines, and underground or overhead electrical lines, electrical services, curbs, gutters, and walkways.

8.5. **Empty** all dumpsters serving the Amend Park complex as needed.

8.6. **Turn** on all water lines and plumbing at earliest appropriate time, in the spring drain and disconnect the same in the fall.

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9. **UTILITIES:** City shall be responsible for water service and electrical service related to irrigation of Amend Park.

10. **RESTROOM FACILITIES:** City shall be responsible for restoring operation of permanent restroom facilities in the spring and winterizing in the fall. The City shall be responsible for daily openings and closing of permanent restrooms seasonally with other City PRPL Operations.

11. **COST REIMBURSEMENT:** Any expenses incurred by APDC attributable to an event scheduled by City shall be reimbursed to APDC.

12. **RIGHT OF ENTRY AND INSPECTION:** Nothing herein shall interfere with City's right to enter and inspect the premises for any purpose consistent with his agreement or with the City's operation and maintenance of public park facilities. PRPL and APDC will jointly conduct a semi-annual (Spring and Fall) inspection of Amend Park.

13. **USE REQUEST:** All request for use by City and any person or organization shall be submitted to APDC in writing for approval at least (14) days prior to the proposed event unless a shorter period is approved by APDC. Approval or disapproval of all proposed uses shall be the responsibility of APDC and communicated to the event coordinator, within (7) days of receiving the event request, unless a shorter period is approved by the coordinator and APDC. APDC will post all approved events to its website within 24 hours of approval and will also notify PRPL via a method agreed to by both parties. APDC shall not unreasonably withhold approval.

14. **PROCEEDS:** The parties agree that the proceeds (defined as gross proceeds from all user fees, concession revenue, and any other payments, donation, grants, or contributions related to Amend Park or activities conducted at Amend Park) from the operation of Amend Park, shall be applied according to the following priorities.

14.1. **To APDC's** administrative cost and expenses.

14.2. **To Full-fill** APDC's maintenance responsibilities, under 7.2.

14.3. **To fund** a synthetic field Replacement Fund.

14.5. **To the City's** cost to fulfill its maintenance responsibilities under 8.1.

14.6. **Finally,** any remainder shall be provided to City for future operation and maintenance costs of Amend Park. Funds provided to City under this paragraph, will be separately accounted for and tracked to ensure that they are expended in accordance wherein.

15. **NOTICE:** APDC shall at all times maintain a mailing address, phone number, and designated agent accessible to the public and City for resolution of issues relating to this agreement and to receive notices associated therewith. APDC shall notify City with any changes in contact information prior to the effective date of the change.

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16. **ASSIGNMENT:** This agreement is not assignable by the APDC in whole or in part without the prior written approval of the City Council.

17. **NON-DISCRIMINATION:** the undersigned, either as an individual or on behalf of a group or organization, herby agrees that this facility shall not be used in any manner that would discriminate against any person or persons in the basis of sex, marital status, age, physical or mental handicap, race, creed, religion, color, or national origin.

18. **BREACH:** Should this Agreement be violated, a notice thereof in writing shall be issued; and if said breach is not corrected within (30) days of said notice, or such other reasonable period of time as the parties may agree; then this Agreement may be terminated at the option of the party wronged through a written notice of such provided at the end of the cure period. In the event of a dispute regarding any asserted breach, the parties agree to meet in a timely fashion to attempt resolution of the asserted breach. If the parties are not able to resolve said breach, or reach agreement, regarding such, the parties agree to mediate this dispute prior to initiation any proceeding to terminate the Agreement based upon the alleged breach. Each party will be responsible for the payment of one-half of the mediator's costs. If mediation fails to resolve the dispute than either party may pursue termination and all other available remedies including, but not limited to litigation in court.

19. **ATTORNEYS FEES AND COSTS:** In the event, it becomes necessary for either party to this agreement to retain an attorney to enforce any of the terms or conditions of the agreement, then the prevailing party shall be entitled to reasonable attorney fee and costs, including costs of in-house counsel.

20. **INDEMNIFICATION/INSURANCE:**

20.1. **APDC** shall require that all organizations, or vendors, providing concessions to Amend Park Premises shall indemnify, defend and hold APDC and City harmless from and against all claims, damages, losses and expenses arising out of or resulting from such organizations or vendors providing concession negligent acts or omissions or those of any sub-contract, agent, or anyone directly or indirectly volunteering for or employed by them.

20.2. **APDC** shall provide proof of liability insurance for all if its own programs and events in the minimum of $1,500,000 each occurrence naming City as additional, non-contributory insured. APDC shall also require that each additional organization or vendor providing concessions using Amend Park Premises carry minimum liability insurance in the amount of one million five hundred thousand and no/100 dollars ($1,500,000) each occurrence (MCA Section 2-9-108 (1). Each organization shall provide APDC a Certificate of Insurance naming APDC and the City of Billings as additional insured parties. APDC shall provide a copy of said certificate to City for each event.

21. **AMENDMENTS AND MODIFICATION:** The parties shall also have the right to mutually renegotiate the terms and conditions herein on an annual basis upon either party's

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request. The parties hereby agree that any amendments, or modifications, to this agreement, or any provisions herein shall be made in writing and executed in the same manner as the original document and shall, after execution, become part of this Agreement.

IN WITNESS WHEREOF, the Parties have executed the Agreement this 3/4/2023 _____.

CITY: **CITY OF BILLINGS**, a Montana Municipal Corporation

DocuSigned by:
William A Cole
2CA11D5423334EE...
By: William Cole, Mayor

ATTEST:

DocuSigned by:
By: Denise R. Bohlman
D503C2218DC34F0...
City Clerk

APDC: **THE BILLINGS AMEND PARK DEVELOMENT COUNCIL**, A Montana Corporation

DocuSigned by:
Mike Mayott
282699DCDBB44A6...
By: Michael Mayott, President
Amend Park Development Council

User Fees

User Fees are based upon field size utilized for the events Match Field Size (Match/Contest or 1.5 hours)

11 v 11 $100

9 v 9 $ 80

7 v 7 $ 64

5 v 5 $ 50

4 v 4 $ 50

3 v 3 $ 20

Training Fields (1.5 hours)

½ 11 v 11 $ 50

½ 9 v 9 $ 40

½ 7 v 7 $ 32

½ 5 v 5 $ 25

½ 4 v 4 $ 25

3 v 3 $ 20

(There is no cap or refund to fees)

Seminar Room rental - $100 per event

Pavilion rental - $100 per event

(Application fee of $50 and a use fee for the space required. Board approval will be required for deviations of other users)

Amend Park Development Council
Profit & Loss Budget Overview
January through December 2025

	Jan - Dec 25	
Income		
insurance Rebate		325.15
Painting Service		7,000.00
Advertising Income		1,500.00
Concession Revenues		55,785.86
Interest Income		615.44
Park User Fees		221,562.52
Total Income		286,788.97
Gross Profit		286,788.97
Expense		
Mileage		573.82
Security System		1,896.00
Equipment Purchases		10,000.00
Referee Expense		3,519.00
Alarm System		158.00
Accounting Fees		1,900.00
cleaning Supplies		3,228.62
*Payroll Expenses		43,825.86
Bank Service Charges		504.78
Concessions		250.00
Concessions - Food		26,923.69
Dues and Subscriptions		736.00
Facilities and Equipment		
Gator Repair	600.00	
Equip Rental and Maintenance	600.00	
Rent, Parking, Utilities	5,700.00	
Total Facilities and Equipment		6,900.00
Field Expenses		
Fuel & Gas Expense	1,493.80	
Signs	420.00	
Paint	25,656.75	
Portable Toilets	4,015.45	
Turf Management		
Turf Tank	8,512.26	
Snow Plowing	300.00	
2nd Mowing	7,172.34	
Grass Seed	440.00	
Turf Management - Other	39,667.82	
Total Turf Management	56,092.42	
Field Expenses - Other	1,107.90	
Total Field Expenses		88,786.32
Insurance - Liability		4,764.32
Insurance - Workers Comp		890.63
Miscellaneous		33.02
Office Expense		370.87
Operations		
Utilities		
Gas & Electric	10,258.20	
Pest Control	842.22	
Water & Irrigation	1,074.48	
Total Utilities	12,174.90	
Postage, Mailing Service	72.24	
Supplies	1,190.17	
Telephone, Telecommunications	4,133.72	
Total Operations		17,571.03
Payroll - Wages		222.72

Amend Park Development Council
Profit & Loss Budget Overview
January through December 2025

	Jan - Dec 25
Payroll Expenses	1,428.54
Repairs	
Building Repairs	6,000.00
Equipment Repairs	9,000.00
Total Repairs	15,000.00
Total Expense	229,483.22
Net Income	**57,305.75**

Amend Park Development Council
Statement of Activities
2020

	Jan - Dec 24	
Income		
Painting Service		2,677.04
Concession Revenues		57,961.17
Contributions - Unrestricted		500.00
Interest Income		15,091.89
Other Types of Income		
Miscellaneous Revenue	647.83	
Total Other Types of Income		647.83
Park User Fees		212,335.68
Total Income		289,213.61
Cost of Goods Sold		
Cost of Goods Sold		0.00
Total COGS		0.00
Gross Profit		289,213.61
Expense		
Lights		3,500.00
Storage		805.00
Scholarship		1,000.00
soccer Goals		33,322.50
Shipping		568.50
Security System		1,577.00
Referee Expense		2,100.00
Accounting Fees		12.00
cleaning Supplies		1,800.14
***Reconciliation Discrepancies**		194.66
***Payroll Expenses**		47,139.09
Advertising		5,313.60
Bank Service Charges		25.00
Concessions - Food		22,380.37
Depreciation Expense		25,023.04
Dues and Subscriptions		1,225.00
Facilities and Equipment		
Equip Rental and Maintenance	114.00	
Rent, Parking, Utilities	232.60	
Total Facilities and Equipment		346.60
Field Expenses		
Fuel & Gas Expense	991.61	
Signs	100.64	
Nets	5,835.99	
Paint	29,648.23	
Portable Toilets	3,638.19	
Turf Management		
Top Dressing	7,400.43	
Snow Plowing	900.00	
2nd Mowing	6,531.30	
Grass Seed	638.00	
Compost	3,419.40	
Mowing, Weed Spraying Littler P	0.00	
Turf Management - Other	12,268.14	
Total Turf Management	31,157.27	
Field Expenses - Other	8,389.44	
Total Field Expenses		79,761.37
Insurance - Liability		4,295.28
Insurance - Workers Comp		-129.06
Meals & Entertainment		26.28
Operations		

Amend Park Development Council
Statement of Activities
2020

	Jan - Dec 24	
Utilities		
Cleaning Expense	1,601.00	
Gas & Electric	9,268.65	
Pest Control	882.91	
Water & Irrigation	427.37	
Total Utilities		12,179.93
Postage, Mailing Service		242.45
Supplies		8,934.92
Telephone, Telecommunications		3,945.96
Total Operations		25,303.26
Other		504.16
Payroll - Wages		50.00
Payroll Expenses		1,020.52
Repairs		
Building Repairs	6,100.69	
Equipment Repairs	8,500.96	
Field Maintenance	6,407.97	
Total Repairs		21,009.62
Total Expense		278,173.93
Net Income		**11,039.68**

City Council Regular

Date:	01/27/2025
Title:	Billings American Legion Budget 2025
Presented by:	Pigg Michael, Parks Director
Department:	Parks/Rec/Public Lands
Presentation:	No
Legal Review:	No
Project Number:	N/A

RECOMMENDATION

Staff recommends the approval of the 2025 budget for Billings American Legion Baseball. The Park Board recommended approval of the budget during the December 2024 meeting.

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

The agreement between the City of Billings and the Billings American Legion Baseball Association requires them to present an annual budget to the City Council for approval. The budget shows a deficit between revenues and expenses. This deficit is made up through fund-raising efforts of the players and major donors.

ALTERNATIVES

City Council may:

- Approve; or,
- Not Approve

FISCAL EFFECTS

There are no fiscal effects for the City of Billings. The Billings American Legion Baseball Association is required to do all maintenance and repairs on Pirtz field inside the fence. The maintenance responsibilities for the Parks and Recreation Department are to provide water, trash service and restroom facilities, all of which are normal park maintenance responsibilities.

SUMMARY

The use agreement between the City of Billings and the Billings American Legion Association requires them to present a budget each year to the Billings City Council for approval. The Park Board recommends approval.

Attachments

American Legion 2025 budget

	Fiscal Year Ending 09/30/24	Fiscal Year Budget 10/1/2024
REVENUES:		
Pirtz Concesson Revenue	26,396	20,000
COGS - Concessions	(13,511)	(10,000)
Gross Profit - Concessions	**12,885**	**10,000**
Season Ticket Sales	**7,036**	7,000
Gate Ticket Income	**6,997**	5,000
50-50 Income	**1,729**	2,000
GROSS PROFIT	**28,647**	**24,000**
EXPENSES:		
Advertising		
Drug Screening	**22**	0
Game Security		
Dues and Subscriptions	**4,560**	4,500
Equipment and Uniforms	**46,070**	45,000
Field Maintenance:		
Mustang Fee and Billings Lease	12,372	13,000
Pirtz Maintenance and CapEx	11,364	8,000
Other Maintenance/Utilities	3,543	3,500
Total Field Maintenance	**27,279**	**24,500**
Insurance:		
Property and Umbrella	5,430	6,577
Workers Compensation	1,164	1,165
S.A. Van Dyk	1,657	1,655
Total Insurance	**8,251**	**9,397**
Office/Administrative & Website	**2,277**	**5,000**
Payroll:		
Coaches	100,750	100,750
Other	23,400	23,400
Total Payroll	**124,150**	**124,150**
Payroll Taxes	**10,738**	10,750
Coaches Training		
Professional Fees	**12,934**	14,500
Rents	**290**	410
Taxes and Licenses	**90**	90
Tournament Registrations	**7,849**	6,000
Bus Expense:		
Contract Labor - Drivers	5,850	10,600
Fuel	19,045	18,000
Insurance	8,162	8,152
Repairs	2,874	4,000
Loan Payments(Prin & Int)	34,271	2,856
Other	4,031	4,000
Total Bus Expense	**74,233**	**47,608**
Meals and Entertainment	**49,987**	44,218
Motels	**93,562**	67,050
Other Travel	**19,316**	20,400
Annual Triple Play Memberships	**45,280**	40,800
Umpires	**21,075**	19,000
Other Miscellaneous	**5,083**	4,500
TOTAL EXPENSES	**553,046**	**487,873**
NET INCOME	**(524,399)**	**(463,873)**
Fundraised Amount	542,783	463,873
Total Profit or Loss After Fundraising	18,384	0

City Council Regular

Date:	01/27/2025
Title:	Exchange City Golf Par 3 Budget
Presented by:	Pigg Michael, Parks Director
Department:	Parks/Rec/Public Lands
Presentation:	No
Legal Review:	Not Applicable
Project Number:	N/A

RECOMMENDATION

Staff recommends approval of the Par 3 budget for 2025 along with allowing them to retain the annual distribution ($20,000) to the City of Billings. The Park Board reviewed at the December meeting, and recommended approval.

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

The agreement the City of Billings has with the Exchange City Golf Course requires the Board of Directors for Par 3 to have their budget approved by the City Council. The budget is always presented to the Park Board for their recommendation first and this occurred at the December 2024 meeting. In the agreement, the Exchange City Golf Course is required to give a portion of its proceeds back to the City of Billings. Par 3 has usually provided $20,000 each year. This year Par 3 Board of Directors is requesting to retain the distribution and use the funds to install a fire hydrant along 20th Street West, directly across from the facility. The fire hydrant is required before Par 3 can build or add on to existing buildings. Par 3 is looking to rebuild the maintenance facility and add cart storage area. The existing maintenance facility is undersized and causes safety concerns.
The City of Billings has allowed the retention of the funds in the past to allow better maintenance of the golf course or to address safety concerns.

ALTERNATIVES

City Council may:

- Approve; or,
- Not Approve

FISCAL EFFECTS

By approving the 2025 budget for Par 3, the City of Billings will be allowing the golf course to retain the distribution ($20,000) and apply the funds to upgrading the facilities and address safety concerns. The distribution would normally be deposited in the General Fund for the City of Billings.

SUMMARY

The agreement with the Exchange City Golf Club requires approval of the annual budget for the facility. The budget was recommended for approval by the Park Board including allowing Par 3 to retain the annual distribution to the City of Billings.

Attachments

Par 3 Budget
Financial Statement for Par 3 2024

Exchange City Golf
Par 3 Golf Course
2025 Proposed

Description	2023 Proposed	2023 Actual	2023 Variance	2024 Proposed	2024 Projected	2024 Variance	2025 Proposed
Revenue							
Gree Fees	285,000	362,129	77,129	330,000	406,133	76,133	335,000
Range Revenue	82,000	118,383	36,383	110,000	144,752	34,752	110,000
Golf Cart Rental	90,000	156,887	66,887	140,000	165,552	25,552	135,000
Memberships	55,000	77,813	22,813	55,000	41,347	(13,653)	70,000
Interest & Bench Ads		660	660		561	561	
Miscellaneous		6,210	6,210		6,391	6,391	
Gain/Loss on Sale of Assets			0		0	0	
	512,000	722,082	210,082	635,000	764,737	129,737	650,000
			0			0	
Range Expenses	30,000	25,107	(4,893)	32,000	33,171	1,171	36,000
GROUNDS OPERATIONS							
Salary and Wages	128,000	116,498	(11,502)	127,000	121,368	(5,632)	192,000
Payroll Taxes	12,000	11,856	(144)	12,000	11,279	(721)	19,000
Employee Benefits					305		
Sub Total	140,000	128,354	(11,646)	139,000	132,952	(6,353)	211,000
General Cost							
Gas and Oil	15,000	13,232	(1,768)	15,000	9,895	(5,105)	10,000
Utilities	15,000	17,258	2,258	15,000	14,596	(404)	15,000
Fertilizer and Seed	20,000	13,043	(6,957)	20,000	20,224	224	20,000
Operating Supplies	5,000	5,335	335	5,000	6,263	1,263	5,000
Repairs and Maintenance	10,000	50,186	40,186	10,000	20,164	10,164	15,000
Contract Labor	12,000	21,642	9,642	12,000	1,800	(10,200)	12,000
Sand and Gravel	5,000	5,650	650	5,000	3,103	(1,897)	5,000
Rental Cart Repairs	0	964	964		37		
Irrigation	0	2,093	2,093		3,077	3,077	3,000
Travel and Dues	1,500	2,380	880	1,500	1,567	67	2,889
Insurance	6,000	7,051	1,051	6,000	7,539	1,539	6,000
Finance Fees	0	129	129		155	155	
Sub Total	89,500	138,963	49,463	89,500	88,419	(1,081)	93,889
Grounds Total	229,500	267,317	37,817	228,500	221,371	(7,129)	304,889
CLUBHOUSE OPERATIONS			0			0	
Salary Golf Pro			0			0	
Salaries and Wages	113,000	119,027	6,027	135,500	120,257	(15,243)	159,000
Payroll Taxes	10,000	11,648	1,648	15,000	11,643	(3,357)	17,000
Employee Benefits	3,600	1,425	(2,175)	3,600	1,600	(2,000)	3,800
Sub-Total	126,600	132,100	5,500	154,100	133,500	(20,600)	179,800
			0			0	

Exchange City Golf
Par 3 Golf Course
2025 Proposed

Description	2023 Proposed	2023 Actual	2023 Variance	2024 Proposed	2024 Projected	2024 Variance	2025 Proposed
General Cost			0			0	
Credit Card Fees	20,000	20,838	838	23,000	21,984	(1,016)	22,000
Office Expenses	1,500	1,761	261	1,600	2,901	1,301	1,800
Legal and Accounting	12,500	13,100	600	16,000	16,253	253	18,000
Miscellaneous		689	689		0	0	
Bad Dept Expense			0		0	0	
Cash Over/Short		171	171		(4)	(4)	
Dues and Subscription	2,000	787	(1,213)	2,000	1,413	(587)	2,000
Utilities	12,000	10,063	(1,937)	13,000	7,359	(5,641)	8,000
Telephone	2,500	3,159	659	2,750	3,004	254	2,900
Insurance	10,000	11,177	1,177	13,000	11,308	(1,692)	15,000
Advertising	6,000	3,416	(2,584)	6,000	5,840	(160)	6,000
Taxes and Licenses			0		0	0	
Travel	1,000	848	(152)	1,000	677	(323)	2,000
Yamaha Golf Cart Lease		21,200	21,200		19,097	19,097	20,000
Security			0		0	0	
Customer Relations	750	1,856	1,106	1,000	1,383	383	1,200
Clubhouse Oper/Main	11,000	7,663	(3,337)	12,500	5,268	(7,232)	5,000
Sub-Total	79,250	96,728	17,478	91,850	96,484	4,634	103,900
Clubhouse Total	205,850	228,828	22,978	245,950	229,984	(15,966)	283,700
Total Operating Cost	465,350	521,252	55,902	506,450	484,525	(21,925)	624,589
			0			0	
Simple Revenue	46,650	200,830	154,180	128,550	280,211	151,661	25,411
Capital Expenditures	114,605	121,553	6,948	179,969	121,962	(58,007)	60,004

Exchange City Golf Corporation
Financial Statements
Tax Basis
One Month and Nine Months Ended
September 30, 2024 and 2023

1302 GOLDEN VALLEY CIRCLE
SUITE 2
BILLINGS, MT 59102
406.252.6301
FAX 406.252.3096

MRACHEK POPP & ASSOCIATES

201 S BROADWAY, STE D
P.O. BOX 668
RED LODGE, MT 59068
406.446.3111
FAX 406.252.3096

To the Board of Directors
Exchange City Golf Corporation
Billings, MT

Management is responsible for the accompanying financial statements of Exchange City Golf Corporation, (a not for profit corporation), which comprise the statements of assets, liabilities, and fund balance - tax basis as of September 30, 2024 and 2023, and the related statements of revenues and expenses - tax basis for the one month and nine months then ended September 30, 2024 and 2023, and the related notes to the financial statements in accordance with the tax basis of accounting, and for determining that the tax basis of accounting is an acceptable financial reporting framework. We have performed a compilation engagement in accordance with Statements on Standards for Accounting and Review Services promulgated by the Accounting and Review Services Committee of the AICPA. We did not audit or review the financial statements nor were we required to perform any procedures to verify the accuracy or completeness of the information provided by management. Accordingly, we do not express an opinion, a conclusion, nor provide any form of assurance on these financial statements.

The financial statements are prepared in accordance with the tax basis of accounting, which is a basis of accounting other than accounting principles generally accepted in the United States of America.

The supplementary information is presented for purposes of additional analysis and is not a required part of the basic financial statements. Such information is the responsibility of management. The supplementary information was not subject to our compilation engagement. We do not express an opinion, a conclusion, nor provide any assurance on such supplementary information.

We are not independent with respect to Exchange City Golf Corporation.

Mrachek Popp & Associates, PC
Billings, Montana
November 14, 2024

Exchange City Golf Corporation
Statements of Assets, Liabilities,and Fund Balance
Tax Basis
September 30, 2024 and 2023

ASSETS

	2024	2023
Current Assets:		
Cash - Yellowstone Bank	$ 303,533.68	$ 484,501.55
Petty cash	161.05	161.05
Money market - restricted	50,000.00	50,000.00
Money market	231,763.51	31,061.19
Total Cash and Cash Equivalents	585,458.24	565,723.79
Employee receivable	1,200.00	0.00
Prepaid security	147.30	117.30
Prepaid insurance	5,300.25	4,407.00
	592,105.79	570,248.09
Fixed Assets:		
Golf course buildings and grounds	1,939,787.42	1,762,285.05
Less: Accumulated Depreciation	(1,501,709.85)	(1,338,102.25)
	438,077.57	424,182.80
Other Assets:		
Deposits	660.00	660.00
	660.00	660.00
Total Assets	$ 1,030,843.36	$ 995,090.89

See Accountants' Compilation Report.
The Notes to Financial Statements are an integral part of these statements.

Exchange City Golf Corporation
Statements of Assets, Liabilities,and Fund Balance
Tax Basis
September 30, 2024 and 2023

LIABILITIES AND FUND BALANCE

	2024	2023
Current Liabilities:		
Accounts payable	$ 7,939.15	$ 5,573.25
Accrued wages	5,017.02	4,035.75
Gift certificates	17,762.23	16,788.53
Simple IRA payable	130.00	(200.00)
Federal/fica withholding payable	3,768.81	3,213.74
State withholding payable	799.07	961.43
State & federal unemployment	594.87	1,213.01
Deferred income	28,726.15	26,086.40
	64,737.30	57,672.11
Long-term liabilities:		
Total Liabilities	64,737.30	57,672.11
Fund Balance:		
Fund balance - non-restricted	883,860.33	871,957.34
Excess revenue (expense) - non-restricted	82,245.73	65,461.44
Total Fund Balance	966,106.06	937,418.78
Total Liabilities and Fund Balance	$ 1,030,843.36	$ 995,090.89

See Accountants' Compilation Report.
The Notes to Financial Statements are an integral part of these statements.

Exchange City Golf Corporation
Statements of Revenues and Expenses
Tax Basis
One Month and Nine Months Ended September 30, 2024 and 2023

	2024 CURRENT PERIOD AMOUNT	PERCENT	2023 CURRENT PERIOD AMOUNT	PERCENT	2024 YEAR-TO-DATE AMOUNT	PERCENT	2023 YEAR-TO-DATE AMOUNT	PERCENT
Revenue								
Green fee revenue	$ 45,387.00	52.4	$ 41,919.00	52.1	$ 349,987.50	52.1	$ 329,437.00	51.7
Range revenue	13,256.00	15.3	11,839.50	14.7	121,820.50	18.1	110,390.00	17.3
Golf cart rental	19,252.00	22.2	18,016.50	22.4	143,416.50	21.3	142,650.00	22.4
Memberships	7,737.09	8.9	8,549.71	10.6	49,083.85	7.3	51,726.60	8.1
Interest Income	54.83	0.1	63.06	0.1	475.77	0.1	433.78	0.1
Miscellaneous income	1,010.00	1.2	0.00	0.0	7,400.92	1.1	2,801.91	0.4
Total revenue	86,696.92	100.0	80,387.77	100.0	672,185.04	100.0	637,439.29	100.0
Range expenses	2,350.02	2.7	2,031.02	2.5	27,228.05	4.1	23,896.50	3.7
Total cost of goods sold	2,350.02	2.7	2,031.02	2.5	27,228.05	4.1	23,896.50	3.7
Gross profit (loss)	84,346.90	97.3	78,356.75	97.5	644,956.99	95.9	613,542.79	96.3
Expenses								
Ground expenses:								
Salaries & Wages - Grounds	13,158.84	15.2	10,654.78	13.3	94,070.56	14.0	92,026.62	14.4
Payroll taxes	1,424.77	1.6	922.68	1.1	9,883.97	1.5	9,664.47	1.5
Gas & oil	1,918.24	2.2	3,243.95	4.0	9,338.92	1.4	10,140.69	1.6
Utilities	2,389.00	2.8	1,912.00	2.4	13,335.72	2.0	12,225.69	1.9
Fertilizer and seed	1,208.88	1.4	0.00	0.0	16,377.22	2.4	11,096.59	1.7
Operating supplies	43.98	0.1	437.59	0.5	4,741.28	0.7	4,124.00	0.6
Repairs and maintenance	15,216.58	17.6	10,190.15	12.7	30,340.00	4.5	43,206.95	6.8
Contract labor	200.00	0.2	250.00	0.3	1,550.00	0.2	11,100.00	1.7
Sand and gravel	(151.67)	(0.2)	0.00	0.0	2,175.68	0.3	3,255.88	0.5
Rental cart repairs	0.00	0.0	303.71	0.4	27.80	0.0	707.99	0.1
Health insurance	(141.64)	(0.2)	0.00	0.0	87.54	0.0	0.00	0.0
Irrigation	0.00	0.0	0.00	0.0	2,307.50	0.3	2,092.50	0.3
Travel and dues	0.00	0.0	240.00	0.3	1,175.00	0.2	2,019.52	0.3
Insurance	706.70	0.8	587.60	0.7	6,360.30	0.9	5,288.40	0.8
Finance fees	0.00	0.0	0.00	0.0	115.88	0.0	128.53	0.0
Cart Lease	0.00	0.0	3,158.00	3.9	13,163.85	2.0	18,042.17	2.8
Total ground expenses	35,973.68	41.5	31,900.46	39.7	205,051.22	30.5	225,120.00	35.3
Clubhouse expenses								
Salaries & Wages - Clubhouse	11,441.45	13.2	10,349.45	12.9	101,634.03	15.1	83,908.54	13.2
Payroll taxes	932.97	1.1	848.05	1.1	9,665.46	1.4	8,573.74	1.3
Employee benefits	0.00	0.0	50.00	0.1	1,200.00	0.2	1,250.00	0.2
Credit card fees	2,408.18	2.8	2,097.11	2.6	18,896.25	2.8	18,432.99	2.9
Range expense	0.00	0.0	0.00	0.0	0.00	0.0	387.97	0.1
Office expense	132.00	0.2	306.33	0.4	2,379.22	0.4	1,378.92	0.2
Legal and accounting	880.00	1.0	810.00	1.0	13,070.00	1.9	10,670.00	1.7
Miscellaneous	0.00	0.0	301.00	0.4	0.00	0.0	301.00	0.0
Cash over/short	0.00	0.0	66.00	0.1	(2.50)	0.0	171.00	0.0
Dues and subscriptions	0.00	0.0	0.00	0.0	1,059.92	0.2	637.00	0.1
Utilities	1,221.45	1.4	864.66	1.1	6,740.22	1.0	7,839.18	1.2
Telephone	282.04	0.3	281.54	0.4	2,535.29	0.4	2,286.73	0.4
Insurance	1,060.05	1.2	1,482.01	1.8	9,540.55	1.4	8,533.21	1.3
Advertising	800.00	0.9	989.95	1.2	5,179.95	0.8	1,999.95	0.3
Rental Cart Lease	3,158.00	3.6	0.00	0.0	4,317.00	0.6	297.70	0.0
Travel	0.00	0.0	0.00	0.0	507.57	0.1	762.80	0.1
Customer relations	0.00	0.0	0.00	0.0	1,037.00	0.2	1,544.50	0.2
Clubhouse O/M	505.79	0.6	489.53	0.6	4,456.94	0.7	4,868.29	0.8
Total clubhouse expenses	22,821.93	26.3	18,935.63	23.6	182,216.90	27.1	153,843.52	24.1

See Accountants' Compilation Report.
The Notes to Financial Statements are an integral part of these statements.

Exchange City Golf Corporation
Statements of Revenues and Expenses
Tax Basis
One Month and Nine Months Ended September 30, 2024 and 2023

Other expenses								
Depreciation	$ 5,942.33	6.9	$ 5,284.94	6.6	$ 53,480.97	8.0	$ 47,564.46	7.5
Capital expenditures	0.00	0.0	0.00	0.0	121,962.17	18.1	121,553.37	19.1
Total other expenses	5,942.33	6.9	5,284.94	6.6	175,443.14	26.1	169,117.83	26.5
Total Expenses	64,737.94	74.7	56,121.03	69.8	562,711.26	83.7	548,081.35	86.0
Income (Loss) from operations	19,608.96	22.6	22,235.72	27.7	82,245.73	12.2	65,461.44	10.3
Excess Revenue (Expense)	$ 19,608.96	22.6	$ 22,235.72	27.7	$ 82,245.73	12.2	$ 65,461.44	10.3

See Accountants' Compilation Report.
The Notes to Financial Statements are an integral part of these statements.

Exchange City Golf Corporation
Notes to Financial Statements
September 30, 2024

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Relationship with City of Billings and Downtown Exchange Club of Billings -

The Downtown Exchange Club of Billings and the City of Billings financed the construction of an 18 hole, par 3 golf course, which was completed in 1979. The Exchange City Golf Corporation was formed in order to manage and operate the golf course for the City of Billings.

The proceeds from the operation of the golf course, after payment of operating expenses and capital improvements, may be distributed to the City of Billings and to the Exchange Club of Billings in the ratio of 2 to 1 respectively.

Basis of Accounting -

As permitted for income tax reporting purposes, the Organization has not implemented the financial reporting requirements of Statement of Financial Accounting Standards No. 117, "Financial Statements of Not-for-Profit Organizations." Accordingly, the Organization has not classified the difference between net assets and liabilities as unrestricted net assets, temporarily restricted net assets, and permanently restricted net assets based on the existence or absence of donor-imposed restrictions. In addition, the Organization has not reported the changes in each of those classes of net assets in the accompanying financial statements.

The assets, liabilities, and fund balances of the corporation are reported in two self-balancing fund groups as follows:

Fund Balance - Unrestricted: Represents unrestricted economic resources available for any purpose to carry out the objectives of the Corporation.

Fund Balance - Restricted: Represents resources restricted by the Board of Directors for improvements to the golf course.

Revenue Recognition -

The Corporation reports earnings from greens fees, cart rental, and range fees at the point of sale.

Customers may purchase yearly passes. A yearly pass year runs from January through December. All yearly passes are recognized over the remaining months from the date of purchase. All unearned revenue is recorded as deferred revenue on the statement of assets, liabilities and fund balance.

The Corporation also sells gift certificates. Unredeemed gift certificates are included as a liability on the statement of assets, liabilities and fund balance. Revenue from gift certificates is recognized when the gift certificate is redeemed.

Inventory -

Inventory is comprised of golfing and range supplies owned by the Corporation. Any items held for sale in the Pro Shop are owned by the Corporation's golf professional and not recognized on the financial statements. Inventory is accounted for at the lower of cost or market.

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Property and Depreciation -

Property and equipment are stated at cost. Property and equipment are depreciated using the straight line method over the estimated useful lives of the related depreciable assets. Maintenance and repairs are charged to expenses as incurred. It is the Corporation's policy to capitalize expenditures in excess of $2,500 for property and equipment and those which substantially increase useful lives.

Cash and Cash Equivalents -

For the purpose of reporting cash flows, cash and cash equivalents include liquid accounts with original maturities of three months or less that are not designed for investment purposes. Certain short-term investments (money market funds) held by the trustee have not been classified as cash equivalents as they are considered an integral part of the Corporation's investment strategy.

Income Taxes -

The Corporation qualifies as a tax-exempt organization under Section 501(c)(4) of the Internal Revenue Code and, accordingly, there is no provision for income taxes in the accompanying financial statements.

Use of Estimates -

The preparation of the financial statements requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

Advertising Costs -

The Corporation expenses the cost of the non-direct response advertising costs as incurred.

Change in Accounting Method -

For taxable years beginning January 1, 2016, and later, the general capitalization policy is that all equipment and other fixed assets costing no more than $2,500 per invoice (or per item substantiated by the invoice) will be treated as an expense for both book and tax purposes. The Corporation's adoption of this accounting policy is intended to comply with the IRS de minimis safe-harbor provisions at Reg. Sec. 1.263(a)(1)(f) under guidance issued through TD 9636.

NOTE 2 - PROPERTY AND EQUIPMENT

Property and equipment, less accumulated depreciation is comprised of the following:

Building and grounds	$ 849,983.49
Equipment	735,688.37
Furniture and fixtures	19,593.50
Golf course improvements	334,522.06
	1,939,787.42
Less accumulated depreciation	1,501,709.85
Net property and equipment	$ 438,077.57

Depreciation expense for the nine months ended September 30, 2024 is $53,480.97.

NOTE 3 - EMPLOYEE BENEFIT PLAN

The Corporation has established a Simple IRA plan that allows all employees meeting certain eligibility requirements to participate. Participants may contribute a portion of their compensation to the plan, up to a maximum amount permitted under Code Section 408(a) of the Internal Revenue Code. The Corporation makes a contribution on behalf of each eligible participant in an amount equal to the participant's salary reduction contributions, up to a limit of 3% of the participant's compensation for the entire calendar year. During the nine months ended September 30, 2024, the Corporation made contributions to the Plan of $1,200.00.

NOTE 4 - SUBSEQUENT EVENTS

The Corporation has not had any subsequent events through November 14, 2024 which is the date the financial statements were available to be issued.

SUPPLEMENTARY INFORMATION

Exchange City Golf Corporation
Comparative Schedule of Sales and Cost of Sales
Tax Basis
One Month and Nine Months Ended September 30, 2024 and 2023

	2024 CURRENT PERIOD AMOUNT	PERCENT	2023 CURRENT PERIOD AMOUNT	PERCENT	2024 YEAR-TO-DATE AMOUNT	PERCENT	2023 YEAR-TO-DATE AMOUNT	PERCENT
Green fee revenue								
9 Hole	$ 20,820.00	24.0	$ 22,353.50	27.8	$ 160,373.00	23.9	$ 165,325.50	25.9
18 Hole	21,294.00	24.6	16,077.00	20.0	148,441.50	22.1	123,601.00	19.4
Extra 9 hole	883.00	1.0	827.00	1.0	7,250.00	1.1	6,824.00	1.1
9 and 18 Hole passes	2,390.00	2.8	2,661.50	3.3	33,923.00	5.0	33,686.50	5.3
Total green fee revenue	$ 45,387.00	52.4	$ 41,919.00	52.1	$ 349,987.50	52.1	$ 329,437.00	51.7
Range revenue								
Range revenue	13,256.00	15.3	11,839.50	14.7	121,820.50	18.1	110,390.00	17.3
Total range revenue	$ 13,256.00	15.3	$ 11,839.50	14.7	$ 121,820.50	18.1	$ 110,390.00	17.3
Golf cart rental								
Golf cart rental	19,252.00	22.2	18,016.50	22.4	143,416.50	21.3	142,650.00	22.4
Total golf cart revenue	$ 19,252.00	22.2	$ 18,016.50	22.4	$ 143,416.50	21.3	$ 142,650.00	22.4
Memberships								
Memberships	7,737.09	8.9	8,549.71	10.6	49,083.85	7.3	51,726.60	8.1
Total membership revenue	$ 7,737.09	8.9	$ 8,549.71	10.6	$ 49,083.85	7.3	$ 51,726.60	8.1
Range expenses								
Supplies	0.00	0.0	0.00	0.00	10,033.36	1.49	8,045.90	1.26
Wages	2,138.00	2.5	1,875.35	2.33	15,612.33	2.32	14,430.49	2.26
Payroll taxes	212.02	0.2	155.67	0.19	1,582.36	0.24	1,420.11	0.22
Total range expenses	$ 2,350.02	2.71	$ 2,031.02	2.53	$ 27,228.05	4.05	$ 23,896.50	3.75

Exchange City Golf Corporation
Comparative Schedule of Budgeted Revenue and Expenses
Tax Basis
One Month and Nine Months Ended September 30, 2024 and 2023

	CURRENT Actual	CURRENT Budgeted	CURRENT Variance	YEAR-TO-DATE Actual	YEAR-TO-DATE Budgeted	YEAR-TO-DATE Variance
Revenue						
Green fee revenue	$ 45,387.00	$ 37,700.00	$ 7,687.00	$349,987.50	$ 249,400.00	$ 100,587.50
Range revenue	13,256.00	11,310.00	1,946.00	121,820.50	74,820.00	47,000.50
Golf cart rental	19,252.00	12,350.00	6,902.00	143,416.50	81,700.00	61,716.50
Memberships	7,737.09	7,800.00	(62.91)	49,083.85	51,600.00	(2,516.15)
Interest Income	54.83	0.00	54.83	475.77	0.00	475.77
Miscellaneous income	1,010.00	0.00	1,010.00	7,400.92	0.00	7,400.92
Total revenue	86,696.92	69,160.00	17,536.92	672,185.04	457,520.00	214,665.04
Cost of goods sold						
Range expenses	2,350.02	4,160.00	1,809.98	27,228.05	27,520.00	291.95
Total cost of goods sold	2,350.02	4,160.00	1,809.98	27,228.05	27,520.00	291.95
Gross profit (loss)	84,346.90	65,000.00	19,346.90	644,956.99	430,000.00	214,956.99
Expenses						
Ground expenses:						
Salary - superintendent	13,158.84	15,363.50	2,204.66	94,070.56	113,022.00	18,951.44
Payroll taxes	1,424.77	1,396.33	(28.44)	9,883.97	10,210.99	327.02
Finance fees	0.00	0.00	0.00	115.88	0.00	(115.88)
Gas & oil	1,918.24	2,340.00	421.76	9,338.92	15,480.00	6,141.08
Utilities	2,389.00	1,333.33	(1,055.67)	13,335.72	11,999.97	(1,335.75)
Fertilizer & seed	1,208.88	2,600.00	1,391.12	16,377.22	17,200.00	822.78
Operating supplies	43.98	650.00	606.02	4,741.28	4,300.00	(441.28)
Repairs and maintenance	15,216.58	1,300.00	(13,916.58)	30,340.00	8,600.00	(21,740.00)
Rental cart repairs	0.00	260.00	260.00	27.80	1,720.00	1,692.20
Cart lease	0.00	0.00	0.00	13,163.85	0.00	(13,163.85)
Contract labor	200.00	1,560.00	1,360.00	1,550.00	10,320.00	8,770.00
Sand & gravel	(151.67)	780.00	931.67	2,175.68	5,160.00	2,984.32
Irrigation	0.00	273.00	273.00	2,307.50	1,806.00	(501.50)
Travel	0.00	130.00	130.00	1,175.00	860.00	(315.00)
Insurance	706.70	625.00	(81.70)	6,360.30	5,625.00	(735.30)
Total ground expenses	36,115.32	28,611.16	(7,504.16)	204,963.68	206,303.96	1,340.28
Club house expenses						
Salary - golf pro	11,441.45	12,808.33	1,366.88	101,634.03	105,200.01	3,565.98
Payroll taxes	932.97	1,540.77	607.80	9,665.46	11,935.35	2,269.89
Employee benefits	0.00	300.00	300.00	1,200.00	2,700.00	1,500.00
Credit card fees	2,408.18	2,990.00	581.82	18,896.25	19,780.00	883.75
Office expenses	132.00	364.00	232.00	2,379.22	2,408.00	28.78
Legal & accounting	880.00	1,333.33	453.33	13,070.00	11,999.97	(1,070.03)
Cash over/short	0.00	0.00	0.00	(2.50)	0.00	2.50
Dues & subscription	0.00	260.00	260.00	1,059.92	1,720.00	660.08
Utilities	1,221.45	1,083.33	(138.12)	6,740.22	9,749.97	3,009.75
Telephone	282.04	229.17	(52.87)	2,535.29	2,062.53	(472.76)
Insurance	1,060.05	1,083.33	23.28	9,540.55	9,749.97	209.42
Advertising	800.00	780.00	(20.00)	5,179.95	5,160.00	(19.95)
Travel	0.00	195.00	195.00	507.57	1,290.00	782.43
Customer relations	0.00	130.00	130.00	1,037.00	860.00	(177.00)
Clubhouse O/M	505.79	1,625.00	1,119.21	4,456.94	10,750.00	6,293.06
Total club house expenses	19,663.93	24,722.26	5,058.33	177,899.90	195,365.80	17,465.90

See Accountants' Compilation Report.

Exchange City Golf Corporation
Comparative Schedule of Budgeted Revenue and Expenses
Tax Basis
One Month and Nine Months Ended September 30, 2024 and 2023

	CURRENT Actual	CURRENT Budgeted	CURRENT Variance	YEAR-TO-DATE Actual	YEAR-TO-DATE Budgeted	YEAR-TO-DATE Variance
Other expenses						
Depreciation	$ 5,942.33	$ 0.00	$ (5,942.33)	$ 53,480.97	$ 0.00	$ (53,480.97)
Capital expenditures	0.00	19,176.17	19,176.17	121,962.17	172,585.53	50,623.36
Total other expenses	5,942.33	19,176.17	13,233.84	175,443.14	172,585.53	(2,857.61)
Total Expenses	61,721.58	72,509.59	10,788.01	558,306.72	574,255.29	15,948.57
Income (Loss) from operations	22,625.32	(7,509.59)	30,134.91	86,650.27	(144,255.29)	230,905.56
Excess Revenue (Expense)	$ 22,625.32	$ (7,509.59)	$ 30,134.91	$ 86,650.27	$ (144,255.29)	$ 230,905.56

See Accountants' Compilation Report.

City Council Regular

Date:	01/27/2025
Title:	Annual Acceptance of Federal Aviation Administration Airport Improvement Program Grants
Presented by:	Shane Ketterling, Assistant Director of Aviation and Transit
Department:	Airport
Presentation:	No
Legal Review:	Not Applicable
Project Number:	N/A

RECOMMENDATION

Staff recommends that the City Council accept this year's Airport Improvement Program (AIP) Grants from the Federal Aviation Administration (FAA) and authorize the Mayor to execute each of the AIP Grant offers as they are received.

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

Each year the Airport seeks Federal grant funding through the FAA - AIP process to fund ongoing capital projects at the Airport. Annually, the Airport may be awarded a number of AIP grants due to funding allocation, varying projects, and grant scheduling issues. These grants are normally on a tight timeline for acceptance; subsequently, each year the Airport seeks the approval and authorization from the City Council for the Mayor to execute the FAA provided AIP grant offers as soon as they are received. The 2025 grant offers should include funding from the Airport's annual AIP entitlements of $4,000,000, discretionary grant funding of approximately $4,500,000 and funds from the Bipartisan Infrastructure Law (BIL) of $3,000,000. These grants may provide funding for all or some of the following projects: approximately $9 million to reconstruct and extend Runway 7/25, $1 million for the planning, design and bidding associated with Phase 1 of the Ticket Counter Remodel and new In Line Baggage Belt System, $850,000 to rehabilitate and repave Overlook Drive access road and $75,000 for a Pavement Condition Index (PCI) survey. Ultimately, Airport staff anticipates at least two grant offers with the likelihood of a third grant funded with FAA discretionary funds.

ALTERNATIVES

City Council may:

- Approve the acceptance of this year's AIP Grants, authorizing the Mayor to execute each Grant offer as they are received; or,
- Not Approve the acceptance of this year's AIP Grant and provide direction to staff on how to proceed.

FISCAL EFFECTS

This year the Airport expects funding from its regular AIP Grant entitlements, discretionary grant funding, and funds from the Bipartisan Infrastructure Law (BIL) for approximately $11,500,000. Regardless of the amounts received, the Airport will need to provide a 5% local share match and these funds are available in the Airport's Capital Account.

City Council Regular

Date:	01/27/2025
Title:	Donations to the Billings Public Library
Presented by:	Gavin Woltjer
Department:	Library
Presentation:	No
Legal Review:	Not Applicable
Project Number:	N/A

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 donations of appreciation from various donors totaling $1,200.00.
Crowley Fleck Law - $500 to support the Teen and Children's programs
Private Citizens: Tricia Dilley - $500 and L.Rae - $200 earmarked for the purchase of library books.

ALTERNATIVES

City Council may:

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

FISCAL EFFECTS

There is no budgetary impact.

City Council Regular

Date:	01/27/2025
Title:	Resolution Establishing Compliance with Reimbursement under Internal Revenue Code for the Billings Recreation Center TIF Bonds
Presented by:	Andy Zoeller, Finance Director
Department:	Finance
Presentation:	No
Legal Review:	Not Applicable
Project Number:	N/A

RECOMMENDATION

Staff recommends that the City Council approve the attached resolution that will allow the City to reimburse expenses related to the Amend Park Recreation Campus within the South Billings Boulevard Urban Renewal District that it will incur prior to issuing bonds for the project.

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

The City will be selling tax increment bonds to finance design, engineering, and construction of the Billings Recreation Center. The City needs to expend monies related to this project before the funds are available for the bond sale proceeds. Under IRS rules, the attached resolution must be approved in order for the City to reimburse those pre-sale expenses from the bond sale proceeds.

ALTERNATIVES

City Council may:

- Approve the resolution and proceed with the project with the ability to reimburse expenses when the bonds are sold; or
- Not Approve the resolution, in which case the City may have to suspend certain areas of work until the bonds are sold or may have to delay work elements prior to the bond sale.

FISCAL EFFECTS

This resolution will not result in additional costs to the project.

Attachments

Resolution

CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of the City of Billings, Montana (the "City"), hereby certify that the attached resolution is a true copy of Resolution No. _____ entitled: "RESOLUTION RELATING TO THE FINANCING A PROPOSED RECREATION CENTER; ESTABLISHING COMPLIANCE WITH REIMBURSEMENT BOND REGULATIONS UNDER THE INTERNAL REVENUE CODE" (the "Resolution"), on file in the original records of the City in my legal custody; that the Resolution was duly adopted by the City Council of the City on January 27, 2025, and that the meeting was duly held by the City Council and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

I further certify that, upon vote being taken on the Resolution at said meeting, the following Council members voted in favor thereof: _____ _____; voted against the same: _____; abstained from voting thereon: _____ _____; or were absent: _____.

WITNESS my hand and seal officially this 27th day of January, 2025.

(SEAL)

_____
City Clerk

RESOLUTION NO. _____

RESOLUTION RELATING TO THE FINANCING A PROPOSED RECREATION CENTER; ESTABLISHING COMPLIANCE WITH REIMBURSEMENT BOND REGULATIONS UNDER THE INTERNAL REVENUE CODE

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

Section 1. Recitals.

1.01 The United States Department of Treasury has promulgated final regulations governing the use of proceeds of tax-exempt bonds, all or a portion of which are to be used to reimburse the City for project expenditures paid by the City prior to the date of issuance of such bonds. Those regulations (Treasury Regulations, Section 1.150-2) (the "Regulations") require that the City adopt a statement of official intent to reimburse an original expenditure not later than 60 days after payment of the original expenditure. The Regulations also generally require that bonds be issued and the reimbursement allocation be made from the proceeds of such bonds within 18 months (or three years, if the reimbursement bond issue qualifies for the "small issuer" exception from the arbitrage rebate requirement) after the later of (i) the date the expenditure is paid or (ii) the date the project is placed in service or abandoned, but (unless the issue qualifies for the "small issuer" exception from the arbitrage rebate requirement) in no event more than three years after the date the expenditure is paid. The Regulations generally permit reimbursement of capital expenditures and costs of issuance of the bonds.

1.02 The City desires to comply with requirements of the Regulations with respect to certain projects hereinafter identified.

Section 2. Official Intent Declaration.

2.01 The City proposes to design, engineer and construction a multi-use recreation center (collectively, the "Project").

2.02 Other than (i) expenditures to be paid or reimbursed from sources other than the Bonds (as hereinafter defined), (ii) expenditures constituting preliminary expenditures within the meaning of Section 1.150-2(f)(2) of the Regulations, or (iii) expenditures in a "de minimus" amount (as defined in Section 1.150-2(f)(1) of the Regulations), no expenditures for the Project have heretofore been paid by the City and no expenditures will be paid by the City until after the date of this Resolution.

2.03 The City reasonably expects to reimburse some or all of the expenditures made for costs of the Project out of proceeds of bonds, in one or more series, in a maximum aggregate principal amount of approximately $4,000,000 (the "Bonds") after the date of payment of all or a portion of the costs of the Project. All reimbursed expenditures shall be capital expenditures, a cost of issuance of the Bonds or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Regulations.

Section 3. Budgetary Matters. As of the date hereof, there are no City funds reserved, allocated on a long-term basis or otherwise set aside (or reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside) to provide permanent financing for the expenditures related to the Project, other than pursuant to the issuance of the Bonds. The statement of intent contained in this resolution, therefore, is determined to be consistent with the City's budgetary and financial circumstances as they exist or are reasonably foreseeable on the date hereof.

Section 4. Reimbursement Allocations. The Finance Director for the City shall be responsible for making the "reimbursement allocations" described in the Regulations, being generally the transfer of the appropriate amount of proceeds of the Bonds to reimburse the source of temporary financing used by the City to make prior payment of the costs of the Project. Each allocation shall be evidenced by an entry on the official books and records of the City maintained for the Bonds or the Project and shall specifically identify the actual original expenditure being reimbursed.

PASSED AND APPROVED by the City Council of the City of Billings, Montana, this 27th day of January, 2025.

_____

Mayor

Attest: _____
City Clerk

City Council Regular

Date:	01/27/2025
Title:	City Zone Change 1059 - Zimmerman Home Place 3rd Filing, Block 1, Lot 2 - NO to CMU1 - 2nd reading
Presented by:	Nicole Cromwell
Department:	Planning & Community Services
Presentation:	No
Legal Review:	No
Project Number:	PZX-24-00268

RECOMMENDATION

The Zoning Commission recommended approval and adoption of the proposed findings of the 10 criteria for Zone Change 1059. The City Council approved the zone change on first reading on January 13, 2025. A second reading of the ordinance is required.

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

This is a zone change request from Neighborhood Office (NO) to Corridor Mixed Use 1 (CMU1) to allow commercial and mixed-use development on the eastern 2.28 acres in the Zimmerman Home Place Subdivision (3rd Filing - Block 1 Lot 2). The lot is directly south of a lot the City Council approved a zone change to Mixed Residential 3 (NX3) in July 2024, and north of lots on Avenue E zoned NO. The lot at the corner of Avenue E and Zimmerman Trail (3401 Avenue E) is developed for the Children's Clinic, and was the first lot developed on the west side of Zimmerman Trail. The western 1.808 acres of the subject parcel will remain in the Neighborhood Office (NO) zone district.

Prior to the adoption of the new zoning code, the city and county regularly zoned property on arterial street frontages with low density residential or low-intensity commercial zones such as, Residential Professional (RP). The new zoning for the city requires different choices for arterial street frontages, including mixed-use districts or mixed residential districts. This is to ensure that lower density neighborhoods are in areas away from traffic noise, and do not need to "wall off" the neighborhood from the adjoining street. In the code update in 2021, the corollary zone for RP was Neighborhood Office (NO) and parcels that were vacant at the time of the update, went from RP to NO. Neither the RP zone nor the NO zone are appropriate for such a large area along a busy arterial street. The property to the north was recently re-zoned to Mixed Residential 3 (NX3) to allow a cooperative housing apartment development. At the intersection of Colton Blvd and Zimmerman Trail on a lot zoned NO, a two-tenant commercial office building was recently completed for NAI Business Properties and Performance Engineering. Additional developments to the west of the Children's Clinic are planned. The district description for NO includes this language: "The NO district is intended to accommodate office and office/residential uses on neighborhood corridors and internal neighborhood locations where other commercial uses are inappropriate. This district is meant to be highly walkable and accessible to pedestrians and to fit well with the context of adjacent neighborhood residential buildings, when located on corners or block ends." (BMCC 27-402) The subject property does not meet the district descriptions for a NO zone being at street intersections at entrances to the neighborhood. The definition of CMU1 better fits the location of the subject parcel: "The CMU1 district is intended to accommodate commercial and other uses along transportation corridors to promote development that is comfortably accessible via all modes of transportation, including motor vehicles, bicycles, and walking. Commercial uses in the CMU1 district may be somewhat larger in scale and more flexible than the neighborhood mixed-use district, including more auto-oriented uses such as gas stations. While ground stories along streets are intended for commercial uses, any story could accommodate residential and/or office uses."

The proposed zoning of CMU1 for the eastern 2.28 acres (see attached Zoning Plan) is intended to allow commercial, mixed use, or multifamily development. The property owner is developing several hundred apartments and townhomes on lots to the west - zoned Mixed Residential 3 (NX3). The zone change would allow this owner to provide walkable access to businesses and services for this new neighborhood. Currently, all retail-type businesses are located about 1/2-mile to the southeast or southwest. Walkable neighborhoods usually have small retail services less than 1/2-mile from the primary residential area - even if it is just a corner store, a coffee shop, or similar business.

The CMU1 zoning allows buildings up to four (4) stories in height while the NO zone allows up to two and a half (2.5) stories. The minimum story height in the NO zone is nine feet and the maximum is 12 feet. A building within the NO zone can range from 22.5 feet (plus a roof) to 36 feet (plus a roof). The CMU1 district has a minimum ground story height of 12 feet and a 9-foot minimum story height above the first floor. A four-story building could be up to 39 feet plus a roof structure. As a comparison, the N3 zone district can allow a 3-story dwelling up to 34 feet in height. The CMU1 zone district is not truly intended for any single family or two-family residential dwellings, but the code allows

this type of development if the developer chooses. The applicant provided a concept site plan showing two buildings along the Zimmerman Trail frontage with a third building along the south property line (north of the Children's Clinic building). All the parking would be to the west of the buildings with access from Green Valley Drive, a collector street within the subdivision. The concept drawing shows 2-story buildings, but this concept is not a final plan but shows what might be developed given the site and potential uses.

There is a variety of zone districts in the area including the Mixed Residential 3 (NX3) to the west and north, NO zoning to the south of the subject property, and Suburban Neighborhood Residential (N3) east across Zimmerman Trail, a 120-foot wide principal arterial street. The homes in the N3 zone do not take frontage from Zimmerman Trail and are behind some landscaping and a sight-obscuring fence that runs parallel to the street. Most of these patio homes and townhomes were built on private streets in the late 1990s and early 2000s. Most are single-story, single-family homes. The multifamily apartments and townhomes to the west are under construction with some buildings complete and occupied and others completing construction. There is a resident clubhouse and amenities within the apartment complex that make this an above average rental development that commands a higher market price. There are also two-unit townhomes planned for the Colton Blvd street frontage.

Zimmerman Trail is an arterial street and was completed from Poly Drive to Broadwater Avenue in 2004/2005. Prior to this time, Zimmerman Trail was known as 34th St West north of Grand Avenue and 32nd St West, south of Broadwater. The city acquired the right-of-way through the Yegen Golf Course and built the connection as an arterial street to complete this part of the city's street network. There are few north/south arterial streets west of 17th St West. Zimmerman Trail carries about 15,000 vehicle trips per day along this corridor between Broadwater Avenue and Poly Drive. Additional traffic is expected when several new apartment projects are completed in the next few years, including the Zimmerman Home Place development and the Icon and Steward Land apartments south of Grand in Cardwell Ranch Subdivision. Zimmerman Trail is a 2-3 lane arterial street with a capacity to handle larger volumes of traffic. There are traffic signals at Rimrock Road, Poly Drive, Grand Avenue, and Broadwater Avenue. South of Broadwater Avenue, the street name changes to 32nd St West. A mixed-use development on these parcels would likely require a traffic study update to ensure nearby intersections can still function as designed. Any traffic management or upgrades would be the responsibility of the project developer per the direction of the City Engineering Division. Zimmerman Home Place subdivision has already paid its proportionate share for nearby street and traffic management improvements. Any updates to the traffic impact study may or may not require additional payments.

APPLICATION DATA

OWNER: Highlands ZHP Subdivision LLC, Preston Lees
AGENT: Performance Engineering, Craig Dalton, P.E.
LEGAL DESCRIPTION: Lot 2, Block 1, Zimmerman Home Place Subdivision, 3rd Filing
CURRENT ZONING: NO
EXISTING LAND USE: Vacant
PROPOSED USE: Mixed use/commercial development
SIZE OF PARCEL: 4.088 acres - 2.28 acres subject to zone change

SURROUNDING ZONING AND LAND USE
NORTH:
Zoning: NX3 - Mixed Residential 3 and NO - Neighborhood Office
Land Use: Undeveloped - planned for cooperative housing apartments
SOUTH:
Zoning: NO - Neighborhood Office
Land Use: Children's Clinic and undeveloped lots
EAST:
Zoning: N3 - Suburban Neighborhood Residential
Land Use: Single family homes
WEST:
Zoning: NX3 - Mixed Residential 3 and P1 - Public 1
Land Use: Apartments and parkland

This area of Billings has been developing over the past 10 to 15 years following the connection of Zimmerman Trail through the Yegen Golf Course and the major reconstruction of Shiloh Road, another major north/south connection. The Zimmerman family chose to zone the property outside the city limits in 2016, and then market the pre-entitled property to developers who would then annex and build within the city limits. In 2017, Town Pump bought all the commercially zoned property on the southeast corner of the subdivision, annexed the land and put in a new gas station, convenience food store, liquor store and casino. The property to the northwest went through a Planned Neighborhood Development zone change when it was annexed in early 2022. A PND zone change was not required, but the owner preferred this zoning process to allow for placement of the Public 1 zone parcels within the new apartment development (Zone Change 1009). The lot to the north was approved for a zone change to NX3 in July

2024. The Cardwell Ranch south of Grand Avenue (Yegen Grand Ave Farm) is a Planned Development (PD) zone and also zoned for mixed uses and higher density development.

There are challenges to an area of urban development that is on an infill property with existing development around it. This is not meant to ensure homogeneous development patterns between neighborhoods, but the development plan should include similar and compatible zone districts, connectivity where and when needed, and recognition of similar goals for both types of property. The 2016 Billings Growth Policy and the 2001 West Billings Neighborhood Plan goals and policies support the proposed zoning of CMU1 for the subject property with arterial street frontage. The CMU1 zone district is intended to be placed on arterial street corridors where neighborhood zoning can be adjacent or across the street. The uses allowed within the CMU1 zone is a mixed-use zone district that would not cause noise or disruptions to adjacent or nearby neighborhoods. The West Billings Neighborhood Plan goals and objectives stated the need to locate more intense uses along arterial street corridors and offer a range of commercial uses, housing choices and development densities. The proposed zone change supports these goals. The 2016 Billings Growth Policy supports a broad range of housing choices, encourages more walkable neighborhoods with connectivity to other transportation options, and building the community fabric through urban-designed public spaces. The proposed zone change supports these goals as well.

STAKEHOLDERS

The applicant conducted a preapplication meeting at Performance Engineering offices at 3412 Colton Blvd on October 23, 2024. The synopsis of the meeting questions and answers are attached to this report. There were three surrounding owners who attended. The Zoning Commission did not receive input from any neighboring property owners prior to the public hearing or at the public hearing. The Planning staff posted the property, mailed the surrounding property owners and placed a legal ad in the Yellowstone County News as required by the zoning regulations. In addition, the application was posted online on the "Current Zoning Applications" web page maintained by the Planning Division.

Zoning Commission hearing December 3, 2024

The Zoning Commission held a hearing on December 3, 2024, and received the Planning staff report, testimony from the applicant's agent, Craig Dalton of Performance Engineering, and from Cindy Osland a friend of a property owner on the east side of Zimmerman Trail. The Zoning Commission asked Planning staff questions about the application to clarify the specific zoning request, the proposed findings of the review criteria and other general information. The applicant provided clarification on the shared access private road that will be developed on the northern property and that it would only be "right-in & right-out" because of the raised median on Zimmerman Trail. He also clarified the property owner has paid all required traffic mitigation fees including payment for the proposed signal at Avenue E and Zimmerman Trail. Mr. Dalton stated the decision on when to install this traffic signal is solely in the hands of the City Engineering Division. The public testimony received concerned traffic access on Zimmerman Trail and when the traffic signal might be install or when Zimmerman Trial might add travel lanes. The applicant's agent and Planning staff provided responses to these questions. The Zoning Commission chair, Dan Brooks, closed the public hearing.

Commission member Greg McCall made a motion to recommend approval and adoption of the findings of the 10 review criteria. The motion was seconded by Commission member Andy Megorden and was approved on a 4-0 vote.

City Council hearing January 13, 2025

The City Council conducted a public hearing and received the Zoning Commission recommendation and testimony from the applicant's agent, Craig Dalton of Performance Engineering and Jeff Kanning of Collaborative Design. No other testimony was received.

Council member Aspenlieder recused himself from the hearing as he is a principal owner of Performance Engineering. Council members asked if a traffic study was done and when the signal at Avenue E and Zimmerman Trail would be installed soon. The Zoning Coordinator stated a traffic study was done for the original subdivision including all the existing and potential zoning and land uses. In addition, each subsequent filing of the subdivision a traffic study review is done based on actual traffic and the new subdivision uses and density. The owner has already paid all the cost of the signal on Avenue E and other contributions to mitigate other intersections and for traffic management. Council members asked whether the application received any public comment. The Zoning Coordinator stated there were no comments from the surrounding owners on the proposed zoning.

Mr. Dalton stated this parcel will truly be an infill project in the middle of the city. He stated the property is under development and this parcel is still considered farm ground. He stated with previous approvals and building permits, the area on the west side of Zimmerman Trail would soon have over 600 dwellings all in need of services. Council member Boyett asked if they would build a four-story building against the back of the sidewalk. Mr. Dalton stated this was not the buyer's intent, and the back of the sidewalk was not the property line. He stated the property line is about 5 to 7 feet behind the back of the sidewalk where the old three-wire fence is located. He stated the property slopes about 2 percent and for good engineering and drainage the building will need to be further away than five feet from the

property line. He stated the buyer has already engaged Collaborative Design to draw up some concept plans and buildings for the site.

Jeff Kanning of Collaborative Design stated the buyer plans a group of three buildings, all about one (1) to two (2) stories, and there will not be just a single large structure along the Zimmerman Trail street frontage. He stated the code requires some street frontage standards, but the site will not only have Zimmerman Trail as a street frontage, so there is some site flexibility.

The Mayor closed the hearing. Council member Kennedy made a motion to approve Zone Change 1059 and adopt the findings of the 10 review criteria as recommended by the Zoning Commission. The motion was seconded by Council member Tidswell and was approved on a 9-1-1 vote with Council member Neese voting no and Council member Aspenlieder recused from voting based on a conflict of interest.

ALTERNATIVES

The City Council may:

- Approve and adopt the findings of the ten review criteria for Zone Change 1059 as recommended by the Zoning Commission and approved by the City Council on first reading; or,
- Deny and adopt different findings of the ten review criteria for Zone Change 1059; or,
- Delay action on the zone change request for up to 30 days at the request of the applicant or on its own motion; or
- Refer the application back to the Zoning Commission for an additional public hearing based on 1) new information submitted outside of the public hearing that the applicant and public have not had an opportunity to examine; or 2) new information has been presented that was never submitted or considered by the Zoning Commission or staff; or
- Allow the applicant to withdraw the zone change request.

The applicant has not requested a delay or withdrawal of the application.

FISCAL EFFECTS

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

SUMMARY

Before making any decision on the zone change, the City Council shall consider the recommended Zoning Commission findings of the ten review criteria:

1) Is the new zoning designed in accordance with the Growth Policy?
The proposed zone change is most consistent with the following guidelines of the 2016 Growth Policy and the West Billings Neighborhood Plan (2001):

The West Billings Neighborhood Plan goals and objectives stated the need to locate compatible uses and offer a range of housing choices and development densities. The West Billings Plan adopted a number of Goals, Policies, and Implementation Strategies. The proposed adjustment to the current zone districts and boundaries is consistent with the following adopted Policies of Planned Growth Goal 1: Establish Development Patterns that Use Land More Efficiently

- Policy A "Promote efficient utilization of land within the West Billings planning area by promoting well-designed, more pedestrian-friendly, urban development patterns with a mix of uses and an efficient, creative use of land."
- Policy K "Increase residential densities within the West Billings planning area by approving requests for residential zoning that are consistent with this plan."
- Policy M "Development in the West Billings planning area shall provide for a variety of residential types and densities."
- Policy N "Medium and high-density residential development (including elderly and disabled housing) should be located nearby and within walking distance to commercial centers, medical facilities, parks, and recreational amenities."
- Policy R "Encourage innovative land-use planning techniques to be used in building higher density and mixed-use developments as well as infill developments."

The proposed zoning is compatible with goals of the West Billings Neighborhood Plan. The proposed zone change will

accommodate uses that are compatible with a new mixed residential neighborhood. The proposed development will also have good access to the adjacent street network and is in proximity to several residential neighborhoods. The proposed zoning and development will provide for a variety of retail and commercial services as well as housing choices that are not abundant in this area of West Billings. The property is within walking distance of the multi-use trail system and neighborhoods.

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

- Zoning regulations that allow a mixture of housing types provide housing options for all age groups and income levels.
- Walkable neighborhoods that permit convenient destinations such as neighborhood services, open space, parks, schools and public gathering spaces foster health, goodwill and social interaction.
- Safe and livable neighborhoods can be achieved through subdivision design that focuses on complete streets, pedestrian-scale streetlights, street trees and walkable access to public spaces.
- Neighborhoods that are safe and attractive and provide essential services are much desired Implementation of the Infill Policy is important to encourage development of underutilized properties.
- A mix of housing types that meet the needs of a diverse population is important,

Prosperity and Essential Investments

- Infill development and development near existing City infrastructure may be the most cost effective
- A diversity of available jobs can ensure a strong Billings' economy
- Retaining and supporting existing businesses helps sustain a healthy economy

2) Is the new zoning designed to secure from fire and other dangers?
The CMU1 zone district requires adequate building separations and building siting standards which creates security from fire and other dangers. Specifically, the CMU1 zone regulates setbacks, build-to zones, lot coverage, height and other site characteristics which preserve the ability to protect the property 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 trait to the Corridor Mixed Use zone, but instead is promoted by all adopted zoning districts within the City of Billings. The site and structure regulations found in Section 27-406 and in Table 27-400-3 for the CMU1 district promote the minimum standards to ensure public health and safety and promote general welfare. Public health and public safety will be promoted by the proposed change. The property will not have direct vehicle access to Zimmerman Trail but pedestrian access to the multi-use trail will happen as part of the development. Primary vehicle access will be from Green Valley Drive, the west boundary of the property. While the CMU1 zone is limited to the eastern 2.28 acres of the site, the remainder will also be zoned for office and personal services and access will be shared by all developments on the site.

4) Will the new zoning facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements?
Transportation: The applicant will likely need to provide an update to the already completed traffic impact study for the subdivision. The applicant will coordinate with the City Engineering Division. The traffic study will analyze each of the adjacent street intersections and determine if mitigation or improvements are needed to accommodate the additional traffic. The City Engineer will determine the required improvements based on the specific information provided in the update or existing traffic study.
Water and Sewer: This property is located in the City Limits and is required to be served by city water and sewer. There are no known negative capacity impacts related to water and sewer that are identified through any adopted studies or staff input.
Schools and Parks: Schools and parks will likely not be affected by the proposed zone change. The NO zoning allows 1-4 family dwellings. The proposed CMU1 zone also allows residential use but in greater density and configurations. The intended development is for three separate structures and no apartments or dwelling units are proposed at this time. Development of apartments may or may not attract families with children. SD #2 had no comment on the proposed zoning. The Planning Division coordinates input from the School District administration. The District is beginning the process of evaluating its various districts for elementary, middle, and high schools and may make adjustments to address capacity levels at various schools. The closest public park is to the west in the apartment development on the west side of Green Valley Drive. In addition, there are two city-managed public parks to the west; one on 38th St West (Arrowhead) and a second park in Circle Fifty Subdivision (Country Manor Park).
Fire and Police: The subject property is served by city public safety services. Development of the property, regardless of the zoning, will be served by existing police and fire services. The Police and Fire Departments had no concerns with the zone change as requirements for access, water supply and fire codes would apply to the site and

any construction on the subject property.

5) Will the new zoning provide adequate light and air?
Similar to criteria 2 and 3, the proposed CMU1 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 27-400-3.

6) Will the new zoning affect motorized and non-motorized transportation?
Non-motorized travel -- walking and biking -- is an essential part of the city's transportation plan both within the proposed development and connecting to adjacent areas. Pedestrian connections to the new development will be allowed from Zimmerman Trail as well as across Green Valley Drive to the west. The subdivision has a no vehicle access strip across the frontage of Zimmerman Trail, so all vehicle access will be from internal streets. The property is close to three fixed route MET bus lines (two on Grand and one on Poly Dr). There are no specific traffic counts on Zimmerman Trail between Rimrock Road and Broadwater Avenue. Traffic counts on Poly Drive near the Zimmerman Trail intersection are about 5,000 to 6,000 vehicle trips per day. Traffic counts on Grand Avenue near the Zimmerman Trail intersection are between 18,000 and 20,000 vehicle trips per day. A traffic impact analysis already completed for the apartment project to the west will need to be updated based on the new zoning and land uses allowed on this 2.28-acre parcel. Mitigation may be required by the City Engineering Division to ensure all existing and future street intersections are maintained in good capacity.

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

8) Does the new zoning consider the character of the district and the peculiar suitability of the property for particular uses?
The proposed zoning does consider the character of the district and the suitability of the property for the proposed use. This area between Broadwater Avenue and Rimrock Road is beginning to experience growth and development similar to areas further south in West Billings with similar uses. Zimmerman Trail acts as a major transportation corridor, so the expectation of more intense uses along the corridor is appropriate. A principal arterial street like Zimmerman Trail also acts as a buffer/separation, making the existing single and two-family development on the east side of Zimmerman Trail separated from the proposed CMU1 development. The proposed zoning is suitable for the property based on its principal arterial frontage with 120 feet of separation for the N3 zoning on the east side of the principal arterial, with the vehicle access from Green Valley Drive.

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 nonconformity or other value associated issues with any existing buildings on site. Any new development must be in conformance with the zoning regulations, thus conserving the value of buildings surrounding the parcel. 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. In general, new construction adds property value to existing parcels in the area.

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

Attachments

Zoning Ordinance

ORDINANCE 25-_____

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THE ZONE CLASSIFICATION for Lot 2, Block 1 of Zimmerman Home Place Subdivision, 3rd Filing, BE AMENDED

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

Section 1. **RECITALS.** *Title 76, Chapter 2, Part 3, MCA,* and *Sections 27-1628, BMCC,* provide for amendment to the City Zoning Map from time to time. The City Zoning Commission and staff have reviewed the proposed zoning for the real property hereinafter described. The Zoning Commission and staff have considered the ten (10) criteria required by Title 76, Chapter 2, Part 3, MCA. The recommendations of the Zoning Commission and staff have been submitted to the City Council, and the City Council, in due deliberation, has considered the ten (10) criteria required by state law.

Section 2. **DESCRIPTION. Lot 2, Block 1 of Zimmerman Home Place Subdivision, 3rd Filing** is presently zoned **Neighborhood Office (NO)** and is shown on the official zoning map within this zone district.

Section 3. **ZONE DISTRICT AMENDMENT.** The official zoning map is hereby amended and the zoning for the **eastern 2.28 acres of Lot 2, Block 1 of Zimmerman Home Place Subdivision,** is hereby changed from **Neighborhood Office (NO), to Corridor Mixed-Use 1 (CMU1), as shown on Exhibit A**, and from the effective date of this ordinance, the area shown on Exhibit A shall be subject to all the rules and regulations pertaining to **Corridor Mixed-Use 1 (CMU1),** as set out in the Billings, Montana City Code.

Section 4. **EFFECTIVE DATE**. This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

Section 5. **REPEALER**. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

Section 6. **SEVERABILITY**. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

PASSED by the City Council on first reading this 13th day of January, 2025.

PASSED, ADOPTED and APPROVED on second reading this 27th day of January, 2025.

CITY OF BILLINGS

BY:_____

William A. Cole, Mayor

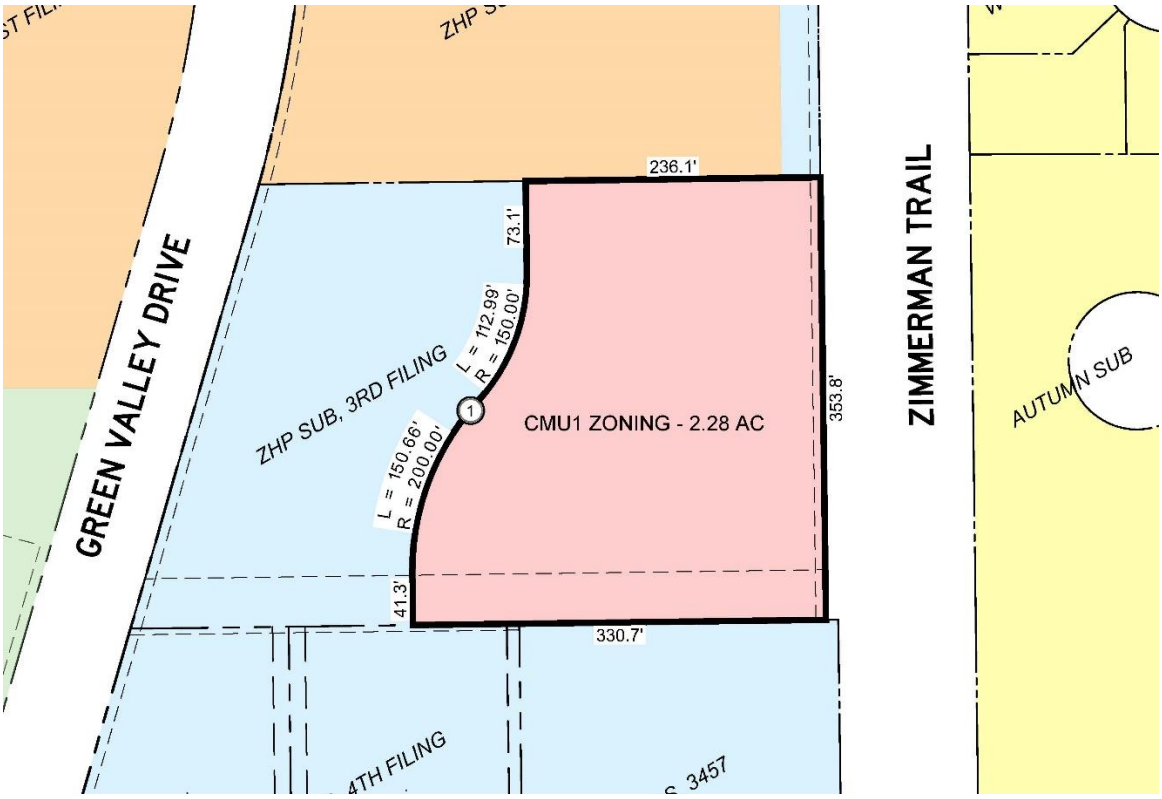
Attest:

BY:_____

Denise R. Bohlman, City Clerk

Zone Change 1059 – Lot 2, Block 1 Zimmerman Home Place Sub, 3rd Filing

Exhibit A



City Council Regular

Date:	01/27/2025
Title:	Payment of Claims for week of December 23rd, 2024
Presented by:	Erin Watterud
Department:	Finance
Presentation:	No
Legal Review:	Not Applicable
Project Number:	N/A

RECOMMENDATION

Staff recommends Council approve the Payment of Claims

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

Claims in the amount of $2,268,346.14 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.

Attachments

CouncilMemo wk of 12232024

Check Date	Check #	Name	Fund Name	Amount	Item Desc
12/23/2024	876647	A & E Architects	Public Safety	$ 2,554.11	Contract of design services for Fire Station #5 interior design
12/23/2024	876648	A-1 Landscaping & Nursery	Library	$ 18,490.00	6039 Decomposed granite path resurface
12/23/2024	876651	Advanced Employment	P.W. Admin	$ 78.40	Temp staff for Billing Office Phones
12/23/2024	876651	Advanced Employment	P.W. Admin	$ 3,087.70	Temp staff for Billing Office Phones
12/23/2024	876652	Advanced Pump	Street/Traffic	$ 7,426.08	pump for grand peaks
12/23/2024	876654	All Color Embroidery	Fleet	$ 1,620.00	39463
12/23/2024	876654	All Color Embroidery	Public Safety	$ 1,575.00	GRAPHICS
12/23/2024	876654	All Color Embroidery	Public Safety	$ 1,620.00	GRAPHICS
12/23/2024	876658	AT & T Corp	Airport	$ 829.83	Airport
12/23/2024	876658	AT & T Corp	Building	$ 45.26	Building Manager
12/23/2024	876658	AT & T Corp	Building	$ 603.90	PW-Building Cell Phones
12/23/2024	876658	AT & T Corp	Building	$ 426.24	PW-Building Surfaces
12/23/2024	876658	AT & T Corp	CDBG	$ 131.49	Comm Dev
12/23/2024	876658	AT & T Corp	Court Grants	$ 90.52	Muni Court DC
12/23/2024	876658	AT & T Corp	Engineering	$ 155.91	Engineering Tablets
12/23/2024	876658	AT & T Corp	Engineering	$ 163.18	PW-Engineering Cell Phones and MiFi
12/23/2024	876658	AT & T Corp	Facilities	$ 45.26	Facilities BOC
12/23/2024	876658	AT & T Corp	Facilities	$ 31.68	Facilities BOC
12/23/2024	876658	AT & T Corp	Facilities	$ 13.58	Facilities BOC
12/23/2024	876658	AT & T Corp	Facilities	$ 45.26	Facilities BOC
12/23/2024	876658	AT & T Corp	Facilities	$ 86.52	Facilities BOC/CH
12/23/2024	876658	AT & T Corp	Facilities	$ 28.84	Facilities BOC/CH
12/23/2024	876658	AT & T Corp	Facilities	$ 45.26	Facilities City Hall
12/23/2024	876658	AT & T Corp	Facilities	$ 45.26	Facilities City Hall
12/23/2024	876658	AT & T Corp	Facilities	$ 45.26	Facilities City Hall
12/23/2024	876658	AT & T Corp	Facilities	$ 90.52	Facilities Managers
12/23/2024	876658	AT & T Corp	Fleet	$ 90.89	Motor Pool
12/23/2024	876658	AT & T Corp	General	$ 417.22	Code Enforcement
12/23/2024	876658	AT & T Corp	General	$ 45.26	Purchasing Agent
12/23/2024	876658	AT & T Corp	General	$ 45.26	Human Resources
12/23/2024	876658	AT & T Corp	General	$ 314.29	Legal Dept -Domestic Violence -
12/23/2024	876658	AT & T Corp	General	$ -	Legal
12/23/2024	876658	AT & T Corp	IT Resources	$ 119.99	IT Department -On call Phone -

Check Date	Check #	Name	Fund Name	Amount	Item Desc
12/23/2024	876658	AT & T Corp	Library	$ 462.86	Library
12/23/2024	876658	AT & T Corp	Library	$ 107.46	Library Out Reach
12/23/2024	876658	AT & T Corp	P.W. Admin	$ 32.68	PWBLKNP OFFICE -50/50
12/23/2024	876658	AT & T Corp	P.W. Admin	$ 32.67	PWBLKNP OFFICE -50/50
12/23/2024	876658	AT & T Corp	Park Dist 1	$ 574.42	Parks Dept.
12/23/2024	876658	AT & T Corp	Park Dist 1	$ -	Parks Seasonal
12/23/2024	876658	AT & T Corp	Park Dist 1	$ 198.68	PRPL - Recreation Division
12/23/2024	876658	AT & T Corp	Park Dist 1	$ 487.26	PRPL Parks Tablets
12/23/2024	876658	AT & T Corp	Park Dist 1	$ 88.20	REC Seasonal
12/23/2024	876658	AT & T Corp	Park Dist 1	$ -	Rec Tablets
12/23/2024	876658	AT & T Corp	Parking	$ -	Parking Division Meter Maintenance
12/23/2024	876658	AT & T Corp	Parking	$ 447.74	Parking Phones and scanner
12/23/2024	876658	AT & T Corp	Parking	$ 410.90	Parking Phones and scanner
12/23/2024	876658	AT & T Corp	PD Program	$ 160.56	CCSIU Toughbook
12/23/2024	876658	AT & T Corp	PD Program	$ 45.58	Domestic Violence -Katie Nash
12/23/2024	876658	AT & T Corp	Phone System	$ 65.02	IT iPads
12/23/2024	876658	AT & T Corp	Phone System	$ 45.26	TeleComm Manager
12/23/2024	876658	AT & T Corp	Planning	$ 67.94	PLANNING
12/23/2024	876658	AT & T Corp	Public Safety	$ 273.16	Animal Control Cell Phones
12/23/2024	876658	AT & T Corp	Public Safety	$ 321.12	Animal Control -MDT
12/23/2024	876658	AT & T Corp	Public Safety	$ 120.42	Assistant chiefs new iPads
12/23/2024	876658	AT & T Corp	Public Safety	$ 334.46	Comm. Center 9-1-1
12/23/2024	876658	AT & T Corp	Public Safety	$ 40.14	Detective Chartier -Toughbook
12/23/2024	876658	AT & T Corp	Public Safety	$ 444.13	FIRE CRADLEPOINT AND DRONES
12/23/2024	876658	AT & T Corp	Public Safety	$ 127.46	FIRE CRADLEPOINT AND DRONES
12/23/2024	876658	AT & T Corp	Public Safety	$ 1,337.87	Fire Department Cell Phones
12/23/2024	876658	AT & T Corp	Public Safety	$ 324.90	FIRE EMS
12/23/2024	876658	AT & T Corp	Public Safety	$ 181.04	Fire EMS Cell Phone
12/23/2024	876658	AT & T Corp	Public Safety	$ 198.72	FIRE INSPECTIONS
12/23/2024	876658	AT & T Corp	Public Safety	$ 269.46	Fire iPads
12/23/2024	876658	AT & T Corp	Public Safety	$ 40.14	Fire iPads
12/23/2024	876658	AT & T Corp	Public Safety	$ 222.06	Fire iPads
12/23/2024	876658	AT & T Corp	Public Safety	$ 802.80	Fire Station iPads

Check Date	Check #	Name	Fund Name	Amount	Item Desc
12/23/2024	876658	AT & T Corp	Public Safety	$ 46.92	ICAC
12/23/2024	876658	AT & T Corp	Public Safety	$ 519.36	MDT Fire
12/23/2024	876658	AT & T Corp	Public Safety	$ 83.39	POLICE CRADLEPOINT
12/23/2024	876658	AT & T Corp	Public Safety	$ 126.44	POLICE CSO
12/23/2024	876658	AT & T Corp	Public Safety	$ 3,623.65	Police Department Cell Phone
12/23/2024	876658	AT & T Corp	Public Safety	$ 50.31	Police -Drone
12/23/2024	876658	AT & T Corp	Public Safety	$ 5,228.37	Police MDT Toughbooks and Loaner MDT's
12/23/2024	876658	AT & T Corp	Public Safety	$ 200.70	Police MDT Toughbooks and Loaner MDT's
12/23/2024	876658	AT & T Corp	Public Safety	$ 287.20	Yellowstone County Cellular Charges -Three cradlepoints
12/23/2024	876658	AT & T Corp	Solid Waste	$ 331.79	SOLID WASTE Cell and iPads
12/23/2024	876658	AT & T Corp	Solid Waste	$ 139.36	SOLID WASTE Cell and iPads
12/23/2024	876658	AT & T Corp	Street/Traffic	$ 55.35	School Flashers
12/23/2024	876658	AT & T Corp	Street/Traffic	$ 614.66	Street Traffic iPads
12/23/2024	876658	AT & T Corp	Transit	$ 50.31	MET
12/23/2024	876658	AT & T Corp	Transit	$ 50.31	MET
12/23/2024	876658	AT & T Corp	Transit	$ 22.63	MET
12/23/2024	876658	AT & T Corp	Transit	$ 50.31	MET
12/23/2024	876658	AT & T Corp	Transit	$ 20.12	MET
12/23/2024	876658	AT & T Corp	Transit	$ 50.31	MET
12/23/2024	876658	AT & T Corp	Transit	$ 7.38	MET
12/23/2024	876658	AT & T Corp	Transit	$ 45.26	MET
12/23/2024	876658	AT & T Corp	Transit	$ 30.19	MET
12/23/2024	876658	AT & T Corp	Transit	$ 29.54	MET
12/23/2024	876658	AT & T Corp	Transit	$ 22.63	MET
12/23/2024	876658	AT & T Corp	Transit	$ 50.31	MET
12/23/2024	876658	AT & T Corp	Transit	$ 50.31	MET
12/23/2024	876658	AT & T Corp	Transit	$ 339.59	MET Transit Tablets
12/23/2024	876658	AT & T Corp	Transit	$ 645.35	MET Transit Tablets
12/23/2024	876658	AT & T Corp	Transit	$ 31.61	MET Transit Tablets
12/23/2024	876658	AT & T Corp	Wastewater	$ 181.04	PW Environmental
12/23/2024	876658	AT & T Corp	Wastewater	$ 354.74	PWBELKNAP-DIST COLL CELL PHONES 50/50
12/23/2024	876658	AT & T Corp	Wastewater	$ 473.57	PWBLKNP Electricians -Phones
12/23/2024	876658	AT & T Corp	Wastewater	$ 28.16	PWBLKNP STORES -75/25

Check Date	Check #	Name	Fund Name	Amount	Item Desc
12/23/2024	876658	AT & T Corp	Wastewater	$ 1,007.76	PWBLNP-WWTRMNT1 Wastewater Treatment Plant and iPads
12/23/2024	876658	AT & T Corp	Wastewater	$ 104.52	PWBLNP-WWTRMNT1 Wastewater Treatment Plant and iPads
12/23/2024	876658	AT & T Corp	Wastewater	$ 385.50	PW-Distribution Collection Tablets 50/50
12/23/2024	876658	AT & T Corp	Wastewater	$ 20.07	PW-Distribution Collection Tablets 50/50
12/23/2024	876658	AT & T Corp	Wastewater	$ 80.28	PW-Environmental
12/23/2024	876658	AT & T Corp	Water	$ 354.73	PWBELKNAP-DIST COLL CELL PHONES 50/50
12/23/2024	876658	AT & T Corp	Water	$ 948.45	PWBELKNAP-WT Water Treatment
12/23/2024	876658	AT & T Corp	Water	$ 469.53	PWBLKNP COMM-METER CityWorks/Neptune
12/23/2024	876658	AT & T Corp	Water	$ 412.71	PWBLKNP MTRSHOP CELL PHONE AND IPADS
12/23/2024	876658	AT & T Corp	Water	$ 288.40	PWBLKNP MTRSHOP CELL PHONE AND IPADS
12/23/2024	876658	AT & T Corp	Water	$ 84.47	PWBLKNP STORES -75/25
12/23/2024	876658	AT & T Corp	Water	$ 385.50	PW-Distribution Collection Tablets 50/50
12/23/2024	876658	AT & T Corp	Water	$ 20.07	PW-Distribution Collection Tablets 50/50
12/23/2024	876665	Billings Tourism	Tourism BID #2	$ 556,658.00	Paid November Distributed December, 2024
12/23/2024	876666	Blasters Tool & Supply	PD Program	$ 12,481.00	Remote initiating system for the bomb squad.
12/19/2024	876646	Cellebrite USA Corp	PD Program	$ 7,000.00	UFED 4PC Ultimate Subscription.
12/23/2024	876686	Cushing Terrell	Facilities	$ 5,980.00	Engin svcs for roof top unit replacement at BOC Admin and Barn
12/23/2024	876687	Cy-Corp	Wastewater	$ 17,750.00	Flatbed tilt trailer with pintle hitch and brakes to replace #7908
12/23/2024	876687	Cy-Corp	Water	$ 17,750.00	Flatbed tilt trailer with pintle hitch and brakes to replace #7908
12/23/2024	876688	Dana Safety Supply	Fleet	$ 50.00	928715
12/23/2024	876688	Dana Safety Supply	Fleet	$ 1,397.00	928715
12/23/2024	876688	Dana Safety Supply	Fleet	$ 2,046.00	928715
12/23/2024	876688	Dana Safety Supply	Fleet	$ 1,826.00	928715
12/23/2024	876691	Dell Computer	Fire Grants	$ 389.98	Qty. 2 Docking stations -Fire Hazmat
12/23/2024	876691	Dell Computer	Solid Waste	$ 1,444.88	Qty. 2 OptiPlex 7020+,, i7, 16GB 1TB Sound Bar
12/23/2024	876691	Dell Computer	Solid Waste	$ 1,444.88	Qty. 2 OptiPlex 7020+,, i7, 16GB 1TB Sound Bar
12/23/2024	876692	Denny Menholt Chevrolet	Fleet	$ 59.57	278971
12/23/2024	876692	Denny Menholt Chevrolet	Public Safety	$ 6,634.85	NONE; BODY REPAIR
12/23/2024	876692	Denny Menholt Chevrolet	Public Safety	$ 2,712.17	NONE; BODY REPAIR
12/23/2024	876697	Downtown Billings BID	Downtown BID	$ 243,052.42	BID Assessment: Paid November Distributed December, 2024
12/23/2024	876699	Econo Print	Solid Waste	$ 6,067.05	Landfill invoices.
12/23/2024	876702	Executive Cleaning	Library	$ 621.00	79385
12/23/2024	876702	Executive Cleaning	Library	$ 1,166.40	79486

Check Date	Check #	Name	Fund Name	Amount	Item Desc
12/23/2024	876702	Executive Cleaning	Public Safety	$ 1,165.43	911 CENTER CLEANING SERVICES - NOVEMBER
12/23/2024	876706	FOXTAIL HOA	Water	$ 5,942.24	Foxtail HOA acct 3064379 MAR refund
12/23/2024	876716	H&E Equipment Services	Airport	$ 18,750.00	Vertical Lift Newly Remodeled & Expanded Terminal Building
12/23/2024	876719	Harris Systems USA	Building	$ 92,015.04	Annual Software Maintenance for CityView - 2/1/25-1/31/26
12/23/2024	876722	Hose & Rubber	Fleet	$ 65.51	2005348
12/23/2024	876722	Hose & Rubber	Fleet	$ 413.70	2005895
12/23/2024	876722	Hose & Rubber	Fleet	$ 48.16	2006509
12/23/2024	876722	Hose & Rubber	Fleet	$ 486.84	2006653
12/23/2024	876722	Hose & Rubber	Fleet	$ 779.12	2007306
12/23/2024	876722	Hose & Rubber	Fleet	$ 273.75	2007421
12/23/2024	876722	Hose & Rubber	Wastewater	$ 112.56	12QPFF-12FP-FOR VEHICLE 7435
12/23/2024	876722	Hose & Rubber	Wastewater	$ 41.50	CAMLOCK-HOSE BARB
12/23/2024	876722	Hose & Rubber	Wastewater	$ (20.42)	CLAMP BOLT
12/23/2024	876722	Hose & Rubber	Wastewater	$ 14.93	CRIMP 1&2 WIRE-FOR VEHICLE 7918
12/23/2024	876722	Hose & Rubber	Wastewater	$ 65.17	GASKET FEM FIRE HOSE- FOR VEHICLE 7912
12/23/2024	876722	Hose & Rubber	Wastewater	$ 147.34	HYDRANT FEM FIREX FEM- FOR VEHICLES 7912, 7997, 7918
12/23/2024	876722	Hose & Rubber	Water	$ 112.57	12QPFF-12FP-FOR VEHICLE 7435
12/23/2024	876722	Hose & Rubber	Water	$ 41.50	CAMLOCK-HOSE BARB
12/23/2024	876722	Hose & Rubber	Water	$ (20.42)	CLAMP BOLT
12/23/2024	876722	Hose & Rubber	Water	$ 14.93	CRIMP 1&2 WIRE-FOR VEHICLE 7918
12/23/2024	876722	Hose & Rubber	Water	$ 65.17	GASKET FEM FIRE HOSE- FOR VEHICLE 7912
12/23/2024	876722	Hose & Rubber	Water	$ 147.34	HYDRANT FEM FIREX FEM- FOR VEHICLES 7912, 7997, 7918
12/23/2024	876725	Ingram Library	Library	$ 0.68	83838160
12/23/2024	876725	Ingram Library	Library	$ 23.60	83838160
12/23/2024	876725	Ingram Library	Library	$ 0.87	83845768
12/23/2024	876725	Ingram Library	Library	$ 62.67	83845768
12/23/2024	876725	Ingram Library	Library	$ 0.29	83845769
12/23/2024	876725	Ingram Library	Library	$ 18.88	83845769
12/23/2024	876725	Ingram Library	Library	$ 0.79	83845770
12/23/2024	876725	Ingram Library	Library	$ 35.40	83845770
12/23/2024	876725	Ingram Library	Library	$ 10.61	83845770
12/23/2024	876725	Ingram Library	Library	$ 0.82	83845771
12/23/2024	876725	Ingram Library	Library	$ 40.68	83845771

Check Date	Check #	Name	Fund Name	Amount	Item Desc
12/23/2024	876725	Ingram Library	Library	$ 0.23	83845772
12/23/2024	876725	Ingram Library	Library	$ 11.40	83845772
12/23/2024	876725	Ingram Library	Library	$ 0.32	83862634
12/23/2024	876725	Ingram Library	Library	$ 34.84	83862634
12/23/2024	876725	Ingram Library	Library	$ 1.02	83862635
12/23/2024	876725	Ingram Library	Library	$ 55.45	83862635
12/23/2024	876725	Ingram Library	Library	$ 17.70	83862635
12/23/2024	876725	Ingram Library	Library	$ 0.30	83862636
12/23/2024	876725	Ingram Library	Library	$ 17.69	83862636
12/23/2024	876725	Ingram Library	Library	$ 1.09	83862637
12/23/2024	876725	Ingram Library	Library	$ 98.52	83862637
12/23/2024	876725	Ingram Library	Library	$ 0.27	83862638
12/23/2024	876725	Ingram Library	Library	$ 17.70	83862638
12/23/2024	876725	Ingram Library	Library	$ 1.14	83868157
12/23/2024	876725	Ingram Library	Library	$ 16.18	83868157
12/23/2024	876725	Ingram Library	Library	$ 39.19	83868157
12/23/2024	876725	Ingram Library	Library	$ 49.90	83868157
12/23/2024	876725	Ingram Library	Library	$ 0.06	83868158
12/23/2024	876725	Ingram Library	Library	$ 16.49	83868158
12/23/2024	876725	Ingram Library	Library	$ 0.31	83868159
12/23/2024	876725	Ingram Library	Library	$ 14.97	83868159
12/23/2024	876725	Ingram Library	Library	$ 0.51	83868161
12/23/2024	876725	Ingram Library	Library	$ 16.52	83868161
12/23/2024	876725	Ingram Library	Library	$ 47.33	83868161
12/23/2024	876725	Ingram Library	Library	$ 0.30	83868162
12/23/2024	876725	Ingram Library	Library	$ 16.64	83868162
12/23/2024	876725	Ingram Library	Library	$ 13.19	83868162
12/23/2024	876725	Ingram Library	Library	$ 0.57	83893440
12/23/2024	876725	Ingram Library	Library	$ 32.73	83893440
12/23/2024	876725	Ingram Library	Library	$ 0.32	83893441
12/23/2024	876725	Ingram Library	Library	$ 11.20	83893441
12/23/2024	876725	Ingram Library	Library	$ 1.21	83893442
12/23/2024	876725	Ingram Library	Library	$ 51.92	83893442

Check Date	Check #	Name	Fund Name	Amount	Item Desc
12/23/2024	876725	Ingram Library	Library	$ 13.19	83893442
12/23/2024	876725	Ingram Library	Library	$ 0.36	83893443
12/23/2024	876725	Ingram Library	Library	$ 18.88	83893443
12/23/2024	876725	Ingram Library	Library	$ 0.54	83893444
12/23/2024	876725	Ingram Library	Library	$ 23.58	83893444
12/23/2024	876725	Ingram Library	Library	$ 0.49	83936184
12/23/2024	876725	Ingram Library	Library	$ 20.06	83936184
12/23/2024	876725	Ingram Library	Library	$ 0.29	83936185
12/23/2024	876725	Ingram Library	Library	$ 20.40	83936185
12/23/2024	876725	Ingram Library	Library	$ 0.02	83936186
12/23/2024	876725	Ingram Library	Library	$ 16.52	83936186
12/23/2024	876725	Ingram Library	Library	$ 1.18	83936187
12/23/2024	876725	Ingram Library	Library	$ 21.58	83936187
12/23/2024	876725	Ingram Library	Library	$ 14.97	83936187
12/23/2024	876725	Ingram Library	Library	$ 1.02	83936188
12/23/2024	876725	Ingram Library	Library	$ 20.65	83936188
12/23/2024	876725	Ingram Library	Library	$ 20.40	83936188
12/23/2024	876725	Ingram Library	Library	$ 1.03	84005563
12/23/2024	876725	Ingram Library	Library	$ 35.40	84005563
12/23/2024	876725	Ingram Library	Library	$ 26.55	84005563
12/23/2024	876725	Ingram Library	Library	$ 15.68	84005563
12/23/2024	876725	Ingram Library	Library	$ 0.09	84005564
12/23/2024	876725	Ingram Library	Library	$ 17.10	84005564
12/23/2024	876725	Ingram Library	Library	$ 0.20	84005565
12/23/2024	876725	Ingram Library	Library	$ 17.69	84005565
12/23/2024	876725	Ingram Library	Library	$ 32.29	84005565
12/23/2024	876725	Ingram Library	Library	$ 0.13	84005566
12/23/2024	876725	Ingram Library	Library	$ 18.88	84005566
12/23/2024	876725	Ingram Library	Library	$ 1.51	84005567
12/23/2024	876725	Ingram Library	Library	$ 229.07	84005567
12/23/2024	876725	Ingram Library	Library	$ 46.72	84005567
12/23/2024	876725	Ingram Library	Library	$ 0.04	84005568
12/23/2024	876725	Ingram Library	Library	$ 12.00	84005568

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12/23/2024	876725	Ingram Library	Library	$ 94.16	84601100
12/23/2024	876725	Ingram Library	Library	$ 63.85	84601100
12/23/2024	876725	Ingram Library	Library	$ 38.80	84601100
12/23/2024	876725	Ingram Library	Library	$ 1.40	84614384
12/23/2024	876725	Ingram Library	Library	$ 109.53	84614384
12/23/2024	876725	Ingram Library	Library	$ 28.48	84614384
12/23/2024	876725	Ingram Library	Library	$ 28.18	84614384
12/23/2024	876725	Ingram Library	Library	$ 0.53	84614385
12/23/2024	876725	Ingram Library	Library	$ 18.88	84614385
12/23/2024	876725	Ingram Library	Library	$ 30.48	84614385
12/23/2024	876725	Ingram Library	Library	$ 0.24	84614386
12/23/2024	876725	Ingram Library	Library	$ 22.99	84614386
12/23/2024	876725	Ingram Library	Library	$ 0.69	84614387
12/23/2024	876725	Ingram Library	Library	$ 70.80	84614387
12/23/2024	876725	Ingram Library	Library	$ 17.77	84614388
12/23/2024	876725	Ingram Library	Library	$ 0.01	84699343
12/23/2024	876725	Ingram Library	Library	$ 14.75	84699343
12/23/2024	876725	Ingram Library	Library	$ 0.04	84699344
12/23/2024	876725	Ingram Library	Library	$ 21.24	84699344
12/23/2024	876725	Ingram Library	Library	$ 6.49	84699344
12/23/2024	876725	Ingram Library	Library	$ 9.74	84699344
12/23/2024	876725	Ingram Library	Library	$ 0.26	84699345
12/23/2024	876725	Ingram Library	Library	$ 285.26	84699345
12/23/2024	876725	Ingram Library	Library	$ 6.49	84699345
12/23/2024	876725	Ingram Library	Library	$ 0.06	84699346
12/23/2024	876725	Ingram Library	Library	$ 40.11	84699346
12/23/2024	876725	Ingram Library	Library	$ 11.79	84699346
12/23/2024	876725	Ingram Library	Library	$ 11.20	84699346
12/23/2024	876725	Ingram Library	Library	$ 0.52	84699347
12/23/2024	876725	Ingram Library	Library	$ 62.87	84699347
12/23/2024	876725	Ingram Library	Library	$ 161.30	84699347
12/23/2024	876725	Ingram Library	Library	$ 27.64	84699347
12/23/2024	876725	Ingram Library	Library	$ 267.89	84699347

Check Date	Check #	Name	Fund Name	Amount	Item Desc
12/23/2024	876725	Ingram Library	Library	$ 2.11	84699348
12/23/2024	876725	Ingram Library	Library	$ 725.01	84699348
12/23/2024	876725	Ingram Library	Library	$ 158.37	84699348
12/23/2024	876725	Ingram Library	Library	$ 1,107.61	84699348
12/23/2024	876725	Ingram Library	Library	$ 16.51	84699349
12/23/2024	876725	Ingram Library	Library	$ 0.58	84730678
12/23/2024	876725	Ingram Library	Library	$ 6.49	84730678
12/23/2024	876725	Ingram Library	Library	$ 22.46	84730678
12/23/2024	876725	Ingram Library	Library	$ 1.04	84730679
12/23/2024	876725	Ingram Library	Library	$ 10.77	84730679
12/23/2024	876725	Ingram Library	Library	$ 20.23	84730679
12/23/2024	876725	Ingram Library	Library	$ 0.31	84730680
12/23/2024	876725	Ingram Library	Library	$ 10.61	84730680
12/23/2024	876725	Ingram Library	Library	$ 0.65	84730681
12/23/2024	876725	Ingram Library	Library	$ 17.10	84730681
12/23/2024	876725	Ingram Library	Library	$ 16.16	84730681
12/23/2024	876725	Ingram Library	Library	$ 0.42	84730682
12/23/2024	876725	Ingram Library	Library	$ 17.10	84730682
12/23/2024	876725	Ingram Library	Library	$ 0.44	84750680
12/23/2024	876725	Ingram Library	Library	$ 14.79	84750680
12/23/2024	876725	Ingram Library	Library	$ 10.19	84750680
12/23/2024	876725	Ingram Library	Library	$ 0.21	84750681
12/23/2024	876725	Ingram Library	Library	$ 17.99	84750681
12/23/2024	876725	Ingram Library	Library	$ 0.23	84750682
12/23/2024	876725	Ingram Library	Library	$ 20.47	84750682
12/23/2024	876725	Ingram Library	Library	$ 2.12	84750683
12/23/2024	876725	Ingram Library	Library	$ 11.39	84750683
12/23/2024	876725	Ingram Library	Library	$ 8.45	84750683
12/23/2024	876725	Ingram Library	Library	$ 84.42	84750683
12/23/2024	876725	Ingram Library	Library	$ 0.06	84821456
12/23/2024	876725	Ingram Library	Library	$ 16.52	84821456
12/23/2024	876725	Ingram Library	Library	$ 0.36	84821457
12/23/2024	876725	Ingram Library	Library	$ 93.39	84821457

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12/23/2024	876725	Ingram Library	Library	$ 11.99	84821457
12/23/2024	876725	Ingram Library	Library	$ 11.68	84821457
12/23/2024	876725	Ingram Library	Library	$ 0.13	84821458
12/23/2024	876725	Ingram Library	Library	$ 17.70	84821458
12/23/2024	876725	Ingram Library	Library	$ 23.58	84821458
12/23/2024	876725	Ingram Library	Library	$ 0.10	84821459
12/23/2024	876725	Ingram Library	Library	$ 33.57	84821459
12/23/2024	876725	Ingram Library	Library	$ 2.35	84821460
12/23/2024	876725	Ingram Library	Library	$ 245.17	84821460
12/23/2024	876725	Ingram Library	Library	$ 255.00	84821460
12/23/2024	876725	Ingram Library	Library	$ 19.18	84821460
12/23/2024	876725	Ingram Library	Library	$ 103.48	84821460
12/23/2024	876725	Ingram Library	Library	$ 0.61	84877646
12/23/2024	876725	Ingram Library	Library	$ 11.20	84877646
12/23/2024	876725	Ingram Library	Library	$ 1.54	84877647
12/23/2024	876725	Ingram Library	Library	$ 15.34	84877647
12/23/2024	876725	Ingram Library	Library	$ 22.40	84877647
12/23/2024	876725	Ingram Library	Library	$ 0.85	84877648
12/23/2024	876725	Ingram Library	Library	$ 12.00	84877648
12/23/2024	876725	Ingram Library	Library	$ 53.02	84915929
12/23/2024	876725	Ingram Library	Library	$ 49.74	84915929
12/23/2024	876725	Ingram Library	Library	$ 53.22	84915930
12/23/2024	876725	Ingram Library	Library	$ 20.24	84915930
12/23/2024	876725	Ingram Library	Library	$ 18.92	84915930
12/23/2024	876725	Ingram Library	Library	$ 0.40	84943133
12/23/2024	876725	Ingram Library	Library	$ 11.97	84943133
12/23/2024	876725	Ingram Library	Library	$ 0.71	84943134
12/23/2024	876725	Ingram Library	Library	$ 51.97	84943134
12/23/2024	876725	Ingram Library	Library	$ 11.02	84943134
12/23/2024	876725	Ingram Library	Library	$ 1.89	84943135
12/23/2024	876725	Ingram Library	Library	$ 11.80	84943135
12/23/2024	876725	Ingram Library	Library	$ 83.64	84943135
12/23/2024	876725	Ingram Library	Library	$ 5.19	84943135

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12/23/2024	876725	Ingram Library	Library	$ 54.78	84943136
12/23/2024	876725	Ingram Library	Library	$ 83.76	84943136
12/23/2024	876725	Ingram Library	Library	$ 10.87	84943136
12/23/2024	876725	Ingram Library	Library	$ 0.11	84971530
12/23/2024	876725	Ingram Library	Library	$ 16.51	84971530
12/23/2024	876725	Ingram Library	Library	$ 0.12	84971531
12/23/2024	876725	Ingram Library	Library	$ 18.87	84971531
12/23/2024	876725	Ingram Library	Library	$ 1.69	84971532
12/23/2024	876725	Ingram Library	Library	$ 162.00	84971532
12/23/2024	876725	Ingram Library	Library	$ 16.49	84971532
12/23/2024	876725	Ingram Library	Library	$ 35.66	84971532
12/23/2024	876725	Ingram Library	Library	$ 0.24	84971533
12/23/2024	876725	Ingram Library	Library	$ 14.74	84971533
12/23/2024	876725	Ingram Library	Library	$ 0.11	84971534
12/23/2024	876725	Ingram Library	Library	$ 10.02	84971534
12/23/2024	876725	Ingram Library	Library	$ 0.44	84971535
12/23/2024	876725	Ingram Library	Library	$ 36.91	84971535
12/23/2024	876725	Ingram Library	Library	$ 20.21	84971535
12/23/2024	876725	Ingram Library	Library	$ 0.29	84971536
12/23/2024	876725	Ingram Library	Library	$ 11.79	84971536
12/23/2024	876725	Ingram Library	Library	$ 20.65	84971536
12/23/2024	876725	Ingram Library	Library	$ 1.02	84971537
12/23/2024	876725	Ingram Library	Library	$ 47.18	84971537
12/23/2024	876725	Ingram Library	Library	$ 5.84	84971537
12/23/2024	876725	Ingram Library	Library	$ 1.00	84971538
12/23/2024	876725	Ingram Library	Library	$ 68.42	84971538
12/23/2024	876725	Ingram Library	Library	$ 14.40	84971538
12/23/2024	876725	Ingram Library	Library	$ 5.84	84971538
12/23/2024	876725	Ingram Library	Library	$ 0.25	84971539
12/23/2024	876725	Ingram Library	Library	$ 15.92	84971539
12/23/2024	876725	Ingram Library	Library	$ 0.16	84971540
12/23/2024	876725	Ingram Library	Library	$ 11.39	84971540
12/23/2024	876725	Ingram Library	Library	$ 0.57	84971541

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12/23/2024	876725	Ingram Library	Library	$ 47.78	84971541
12/23/2024	876725	Ingram Library	Library	$ 0.12	85046940
12/23/2024	876725	Ingram Library	Library	$ 9.74	85046940
12/23/2024	876725	Ingram Library	Library	$ 0.69	85046941
12/23/2024	876725	Ingram Library	Library	$ 27.91	85046941
12/23/2024	876725	Ingram Library	Library	$ 34.84	85046941
12/23/2024	876725	Ingram Library	Library	$ 4.54	85046941
12/23/2024	876725	Ingram Library	Library	$ 0.57	85046942
12/23/2024	876725	Ingram Library	Library	$ 31.84	85046942
12/23/2024	876725	Ingram Library	Library	$ 14.74	85046942
12/23/2024	876725	Ingram Library	Library	$ 0.33	85046943
12/23/2024	876725	Ingram Library	Library	$ 19.76	85046943
12/23/2024	876725	Ingram Library	Library	$ 10.80	85046943
12/23/2024	876725	Ingram Library	Library	$ 0.41	85046944
12/23/2024	876725	Ingram Library	Library	$ 26.53	85046944
12/23/2024	876725	Ingram Library	Library	$ 0.88	85046945
12/23/2024	876725	Ingram Library	Library	$ 26.55	85046945
12/23/2024	876725	Ingram Library	Library	$ 3.89	85046946
12/23/2024	876727	Insight Public Sector	Public Safety	$ 66,297.30	City Council Approve Qty. 15 FZ40 Toughbooks
12/23/2024	876723	I-State Truck	Fleet	$ 379.09	C251385247.01
12/23/2024	876723	I-State Truck	Fleet	$ 99.87	C251385251.01
12/23/2024	876723	I-State Truck	Fleet	$ 250.00	C251385273.01
12/23/2024	876723	I-State Truck	Fleet	$ 849.62	C251385273.01
12/23/2024	876723	I-State Truck	Fleet	$ 15.12	C251385273.01
12/23/2024	876723	I-State Truck	Fleet	$ 245.90	C251385273.01
12/23/2024	876723	I-State Truck	Fleet	$ 60.29	C251385311.01
12/23/2024	876723	I-State Truck	Fleet	$ 191.77	C251385335.01
12/23/2024	876723	I-State Truck	Fleet	$ 845.67	C251385389.01
12/23/2024	876723	I-State Truck	Fleet	$ 11.23	C251385628.01
12/23/2024	876723	I-State Truck	Fleet	$ 8.79	C251385628.01
12/23/2024	876723	I-State Truck	Fleet	$ 55.90	C251385628.01
12/23/2024	876723	I-State Truck	Fleet	$ 39.00	C251385746.01
12/23/2024	876723	I-State Truck	Fleet	$ 37.50	C251385746.01

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12/23/2024	876723	I-State Truck	Fleet	$ 200.69	C251386331.01
12/23/2024	876723	I-State Truck	Fleet	$ 221.83	C251386354.01
12/23/2024	876723	I-State Truck	Fleet	$ 40.00	C251386354.01
12/23/2024	876723	I-State Truck	Fleet	$ 259.36	C251386513.01
12/23/2024	876723	I-State Truck	Fleet	$ 188.20	C251386558.01
12/23/2024	876723	I-State Truck	Fleet	$ 11.42	C251386579.01
12/23/2024	876723	I-State Truck	Fleet	$ 413.64	C251386741
12/23/2024	876723	I-State Truck	Street/Traffic	$ 100.00	CROSS OVER
12/23/2024	876723	I-State Truck	Transit	$ 18.90	C251386872:01_Unit#1833_Wiring Pin
12/23/2024	876729	J & M Tire	Wastewater	$ 27.47	FLAT REPAIR ON #7484
12/23/2024	876729	J & M Tire	Wastewater	$ 510.00	SERVICE CALL
12/23/2024	876729	J & M Tire	Wastewater	$ 1,800.00	Tire for vehicle #7139
12/23/2024	876729	J & M Tire	Wastewater	$ 672.64	TOYO OPEN COUNTRY TIRES FOR VEHICLE #7407
12/23/2024	876729	J & M Tire	Water	$ 27.48	FLAT REPAIR ON #7484
12/23/2024	876729	J & M Tire	Water	$ 672.64	TOYO OPEN COUNTRY TIRES FOR VEHICLE #7407
12/23/2024	876731	JBT Aero Tech, Jetway Sys	Airport	$ 267,439.47	Retainage Release
12/23/2024	ACH	Joe Johnson Equipment	Fleet	$ 399.00	P02369
12/23/2024	ACH	Joe Johnson Equipment	Fleet	$ 645.00	P02369
12/23/2024	ACH	Joe Johnson Equipment	Fleet	$ 267.86	P02393
12/23/2024	ACH	Joe Johnson Equipment	Fleet	$ 40.00	P02394
12/23/2024	ACH	Joe Johnson Equipment	Fleet	$ 1.17	P02394
12/23/2024	ACH	Joe Johnson Equipment	Wastewater	$ 176.50	FLOAT BALL CAGE FOR VEHICLE 7912
12/23/2024	ACH	Joe Johnson Equipment	Wastewater	$ 485.73	INLET WELDMENT, HOSE GUIDE ROLE
12/23/2024	ACH	Joe Johnson Equipment	Water	$ 176.50	FLOAT BALL CAGE FOR VEHICLE 7912
12/23/2024	ACH	Joe Johnson Equipment	Water	$ 485.72	INLET WELDMENT, HOSE GUIDE ROLE
12/23/2024	876736	KB Commercial	Parking	$ 6.58	ISLAND FRESH DEODORANT
12/23/2024	876736	KB Commercial	Parking	$ 6.58	ISLAND FRESH DEODORANT
12/23/2024	876736	KB Commercial	Parking	$ 6.58	ISLAND FRESH DEODORANT
12/23/2024	876736	KB Commercial	Stillwater Const	$ 4,120.00	Inv. 497734 Janitorial Supplies for the new City Hall
12/23/2024	876736	KB Commercial	Wastewater	$ 30.00	battery sweeper
12/23/2024	876736	KB Commercial	Water	$ 30.00	battery sweeper
12/23/2024	876740	Knife River	St Maint Dist	$ 16,995.09	Retainage Release Final
12/23/2024	876740	Knife River	Street/Traffic	$ 1,375.15	1 1/2" crushed base

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12/23/2024	ACH	Kois Brothers	Fleet	$ 330.60	133954
12/23/2024	ACH	Kois Brothers	Fleet	$ 36.38	133954
12/23/2024	ACH	Kois Brothers	Fleet	$ 5,325.58	58950
12/23/2024	ACH	Kois Brothers	Fleet	$ 16.75	59067
12/23/2024	ACH	Kois Brothers	Fleet	$ 155.42	59067
12/23/2024	ACH	Kois Brothers	Fleet	$ 307.08	59183
12/23/2024	ACH	Kois Brothers	Park Dist 1	$ 3,075.00	tailgate for truck 58800
12/23/2024	ACH	Kois Brothers	Transit	$ 358.96	134009_Snow Plow Parts & Shipping
12/23/2024	ACH	Kois Brothers	Transit	$ 725.00	58992_Unit#1869_Snow Plow Fix
12/23/2024	876741	KTVQ Communications	Airport	$ 4,045.00	Inv. #1342857-1,1343210-1. TX Marketing-Holiday Campaign
12/23/2024	876742	L N Curtis and Sons	Public Safety	$ 6,766.60	HURST TOOLS SERVICE
12/23/2024	876743	L P Anderson Tire	Fleet	$ 750.00	2193704
12/23/2024	876743	L P Anderson Tire	Fleet	$ 60.00	2194056
12/23/2024	876743	L P Anderson Tire	Fleet	$ 2,556.48	2195117
12/23/2024	876744	LCEO	Public Safety	$ 8,926.00	17 OPS-Core Fast SF helmets and mounting cameras.
12/23/2024	876748	LSC Environmental Products	Solid Waste	$ 35,550.00	Posi-shell cover for landfill working face.
12/23/2024	876750	Max Fab Consulting	General	$ 4,000.00	Vet-Ready Program
12/23/2024	876751	Meadow Green Sales	Park Dist 1	$ 4,375.00	mower parts - 8559
12/23/2024	876751	Meadow Green Sales	Park Dist 1	$ 20.36	mower supplies - 7816
12/23/2024	876751	Meadow Green Sales	Park Dist 1	$ 274.60	tires for mowers - 8726
12/23/2024	876754	MT Dakota Utilities	Airport	$ 695.73	129 573 1000 1 Mud Wash. December 2024
12/23/2024	876754	MT Dakota Utilities	Airport	$ 150.45	160 723 3573 6. USDA. December 2024
12/23/2024	876754	MT Dakota Utilities	Airport	$ 3,202.50	179 053 7751 5. New Terminal. December 2024
12/23/2024	876754	MT Dakota Utilities	Airport	$ 304.27	185 580 1000 7. TSA. December 2024
12/23/2024	876754	MT Dakota Utilities	Airport	$ 40.12	229 573 1000 0. Detail Bay 1 Hertz. December 2024
12/23/2024	876754	MT Dakota Utilities	Airport	$ 229.74	283 116 0655 3. Alpine. December 2024
12/23/2024	876754	MT Dakota Utilities	Airport	$ 1,544.19	285 580 1000 6
12/23/2024	876754	MT Dakota Utilities	Airport	$ 191.56	295 580 1000 4. Aero Interiors. December 2024
12/23/2024	876754	MT Dakota Utilities	Airport	$ 45.45	329 573 1000 9. Detail Bay 3. December 2024
12/23/2024	876754	MT Dakota Utilities	Airport	$ 148.70	429 573 1000 8. Detail Bay 4 Avis/Budget. December 2024
12/23/2024	876754	MT Dakota Utilities	Airport	$ 24.28	529 573 1000 7. Detail Bay 5 Thrifty/Dollar. December 2024
12/23/2024	876754	MT Dakota Utilities	Airport	$ 6,314.55	595 580 1000 1
12/23/2024	876754	MT Dakota Utilities	Airport	$ 196.25	629 573 1000 6. Detail Bay 2 National/Alamo. December 2024

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12/23/2024	876754	MT Dakota Utilities	Airport	$ 1,050.22	706 580 1000 7
12/23/2024	876754	MT Dakota Utilities	Airport	$ 503.20	788 689 5644 8. Concourse Kitchen. December 2024
12/23/2024	876754	MT Dakota Utilities	Airport	$ 1,451.40	889 373 1000 6. Car Wash. December 2024
12/23/2024	876754	MT Dakota Utilities	EOC 911	$ 69.39	911 Center December Services 911 Generator
12/23/2024	876754	MT Dakota Utilities	Park Dist 1	$ 149.30	112 138 9381 8
12/23/2024	876754	MT Dakota Utilities	Park Dist 1	$ 67.15	501 473 1000 2
12/23/2024	876754	MT Dakota Utilities	Park Dist 1	$ 153.33	703 760 1000 8
12/23/2024	876754	MT Dakota Utilities	Park Dist 1	$ 68.70	879 660 1000 8
12/23/2024	876754	MT Dakota Utilities	Park Dist 1	$ 265.89	902 360 1000 6
12/23/2024	876754	MT Dakota Utilities	Public Safety	$ 553.48	307 111 5825 0
12/23/2024	876754	MT Dakota Utilities	Public Safety	$ 21.74	357 004 5071 7
12/23/2024	876754	MT Dakota Utilities	Public Safety	$ 334.09	668 670 1000 2
12/23/2024	876754	MT Dakota Utilities	Public Safety	$ 247.42	672 860 1000 3
12/23/2024	876754	MT Dakota Utilities	Public Safety	$ 1,077.86	819 360 1000 8
12/23/2024	876754	MT Dakota Utilities	Public Safety	$ 22.82	930 442 2308 4
12/23/2024	876754	MT Dakota Utilities	Public Safety	$ 123.32	958 650 1000 3
12/23/2024	876754	MT Dakota Utilities	Public Safety	$ 207.31	971 487 8549 2
12/23/2024	876754	MT Dakota Utilities	Wastewater	$ 85.17	017 739 3911 9
12/23/2024	876754	MT Dakota Utilities	Wastewater	$ 74.03	470 750 1000 0
12/23/2024	876754	MT Dakota Utilities	Wastewater	$ 20.61	559 250 1000 5
12/23/2024	876754	MT Dakota Utilities	Wastewater	$ 62.26	596 733 1000 5
12/23/2024	876754	MT Dakota Utilities	Wastewater	$ 62.26	713 064 3190 0
12/23/2024	876754	MT Dakota Utilities	Wastewater	$ 60.67	843 879 2205 1
12/23/2024	876754	MT Dakota Utilities	Water	$ 44.73	162 660 1000 4
12/23/2024	876754	MT Dakota Utilities	Water	$ 31.23	373 580 1000 9
12/23/2024	876754	MT Dakota Utilities	Water	$ 31.22	373 580 1000 9
12/23/2024	876754	MT Dakota Utilities	Water	$ 75.92	541 380 1000 1
12/23/2024	876754	MT Dakota Utilities	Water	$ 217.52	825 150 1000 5
12/23/2024	876754	MT Dakota Utilities	Water	$ 62.26	921 580 1000 6
12/23/2024	876755	MT Muscle Movers	Stillwater Const	$ 16,931.00	Phase 2 Move from Old City Hall to New City HallPhase 2 Deposit
12/23/2024	876755	MT Muscle Movers	Stillwater Const	$ 29,460.00	Phase I City Hall moving expenses
12/23/2024	876756	Montana Peterbilt	Fleet	$ 345.25	105876BL
12/23/2024	876756	Montana Peterbilt	Fleet	$ 209.11	105930BL

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12/23/2024	876756	Montana Peterbilt	Fleet	$ 462.88	105946BL
12/23/2024	876756	Montana Peterbilt	Fleet	$ 272.69	106094BL
12/23/2024	876756	Montana Peterbilt	Fleet	$ 87.00	106153BL
12/23/2024	876756	Montana Peterbilt	Fleet	$ 6.94	106165BL
12/23/2024	876756	Montana Peterbilt	Fleet	$ 8.59	106225BL
12/23/2024	876756	Montana Peterbilt	Fleet	$ 125.62	106225BLX2
12/23/2024	876756	Montana Peterbilt	Fleet	$ 187.45	106234BL
12/23/2024	876756	Montana Peterbilt	Fleet	$ 395.84	106234BLX1
12/23/2024	876756	Montana Peterbilt	Fleet	$ 282.96	106375BL
12/23/2024	876756	Montana Peterbilt	Fleet	$ 18.27	106533BL
12/23/2024	876756	Montana Peterbilt	Fleet	$ 84.41	106613BL
12/23/2024	876756	Montana Peterbilt	Fleet	$ 388.29	106781BL
12/23/2024	876756	Montana Peterbilt	Fleet	$ 614.06	107010BL
12/23/2024	876756	Montana Peterbilt	Fleet	$ 174.00	107088BL
12/23/2024	876756	Montana Peterbilt	Fleet	$ 294.36	107440BL
12/23/2024	876756	Montana Peterbilt	Fleet	$ 212.20	107756BL
12/23/2024	876756	Montana Peterbilt	Fleet	$ 238.90	107756BL
12/23/2024	876756	Montana Peterbilt	Fleet	$ 74.48	107756BL
12/23/2024	876756	Montana Peterbilt	Transit	$ 637.50	107141BL_Core Deposit
12/23/2024	876756	Montana Peterbilt	Transit	$ 558.15	107141BL_inlet/Outlet Nitrogen Oxide Sensors
12/23/2024	876756	Montana Peterbilt	Transit	$ 558.15	107141BL_Inlet/Outlet Nitrogen Oxide Sensors
12/23/2024	876756	Montana Peterbilt	Transit	$ 558.15	107141BL_Unit#1839_Nitrogren Oxide Sensor
12/23/2024	876756	Montana Peterbilt	Transit	$ 88.00	107141BL_Unit#1839_Shipping
12/23/2024	876756	Montana Peterbilt	Transit	$ 388.92	107213BL_Fuel Filters
12/23/2024	876756	Montana Peterbilt	Transit	$ 230.52	107213BLX1_Fuel Filters
12/23/2024	876756	Montana Peterbilt	Transit	$ 91.86	107244BL_Gasket, AFM Device
12/23/2024	876756	Montana Peterbilt	Transit	$ 4,250.00	107244BL_Module
12/23/2024	876760	MT Dept of Revenue-CGR2	Airport	$ 2,701.40	Retainage Release
12/23/2024	876760	MT Dept of Revenue-CGR2	Stillwater Const	$ 610.85	Verkada access control and camera system at the Stillwater
12/23/2024	876760	MT Dept of Revenue-CGR2	Storm Sewer	$ -	change order #1
12/23/2024	876760	MT Dept of Revenue-CGR2	Storm Sewer	$ 128.95	increased footage from estimate
12/23/2024	876760	MT Dept of Revenue-CGR2	Storm Sewer	$ -	WO 22-25 CCTV City Storm Drain
12/23/2024	876761	Napa Auto Parts	Fleet	$ 5.95	130470

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12/23/2024	876761	Napa Auto Parts	Fleet	$ 80.58	619587
12/23/2024	876761	Napa Auto Parts	Fleet	$ 73.08	619587
12/23/2024	876761	Napa Auto Parts	Fleet	$ 347.24	619650
12/23/2024	876761	Napa Auto Parts	Fleet	$ 68.58	619677
12/23/2024	876761	Napa Auto Parts	Fleet	$ 6.90	619703
12/23/2024	876761	Napa Auto Parts	Fleet	$ 11.90	619703
12/23/2024	876761	Napa Auto Parts	Fleet	$ 8.20	619703
12/23/2024	876761	Napa Auto Parts	Fleet	$ 88.48	619948
12/23/2024	876761	Napa Auto Parts	Fleet	$ 34.14	620114
12/23/2024	876761	Napa Auto Parts	Fleet	$ 2.61	620174
12/23/2024	876761	Napa Auto Parts	Fleet	$ 3.35	620174
12/23/2024	876761	Napa Auto Parts	Fleet	$ 6.71	620412
12/23/2024	876761	Napa Auto Parts	Fleet	$ 100.12	620417
12/23/2024	876761	Napa Auto Parts	Fleet	$ 10.32	620570
12/23/2024	876761	Napa Auto Parts	Fleet	$ 57.52	620570
12/23/2024	876761	Napa Auto Parts	Fleet	$ 42.00	621168
12/23/2024	876761	Napa Auto Parts	Fleet	$ 8.20	621208
12/23/2024	876761	Napa Auto Parts	Fleet	$ 30.33	621260
12/23/2024	876761	Napa Auto Parts	Fleet	$ 31.12	621260
12/23/2024	876761	Napa Auto Parts	Fleet	$ 27.25	621279
12/23/2024	876761	Napa Auto Parts	Fleet	$ 2.68	621625
12/23/2024	876761	Napa Auto Parts	Fleet	$ 2.18	621625
12/23/2024	876761	Napa Auto Parts	Fleet	$ 28.65	621740
12/23/2024	876761	Napa Auto Parts	Fleet	$ 81.94	621764
12/23/2024	876761	Napa Auto Parts	Fleet	$ 6.66	621808
12/23/2024	876761	Napa Auto Parts	Fleet	$ 43.90	622443
12/23/2024	876761	Napa Auto Parts	Fleet	$ 35.28	622591
12/23/2024	876761	Napa Auto Parts	Fleet	$ 8.00	622681
12/23/2024	876761	Napa Auto Parts	Fleet	$ 3.55	622683
12/23/2024	876761	Napa Auto Parts	Fleet	$ 8.00	622683
12/23/2024	876761	Napa Auto Parts	Fleet	$ 80.58	622692
12/23/2024	876761	Napa Auto Parts	Fleet	$ 11.44	622692
12/23/2024	876761	Napa Auto Parts	Fleet	$ 73.08	622692

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12/23/2024	876761	Napa Auto Parts	Fleet	$ 23.62	622727
12/23/2024	876761	Napa Auto Parts	Fleet	$ 21.00	622727
12/23/2024	876761	Napa Auto Parts	Fleet	$ 26.17	622796
12/23/2024	876761	Napa Auto Parts	Fleet	$ 347.24	622797
12/23/2024	876761	Napa Auto Parts	Fleet	$ 73.08	622797
12/23/2024	876761	Napa Auto Parts	Fleet	$ 290.72	622797
12/23/2024	876761	Napa Auto Parts	Fleet	$ 80.58	622797
12/23/2024	876761	Napa Auto Parts	Fleet	$ 29.98	622799
12/23/2024	876761	Napa Auto Parts	Fleet	$ (35.28)	622812
12/23/2024	876761	Napa Auto Parts	Fleet	$ 52.34	622837
12/23/2024	876761	Napa Auto Parts	Fleet	$ 62.00	622842
12/23/2024	876761	Napa Auto Parts	Fleet	$ 71.04	622930
12/23/2024	876761	Napa Auto Parts	Fleet	$ 12.60	622960
12/23/2024	876761	Napa Auto Parts	Fleet	$ 13.56	622961
12/23/2024	876761	Napa Auto Parts	Fleet	$ 26.00	623053
12/23/2024	876761	Napa Auto Parts	Fleet	$ 24.00	623053
12/23/2024	876761	Napa Auto Parts	Fleet	$ (53.28)	623126
12/23/2024	876761	Napa Auto Parts	Fleet	$ 24.58	623210
12/23/2024	876761	Napa Auto Parts	Fleet	$ 17.41	623258
12/23/2024	876761	Napa Auto Parts	Fleet	$ 6.68	623351
12/23/2024	876761	Napa Auto Parts	Fleet	$ 49.85	623659
12/23/2024	876761	Napa Auto Parts	Fleet	$ 40.23	623659
12/23/2024	876761	Napa Auto Parts	Fleet	$ 376.56	624307
12/23/2024	876761	Napa Auto Parts	Fleet	$ 38.34	624307
12/23/2024	876761	Napa Auto Parts	Fleet	$ 7.10	624307
12/23/2024	876761	Napa Auto Parts	Fleet	$ 37.20	624307
12/23/2024	876761	Napa Auto Parts	Fleet	$ 198.80	624307
12/23/2024	876761	Napa Auto Parts	Fleet	$ 42.60	624307
12/23/2024	876761	Napa Auto Parts	Fleet	$ 357.45	624307
12/23/2024	876761	Napa Auto Parts	Fleet	$ 24.85	624307
12/23/2024	876761	Napa Auto Parts	Fleet	$ 8.58	624307
12/23/2024	876761	Napa Auto Parts	Fleet	$ (18.60)	624319
12/23/2024	876761	Napa Auto Parts	Fleet	$ 15.81	624331

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12/23/2024	876761	Napa Auto Parts	Fleet	$ 43.71	624331
12/23/2024	876761	Napa Auto Parts	Fleet	$ 23.82	624840
12/23/2024	876761	Napa Auto Parts	Fleet	$ 14.20	625016
12/23/2024	876761	Napa Auto Parts	Fleet	$ 42.60	625598
12/23/2024	876761	Napa Auto Parts	Fleet	$ 38.34	625598
12/23/2024	876761	Napa Auto Parts	Fleet	$ 76.32	625888
12/23/2024	876761	Napa Auto Parts	Fleet	$ 23.12	625889
12/23/2024	876761	Napa Auto Parts	Fleet	$ 12.86	626177
12/23/2024	876761	Napa Auto Parts	Fleet	$ 100.76	626179
12/23/2024	876761	Napa Auto Parts	Wastewater	$ 2.59	INDICATOR LAMP- VEHICLE #7912
12/23/2024	876761	Napa Auto Parts	Water	$ 2.59	INDICATOR LAMP- VEHICLE #7912
12/23/2024	876764	Network Information Sys	IT Resources	$ 3,800.00	Ground cables, Busses Lugs and Clamps -SWB 5th floor
12/23/2024	876764	Network Information Sys	Parking	$ 870.00	CABLE, CONNECTORS, JACKS, CONDUIT AND ANCHORS
12/23/2024	876764	Network Information Sys	Parking	$ 281.66	CABLING: MISC CABLING PARTS
12/23/2024	876764	Network Information Sys	Parking	$ 281.67	CABLING: MISC CABLING PARTS
12/23/2024	876764	Network Information Sys	Parking	$ 281.67	CABLING: MISC CABLING PARTS
12/23/2024	876764	Network Information Sys	Parking	$ 533.33	NETWORKING MISC NETWORKING PARTS
12/23/2024	876764	Network Information Sys	Parking	$ 533.33	NETWORKING MISC NETWORKING PARTS
12/23/2024	876764	Network Information Sys	Parking	$ 533.34	NETWORKING MISC NETWORKING PARTS
12/23/2024	876764	Network Information Sys	Parking	$ 3,000.00	STANDARD LABOR
12/23/2024	876764	Network Information Sys	Parking	$ 1,050.00	STANDARD LABOR
12/23/2024	876764	Network Information Sys	Parking	$ 1,050.00	STANDARD LABOR
12/23/2024	876764	Network Information Sys	Parking	$ 1,050.00	STANDARD LABOR
12/23/2024	876769	NorthWestern Energy	Airport	$ 2,969.61	0100483-7. Runway Lights. December 2024
12/23/2024	876769	NorthWestern Energy	Airport	$ 1,533.97	0100484-5. ARFF Facility. December 2024
12/23/2024	876769	NorthWestern Energy	Airport	$ 80.31	1138926-9. Aero Interiors. December 2024
12/23/2024	876769	NorthWestern Energy	Airport	$ 113.99	1647695-4. De Icer. December 2024
12/23/2024	876769	NorthWestern Energy	Airport	$ 449.48	1669567-8. TSA. December 2024
12/23/2024	876769	NorthWestern Energy	Airport	$ 1,254.21	1993430-6. Car Wash. December 2024
12/23/2024	876769	NorthWestern Energy	Airport	$ 433.79	2001846-1. Mud Wash. December 2024
12/23/2024	876769	NorthWestern Energy	Airport	$ 447.84	2001848-7. Detail Bay 1 Hertz. December 2024
12/23/2024	876769	NorthWestern Energy	Airport	$ 169.33	2001862-8. Detail Bay 3 Enterprise. December 2024
12/23/2024	876769	NorthWestern Energy	Airport	$ 519.66	2001865-1. Detail Bay 4 Avis/Budget. December 2024

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12/23/2024	876769	NorthWestern Energy	Airport	$ 141.40	2001867-7. Detail Bay 5 Thrifty/Dollar. December 2024
12/23/2024	876769	NorthWestern Energy	Airport	$ 96.49	3085107-5. Employee Parking. December 2024
12/23/2024	876769	NorthWestern Energy	Airport	$ 210.57	3446396-8. USDA. December 2024
12/23/2024	876769	NorthWestern Energy	Airport	$ 2,193.47	3477231-9. Parking Zone. December 2024
12/23/2024	876769	NorthWestern Energy	Airport	$ 13.55	3733186-5. Airport Storage. December 2024
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 1,130.12	SILMD 10 Acct# 0712546-1
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 2,112.21	SILMD 100 Acct# 0712559-4
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 1,754.41	SILMD 107 Acct# 0712560-2
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 4,399.93	SILMD 109 Acct# 0712561-0
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 219.07	SILMD 113 Acct# 0712562-8
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 946.83	SILMD 114 Acct# 0712563-6
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 222.78	SILMD 115 Acct# 0712564-4
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 584.79	SILMD 116 Acct# 0712565-1
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 3,187.39	SILMD 117 Acct# 0712566-9
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 206.29	SILMD 118 Acct# 0712567-7
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 126.32	SILMD 119 Acct# 0712568-5
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 2,506.29	SILMD 121 Acct# 0712570-1
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 188.22	SILMD 122 Acct# 0712571-9
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 334.17	SILMD 123 Acct# 0712572-7
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 974.67	SILMD 124 Acct# 0712573-5
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 389.86	SILMD 125 Acct# 0712574-3
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 194.94	SILMD 126 Acct# 0712575-0
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 705.84	SILMD 127 Acct# 0712576-8
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 494.07	SILMD 128 Acct# 0712577-6
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 334.17	SILMD 129 Acct# 0712578-4
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 4,671.00	SILMD 13 Acct# 0721276-4
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 119.83	SILMD 130 Acct# 0712579-2
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 863.27	SILMD 131 Acct# 0712580-0
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 222.53	SILMD 133 Acct# 0712581-8
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 513.54	SILMD 134 Acct# 0712582-6
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 517.59	SILMD 135 Acct# 0712583-4
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 473.41	SILMD 136 Acct# 0712584-2
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 379.68	SILMD 137 Acct# 0712585-9

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12/23/2024	876770	NorthWestern Energy	Light Maint	$ 751.88	SILMD 138 Acct# 0712586-7
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 250.62	SILMD 139 Acct# 0712587-5
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 2,365.89	SILMD 14 Acct# 0721277-2
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 4.14	SILMD 14 Acct# 4167204-9
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 584.79	SILMD 143 Acct# 0712588-3
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 27.82	SILMD 144 Acct# 0712589-1
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 470.55	SILMD 145 Acct# 0712590-9
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 362.02	SILMD 146 Acct# 0712591-7
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 441.87	SILMD 147 Acct# 0712592-5
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 1,618.38	SILMD 149 Acct# 0712593-3
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 752.89	SILMD 150 Acct# 0712594-1
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 640.48	SILMD 151 Acct# 0712595-8
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 4,323.09	SILMD 152 Acct# 0712596-6
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 541.12	SILMD 153 Acct# 0712597-4
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 1,223.44	SILMD 154 Acct# 0712598-2
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 501.25	SILMD 155 Acct# 0712599-0
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 917.57	SILMD 157 Acct# 0712600-6
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 807.59	SILMD 158 Acct# 0712601-4
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 980.43	SILMD 159 Acct# 0712602-2
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 724.04	SILMD 160 Acct# 0712603-0
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 1,058.75	SILMD 161 Acct# 0712604-8
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 48.36	SILMD 162 Acct# 0712605-5
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 800.71	SILMD 163 Acct# 0712606-3
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 376.44	SILMD 164 Acct# 0712607-1
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 891.13	SILMD 165 Acct# 0712608-9
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 235.26	SILMD 167 Acct# 0712609-7
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 1,165.02	SILMD 17 Acct# 0712553-7
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 564.68	SILMD 171 Acct# 0712610-5
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 513.54	SILMD 172 Acct# 0712611-3
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 1,176.38	SILMD 173 Acct# 0712612-1
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 988.17	SILMD 174 Acct# 0712613-9
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 329.38	SILMD 175 Acct# 0712614-7
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 34.55	SILMD 176 Acct# 0712615-4

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12/23/2024	876770	NorthWestern Energy	Light Maint	$ 258.81	SILMD 178 Acct# 0712616-2
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 517.59	SILMD 179 Acct# 0712617-0
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 352.93	SILMD 180 Acct# 0712618-8
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 1,698.70	SILMD 181 Acct# 0712619-6
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 588.21	SILMD 182 Acct# 0712620-4
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 1,176.38	SILMD 183 Acct# 0712621-2
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 376.44	SILMD 184 Acct# 0712622-0
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 141.16	SILMD 185 Acct# 0712623-8
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 729.06	SILMD 186 Acct# 0712624-6
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 235.26	SILMD 187 Acct# 0712625-3
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 282.33	SILMD 188 Acct# 0712626-1
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 235.26	SILMD 189 Acct# 0712627-9
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 1,223.44	SILMD 190 Acct# 0712628-7
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 419.95	SILMD 191 Acct# 0712629-5
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 305.86	SILMD 192 Acct# 0712630-3
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 752.89	SILMD 193 Acct# 0712631-1
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 325.48	SILMD 194 Acct# 0712632-9
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 260.39	SILMD 195 Acct# 0712633-7
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 82.90	SILMD 196 Acct# 0712634-5
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 82.90	SILMD 197 Acct# 0712635-2
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 117.65	SILMD 198 Acct# 0712636-0
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 61.97	SILMD 200 Acct# 0712637-8
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 494.07	SILMD 201 Acct# 0712638-6
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 829.18	SILMD 202 Acct# 0712639-4
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 22.11	SILMD 203 Acct# 0712640-2
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 475.82	SILMD 204 Acct# 0712641-0
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 27.63	SILMD 205 Acct# 0712642-8
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 329.38	SILMD 206 Acct# 0712643-6
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 376.44	SILMD 207 Acct# 0712644-4
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 541.12	SILMD 209 Acct# 0712646-9
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 99.47	SILMD 210 Acct# 0712647-7
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 55.27	SILMD 211 Acct# 0712648-5
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 55.27	SILMD 212 Acct# 0712649-3

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12/23/2024	876770	NorthWestern Energy	Light Maint	$ 33.16	SILMD 213 Acct# 0712650-1
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 381.52	SILMD 214 Acct# 0712651-9
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 141.16	SILMD 216 Acct# 0712652-7
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 423.16	SILMD 217 Acct# 0712653-5
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 299.71	SILMD 220 Acct# 0712654-3
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 6.91	SILMD 221 Acct# 0712655-0
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 87.78	SILMD 222 Acct# 0712656-8
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 132.65	SILMD 223 Acct# 0712657-6
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 1,461.13	SILMD 224 Acct# 0712658-4
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 433.24	SILMD 225 Acct# 0712659-2
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 245.53	SILMD 226 Acct# 0712660-0
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 729.57	SILMD 227 Acct# 0712661-8
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 807.59	SILMD 228 Acct# 0712662-6
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 417.73	SILMD 229 Acct# 0712663-4
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 974.68	SILMD 230 Acct# 0712664-2
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 584.79	SILMD 231 Acct# 0712665-9
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 2,534.14	SILMD 232 Acct# 0712666-7
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 971.36	SILMD 233 Acct# 0712667-5
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 528.94	SILMD 234 Acct# 0712668-3
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 615.23	SILMD 235 Acct# 0712669-1
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 195.28	SILMD 236 Acct# 0712670-9
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 399.97	SILMD 237 Acct# 0712671-7
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 13.81	SILMD 238 Acct# 0712672-5
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 94.11	SILMD 239 Acct# 0712673-3
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 468.67	SILMD 240 Acct# 0712674-1
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 589.62	SILMD 241 Acct# 0712675-8
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 83.55	SILMD 242 Acct# 0712676-6
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 111.39	SILMD 244 Acct# 0712677-4
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 75.05	SILMD 245 Acct# 0712678-2
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 334.17	SILMD 246 Acct# 0712679-0
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 996.83	SILMD 247 Acct# 0712680-8
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 2,756.92	SILMD 249 Acct# 0718734-7
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 234.33	SILMD 250 Acct# 0719001-0

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12/23/2024	876770	NorthWestern Energy	Light Maint	$ 3,908.09	SILMD 251 Acct# 0718801-4
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 556.95	SILMD 252 Acct# 0719162-0
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 1,840.55	SILMD 253 Acct# 0719644-7
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 175.59	SILMD 254 Acct# 0719763-5
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 146.84	SILMD 255 Acct# 0720813-5
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 1,046.43	SILMD 257 Acct# 0720360-7
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 2,640.76	SILMD 258 Acct# 0720606-3
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 1,612.93	SILMD 259 Acct# 0720810-1
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 501.25	SILMD 261 Acct# 0720705-3
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 3,119.07	SILMD 262 Acct# 0720937-2
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 1,129.67	SILMD 263 Acct# 0720716-0
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 191.54	SILMD 264 Acct# 0721427-3
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 365.05	SILMD 265 Acct# 0721556-9
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 64.21	SILMD 266 Acct# 0721684-9
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 511.17	SILMD 270 Acct# 0906944-4
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 965.84	SILMD 271 Acct# 0995095-7
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 2,846.82	SILMD 272 Acct# 0905005-5
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 207.11	SILMD 273 Acct# 0926386-4
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 558.21	SILMD 276 Acct# 0961926-3
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 857.35	SILMD 277 Acct# 1058710-3
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 247.35	SILMD 278 Acct# 1087619-1
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 59.94	SILMD 279 Acct# 1124127-0
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 676.97	SILMD 280 Acct# 1045653-1
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 521.67	SILMD 283 Acct# 1172743-5
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 329.62	SILMD 285 Acct# 1206985-2
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 245.99	SILMD 286 Acct# 1296582-8
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 1,866.74	SILMD 288 Acct# 1303978-9
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 174.15	SILMD 289 Acct# 1685375-6
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 101.25	SILMD 289 Acct# 4185749-1
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 171.52	SILMD 290 Acct# 1433921-2
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 612.63	SILMD 292 Acct# 1481532-8
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 235.26	SILMD 293 Acct# 1481534-4
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 470.55	SILMD 294 Acct# 1481535-1

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12/23/2024	876770	NorthWestern Energy	Light Maint	$ 111.39	SILMD 295 Acct# 1481536-9
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 1,246.97	SILMD 296 Acct# 1481537-7
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 211.74	SILMD 297 Acct# 1481539-3
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 188.22	SILMD 298 Acct# 1481540-1
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 411.57	SILMD 300 Acct# 1662840-6
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 5,192.98	SILMD 301 Acct# 1687005-7
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 355.73	SILMD 302 Acct# 1607534-3
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 1,110.41	SILMD 305 Acct# 1695873-8
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 254.66	SILMD 306 Acct# 1740353-6
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 3,495.06	SILMD 307 Acct# 2049005-8
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 273.30	SILMD 308 Acct# 2072459-7
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 425.92	SILMD 309 Acct# 2001311-6
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 102.30	SILMD 310 Acct# 2060519-2
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 321.42	SILMD 311 Acct# 3014475-2
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 322.65	SILMD 312 Acct# 3146127-0
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 535.72	SILMD 315 Acct# 3305804-1
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 1,150.53	SILMD 316 Acct# 3291842-7
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 115.89	SILMD 317 Acct# 3253826-6
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 814.87	SILMD 318 Acct# 3372018-6
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 63.62	SILMD 320 Acct# 0712569-3
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 612.65	SILMD 321 Acct# 3338917-2
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 112.46	SILMD 322 Acct# 3402033-9
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 905.03	SILMD 323 Acct# 3597170-4
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 430.08	SILMD 324 Acct# 1246537-3
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 301.54	SILMD 325 Acct# 3587598-8
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 137.90	SILMD 326 Acct# 3840455-4
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 188.22	SILMD 327 Acct# 3810801-5
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 866.39	SILMD 328 Acct# 3894879-0
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 108.19	SILMD 329 Acct# 3939032-3
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 324.09	SILMD 330 Acct# 3951594-5
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 41.34	SILMD 331 Acct# 0712645-1
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 15.70	SILMD 331 Acct# 4174590-2
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 49.53	SILMD 331 Acct# 4174591-0

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12/23/2024	876770	NorthWestern Energy	Light Maint	$ 35.13	SILMD 331 Acct# 4174593-6
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 31.77	SILMD 331 Acct# 4176340-0
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 179.96	SILMD 332 Acct# 4093467-1
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 394.95	SILMD 8 Acct# 0712544-6
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 364.22	SILMD 9 Acct# 0712545-3
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 552.18	SILMD 95 Acct# 0712556-0
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 9,821.47	SILMD 97 Acct# 0712557-8
12/23/2024	876770	NorthWestern Energy	Light Maint	$ 1,134.04	SILMD 99 Acct# 0712558-6
12/23/2024	876769	NorthWestern Energy	Public Safety	$ 446.71	STATION 6 NOVEMBER SERVICES
12/23/2024	876770	NorthWestern Energy	Street/Traffic	$ 13,135.34	Signal Bills 12.18.2024
12/23/2024	876769	NorthWestern Energy	Transit	$ 21,477.00	Install Cost For Transformer Required To Run Bus Chargers
12/23/2024	876769	NorthWestern Energy	Wastewater	$ 188.57	389 62nd St Lift Entrance Nov 2024
12/23/2024	876769	NorthWestern Energy	Wastewater	$ 313.66	822 Shiloh Crossing BLVD LIft ...Nov 202
12/23/2024	876769	NorthWestern Energy	Water	$ 2,020.03	4374 Hesper Rd TEMP Service Nov 2024
12/23/2024	876769	NorthWestern Energy	Water	$ 1,056.50	4519 Hesper Rd Temp Service
12/23/2024	876769	NorthWestern Energy	Water	$ 2,088.48	5809 Canyonwoods Dr....Nov 2024
12/23/2024	876771	Olympic Sales	Fleet	$ 327.16	15206
12/23/2024	876771	Olympic Sales	Fleet	$ 3,033.02	15206
12/23/2024	876772	Pace	Storm Sewer	$ 3,259.75	CCTV inspections of storm systems
12/23/2024	876775	Petty Cash CCSIU	PD Program	$ 7,245.98	Reimbursement of PE/PI funds. Receipts on file at the BPD.
12/23/2024	876777	Pine Cove Consulting	Stillwater Const	$ 60,474.15	Verkada access control and camera system at the Stillwater
12/23/2024	ACH	RDO Equipment	Solid Waste	$ 2,076.47	Filter elements and air filters for Landfill equipment.
12/23/2024	ACH	RDO Equipment	Street/Traffic	$ 1,185.64	SCRAPER
12/23/2024	ACH	RDO Equipment	Street/Traffic	$ 973.74	SCRAPER
12/23/2024	ACH	RDO Equipment	Street/Traffic	$ 42.15	SHIPPING
12/23/2024	ACH	RDO Equipment	Wastewater	$ 75.75	Hydraulic Fluid
12/23/2024	ACH	RDO Equipment	Water	$ 75.75	Hydraulic Fluid
12/23/2024	876784	Rimrock Foundation	Court Grants	$ 6,039.96	24 Nov. BAMTC Treatment Services
12/23/2024	876786	Riverstone Health	Public Safety	$ 11,085.77	Oct 24 RiverStone Health two additional RNs NFP program
12/23/2024	876788	Routeware Inc	Solid Waste	$ 5,500.00	Heavy Duty Tablet 10" Pro4 Tablet w/ full install - 5 Qty
12/23/2024	876788	Routeware Inc	Solid Waste	$ -	OBC Support Fee Cellular Data Charge
12/23/2024	876788	Routeware Inc	Solid Waste	$ 15,000.00	Perpetual OBC Software License - 5 Qty
12/23/2024	876788	Routeware Inc	Solid Waste	$ 50.00	Shipping

Check Date	Check #	Name	Fund Name	Amount	Item Desc
12/23/2024	876798	Steves Install	CDBG	$ 38.00	CDBG-CV Adult Exercise Equipment & Site Work
12/23/2024	876798	Steves Install	CDBG	$ -	CDBG-CV Adult Exercise Equipment & Site Work
12/23/2024	876798	Steves Install	CDBG	$ 6,587.00	CDBG-CV Shelter Site Work & Installation
12/23/2024	876798	Steves Install	CDBG	$ 5,000.00	North Park Restroom Site Preparation / CDBG
12/23/2024	876798	Steves Install	CDBG	$ -	North Park Restroom Site Preparation / CDBG-CV
12/23/2024	876799	Summit Fire & Security	Facilities	$ 15,875.56	Perform 5-year internal piping inspection per NFPA 25 reqs
12/23/2024	876799	Summit Fire & Security	Public Safety	$ 6,170.00	Perform 5 year internal piping inspection per NFPA 25 2020 reqs
12/23/2024	876802	Tetra Tech	Solid Waste	$ 13,674.07	surface emission and groundwater monitoring and reporting
12/23/2024	876804	Tire-Rama	Solid Waste	$ (81.54)	Adjustment on tires. Collections.
12/23/2024	876804	Tire-Rama	Solid Waste	$ (226.50)	Credit Memo. Adjustment on tires. Collections.
12/23/2024	876804	Tire-Rama	Solid Waste	$ 5,300.00	HXD Tracs for Landfill.
12/23/2024	876804	Tire-Rama	Solid Waste	$ 1,234.12	LF Supervisor Truck.
12/23/2024	876804	Tire-Rama	Solid Waste	$ 6,836.58	Loader tires for landfill.
12/23/2024	876804	Tire-Rama	Solid Waste	$ 1,873.00	Tire repair and purchase. Collections.
12/23/2024	876804	Tire-Rama	Solid Waste	$ 2,864.00	Tire repair and purchase. Collections.
12/23/2024	876804	Tire-Rama	Solid Waste	$ 3,474.30	Tire repair and purchase. Collections.
12/23/2024	876804	Tire-Rama	Solid Waste	$ 657.50	Tire repair, mount, dismount, and rotation. Collections.
12/23/2024	876804	Tire-Rama	Solid Waste	$ 352.50	Tire repair, rotate, dismount, and mount. Collections.
12/23/2024	876804	Tire-Rama	Solid Waste	$ 622.50	Tire repair, rotation, mount, and dismount. Collections.
12/23/2024	876804	Tire-Rama	Solid Waste	$ 612.50	Tire rotation, repair, dismount, and mount. Collections.
12/23/2024	876804	Tire-Rama	Street/Traffic	$ 25.00	105-22866
12/23/2024	ACH	Town & Country Supply	Fleet	$ 2.68	445813
12/23/2024	ACH	Town & Country Supply	Fleet	$ 4,229.54	445813
12/23/2024	ACH	Town & Country Supply	Fleet	$ 4,633.30	445813
12/23/2024	ACH	Town & Country Supply	Fleet	$ 8,328.64	445813
12/23/2024	ACH	Town & Country Supply	Fleet	$ 4,205.80	445813
12/23/2024	ACH	Town & Country Supply	Public Safety	$ 3,117.97	UNLEADED FUEL AND DIESEL
12/23/2024	ACH	Tractor & Equipment	Fleet	$ (601.67)	BLCR0102018
12/23/2024	ACH	Tractor & Equipment	Fleet	$ 1,225.19	BLCS0848709
12/23/2024	ACH	Tractor & Equipment	Fleet	$ 331.07	BLCS0849335
12/23/2024	ACH	Tractor & Equipment	Fleet	$ 291.66	BLCS0849336
12/23/2024	ACH	Tractor & Equipment	Fleet	$ 68.54	BLCS0849482
12/23/2024	ACH	Tractor & Equipment	Fleet	$ 30.59	BLCS0849482

Check Date	Check #	Name	Fund Name	Amount	Item Desc
12/23/2024	ACH	Tractor & Equipment	Fleet	$ 99.46	BLCS0849482
12/23/2024	ACH	Tractor & Equipment	Fleet	$ 48.61	BLCS0849482
12/23/2024	ACH	Tractor & Equipment	Fleet	$ 11.41	BLCS0850152
12/23/2024	ACH	Tractor & Equipment	Fleet	$ 316.92	BLCS0850152
12/23/2024	ACH	Tractor & Equipment	Fleet	$ 31.24	BLCS0850704
12/23/2024	ACH	Tractor & Equipment	Fleet	$ 3,583.51	BLWO0239652
12/23/2024	ACH	Tractor & Equipment	Solid Waste	$ 1,096.18	ALTRNTR; CNSMBLS; ENVIRO FEE
12/23/2024	ACH	Tractor & Equipment	Solid Waste	$ 4,113.29	broom for skid steer. landfill.
12/23/2024	ACH	Tractor & Equipment	Solid Waste	$ 116.79	CAP AS-FUEL for D6 rental. Landfill.
12/23/2024	ACH	Tractor & Equipment	Solid Waste	$ 1,645.85	CAP; TNK; SNSR GP-PR; S/H; CNSMBLS; ENVIRO FEE
12/23/2024	ACH	Tractor & Equipment	Solid Waste	$ 849.12	Cartridge AS. Landfill unit 0262
12/23/2024	ACH	Tractor & Equipment	Solid Waste	$ 60,265.06	Clean emissions module on Landfill Unit 0261.
12/23/2024	ACH	Tractor & Equipment	Solid Waste	$ 37.38	CNSMBLS; ENVIRO FEE
12/23/2024	ACH	Tractor & Equipment	Solid Waste	$ 53.90	CNSMBLS; ENVIRO FEE
12/23/2024	ACH	Tractor & Equipment	Solid Waste	$ 261.00	Element AS for landfill equipment.
12/23/2024	ACH	Tractor & Equipment	Solid Waste	$ 290.16	filter-air and elements for landfill equipment.
12/23/2024	ACH	Tractor & Equipment	Solid Waste	$ (53,866.00)	LABOR
12/23/2024	ACH	Tractor & Equipment	Solid Waste	$ 534.00	LABOR
12/23/2024	ACH	Tractor & Equipment	Solid Waste	$ 770.00	LABOR
12/23/2024	ACH	Tractor & Equipment	Solid Waste	$ 1,068.00	LABOR
12/23/2024	ACH	Tractor & Equipment	Solid Waste	$ 1,246.00	LABOR
12/23/2024	ACH	Tractor & Equipment	Solid Waste	$ 1,424.00	LABOR
12/23/2024	ACH	Tractor & Equipment	Solid Waste	$ 1,660.00	LABOR
12/23/2024	ACH	Tractor & Equipment	Solid Waste	$ 1,660.00	LABOR
12/23/2024	ACH	Tractor & Equipment	Solid Waste	$ 3,738.50	LABOR
12/23/2024	ACH	Tractor & Equipment	Solid Waste	$ 53,866.00	LABOR
12/23/2024	ACH	Tractor & Equipment	Solid Waste	$ 1,424.00	labor.
12/23/2024	ACH	Tractor & Equipment	Solid Waste	$ 388.44	Main element and filter-air. landfill unit 0264
12/23/2024	ACH	Tractor & Equipment	Solid Waste	$ (61,396.07)	PARTS
12/23/2024	ACH	Tractor & Equipment	Solid Waste	$ 61,396.07	PARTS
12/23/2024	ACH	Tractor & Equipment	Solid Waste	$ 54,741.71	Rebuild Landfill Unit 0243, 2009 Cat Scraper.
12/23/2024	ACH	Tractor & Equipment	Solid Waste	$ 39,046.01	Repair exhaust manifold Landfill Unit 0261.
12/23/2024	ACH	Tractor & Equipment	Solid Waste	$ 462.72	SL-O-RNG; HOSE AS; CNSMBLS; ENVIRO FEE

Check Date	Check #	Name	Fund Name	Amount	Item Desc
12/23/2024	ACH	Tractor & Equipment	Solid Waste	$ 516.78	TIE; STRP-DL C; HRNSS; S/H; CNSMBLS; ENVIRO FEE
12/23/2024	ACH	Tractor & Equipment	Solid Waste	$ 3,629.11	WSHR; BLT; LKNT; SPCR; CBLS AS; NUT-HX; BRKT; STEP
12/23/2024	ACH	Tractor & Equipment	Solid Waste	$ 588.26	WSHR; GSKT; BSH; HNDLE AS; HNGE AS; CNSMBLS; ENVIRO FEE
12/23/2024	ACH	Tractor & Equipment	Street/Traffic	$ 4,471.75	work done on unit 1205
12/23/2024	ACH	Tractor & Equipment	Street/Traffic	$ 751.14	troubleshoot unit 1200
12/23/2024	ACH	Tractor & Equipment	Water	$ (175.40)	COOLANT; COOLANT HOSE
12/23/2024	876806	Tru Pipe	Storm Sewer	$ -	change order #1
12/23/2024	876806	Tru Pipe	Storm Sewer	$ 12,766.47	footage on original estimate was off so need to increase order.
12/23/2024	876806	Tru Pipe	Storm Sewer	$ -	WO2225 CCTV City Storm Drain Contract
12/23/2024	876809	Verizon Wireless	Engineering	$ 27.32	PW-Engineering
12/23/2024	876809	Verizon Wireless	Fleet	$ 42.70	Motor Pool
12/23/2024	876809	Verizon Wireless	General	$ 163.59	City Administrator
12/23/2024	876809	Verizon Wireless	General	$ (44.54)	City Administrator
12/23/2024	876809	Verizon Wireless	General	$ 10.02	Code Enf. Laptop Manager
12/23/2024	876809	Verizon Wireless	General	$ 40.01	Code Enforcement Laptop
12/23/2024	876809	Verizon Wireless	General	$ 27.32	Victoria Hill -Laptop
12/23/2024	876809	Verizon Wireless	PD Program	$ 510.43	CCSIU Cell/PTT -Added Jason
12/23/2024	876809	Verizon Wireless	PD Program	$ 80.02	CCSIU RAVEN
12/23/2024	876809	Verizon Wireless	Phone System	$ 80.02	WRF Cradle Point Belknap Cradle Point
12/23/2024	876809	Verizon Wireless	Public Safety	$ 40.01	Bait Car
12/23/2024	876809	Verizon Wireless	Public Safety	$ (35.99)	Fire Drone Hotspot
12/23/2024	876809	Verizon Wireless	Public Safety	$ 40.01	Fire Drone Hotspot
12/23/2024	876809	Verizon Wireless	Public Safety	$ 40.01	Fire MDT
12/23/2024	876809	Verizon Wireless	Public Safety	$ 40.01	Fire MDT
12/23/2024	876809	Verizon Wireless	Public Safety	$ 360.09	MDT Toughbooks
12/23/2024	876809	Verizon Wireless	Public Safety	$ 42.19	Police Bait Car
12/23/2024	876809	Verizon Wireless	Public Safety	$ 50.03	Police iPad Chiefs
12/23/2024	876809	Verizon Wireless	Public Safety	$ 35.01	Police MiFi
12/23/2024	876809	Verizon Wireless	Solid Waste	$ -	PW-Solid Waste
12/23/2024	876809	Verizon Wireless	Solid Waste	$ 94.08	PW-SW-ON CALL Solid Waste On Call
12/23/2024	876809	Verizon Wireless	Solid Waste	$ 24.32	PW-SW-ON CALL Solid Waste On Call
12/23/2024	876809	Verizon Wireless	Solid Waste	$ 257.78	Solid Waste Tablets -Routware
12/23/2024	876809	Verizon Wireless	Street/Traffic	$ 174.67	PW-Streets iPads and Cameras

Check Date	Check #	Name	Fund Name	Amount	Item Desc
12/23/2024	876809	Verizon Wireless	Street/Traffic	$ -	PW-Streets City Works
12/23/2024	876809	Verizon Wireless	Street/Traffic	$ 243.66	PW-STRT TRFC Streets
12/23/2024	876809	Verizon Wireless	Transit	$ 309.02	MET AVL
12/23/2024	876809	Verizon Wireless	Transit	$ 970.26	MET Max Transit
12/23/2024	876809	Verizon Wireless	Transit	$ 1,120.28	MET Max Transit
12/23/2024	876809	Verizon Wireless	Transit	$ 280.07	MET Transit
12/23/2024	876809	Verizon Wireless	Wastewater	$ 520.13	MET Tablets
12/23/2024	876809	Verizon Wireless	Water	$ -	PW Belknap Meter Shop
12/23/2024	876809	Verizon Wireless	Water	$ 27.32	PWBLKNP Water Treatment
12/23/2024	876809	Verizon Wireless	Water	$ 40.01	PWBLNP Comm-Meter CityWorks/Neptune
12/23/2024	876809	Verizon Wireless	Water	$ 67.33	PWBLNP Comm-Meter CityWorks/Neptune
12/23/2024	876816	Yellowstone Electric	Solid Waste	$ 500.00	Annual fire alarm monitoring. Shop building at landfill.
12/23/2024	876816	Yellowstone Electric	Solid Waste	$ 2,730.00	Blue wire in landfill transfer station torn down.
12/23/2024	876818	Zee Creative	Stillwater Const	$ 14,754.00	acrylic sign manufacture and installation at Stillwater
12/23/2024	876818	Zee Creative	Stillwater Const	$ 1,488.60	acrylic sign manufacture and installation at Stillwater

Date:	01/27/2025
Title:	Payment of Claims for week of December 30th, 2024
Presented by:	Erin Watterud
Department:	Finance
Presentation:	No
Legal Review:	Not Applicable
Project Number:	N/A

RECOMMENDATION

Staff recommends Council approve the Payment of Claims

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

Claims in the amount of $4,986,501.07 have been reviewed and are presented for City Council payment approval. A complete listing of the claims for the week are available in the Finance Department. Payment Approval Process Every invoice for payment 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.

Attachments

CouncilMemo wk of 12302024

Check Date	Check #	Name	Fund Name	Amount	Item Desc
12/30/2024	876820	7F Services	Tax Incrmnt S	$ 2,939.86	Retainage Release Final
12/30/2024	876822	Ace Electric	SID Const	$ 20,193.93	Retainage Release Final
12/30/2024	876824	Advanced Engin and Enviro	Water	$ 5,601.25	WO 23-96 WTP Intake #2 Catwalk Renovations
12/30/2024	876825	Affordable Construction	Park Dist 1	$ 3,600.00	pro bucket w/grapple - 24423
12/30/2024	876830	Askin Construction	Water	$ 14,305.50	WO 24-01 Contract 3: Cedar Park Water Main Replacement
12/30/2024	876831	Avery Dennison Corporation	Street/Traffic	$ 2,160.00	sign sheeting
12/30/2024	876831	Avery Dennison Corporation	Street/Traffic	$ 1,395.00	sheeting
12/30/2024	ACH	Burns & McDonnell Engineering	Water	$ 118,914.49	WO 19-42 West End Water Treatment Plant Project
12/30/2024	876845	Century Link	Airport	$ 49.20	Airport Terminal Power M
12/30/2024	876845	Century Link	Airport	$ 45.66	Airport Alarm
12/30/2024	876845	Century Link	Airport	$ 45.19	Airport 1FB Line
12/30/2024	876845	Century Link	Airport	$ 83.58	Airport
12/30/2024	876845	Century Link	Airport	$ 45.19	Airport P9 Building
12/30/2024	876845	Century Link	Airport	$ 466.98	Airport -Charges for Airport phone fax alarm line
12/30/2024	876845	Century Link	Airport	$ 31.99	Bill Date: Aug 16, 2021. QTA Phone
12/30/2024	876845	Century Link	Engineering	$ 118.40	Measured Lines Depot 50/50
12/30/2024	876845	Century Link	EOC 911	$ 45.65	911
12/30/2024	876845	Century Link	EOC 911	$ 45.65	911
12/30/2024	876845	Century Link	EOC 911	$ 300.00	9-1-1 Center Landfill #2
12/30/2024	876845	Century Link	EOC 911	$ 311.26	9-1-1 Center Fox Reservoir #2
12/30/2024	876845	Century Link	EOC 911	$ 3,248.80	9-1-1 Center
12/30/2024	876845	Century Link	EOC 911	$ (339.17)	9-1-1 Center
12/30/2024	876845	Century Link	Fleet	$ 44.69	Motor Pool
12/30/2024	876845	Century Link	General	$ -	Cemetery Kenco Line
12/30/2024	876845	Century Link	IT Resources	$ 49.20	Kenco Security Alarm IT Alarm
12/30/2024	876845	Century Link	Library	$ 177.12	Library 6 lines
12/30/2024	876845	Century Link	Library	$ (268.98)	Library 6 lines
12/30/2024	876845	Century Link	P.W. Admin	$ 118.40	Measured Lines Depot 50/50
12/30/2024	876845	Century Link	Park Dist 1	$ 66.00	Parks
12/30/2024	876845	Century Link	Park Dist 1	$ 63.00	Stewart Park Batting Cages
12/30/2024	876845	Century Link	Park Dist 1	$ 46.00	Parks 3890 Stillwater
12/30/2024	876845	Century Link	Parking	$ 35.19	Park 2 Elevator Phone
12/30/2024	876845	Century Link	Parking	$ 49.20	Park 1 Elevator Phone

Check Date	Check #	Name	Fund Name	Amount	Item Desc
12/30/2024	876845	Century Link	Phone System	$ 118.08	Library 6 lines
12/30/2024	876845	Century Link	Phone System	$ 115.86	Airport Measured Lines
12/30/2024	876845	Century Link	Phone System	$ 108.00	Met Measured Lines
12/30/2024	876845	Century Link	Phone System	$ 108.40	BOC Measured Lines
12/30/2024	876845	Century Link	Phone System	$ 108.40	PUD Measured Lines
12/30/2024	876845	Century Link	Phone System	$ 2,764.00	Main System Centrex
12/30/2024	876845	Century Link	Phone System	$ 339.18	Main System Centrex
12/30/2024	876845	Century Link	Phone System	$ 58.16	MET Fax and Kenco Fax
12/30/2024	876845	Century Link	Phone System	$ 49.39	Animal Control Fax 710B
12/30/2024	876845	Century Link	Phone System	$ 56.55	Fire Alarm
12/30/2024	876845	Century Link	Phone System	$ 56.55	Four Dances
12/30/2024	876845	Century Link	Phone System	$ 55.48	Miller Building
12/30/2024	876845	Century Link	Phone System	$ 56.55	Pioneer Park
12/30/2024	876845	Century Link	Phone System	$ 58.16	Streets Fax
12/30/2024	876845	Century Link	Planning	$ 49.20	Planning Traffic Central Broadwater
12/30/2024	876845	Century Link	Planning	$ 49.20	Planning Traffic Central 9th
12/30/2024	876845	Century Link	Public Safety	$ 49.20	Fire Elevator
12/30/2024	876845	Century Link	Public Safety	$ 46.19	Crime Prevention Alarm
12/30/2024	876845	Century Link	Public Safety	$ 119.32	Fire
12/30/2024	876845	Century Link	Public Safety	$ 118.28	Fire RR Crossing Alarm
12/30/2024	876845	Century Link	Public Safety	$ 59.20	Fire 5 911 Line
12/30/2024	876845	Century Link	Public Safety	$ 35.19	Fire Maintenance Shop
12/30/2024	876845	Century Link	Radio	$ 311.26	Fire Airport Radio Tower WCK
12/30/2024	876845	Century Link	Radio	$ 311.26	Fire Airport Radio Tower Jellison
12/30/2024	876845	Century Link	Solid Waste	$ 84.38	Solid Waste Landfill
12/30/2024	876845	Century Link	Solid Waste	$ 187.10	SW Landfill
12/30/2024	876845	Century Link	Street/Traffic	$ 35.19	PW Traffic 3728 McDougall
12/30/2024	876845	Century Link	Street/Traffic	$ 49.20	PW Traffic Signal 24 Central
12/30/2024	876845	Century Link	Wastewater	$ 56.33	PUD Sahara Sand Lift Station
12/30/2024	876845	Century Link	Water	$ 39.44	PUD Alarm Water Tower
12/30/2024	876858	Cummins Inc - Rocky Mtn	Fleet	$ 1,518.90	Datalink adapter
12/30/2024	876858	Cummins Inc - Rocky Mtn	Fleet	$ 12.27	Shipping
12/30/2024	876858	Cummins Inc - Rocky Mtn	Transit	$ 9.00	38-241213321_Unit#1818_Exit Manifold Bolts

Check Date	Check #	Name	Fund Name	Amount	Item Desc
12/30/2024	876858	Cummins Inc - Rocky Mtn	Transit	$ 14.68	38-241213321_Unit#1818_Exit Manifold Bolts
12/30/2024	876858	Cummins Inc - Rocky Mtn	Transit	$ (270.00)	38-241213365_Unit#1833_Core Deposit
12/30/2024	876858	Cummins Inc - Rocky Mtn	Transit	$ 1,834.44	38-241213365_Unit#1833_VGT Turbo Actuator
12/30/2024	876858	Cummins Inc - Rocky Mtn	Transit	$ 270.00	38-241213374_Unit#1833_Core Return
12/30/2024	876860	Dakota Supply	Water	$ 94.48	1" STIFFENERS - CTS PE INSERTS SS P/N: 6133T1
12/30/2024	876860	Dakota Supply	Water	$ 132.80	1" X 100' POLY PIPE - SDR9 CTS 250# P/N: SDR91100
12/30/2024	876860	Dakota Supply	Water	$ 649.67	1" X 3/4" CURB VALVE -CTS COMPRESSION P/N: 359711
12/30/2024	876860	Dakota Supply	Water	$ 812.09	1" X 3/4" CURB VALVE -CTS COMPRESSION P/N: 359711
12/30/2024	876860	Dakota Supply	Water	$ 2,405.71	8" X 15" CI-FC REPAIR CLAMP - F1-939 X 15-SH P/N: 401763
12/30/2024	876860	Dakota Supply	Water	$ 605.53	CURB BOX 3/4" - 1 - 1/2" TAP - 7' BURY (56147)
12/30/2024	876860	Dakota Supply	Water	$ 1,461.30	F1-939 X 30-SH 8"X30" CLAMP P/N: 641882
12/30/2024	876860	Dakota Supply	Water	$ 32.87	HYDRANT ADJUSTABLE WRENCH - (377-5960) P/N: 14068
12/30/2024	876860	Dakota Supply	Water	$ 214.74	MARKING PAINT GREEN - GREEN SPRAYON #3631
12/30/2024	876860	Dakota Supply	Water	$ 22,590.00	PBD-026 W/Integral Bell
12/30/2024	876862	Dell Computer	Public Safety	$ 3,289.05	Mobile Precision 3490 -Hunt, and Mobile Precision 3490
12/30/2024	876862	Dell Computer	Water	$ 36.99	Dell 65W AC Adapter -WTP
12/30/2024	876864	Desert Mountain	Street/Traffic	$ 4,656.36	ice slicer to fill airport facility
12/30/2024	876864	Desert Mountain	Street/Traffic	$ 4,668.15	ice slicer to fill airport facility
12/30/2024	876866	Dick Anderson	Water	$ 2,640,632.14	WO 19-42 West End WTP Project - Construction
12/30/2024	876868	DOWL	Wastewater	$ 30,245.51	Retainage Release 1 Final
12/30/2024	876868	DOWL	Water	$ 26,194.16	Retainage Release 1 Final
12/30/2024	876868	DOWL	Water	$ 29,514.65	Retainage Release Final
12/30/2024	876870	Earth Movers Excavation	Water	$ 17,868.58	Retainage Release 1 Final
12/27/2024	347995	EBMS Import	City Ins Fund	$ 28,693.03	EBMS INSURANCE PAYMENTS
12/27/2024	347999	EBMS Import	City Ins Fund	$ 4,768.79	EBMS INSURANCE PAYMENTS
12/27/2024	348001	EBMS Import	City Ins Fund	$ 4,391.89	EBMS INSURANCE PAYMENTS
12/27/2024	348040	EBMS Import	City Ins Fund	$ 24,185.00	EBMS INSURANCE PAYMENTS
12/27/2024	348042	EBMS Import	City Ins Fund	$ 7,244.71	EBMS INSURANCE PAYMENTS
12/27/2024	348044	EBMS Import	City Ins Fund	$ 35,602.75	EBMS INSURANCE PAYMENTS
12/27/2024	348046	EBMS Import	City Ins Fund	$ 12,672.38	EBMS INSURANCE PAYMENTS
12/27/2024	348048	EBMS Import	City Ins Fund	$ 21,197.06	EBMS INSURANCE PAYMENTS
12/27/2024	348051	EBMS Import	City Ins Fund	$ 5,729.15	EBMS INSURANCE PAYMENTS
12/27/2024	348058	EBMS Import	City Ins Fund	$ 8,221.99	EBMS INSURANCE PAYMENTS

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12/27/2024	348062	EBMS Import	City Ins Fund	$ 3,968.62	EBMS INSURANCE PAYMENTS
12/27/2024	348063	EBMS Import	City Ins Fund	$ 2,581.10	EBMS INSURANCE PAYMENTS
12/27/2024	348081	EBMS Import	City Ins Fund	$ 18,613.38	EBMS INSURANCE PAYMENTS
12/27/2024	348090	EBMS Import	City Ins Fund	$ 75,108.97	EBMS INSURANCE PAYMENTS
12/27/2024	348107	EBMS Import	City Ins Fund	$ 9,681.67	EBMS INSURANCE PAYMENTS
12/27/2024	348118	EBMS Import	City Ins Fund	$ 4,681.62	EBMS INSURANCE PAYMENTS
12/27/2024	348132	EBMS Import	City Ins Fund	$ 2,644.75	EBMS INSURANCE PAYMENTS
12/27/2024	348146	EBMS Import	City Ins Fund	$ 5,311.68	EBMS INSURANCE PAYMENTS
12/27/2024	348154	EBMS Import	City Ins Fund	$ 10,385.56	EBMS INSURANCE PAYMENTS
12/27/2024	348156	EBMS Import	City Ins Fund	$ 20,515.69	EBMS INSURANCE PAYMENTS
12/27/2024	348157	EBMS Import	City Ins Fund	$ 24,342.53	EBMS INSURANCE PAYMENTS
12/27/2024	348159	EBMS Import	City Ins Fund	$ 15,293.03	EBMS INSURANCE PAYMENTS
12/27/2024	348160	EBMS Import	City Ins Fund	$ 2,532.00	EBMS INSURANCE PAYMENTS
12/27/2024	348161	EBMS Import	City Ins Fund	$ 88,644.90	EBMS INSURANCE PAYMENTS
12/27/2024	348164	EBMS Import	City Ins Fund	$ 11,149.08	EBMS INSURANCE PAYMENTS
12/27/2024	348174	EBMS Import	City Ins Fund	$ 5,456.06	EBMS INSURANCE PAYMENTS
12/27/2024	348182	EBMS Import	City Ins Fund	$ 2,615.70	EBMS INSURANCE PAYMENTS
12/27/2024	348191	EBMS Import	City Ins Fund	$ 10,789.92	EBMS INSURANCE PAYMENTS
12/30/2024	876871	Elreg Distributors	Transit	$ 4,629.49	0142375-IN_Unit#1837_Alternator
12/30/2024	876871	Elreg Distributors	Transit	$ 235.55	0142375-IN_Unit#1837_Shipping
12/30/2024	876872	Empire Garage Owner's	Parking	$ 7,555.69	CITY OF BILLINGS EGOA DECEMBER ASSESSMENT
12/30/2024	876873	Empire Roofing	Wastewater	$ 19,967.43	Retainage Release 1 Final
12/30/2024	876879	First Light Technologies	Gas Tax	$ 13,613.80	WO2514 Babcock/Claim Jumper Intersection Lighting
12/30/2024	876881	Good Earth Works	Park Dist 1	$ 88,096.34	WO2332 Gorham Park Irrigation System Replacement
12/30/2024	876882	GovExec Holding	CDBG	$ 333.32	Enterprise Cybersecurity Leadership/High Performance
12/30/2024	876882	GovExec Holding	General	$ 1,000.00	Enterprise Cybersecurity Leadership/High Performance
12/30/2024	876882	GovExec Holding	General	$ 333.34	Enterprise Cybersecurity Leadership/High Performance
12/30/2024	876882	GovExec Holding	General	$ 1,000.00	Enterprise Cybersecurity Leadership/High Performance
12/30/2024	876882	GovExec Holding	Library	$ 1,000.00	Enterprise Cybersecurity Leadership/High Performance
12/30/2024	876882	GovExec Holding	Library	$ 1,000.00	Enterprise Cybersecurity Leadership/High Performance
12/30/2024	876882	GovExec Holding	Library	$ 1,000.00	Enterprise Cybersecurity Leadership/High Performance
12/30/2024	876882	GovExec Holding	Library	$ 1,000.00	Enterprise Cybersecurity Leadership/High Performance
12/30/2024	876882	GovExec Holding	Planning	$ 333.34	Enterprise Cybersecurity Leadership/High Performance

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12/30/2024	876882	GovExec Holding	Public Safety	$	1,000.00	Enterprise Cybersecurity Leadership/High Performance
12/30/2024	876885	Granite Peak Pump	Park Dist 1	$	4,204.63	pump repairs for rose park kiddy pool - 24243
12/30/2024	ACH	HDR	Wastewater	$	4,157.63	WO 20-44 WRF Nutrient Recovery Improvements Project
12/30/2024	ACH	HDR	Wastewater	$	935.29	WO 23-22 Digester Boiler Engineering Design
12/30/2024	ACH	HDR	Wastewater	$	15,912.49	WO2415 WRF Chemical Room Repair Contract 2 - Engin
12/30/2024	ACH	HDR	Water	$	109,872.09	WO 19-12 West End Reservoir
12/30/2024	ACH	HDR	Water	$	41,418.04	WO 23-12 Zone 4 Pump Station & Waterline Improvements
12/30/2024	ACH	HDR	Water	$	2,866.58	WO 23-19 High Service Pump Station Piping Modifications
12/30/2024	876891	High Point Networks	IT Resources	$	1,800.00	Qty. 24 EX SFP 10GE LR -SWB
12/30/2024	876891	High Point Networks	Public Safety	$	6,026.00	three wireless access points for the new facility -Police
12/30/2024	876894	Iaff	Payroll Clearing	$	5,652.53	Payroll Summary
12/30/2024	876895	InfoSend	P.W. Admin	$	14,944.44	statement billing 10/31/2024-11/27/2024
12/30/2024	876895	InfoSend	P.W. Admin	$	4,515.99	statement billing 10/31/2024-11/27/2024
12/30/2024	ACH	Jacobs Engineering	Solid Waste	$	6,016.73	WO2227 Landfill Gas Emissions Compliance
12/30/2024	876904	Knife River	Gas Tax	$	1,494.38	Retainage Release 1 Final
12/30/2024	876904	Knife River	St Maint Dist	$	22,225.51	WO 25-03 Contract 1 City Overlay
12/30/2024	876904	Knife River	Storm Sewer	$	22,250.00	WO 25-17 Sylvan Lane...
12/30/2024	876904	Knife River	Street/Traffic	$	10,598.00	winter sand
12/30/2024	876904	Knife River	Street/Traffic	$	6,601.58	winter sand
12/30/2024	876904	Knife River	Street/Traffic	$	598.99	1 1/2" crushed base
12/30/2024	876904	Knife River	Street/Traffic	$	1,540.28	1 1/2" crushed base
12/30/2024	876904	Knife River	Street/Traffic	$	4,721.60	winter sand
12/30/2024	876904	Knife River	Street/Traffic	$	3,620.50	winter sand
12/30/2024	876904	Knife River	Street/Traffic	$	253.33	1 1/2" crushed base
12/30/2024	876904	Knife River	Street/Traffic	$	1,097.18	1 1/2" crushed base
12/30/2024	876917	Montana CSED	Payroll Clearing	$	5,782.95	Payroll Summary
12/30/2024	876919	MFPE	Payroll Clearing	$	2,901.76	Payroll Summary
12/30/2024	876920	Montana Lines	Gas Tax	$	19,503.45	Retainage Release Final
12/30/2024	876920	Montana Lines	Gas Tax	$	42,248.67	WO 23-11 Downtown Two-Way Street Conversion
12/30/2024	876920	Montana Lines	St Maint Dist	$	5,184.47	Retainage Release Final
12/30/2024	876920	Montana Lines	St Maint Dist	$	65,949.16	WO 23-11 Downtown Two-Way Street Conversion
12/30/2024	876920	Montana Lines	Storm Sewer	$	2,439.16	Retainage Release FInal
12/30/2024	876920	Montana Lines	Tax Incrmnt N27	$	97,893.28	WO 23-11 Downtown Two-Way Street Conversion

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12/30/2024	876921	Montana Peterbilt	Fleet	$ 2,907.95	105884BL
12/30/2024	876921	Montana Peterbilt	Fleet	$ 88.00	105884BL
12/30/2024	876921	Montana Peterbilt	Fleet	$ 2,595.21	107225BL
12/30/2024	876921	Montana Peterbilt	Fleet	$ 506.36	107225BL
12/30/2024	876921	Montana Peterbilt	Fleet	$ 632.51	107227BL
12/30/2024	876921	Montana Peterbilt	Fleet	$ 6.25	107227BL
12/30/2024	876921	Montana Peterbilt	Fleet	$ 465.71	107245BL
12/30/2024	876921	Montana Peterbilt	Fleet	$ 519.00	107343BL
12/30/2024	876921	Montana Peterbilt	Fleet	$ 15.47	107398BL
12/30/2024	876921	Montana Peterbilt	Fleet	$ 201.36	107401BL
12/30/2024	876921	Montana Peterbilt	Fleet	$ 796.87	107401BL
12/30/2024	876921	Montana Peterbilt	Fleet	$ 88.00	107401BL
12/30/2024	876921	Montana Peterbilt	Fleet	$ 12.71	107450BL
12/30/2024	876921	Montana Peterbilt	Fleet	$ 12.11	107450BL
12/30/2024	876921	Montana Peterbilt	Fleet	$ 502.12	107450BL
12/30/2024	876921	Montana Peterbilt	Fleet	$ 4.78	107450BL
12/30/2024	876921	Montana Peterbilt	Fleet	$ 4.98	107450BL
12/30/2024	876921	Montana Peterbilt	Fleet	$ 88.00	107450BL
12/30/2024	876921	Montana Peterbilt	Fleet	$ 35.67	107473BL
12/30/2024	876921	Montana Peterbilt	Fleet	$ 80.35	107532BL
12/30/2024	876921	Montana Peterbilt	Fleet	$ 118.94	107550BL
12/30/2024	876921	Montana Peterbilt	Fleet	$ 23.00	80924MI
12/30/2024	876921	Montana Peterbilt	Fleet	$ 125.00	80924MI
12/30/2024	876921	Montana Peterbilt	Fleet	$ 457.37	80924MI
12/30/2024	876921	Montana Peterbilt	Fleet	$ (125.00)	CM80924MI
12/30/2024	876922	MSFA	Payroll Clearing	$ 5,600.11	Payroll Summary
12/30/2024	876923	Montana State Library	Library	$ 39,568.33	MSC FY2025
12/30/2024	876924	Morrison Maierle	Wastewater	$ 4,366.17	Retainage Release 2 Final
12/30/2024	876924	Morrison Maierle	Wastewater	$ 14.84	WO 23-35 Hesper Sanitary Sewer Extension
12/30/2024	876926	MPPA	Payroll Clearing	$ 4,006.52	Payroll Summary
12/30/2024	876927	MT Dept of Rev-CGR2	CDBG	$ 984.01	1709 Saint Johns Ave.FORECLOSURE ACQUISITION
12/30/2024	876927	MT Dept of Rev-CGR2	Gas Tax	$ 197.01	Retainage Release Final
12/30/2024	876927	MT Dept of Rev-CGR2	Gas Tax	$ 426.76	WO 23-11 Downtown Two-Way Street Conversion

Check Date	Check #	Name	Fund Name		Amount	Item Desc
12/30/2024	876927	MT Dept of Rev-CGR2	Park Dist 1	$	889.86	WO 23-32 Gorham Park Irrigation System Replacement
12/30/2024	876927	MT Dept of Rev-CGR2	SID Const	$	203.97	Retainage Release Final
12/30/2024	876927	MT Dept of Rev-CGR2	St Maint Dist	$	52.36	Retainage Release Final
12/30/2024	876927	MT Dept of Rev-CGR2	St Maint Dist	$	666.15	WO 23-11 Downtown Two-Way Street Conversion
12/30/2024	876927	MT Dept of Rev-CGR2	St Maint Dist	$	224.49	WO 25-03 Contract 1 City Overlay
12/30/2024	876927	MT Dept of Rev-CGR2	Storm Sewer	$	24.64	Retainage Release Final
12/30/2024	876927	MT Dept of Rev-CGR2	Tax Incrmnt N27	$	988.82	WO 23-11 Downtown Two-Way Street Conversion
12/30/2024	876927	MT Dept of Rev-CGR2	Trl Donate	$	14.06	Retainage Release 2 Final
12/30/2024	876927	MT Dept of Rev-CGR2	Wastewater	$	201.69	Retainage Release 1 Final
12/30/2024	876927	MT Dept of Rev-CGR2	Wastewater	$	808.62	Retainage Release 2 F
12/30/2024	876927	MT Dept of Rev-CGR2	Wastewater	$	215.14	WO 23-24 Belknap Remodel Phase 2
12/30/2024	876927	MT Dept of Rev-CGR2	Water	$	1,744.18	Retainage Release 1 Final
12/30/2024	876927	MT Dept of Rev-CGR2	Water	$	180.49	Retainage Release 1 Final
12/30/2024	876927	MT Dept of Rev-CGR2	Water	$	101.04	Retainage Release 2 F
12/30/2024	876927	MT Dept of Rev-CGR2	Water	$	26,673.05	WO 19-42 West End WTP Construction; Pmt 11
12/30/2024	876927	MT Dept of Rev-CGR2	Water	$	16.79	WO 23-24 Belknap Remodel Phase 2; Pmt 10 F
12/30/2024	876927	MT Dept of Rev-CGR2	Water	$	144.50	WO 24-01 Contract 3: Cedar Park Water Main Replacement
12/30/2024	876929	Mustedanagic	Library	$	4,925.00	Cafe Security Curtain repair
12/30/2024	876935	NorthWestern Energy	Airport	$	290.83	2001855-2. Detail Bay 2 National/Alamo. December 2024
12/30/2024	876935	NorthWestern Energy	Engineering	$	586.24	1741314-7
12/30/2024	876935	NorthWestern Energy	Engineering	$	31.38	the depot parking lot lights
12/30/2024	876935	NorthWestern Energy	Facilities	$	6,806.05	0100507-3
12/30/2024	876935	NorthWestern Energy	Facilities	$	719.79	0720829-1
12/30/2024	876935	NorthWestern Energy	Facilities	$	1,872.03	0975808-7
12/30/2024	876935	NorthWestern Energy	Facilities	$	609.16	1160802-3
12/30/2024	876935	NorthWestern Energy	Facilities	$	2,514.91	1160804-9
12/30/2024	876935	NorthWestern Energy	Facilities	$	2,608.17	1269391-7
12/30/2024	876935	NorthWestern Energy	Facilities	$	12,210.40	3927205-9
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$	1,251.20	0100506-5
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$	38.70	0712387-0
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$	203.14	0712536-2
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$	37.65	0720818-4
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$	340.89	0720821-8

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12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ 6.00	0722237-5
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ 7.50	0722247-4
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ 90.04	0722255-7
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ 410.71	0722257-3
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ 105.62	0722260-7
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ -	0722261-5
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ -	0722262-3
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ -	0722265-6
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ 99.83	0722266-4
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ 1.24	0722268-0
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ 8.79	0722269-8
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ 19.67	0722287-0
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ 10.79	0722292-0
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ 21.53	0722293-8
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ 6.00	0722905-7
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ 78.72	0722933-9
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ 11.38	0723027-9
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ 86.01	0723035-2
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ 6.72	0723036-0
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ 179.45	0723037-8
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ 42.26	0723042-8
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ 48.80	0723044-4
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ 50.36	0723045-1
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ -	0723050-1
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ -	0723051-9
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ -	0723052-7
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ 21.08	0723054-3
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ 12.42	0723055-0
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ 29.02	0723056-8
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ 7.97	0723057-6
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ 11.55	0723058-4
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ 8.70	0723090-7
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ 6.00	0723162-4

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12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ 550.54	0723170-7
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ 14.39	0789437-1
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ 42.53	0813489-2
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ 246.13	0925496-2
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ 16.84	1191404-1
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ 11.59	1836666-6
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ 9.42	1849408-8
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ 17.31	1904944-4
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ 8.70	4081700-9
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ 0.80	4089118-6
12/30/2024	876935	NorthWestern Energy	Park Dist 1	$ 2.36	4177819-2
12/30/2024	876935	NorthWestern Energy	Parking	$ 2,428.52	0720834-1
12/30/2024	876935	NorthWestern Energy	Parking	$ 1,713.25	1569636-2
12/30/2024	876935	NorthWestern Energy	Parking	$ 2,749.87	1594282-4
12/30/2024	876935	NorthWestern Energy	Parks Maint	$ 172.62	1059093-3
12/30/2024	876935	NorthWestern Energy	Parks Maint	$ 0.63	1265177-4
12/30/2024	876935	NorthWestern Energy	Parks Maint	$ 0.50	1425364-5
12/30/2024	876935	NorthWestern Energy	Public Safety	$ 597.68	0871546-8
12/30/2024	876935	NorthWestern Energy	Public Safety	$ 303.31	1984150-1
12/30/2024	876935	NorthWestern Energy	Public Safety	$ 303.31	1984155-0
12/30/2024	876935	NorthWestern Energy	Public Safety	$ 4,701.65	3448739-7
12/30/2024	876935	NorthWestern Energy	Radio	$ 284.04	0721580-9
12/30/2024	876935	NorthWestern Energy	Solid Waste	$ 1,048.76	3252194-0
12/30/2024	876935	NorthWestern Energy	Street/Traffic	$ 6.00	0723645-8
12/30/2024	876935	NorthWestern Energy	Street/Traffic	$ 0.37	1740357-7
12/30/2024	876935	NorthWestern Energy	Street/Traffic	$ 0.63	1748896-6
12/30/2024	876935	NorthWestern Energy	Transit	$ 420.19	1784756-7
12/30/2024	876935	NorthWestern Energy	Wastewater	$ 66,668.27	0100591-7
12/30/2024	876935	NorthWestern Energy	Wastewater	$ 920.52	0100606-3
12/30/2024	876935	NorthWestern Energy	Water	$ 837.91	0100485-2
12/30/2024	876935	NorthWestern Energy	Water	$ 4,970.54	0100540-4
12/30/2024	876935	NorthWestern Energy	Water	$ 69,959.31	0100606-3
12/30/2024	876935	NorthWestern Energy	Water	$ 2,761.55	0100606-3

Check Date	Check #	Name	Fund Name	Amount	Item Desc
12/30/2024	876935	NorthWestern Energy	Water	$ 3,260.82	0722264-9
12/30/2024	876935	NorthWestern Energy	Water	$ 3,242.55	0723040-2
12/30/2024	876935	NorthWestern Energy	Water	$ 16.74	0723059-2
12/30/2024	876935	NorthWestern Energy	Water	$ 430.56	1116452-2
12/30/2024	876935	NorthWestern Energy	Water	$ 141.52	1142253-2
12/30/2024	876938	Performance Engin & Consult	Gas Tax	$ 1,600.00	10th & Broadwater Survey...2024 City Sur
12/30/2024	876938	Performance Engin & Consult	Gas Tax	$ 3,640.00	Ahoy & Rome Survey...2024 City Surveys
12/30/2024	876938	Performance Engin & Consult	Gas Tax	$ 3,640.00	Cordova and Holiday Survey...2024 City S
12/30/2024	876938	Performance Engin & Consult	Gas Tax	$ 1,600.00	Emma Jean Survey...2024 City Surveys
12/30/2024	876938	Performance Engin & Consult	Gas Tax	$ 3,640.00	High Park/Toyon/Audubon Int surveys.2024
12/30/2024	876938	Performance Engin & Consult	Storm Sewer	$ 3,137.94	Bitterroot Dr and Wicks Ln Corridor Drainage Improv
12/30/2024	876938	Performance Engin & Consult	Wastewater	$ 22,032.71	Retainage Release 2 FInal
12/30/2024	876942	Praetorian Digital	Public Safety	$ 10,497.64	INVAPRA11245750, policeone academy
12/30/2024	ACH	RDO Equipment	Water	$ 12,000.00	roller compactor for pipebursting PBD-0
12/30/2024	876946	Reliable Mechanical & Controls	Public Safety	$ 2,955.00	Inv. 1544 Power vent for Radio Tower.
12/30/2024	876949	Sanderson Stewart	Arterial Streets	$ 4,916.00	WO 09-12 Inner Belt Loop - Sch 1 - NW Billings Connector
12/30/2024	876949	Sanderson Stewart	Gas Tax	$ -	WO 09-12 Inner Belt Loop - Sch 1 - NW Billings Connector
12/30/2024	876949	Sanderson Stewart	Tax Incrmnt E	$ -	WO 23-09 5th Ace Corridor - Phase 1 Preliminary Design
12/30/2024	876949	Sanderson Stewart	Tax Incrmnt N27	$ 1,605.00	WO 23-09 5th Ace Corridor - Phase 1 Preliminary Design
12/30/2024	876949	Sanderson Stewart	Trl Donate	$ 6,334.00	WO 21-38 Skyline Trail (Marathon Loop)
12/30/2024	876953	Sk Geotechnical	St Maint Dist	$ 9,225.40	WO 23-45 Street & Traffic Remote Salt Storage Bldg
12/30/2024	876954	Solid Waste Systems	Fleet	$ 113.59	176729
12/30/2024	876954	Solid Waste Systems	Fleet	$ 258.73	176729
12/30/2024	876954	Solid Waste Systems	Fleet	$ 1,774.55	176800
12/30/2024	876954	Solid Waste Systems	Fleet	$ 79.89	176800
12/30/2024	876954	Solid Waste Systems	Fleet	$ 1,971.93	176800
12/30/2024	876954	Solid Waste Systems	Fleet	$ 37.44	176801
12/30/2024	876954	Solid Waste Systems	Fleet	$ 161.58	176801
12/30/2024	876954	Solid Waste Systems	Fleet	$ 44.28	176801
12/30/2024	876954	Solid Waste Systems	Fleet	$ 317.28	176802
12/30/2024	876954	Solid Waste Systems	Fleet	$ 50.33	176802
12/30/2024	876954	Solid Waste Systems	Fleet	$ 1,485.72	176843
12/30/2024	876954	Solid Waste Systems	Fleet	$ 37.76	176843

Check Date	Check #	Name	Fund Name	Amount	Item Desc
12/30/2024	876954	Solid Waste Systems	Fleet	$ 20.08	176844
12/30/2024	876954	Solid Waste Systems	Fleet	$ 826.43	176844
12/30/2024	876954	Solid Waste Systems	Fleet	$ 357.58	176960
12/30/2024	876954	Solid Waste Systems	Fleet	$ 118.64	176960
12/30/2024	876954	Solid Waste Systems	Fleet	$ 22.79	176960
12/30/2024	876955	Sportworks Nw	Transit	$ 9,077.49	Apex 3 Fat Bike Rack, Stainless Steel and Assembly
12/30/2024	876956	Springshare	Library	$ 11,500.00	24-A7114 Patron Point 1/25 - 12/25
12/30/2024	ACH	Town & Country Supply	Transit	$ 6,717.00	445653_Diesel Fuel
12/30/2024	ACH	Town & Country Supply	Transit	$ 8,402.80	445653_Diesel Fuel
12/30/2024	ACH	Town & Country Supply	Wastewater	$ 1,910.16	Fieldmaster 800 gallons
12/30/2024	ACH	Town & Country Supply	Wastewater	$ 1,878.92	Fieldmaster...794 gallons
12/30/2024	ACH	Town & Country Supply	Wastewater	$ 1,925.84	FieldMaster...800 gallons
12/30/2024	876968	Trojan Tech	Water	$ 10,206.40	UV BALLASTS KITS - (917341-100)
12/30/2024	876969	TW Ridley	Wastewater	$ 21,298.18	WO 23-24 Belknap Remodel Phase 2
12/30/2024	876969	TW Ridley	Water	$ 1,660.80	WO 23-24 Belknap Remodel Phase 3
12/30/2024	876972	US Cremation	PD Program	$ 11,500.00	CREMATORY MAINTENANCE
12/30/2024	876972	US Cremation	Public Safety	$ 7,550.00	CREMATORY MAINTENANCE
12/30/2024	876973	Valmont Industries	Street/Traffic	$ 11,422.50	street light poles
12/30/2024	876974	Van Arsdale	CDBG	$ 97,365.27	Construction Agreement / 1709 Saint Johns Ave.
12/30/2024	876983	Western Municipal	Wastewater	$ 80,052.64	Retainage Release 2F
12/30/2024	876983	Western Municipal	Water	$ 10,002.71	Retainage Release 2 F
12/30/2024	876983	Western Municipal	Water	$ 172,672.82	Retainage Release 1 Final
12/30/2024	876988	Yellowstone County	Public Safety	$ 300.00	AUG 2024 Boarders
12/30/2024	876988	Yellowstone County	Public Safety	$ 3,000.00	NOV 2024 Boarders
12/30/2024	876988	Yellowstone County	Public Safety	$ 3,300.00	October 2024 Boarders
12/30/2024	876988	Yellowstone County	Public Safety	$ 3,000.00	SEPT 2024 boarders

City Council Regular

Date:	01/27/2025
Title:	Zone Change 1056 - High Sierra - from N3 to N1, NX1, NX3, CMU1 and Public - 1st reading and Public Hearing
Presented by:	Nicole Cromwell
Department:	Planning & Community Services
Presentation:	Yes
Legal Review:	No
Project Number:	PZX-24-00202

RECOMMENDATION

The Zoning Commission is recommending denial of Zone Change 1056 on a failed motion to recommend approval. The vote on the motion to recommend approval was one in favor and four opposed.

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

This application was originally submitted in August 2024, and scheduled for a public hearing with the Zoning Commission on October 1, 2024. After the public notice, the Planning staff received many negative public comments from the surrounding owners in High Sierra and in Lake Hills. The Planning staff also proposed a few negative findings for the zoning review criteria based on this original plan. The applicant requested and was granted a delay from the October 1, 2024, hearing to the December 3, 2024, hearing date with the Zoning Commission. In the interim, the applicant revised the zoning plan to significantly reduce the higher-density multifamily zoning, re-orient the proposed commercial node at High Sierra Blvd and Annandale Rd, and provide compatible zone districts across future street frontages. The applicant prepared a preliminary traffic update letter that was sent to the city Traffic Engineer, Dakota Martonen. Mr. Martonen and other engineering staff did not have concerns with the preliminary findings. However, a traffic study update will be scoped and required when the subdivision plan based on this zoning is submitted for city review. The scope of this study will include intersections in the vicinity as these are locations that experience more impact than corridors as outlined in the preliminary letter. The Planning staff re-noticed the surrounding owners, sent an email update to all people who sent in public comment on the original zoning submission, re-posted the property, and published a new legal ad. The Planning staff received three surrounding owner's comments prior to the Dec 3, 2024, hearing. The Planning staff's findings for the revised submission removed the negative findings based on the original zoning application submitted.

The High Sierra neighborhood began development in 1984 and is still filing extensions of the subdivision to the north. There are now 21 filings for the High Sierra neighborhood with a 22nd subdivision in the preliminary stages. This preliminary plat is not part of the subject property for this zone change. The original subdivision set out 44+ acres for a new high school in Billings Heights, as well as the initial residential homes on Fantan St, High Sierra Blvd, Picador Pl, Siesta Ave, Morroco Blvd and others south of Sierra Grand Blvd. The original zoning consisted of a single-family district (R96), a commercial zone west of Gleneagles Blvd (CC), and the public zoning for Sky View High School. The second filing of High Sierra was not filed until 2002 and divided land west of the high school for churches, civic uses, and several other large parcels that ended up as city parkland. High Sierra Subdivision totals about 675 acres and has 264 vacant acres of land owned by builders, and 18 vacant acres of land owned by the school district (north of Sierra Grand Blvd). There are about 41 vacant acres of land owned by religious entities. About 50% of the total land area is not yet developed. Thirty-one percent of the developed land is for residential dwellings, with 204.4 acres (30%) of developed public land for parks, schools, and other civic uses. Nearly 70% of the 675 acres are currently zoned N3 - Suburban Neighborhood, 30% is zoned Public 1 or Public 2. A very small percentage - 1.2% - is zoned for residential use of more than one single-family dwelling. This zoning is concentrated on the Wicks Lane frontage and consists of Mid-Century Neighborhood (N2), Mixed Residential 2 (NX2), and Corridor Mixed-Use 1 (CMU1).

There are 1,000 residential dwellings built within the High Sierra subdivisions and 90% of these units are owner-occupied. This high percentage is unusual for most Billings residential neighborhoods, which consistently average about 65% owner-occupied. In addition, 70% of the High Sierra land area is zoned for single-family dwellings. This is a high percentage for most Billings neighborhoods, where 50 to 60 percent on average are zoned N3. One of the goals of the 2016 Growth Policy was to ensure that each neighborhood had a mix of housing choices available. This means that new neighborhoods or even existing neighborhoods should allow, through zoning, all housing configurations, including single-family, two-family, townhomes, patio homes, and multifamily structures. Neighborhoods that allow this variety are also more financially sustainable for the community, and resilient to changing market forces. A homogeneous zoning pattern can lead to fragility due to market forces, and the inability of the city to provide services to a geographically dispersed neighborhood as costs continue to increase year over year.

The proposed zone change, as originally submitted in August 2024, was found by Planning staff to not entirely conform to the 2016 Growth Policy to increase housing choices or with the existing Heights Neighborhood Plan. The proposed layout of the five new zone districts placed all the highest density development on the edge of the current city limits where future development may or may not occur. There are no definitive plans for the 1,000+ acres north of the High Sierra Subdivision. It is within Zone 1 of the Limits of Annexation for the city. Most of this land is not owned by this applicant. Planning staff presented those findings to the applicant and to the Zoning Commission for consideration in September 2024. The applicant requested a delay from the October 1, 2024, hearing date in order to consider a re-arrangement of the zoning plan.

The proposed new zoning is in direct response to Planning staff concerns and some of the concerns expressed by the surrounding property owners in the High Sierra neighborhood. The new proposed plan includes more NX1 (1-4 unit buildings) zoning along the periphery of the subject parcel with provisions for alley separations. The previous plan had 42% of the area in NX3 (5+ unit buildings) and the new plan has reduced it to 26.7% and placed all the NX3 zoning internal to the site. The N1 district has been expanded to streets along the periphery of the subject parcel to the south and the proposed commercial corner (CMU1) has been moved to the north side of the Annandale (arterial) and High Sierra Blvd (collector) intersection. Good planning includes consideration of existing and proposed future land uses, ensuring compatibility between the developing areas and future development. The proposed new zoning plan accommodates the uncertainty of adjacent land outside the city limits and is more compatible with the N3 zoning that will remain for the High Sierra neighborhood as it builds out to the north and west. The owner does not intend to change other parts of the High Sierra subdivision at this time.

The planning staff also had concerns with the previous zoning plan and the transportation network in this area of Billings Heights. Much higher levels of traffic would be added to the existing street network with a high percentage of NX3 zoning. The reduction in the NX3 zoned area alleviates this concern. High Sierra Blvd, which is a collector street, will extend north into the subject property as shown on the proposed zoning map. Planning for a small amount of commercial zoning at the intersection of Annandale Rd and High Sierra Blvd makes sense as this neighborhood continues to build-out with no local or neighborhood services. The lack of these local services can contribute to traffic congestion by requiring a car trip for every necessity. The N1 zoning also makes sense to allow smaller lots and to allow the option for two-family dwellings. The proposed NX1 zone has been amended slightly and replaced with N1 zoning along the north side of a future extension of Vesca Way. The N1 zone will be compatible with the N3 zone on the south side of Vesca Way. The N1 and NX1 zones are compatible due to the building and siting requirements that are similar. Annandale and High Sierra Blvd will have temporary deadends at the city limits' boundary. Extensions of these streets to connect to Alkali Creek Rd (Annandale) and Alexander Rd (High Sierra Blvd) will be done in the future when property is developed.

The applicant submitted a preliminary letter to the City Traffic Engineer, Dakota Martonen, PE, PTOE, estimating the future traffic volume based on the revised zoning plan. The city's Long Range Transportation Plan (LRTP) has already estimated traffic volume on existing arterial and collector streets out to the year 2045. The proposed zoning plan traffic volume estimate for High Sierra Blvd exceeds the 2045 LRTP volume estimate for this collector. The letter, however, states the design of the two-lane collector can accommodate the additional traffic volume without adding lanes or additional right-of-way. City Traffic Engineer Dakota Martonen concurs with this finding. A future subdivision based on this new zoning will require the developer to update the existing Traffic Impact Study to include a review of intersections within the area. Intersections experience more impact from high traffic volumes than corridors. This information will be available for review at the time of a future subdivision.

The Planning staff recommended approval to the Zoning Commission based on the revised zoning plan. The Zoning Commission did not concur with this recommendation and findings. The Zoning Commission supports zoning that allows a variety of housing options in neighborhoods but does not believe the amount of proposed density is appropriate at this location. The Commission disagreed with the proposed staff finding for Criteria No. 10 - "*Is the proposed zoning the most appropriate use of land throughout the City of Billings?*" and with the staff finding for Criteria No. 2 - "*Is the new zoning designed to secure from fire and other dangers?*". The Zoning Commission concerns are outlined in the Stakeholders section below.

STAKEHOLDERS

The applicant conducted a pre-application meeting on June 12, 2024, at the Lake Hills Golf Course. The meeting was attended by at least a dozen property owners. The mailed notification area for this property is a 1/4-mile radius. Questions were mainly concerned with public safety, traffic, and density within the area proposed for the NX3 zoning. The pre-application information is attached to this report.

Soon after the pre-application meeting, planning staff started to receive emails of opposition and concern about the proposed zone change. The planning staff has collated these emails from the original application and these are

attached to the report. The primary concerns reflect those expressed at the pre-application meeting about traffic, higher density, public safety, and school population. The planning staff posted the zone change in September and again in November at the closest public right of way in two places - the dead-end of Las Palmas and the southwest corner of Gleneagles and Cherry Hills Rd. A legal ad was published in September and November, the updated application details are published on the Current Zoning Applications' web page, and notice was mailed to the 98 owners within 1/4-mile of the subject property. In addition, 78 persons were notified via email of the updated application in November.

Three new emails were received prior to the Zoning Commission hearing based on the updated application. The original emails and the November/December emails are included as a separate attachment to this report.

Zoning Commission hearing December 3, 2024
The Zoning Commission met on December 3, 2024, and received the Planning staff report, testimony from the applicant's agents John Halverson and Joey Saszcuk of SanBell, as well as testimony from the following surrounding property owners: Cindy Osland of 1435 Benjamin Blvd, Lee Tostenrud of 1239 Benjamin Blvd, Steve Sudan of 826 Hermosa, Edith Schuler of 820 Hermosa, Kellie Mailia of 1303 Benjamin Blvd, Lynette Tubbs of 1429 Las Palmas, Shirley Laird of 2311 Entrada, and Landy Leep for High Sierra Development. Planning staff answered questions from the Zoning Commission to clarify the zoning plan and recommendation. The applicant's agents provided response to comments and concerns brought up during public testimony on the application. Those concerns included traffic, property values, school populations and housing density. The Zoning Commission Chair, Dan Brooks, closed the public hearing.

Zoning Commission member Greg McCall made a motion to recommend approval of Zone Change 1056 and adoption of the findings of the 10 review criteria. The motion was seconded by Commission member Andy Megorden, and was not approved on a 2-2 tie vote. The Zoning Commission must forward a recommendation to the City Council (BMCC Sec. 27-1628.E(1). A tie vote is not a recommendation. Zoning Commission members stated their positions on whether to recommend approval. Chair Dan Brooks and Daid Goss spoke against recommending approval. Greg McCall and Andy Megorden spoke in favor of recommending approval.

Chair Dan Brooks made a second motion to recommend denial of the zone change and provided a different finding as a basis for the recommendation. Mr. Brooks stated he found the proposed zoning was not the most appropriate use of land at the edge of the city limits (Criteria No. 10). The motion was seconded by Commission member David Goss. The motion was not approved on a 2-2 tie vote. Planning staff recommended the members should vote to delay action on the zone change until the next Zoning Commission meeting (January 7). Member David Goss stated he might be persuaded to vote in favor of the zone change if he had more assurances the transportation system could and would handle the additional traffic. He stated that with the area for the new zoning at the current edge of the city limits, it is necessary to have more than just a letter from the applicant's agent. David Goss made a motion to delay the discussion and recommendation on Zone Change 1056, until the next meeting. The motion was seconded by Andy Megorden and was approved on a 3-1 vote. Greg McCall voted against the motion.

Zoning Commission meeting and motion January 7, 2025
The Zoning Commission met on January 7, 2025, to consider a motion for a recommendation to the City Council. The planning staff, and applicant's agents attended the meeting. The Zoning Commission asked questions to clarify the previous testimony and facts from the December 3, 2024, hearing. The applicant's agent submitted a letter of clarification on January 3, 2025 and this was provided via email to the Commission and on paper at the meeting. The agent's letter clarified information regarding traffic impacts and the setting of the subject property in relation to adjacent but not yet annexed parcels.

Commission member Goss asked the applicant's agent whether the updated traffic letter from November included all the potential uses in the CMU1 including the potential for multifamily residential. Mr. Staszcuk, Traffic Engineer with Sanbell, stated all the potential uses and configurations of the CMU1 zoned parcel were considered in the traffic generation models. Commissioner Goss asked whether the agent believes a commercial use such as a neighborhood grocery or convenience store would be successful at this location given the real estate standards for these uses. Mr. Goss stated in his experience a neighborhood grocery would need a minimum of 1,000 dwelling units within a 1/4-mile of the location and a convenience store would need even more to be a viable use on the property. Mr. Staszcuk stated the average number of trips per day generated from this neighborhood would be 1,000 and those traffic numbers supported many potential uses within the CMU1 zone district. He stated that some uses could capture trips from outside the development and those were accounted for as well as pedestrian travel to the location for services.

Commission member McCall asked the applicant's agent if there was anything further they wanted to clarify for the Commission. Mr. John Halverson of Sanbell stated the applicant would like to emphasize the conformance of this zoning plan with the adopted Growth Policy and how the adjacent property that will be annexed will likely develop in the same style and pattern.

Commission member Andy Megorden stated he appreciated the clarifying letter from the agent regarding the traffic situation but was still concerned with the level of density on the current edge of the city limits.

Commissioner Goss asked staff whether it was possible that property zoned CMU1 could be developed as multifamily apartments with 4-story buildings. The zoning coordinator stated the city's zoning was updated (Zone Change 1041) to comply with the 2023 legislation that requires cities to allow multi-unit development by right in all commercial or mixed-use zones. Technically, an "all residential" building could be developed in the CMU1 zone. The planning staff did point out that first floor facade and frontage requirements remain the same and these include 65% front lot line coverage, 65% door and window openings along the street facade and similar siting standards that may not be as conducive to first floor residential dwellings. Mr. Halverson pointed out these potential development types were included in the traffic calculations. Mr. Stazcuk stated the future traffic study update (at time of subdivision), will include all intersections within 1/2-mile of the property and the city will also require intersection analysis on Wicks Lane and as far east as Main Street. The study will identify the contribution of traffic from the development and the owner will pay a proportionate share for each intersection requiring updates. This payment is for specific intersections and cannot be used for other locations. Mr. Staszcuk also stated that if there are identified traffic issues in the area, such as speeding on nearby streets, then the developer could be required to install traffic-calming or other traffic management. He stated a traffic study for a development this large is never complete because, for every new filing, the traffic plan must be reviewed, and the previous findings updated based on actual results and newer information.

Chair Dan Brooks stated he spoke with Debi Meling, Public Works Director, regarding the city's budget for traffic management. Mr. Brooks stated the city has enough money each fiscal year to signalize one intersection and the engineering staff keeps a prioritized list of these intersections that may need traffic signals in the future. Mr. Brooks asked Mr. Staszcuk if he knew if any High Sierra Subdivision intersections were on the list and where those might be on the priority list. Mr. Staszcuk stated he was aware of the list and agrees with the statement about unencumbered funding available for intersection improvements each year. He stated he was not aware of any High Sierra intersections on the list for signalization. He stated that any developer funding is intersection-specific and cannot be used for other locations. If an intersection needs signalization, and there is not enough developer contribution, then the city can backfill that need with unencumbered revenue. Many intersections have no developer contributions. He stated that signals are added with new development in commercial areas where a large development happens, such as the Costco on Zoo Drive.

Commissioner McCall made a motion to recommend approval and adoption of the proposed findings of the 10 review criteria. Commissioner Megorden seconded the motion. Chair Mr. Brooks stated that he is still concerned with the appropriateness of this level of density on the current edge of the city limits and the potential for this to create public safety problems with service levels. He stated this development does not belong at this location. Commissioner Megorden stated he was on the fence but also has a concern about the density of the development. He stated he would be okay with the proposal if it were all single-family dwellings. Commissioner Goss stated he was satisfied with the clarifications on traffic issues but still concerned with the "backwards" development process in Billings. He stated the city always approves a lot of residential homes, hoping that one day, services for the neighborhoods will just appear. He stated this does not just happen and many times the services are needed well before any improvements actually occur.

The motion failed on a vote of one in favor and four opposed to the motion to recommend approval. The result is a recommendation of denial to the City Council.

ALTERNATIVES

The City Council may:

- Deny and adopt the findings of the ten review criteria for Zone Change 1056 as recommended by the Zoning Commission; or,
- Approve and adopt different findings of the ten review criteria for Zone Change 1056; or,
- Delay action on the zone change request for up to 30 days at the request of the applicant or by its own motion; or
- Refer the application back to the Zoning Commission for an additional public hearing based on 1) new information submitted outside the public hearing that the applicant and the public have not had an opportunity to examine; or 2) new information has been presented that was never submitted or considered by the Zoning Commission or staff; or
- Allow the applicant to withdraw the zone change request.

The applicant has not requested a delay or withdrawal of the application as of the final draft of this report.

FISCAL EFFECTS

There will be no impact of the Planning Division budget from the approval or denial of the zone change request.

SUMMARY

Prior to any decision by the City Council, the recommended findings of the Zoning Commission shall be considered:
1. Is the new zoning designed in accordance with the Growth Policy?

The proposed zone change is consistent with the following guidelines of the 2016 Growth Policy:
Strong Neighborhoods:

- Zoning regulations that allow a mixture of housing types provide housing options for all age groups and income levels.
- Neighborhoods that are safe and attractive and provide essential services are much desired.

Home Base:

- A mix of housing types that meet the needs of a diverse population is important.
- The Housing Needs Assessment is an important tool to ensure Billings recognizes and meets the demands of future development.
- Common to all types of housing choices is the desire to live in surroundings that are affordable, healthy and safe.

The proposed zone change is consistent with the following goals of the Billings Heights Neighborhood Plan:

- Develop housing patterns that are compatible with existing neighborhoods.
- Encourage high-density multifamily development along arterial routes

The proposed zoning will allow expansion of moderate density residential use in the High Sierra neighborhood. The development now lacks a variety of housing options, including two-family dwellings, townhomes, patio homes or multifamily dwellings. The modification of the original proposed zoning plan includes more N1 and NX1 that is compatible with the existing N3 zoning to the south and east. The high density NX3 has been reduced and consolidated in to the center of the subject property away from the city limits. The Growth Policy and Neighborhood Plan encourages the development of a variety of housing choices, especially choices for low to moderate income families. This location is appropriate for the new proposed mix of neighborhood districts. There are few housing choices in this neighborhood, which consists almost exclusively of single family homes on larger lots. Adding housing choices will strengthen the neighborhood. The new proposed zoning plan is in conformance with the goals of the growth policy and neighborhood plan to encourage housing choices and medium overall density of development to support sustainable neighborhoods.

2. Is the new zoning designed to secure from fire and other dangers?
The new zoning requires minimum setbacks, open and landscaped areas, and building separations. The new zoning, like all zoning districts, provides adequate building separations and density limits to provide security from fire and other dangers from other structures in the development. *January 7, 2025 finding: The Zoning Commission is concerned with the ability of existing public safety services to provide services at this far edge of the city limits. There will be temporary dead-end streets that may cause responses to be untimely to calls for service.* Access for fire or other public safety first responders will be evaluated at the time of subdivision review. *(Previous finding: Planning staff has limited concern about the connections to other arterial and collector streets at this time. Future development beyond the existing city limits may need to accelerate the connection of Annandale Rd to Alkali Creek Rd and High Sierra Blvd to Alexander Rd.)*

3. Whether the new zoning will promote public health, public safety, and general welfare?
Public health and public safety will be promoted by the proposed zoning. The revised zoning plan will reduce the overall development density to a manageable level given the existing and future public safety systems for this area on the northwest edge of the Heights. The new proposed zoning plan does promote public health and general welfare by reducing the future traffic burden on the local street system from its previous proposal. New construction will need to meet the current building and fire safety codes that will reduce the potential for danger to public safety. The street network and the impacts from this development will be evaluated at the time the subdivision is proposed.

4. Will the new zoning facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements?
Transportation: The proposed zoning will increase post-development traffic volume on all the local and arterial streets. These are newer streets with most of the development occurring in High Sierra in the last 20 years. A traffic

impact study (TIS) update will be necessary at the time of development. The TIS may require some contribution to future improvements, most likely to intersections in the area.

Water and Sewer: The City can provide water and sewer to the property. High Sierra is within two different pressure zones for the water system. It is not served by Billings Heights water district. The existing water system would likely need to be looped to serve this parcel that is several hundred feet from the current end of the distribution system.

Schools and Parks: Schools and parks should not be negatively affected by the proposed zoning. The student population will increase depending on the demographic of the new residents. The school district has banked land for a future elementary school in the subdivision. There are two public parks dedicated in High Sierra (one in 8th Filing and one in 14th Filing). Neither park has been developed. A park maintenance district has been established for the neighborhood. As new filings are submitted, the Park Maintenance District expands, lowering the maintenance cost per household. Neither existing neighborhood park is within a 15-minute walk since there are no connecting streets built between the subject property and the existing street network.

Fire and Police: The subject property is served by city public safety services. The Police and Fire Departments did not provide any comment on the proposed zoning. The planning staff is concerned about providing adequate access to the end of the street system. Public safety access will be evaluated at the time of subdivision review.

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

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

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

Traffic generation has been estimated in a preliminary letter to the City Traffic Engineer, Dakota Martonen. The preliminary information letter is included as an attachment. It is estimated that new vehicle trips per day based on the proposed zoning and estimated unit counts would result in about 5,500 new external trips outside the development. This trip count includes trips to the new residences for services such as mail, delivery, solid waste and similar, as well as trips by the occupants. The current N3 zoning would result in about 1,800 new trips per day. Each single-family unit in the N3 zone would generate an estimated 9.43 vehicle trips per day. Trip generation per attached single-family or multifamily dwellings is much lower per unit. Attached single-family units generate about 7.2 trips per day and multifamily dwellings about 6.7 trips per day. Traffic volume does not increase along the same curve as development density. The increase of dwellings from 190 in the N3 to more than 500 in the proposed zoning does not increase expected traffic by the same percentage. City Engineering will expect an update to the existing traffic impact study to look at all the surrounding intersections to ensure the new development is paying its fair share for any required improvements.

7. Will the new zoning promote compatible urban growth?

The new proposed zoning does promote compatibility with urban growth. The proposed zoning of N1 and NX1 along the parcel perimeter will allow this parcel to provide new housing that is compatible with the adjacent undeveloped county land and with the remaining N3 zoning in the future High Sierra subdivisions.

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

The proposed new zoning plan does consider the character of the district and the suitability of the property for the proposed use. The proposed new zoning plan has a balance of higher and lower density housing choices and provides for an area of neighborhood services at the intersection of an arterial and collector streets.

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

There are no existing structures on the property. New construction and development tends to raise property values on adjacent lots, but it is not known how this development may affect those values.

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

January 7, 2025 finding: The Zoning Commission is concerned that this zoning and development density is not the most appropriate use of land in this area of Billings. This density at the current edge of the city limits should not be an established pattern of growth for the city. When the temporary dead-end streets will be connected or extended is not predictable.

(Previous finding: The proposed new zoning plan is the most appropriate use of the land. The NX3 zone is centrally located around the intersection of the arterial and collector streets with N1 and NX1 along the periphery, is appropriate and provides compatible development.)

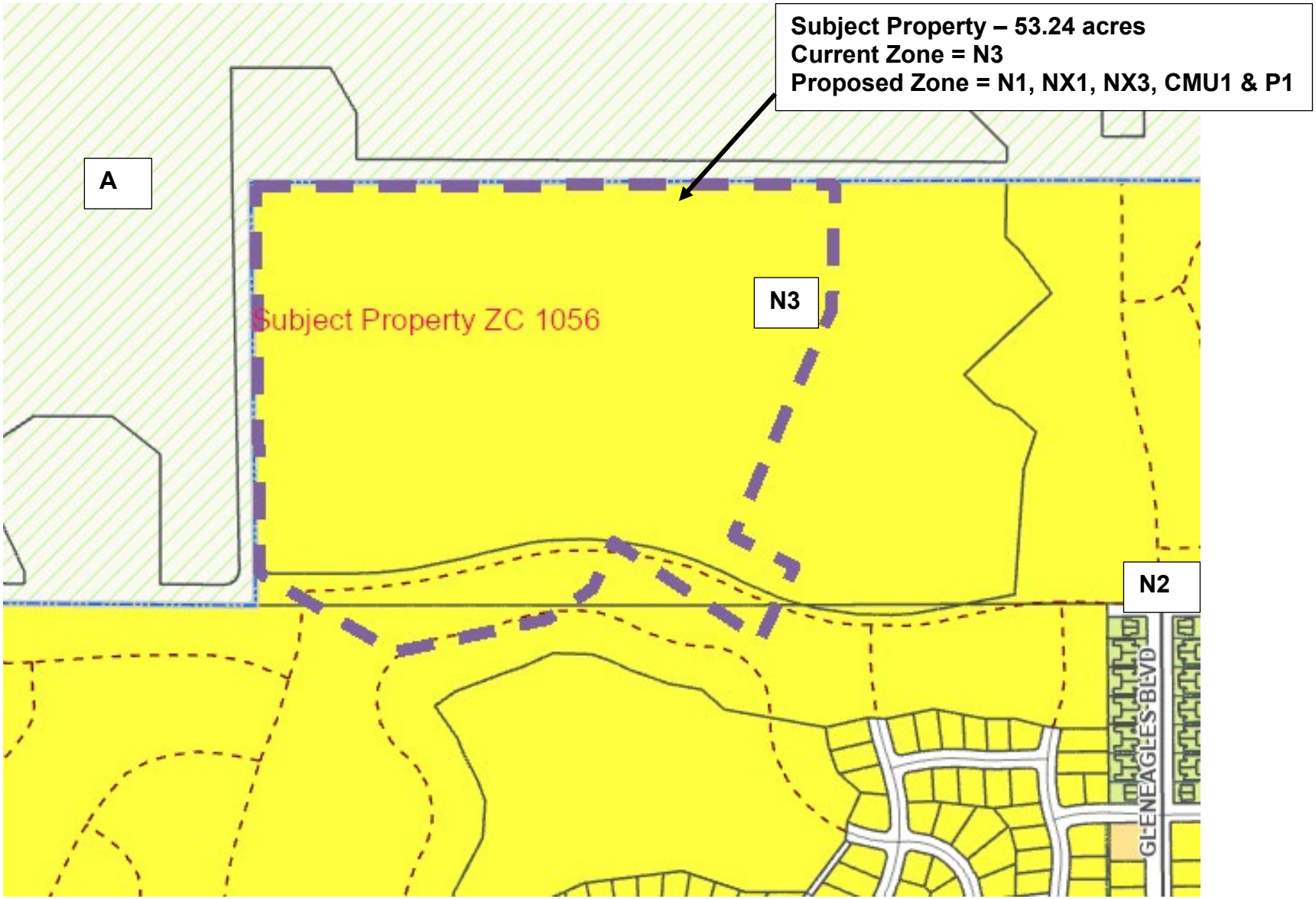
Attachments

Zoning Map and Site Photos ZC 1056

Zoning History Chart ZC 1056
Application and preapp information ZC 1056
Applicant Letter on new zoning proposal ZC 1056
Public comment June to Oct 1 2024 ZC 1056
Public Comments Nov Dec ZC 1056
Traffic Preliminary Letter ZC 1056
Zoning Ordinance
Sanbell letter of clarification Jan 3 2025

City Zone Change 1056 – High Sierra Sub 14th and C/S 3776 – 53.26 acres N3 to N1, NX1, NX3, CMU1 and Public 1

Zoning Map and Site Photos



New Zone Change Proposal

EXHIBIT A

ZONE CHANGE

WITHIN A PORTION OF

TRACT 1 OF CERTIFICATE OF SURVEY NO. 3894

PREPARED FOR : HIGH SIERRA II INC.

PREPARED BY : sanbell

NOVEMBER, 2024

BILLINGS, MONTANA

NORTH

125 0 125 250

SCALE: 1" = 250'

LEGEND

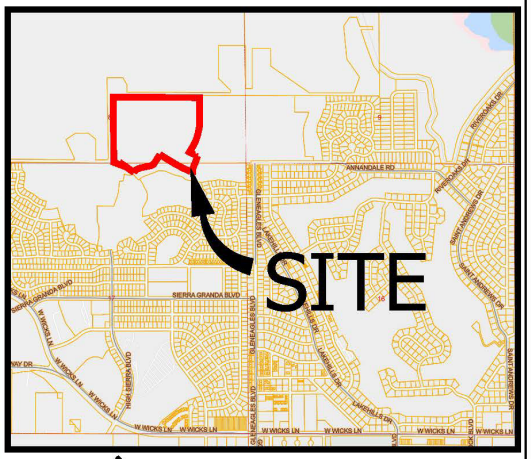
PROPOSED ZONE AREA

P1	0.68 AC	– 1.28%
N1	8.92 AC	– 16.75%
NX1	26.34 AC	– 49.46%
NX3	14.23 AC	– 26.72%
CMU1	3.08 AC	– 5.79%

EX. WATER — W

EX. STORM DRAIN — SD

EX. SANITARY SEWER — SS



NORTH

VICINITY MAP

NOT TO SCALE

NX1

NX3

CMU1

CMU1

NX1

N1

ANNANDALE ROAD

PROPOSED ZONES

BILLINGS CITY LIMITS

NX1

P1

N1

NX1

N3

N3

GLENEAGLES BOULEVARD

HIGH SIERRA BOULEVARD

N2

N2

82061_154_ZC_EXHIBIT_3.DWG 82061.154 11/01/24 WWB

Previous Zone Change Proposal

EXHIBIT A

ZONE CHANGE

WITHIN A PORTION OF

HIGH SIERRA SUB 14TH FILING BLOCK 33, LOT 1A1 & COS 3776 TRACT 1B

PREPARED FOR : HIGH SIERRA II INC.

PREPARED BY : SANDERSON STEWART

AUGUST, 2024

BILLINGS, MONTANA

NORTH

125 0 125 250

SCALE:1" = 250'



NORTH

VICINITY MAP

NOT TO SCALE

LEGEND

PROPOSED ZONE AREA

P1	0.39 AC	– 0.74%
N1	7.25 AC	– 13.61%
NX1	20.63 AC	– 38.73%
NX3	22.39 AC	– 42.04%
CMU1	2.60 AC	– 4.88%

EX. WATER — W

EX. STORM DRAIN — SD

EX. SANITARY SEWER — SS

NX3

NX1

N1

CMU1

ANNANDALE ROAD

PROPOSED ZONES

BILLINGS CITY LIMITS

NX1

P1

N1

N3

NX1

N3

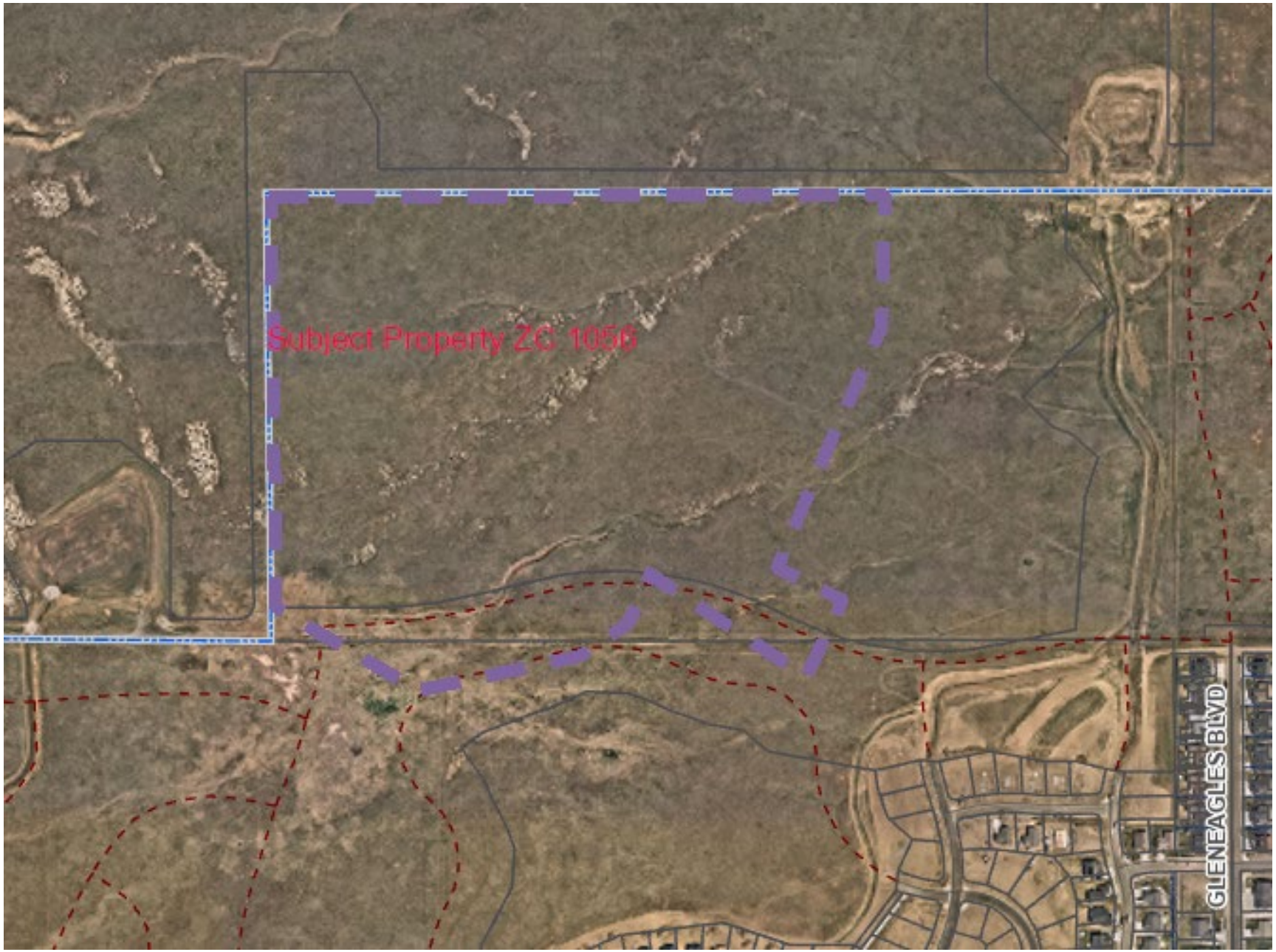
GLENEAGLES BOULEVARD

HIGH SIERRA BOULEVARD

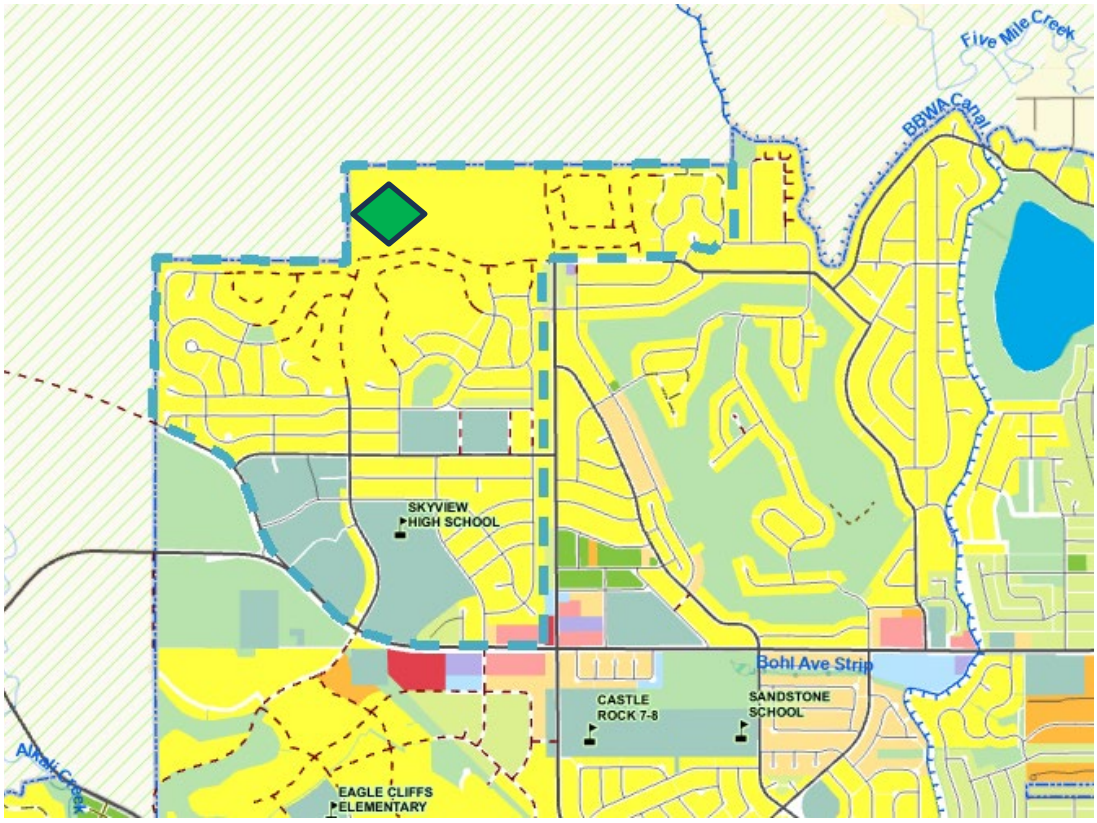
N2

N2

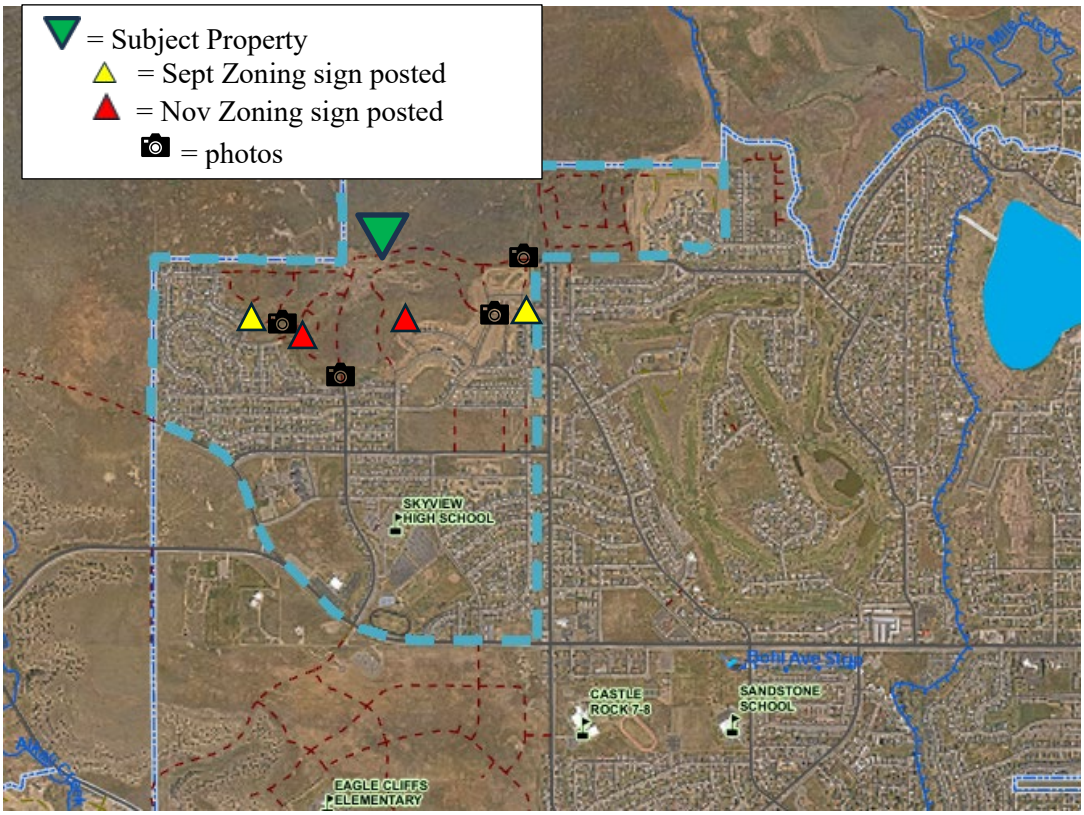
82061_154_ZC_EXHIBIT_2.DWG 82061.154 08/08/24 WWB



Current aerial of subject property



High Sierra Neighborhood Zoning and Aerial





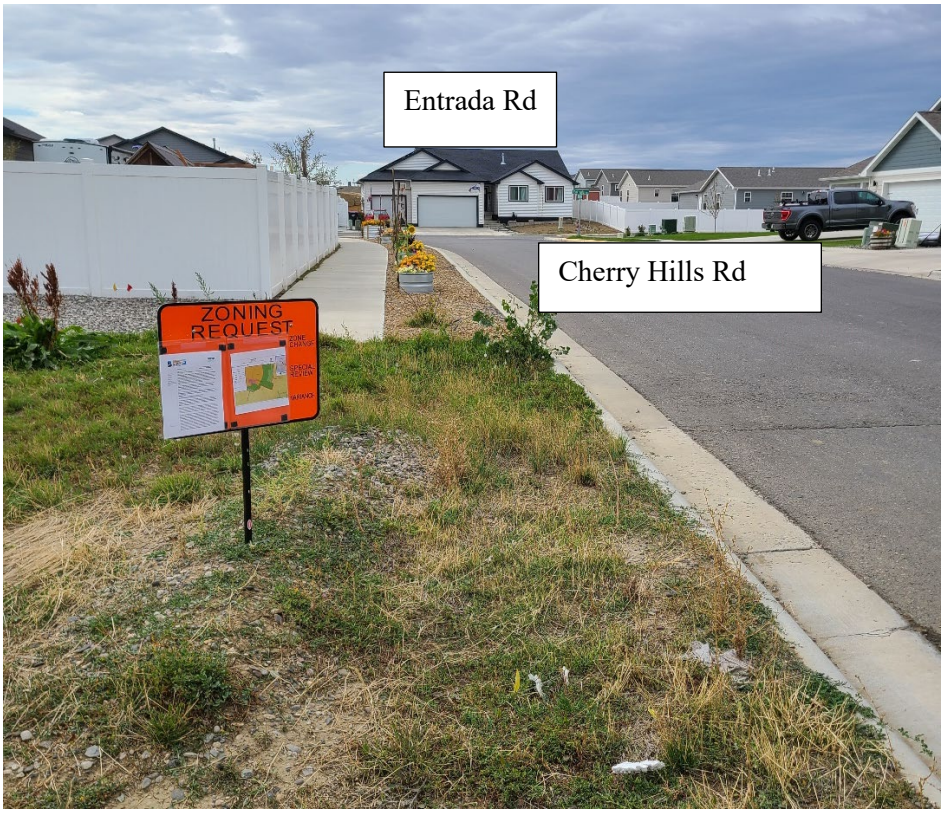
Subject Property - view east/northeast from current dead-end of Las Palmas
September posting



View northeast from current dead-end of Las Palmas



November posting at the deadend of Modera Ave



September posting on southwest corner of Gleneagles Blvd and Cherry Hills Rd



View east on Cherry Hills Rd to Gleneagles Blvd



November posting at the deadend of Topanga Ave



View northwest from intersection of Hermosa St and Matador Ave



View west from current dead-end of Las Palmas



View south across public park between Las Palmas and Topanga Ave



View north from current dead-end of High Sierra Blvd



View west from current dead-end of Gleneagles Blvd and Annandale Rd

Zoning History for ZC 1056 – High Sierra – N3 to N1, NX1, NX3, CMU1 and P1

SUBJECT PROPERTY	Zone Change #	DATE	FOR	APPROVED (Y/N)	ADDITIONAL DATA
	City ZC 822	11/13/2007	A-1 to R70-R & R96	Yes	Original 400-acre Dover Ranch Annexation – Now zoned N3
SURROUNDING PROPERTY	**Zone Change #**	**DATE**	**FOR**	**APPROVED (Y/N)**	**ADDITIONAL DATA**
High Sierra 16th - Mission Oaks Dr	ZC 979	8/10/2020	R70-R to R-50	Yes	To allow more lot coverage – Now zone N2
2300 Block of Gleneagles Blvd	ZC 949	11/16/2016	R60-R to R-50	Yes	To allow duplex & increase lot coverage – Now zoned N2
2260 Gleneagles	County ZC 16	7/1974	R96 to RMF	Yes	Last lot in ZC 16 – Now zoned NX2
Skyview Ridge Sub – south of Skyview HS	ZC 814	7/23/2007	A-1 to R96, R70-R, R60, RMF-R, RO, NC, CC and Public	Yes	State School Trust Land – Now zoned CMU1, CMU2, NMU, NO, NX2, NX3, N2, N3 and P1

CITY ZONE CHANGE APPLICATION FORM

CITY ZONE CHANGE **Billings Zone Change #** 1056 **Project #** PZX-24-00202

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 N3 Suburban Neighborhood

Proposed Zoning: Zone Change Request from N3 Suburban Neighborhood Residential to N1 First Neighborhood Residential, NX1 Mixed Residential 1, NX3 Mixed Residential 3, CMU1 Corridor Mixed Use 1, and P1 Parks and Open Space

PARCEL TAX ID# D05244 & A37164 CITY ELECTION WARD 2

Legal Description of Property: C/S 3894 Tract 1

Address or General Location (If unknown, contact City Engineering):

Size of Parcel (Area square feet or acres): 53.26 Acres

Present Land-Use: Residential

Proposed Land-Use: Residential, Commercial

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

Owner(s) Oakland, Gary

(Record Owner)

175 N 27TH ST STE 900 BILLINGS, MT 59101

(Address)

406-248-3641 goakland@oaklandcompanies.com

(Phone Number) (email)

Agent(s): John Halverson

(Name)

1300 N Transtech Way, Billings, MT 59102

(Address)

406-869-3311 jhalverson@sandersonstewart.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: Gary Oakland Date: 8/7/2024

(Record Owner – Digital Signature Allowed)

CITY ZONE CHANGE Pre-Application Statement of Owner(s) and 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**: N3 Suburban Neighborhood

2. **Written description of the Zone Change Plan** including existing and proposed new zoning:

Zone Change Request from N3 Suburban Neighborhood Residential to N1 First Neighborhood Residential, NX1 Mixed Residential 1, NX3 Mixed Residential 3, CMU1 Corridor Mixed Use 1, and P1 Parks and Open Space

3. **Legal Description of Property**:

Attached Exhibit B

4. **Neighborhood Task Force Area**: Yes /// No . If Yes, Name of Task Force

Yes, Heights Neighborhood Task Force

5. **Roster of persons who attended the pre-application neighborhood meeting**: please attach to on line application Exhibit C

6. **A brief synopsis of the meeting results including any written minutes or audio recording.**

please attach to on line application Exhibit D

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

1) The pre-application neighborhood meeting was held on the 12th, day of June, 2024.

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

Owner (s):

Oakland, Gary Telephone: 406-248-3641

Address:

175 N 27TH ST STE 900 BILLINGS, MT 59101 Email: goakland@oaklandcompanies.com

Agent (s):

John Halverson **Telephone:** 406-869-3311

Address: 1300 N Transtech Way, Billings, MT 59102 Email: jhalverson@sandersonstewart.com

Complete this form and upload to your on-line Zone Change application

Exhibit C

Name	Address	Phone
George Zorzakis	2239 W. Skokie Dr.	409-9793
Cheryl Zorzakis	2239 W. Skokie Dr.	409-9793
Terry Odegard	2101 Lake Hills Dr.	406-855-4951
T. Smith (chair for Heights Task Force)	2238 Ridgeview Drive	406-690-7845
Stacey Fortune	627 Pinehurst R	406-861-1276
Deanna Redfern	2143 Gleneagles	406-698-5918
JOAN ROLL	838 HERMOSA ST.	505-275-0692
Trent Parks	2259 Gleneagles	406-208-4146
Chris Tolzien	2424 Cielo Circle	406-281-0609
Brendon Hill	2241 Clubhouse Way	406-860-1765
Ron Hill	142 Annandale	406-860-8844
Joe Wallace	2201 Club House Way	406-256-5099

Exhibit D

SANDERSON STEWART

MEETING MINUTES

PROJECT: HIGH SIERRA II CONCEPT & ZONE CHANGE			
Project No: 82061_154			
Meeting Location: 1930 Clubhouse Way, Billings, MT 59105		Meeting Date: 06/12/24 5:30 PM	
Meeting Subject: Zone Change Neighborhood Pre-Application Meeting		Prepared by: John Halverson	
Attending:	(See attached sign-in sheet)		
Sanderson Stewart:	John Halverson	Gary Owen	
Oakland Co.	Landy Leep		
Date of Issue: 7/31/ 24			

Minutes:

- Mr. Halverson opened the meeting at 5:30 PM by introducing himself and outlining the agenda, which included a presentation on the zone change, a brief explanation of the new zoning code and why zoning is necessary for municipalities, and time for questions and comments. He also outlined the planned approval timeline of a July 1 submittal, August 6 Zoning Commission hearing, and August 26 City Council hearing.
- Mr. Halverson showed a map of the proposed zone change and its location at the NW corner of the High Sierra subdivision and anticipated development in the Dover ranch to the NW of the High Sierra subdivision. He also pointed out the major roadways that will handle the added traffic from this development: Annandale, Gleneagles, and High Sierra Blvd.
- Mr. Halverson gave an overview of the existing zones in the vicinity of the proposed zone change and that the proposal would add approximately 670 residential dwellings to the subdivision.
- Mr. Halverson distributed pages from the Billings zoning code pertaining to the zones proposed. He showed examples of the kinds of

buildings that the NX3 zoning allows, which have a 4-story maximum and tend to be built as 3 stories in the Billings market.

- Mr. Halverson then showed examples of NX1 and N1-zoned development and neighborhoods in Billings where those zones exist, and how the proposal creates a stepping transition from the NX3, to the NX1, to N1 to N3.
- After completing that presentation, Mr. Halverson took questions and comments from the attendees.
- An attendee asked what the purpose of the zone change was, and stated that the original intent of the subdivision was to be exclusively single family. They expressed concern that the heights is patrolled by 2 police officers, and that BPD is struggling to properly patrol the city, and that they do not want to be put in danger by multifamily residential land uses.
    - Mr. Halverson mentioned that the City of Billings had just recently approved budget to hire additional police.
    - The attendee vigorously disagreed.
    - Mr. Halverson stated that BPD will have an opportunity to comment on the development during subdivision.
- An attendee stated that there is a need for the kind of development proposed in the zone change, but that they do not want it at the location proposed. They expressed a concern that higher density would negatively affect safety, and that they like the neighborhood as it is.
    - Mr. Leep stated that the additional 670 residents this development will host need to live somewhere.
- An attendee stated that they were impressed that the developer built starter homes in High Sierra.
    - Mr. Leep stated that the people buying starter homes come from apartments and multifamily developments.
- An attendee expressed concern with traffic, stating that Gleneagles is a specific concern.
    - Mr. Halverson responded that the proposal locates additional density on collectors and arterials, High Sierra (collector), Annandale (minor arterial), and Gleneagles (principal arterial) to help disperse traffic and that the subdivision approvals process identifies traffic impacts and required contributions for improvements by the developer. He also stated the recently-opened inner belt loop will receive much of the west-end-bound traffic from the proposed development.

- Mr. Ron Hill stated that he likes duplexes on Annandale and expressed concern with larger density.
- An attendee asked about water service to the NX3 buildings and Heights Water System Development Fees (SDF).
    - Mr. Owen responded that Gleneagles BLVD is the boundary between Heights Water and City of Billings water service, and that the entirety of the proposed zone change area is within the City of Billings service area.
- An attendee asked what the benefit of such development is to the area residents.
    - Mr. Halverson responded that the density of NX3 development makes provision of services lest costly on a per-capita basis and can reduce taxes. He also stated that such development makes commercial uses more viable.
    - Several attendees responded positively to the idea of commercial uses being included in the zone change. One stated that commercial development at this location "could be very nice." Another stated that a neighborhood restaurant had recently closed and that they did not want to see another car wash at this location.
- An attendee expressed their view that NX3 is too much for the area.
- An attendee stated that city departments like police fire and school districts should weigh in at this stage of the development process.
- Mr. Halverson closed the meeting by stating that any further questions could be directed to him.

Proposed Findings on new Zone Change Proposal
ZC 1056

Tract 1 of Certiicate of Survey No. 3894

Zone Change Request from N3 Suburban Neighborhood Residential to N1 First Neighborhood Residential, NX1 Mixed Residential 1, NX3 Mixed Residential 3, CMU1 Corridor Mixed Use 1, and P1 Parks and Open Space

Statement of Proposal

Gary Oakland and Oakland Companies are seeking rezone Tract 1 of Certificate of Survey No. 3894.

The intent of the requested zoning will allow for future development which provides of single-family homes, duplexes, townhomes, and multi-family residential dwellings.

The proposal is designed to provide a stepping and gradual, compatible increase in residential density compared to that of the surrounding High Sierra 2 subdivision to the south and east as well as any future development on existing agricultural tracts to the north and west. It also provides a greater degree of housing choice in the area and will support workforce housing.

Responses to Questions in Zoning Application

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

The Growth Policy states:

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

The requested zoning is in compliance with the following growth guidelines:

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

- ***The safety of all users and the connectivity of the transportation system are important criteria to consider in roadway designs and transportation plan.***

  Local access streets within the proposal area will be designed for low speeds and to calm traffic and provide safe environments for all users while still providing enough room for emergency vehicles to safely navigate. The zone change proposal is also designed to have high levels of network connectivity so that trips generated by the development will have immediate access to arterial and collector streets, thus minimizing the impact on surrounding neighborhoods.

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

  All future development in the proposal area will provide pedestrian connections to adjacent streets and neighborhoods.

- ***Developed parks that provide recreation, special amenities (community gardens, dog parks, viewing areas), and active living opportunities are desirable for an attractive and healthy community.***

  The zone change proposal includes a 0.68-acre area zoned P1. As a requirement of zoning, the area within the proposal zoned NX3, which is 14.23 acres, will also contain 4 public open spaces.

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

  The zone change proposal is within the city limits of Billings, and is nearby to areas already served by city water and sewer. Because this application proposes an increase in residential density, City and municipal infrastructure will be more cost effective than less-dense development, on a per-capita basis.

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

  The design of this master-planned neighborhood, in compliance with relevant subdivision and zoning regulations, will promote a high level of public safety. This includes streets, parking and recreational areas which are easily observable from residences within the development. This property will not impact public health, safety, and welfare any differently than the other neighborhood developments which are developed in accordance with the City's zoning, engineering and subdivision regulations.

Community Fabric (Attractive, Aesthetically Pleasing, Uniquely Billings)

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

  This master-planned neighborhood will be developed in accordance with the City's code regulating street sections to include planted boulevards. This will ensure that vehicular traffic is calmed and can navigate the development atspeeds that promote the safety of all street users. Street-front landscaping will be provided in accordance with the zoning code's landscape section, providing street trees and other water-efficient landscaping.

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

This master-planned neighborhood will feature sidewalks on all streets, including pedestrian connections to adjacent development and the surrounding pedestrian network.

- ***Developed parks that provide recreation, special amenities, and active living opportunities are desirable for an attractive and healthy community***

  The zone change proposal includes a .68-acre park zoned P1. As a requirement of zoning, the area within the proposal zoned NX3, which is 14.23 acres, will contain 4 public open spaces.

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

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

  The mixture of zones and housing types within this zone change application, CMU1, NX3, NX1, N1 provides a diversity of housing choices to serve residents of all life stages and incomes. The spectrum of residential zones included in this application creates a gradual transition from planned N3-zoned areas, toward the center, through N1, NX1, NX3 and CMU1. The diversity of housing types in the application provides the mixture and choice in housing that the Growth Policy calls for.

  The zones at the outermost boundaries of the zone change are N1 and NX1. N1 constitutes 8.92 acres or 16.75% of the application area. This zone allows single-family dwellings and duplexes, and creates a gentle increment of density above the adjacent N3-zoned land.

  NX1 makes up the largest part of the zone change area, at 26.34 acres or 49.46% of the application area. Section 27.302.D of the Billings Zoning Code describes the NX1 zone as follows:

  > The NX1 district is intended to continue the character of the first neighborhoods [N1] with single-family, two-family, and small-scale multiple-family homes with three (3) to four (4) units. Multiple-family homes are intended to match the scale of the neighborhood single-family homes with characteristics such as building width, parking and garages location, roof design, and doors and windows on the front facades.

  Thus, NX1 is of the same scale as N1, which is compatible with other N zones. NX1-zoned land will likely be developed as fourplexes or townhomes in the application area. Together, the N1 and NX1-zoned areas within the application area create a transitional buffer between the planned N3 zones outside the application area and the proposed NX3 zoned area at the center of the application area.

  Within the NX1 and N1 buffer, 14.23 acres or ***26.72***% of the application, is proposed as NX3 which, because of its efficient use of land and materials, will create more attainable dwellings than in the existing, N3-zoned neighborhood. The inclusion of NX3 will provide

greater housing choice because very little NX3-zoned land exists in the surrounding area or in The Heights housing market generally.

The ***core*** of the proposal area, at the intersection of Annandale Rd. and High Sierra Blvd. is ***3.08 acres, or 5.79% of the application area,*** of CMU1, which allows ground-floor commercial within buildings of the same scale as NX3. This commercial land use was added to the application in response to public comment received during the neighborhood pre-application meeting.

- ***Walkable neighborhoods that permit convenient destinations such as neighborhood services, open space, parks, schools and public gathering spaces foster health, good will and social interaction.***

  By including a small area of land at the center of the application area that allows commercial uses in the ground floor, this application creates a viable neighborhood center to which surrounding residents can walk or bike. In addition to neighborhood commercial destinations, this application also includes an area zoned P1 for parks. The NX3 zoned area is also required to include seven public open spaces that will be designed and located at the time of subdivision or master site plan review.

  The proposal area is about 0.6 miles from Skyview High School, and 1.6 miles from Castle Rock Middle School, which will allow any school-aged children to walk or bike to school and free parents living in the area from the necessity of driving their children to school.

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

  Future development within the zone change application area will use named streets within its bounds to better address locations within and provide an enhanced level of public safety. Per City of Billings subdivision regulations, compliance with which will be confirmed during the subdivision approval process, future development will connect to the surrounding road network at two or more locations.

  The zone change centers around the intersection of High Sierra Blvd. (collector) and Annandale Rd. (minor arterial) which is the point of highest street network connectivity in the area, which will allow more rapid response by emergency services when called to the area.

Prosperity (Promoting Equal Opportunity and Economic Advancement)

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

  The increased population per acre that will result from this proposed zone change will promote efficient use of land, city services and provide relatively high tax revenues per acre compared to less-dense residential development.

It is estimated that the proposed zone change would result in residential densities of about 13.4 dwellings per acre, which the 2016 Growth Policy considers "Residential Medium Density," and is within the bounds of that policy's "Public Preferred Scenario" for growth in the area. Furthermore, the surrounding development is developed to densities well below the preferred scenario, so this proposal will bring the area more in line with the preferred scenario and will promote fiscal sustainability for the area in the future.

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

  This master-planned neighborhood will attract a wider range of age and economic groups seeking housing alternatives to large lot, single-detached residential. The homes planned for this neighborhood will provide access to both stable housing and home ownership for working class and aging Billings residents alike. The application's inclusion of a commercial node at the intersection of Annandale Rd. and High Sierra Blvd. has the potential to reduce those residents' transportation costs by allowing them to walk or bike a short distance to neighborhood commercial businesses. The increase in density that will result from the proposed zone change will also reduce tax burden that will support the high-quality services that a modern work force demands.

  The development that will occur as a result of this Zone Change will help Billings manage its growth by encouraging development within and adjacent to the existing City limits, giving preference to areas where City and municipal infrastructure exists and helping to maintain fiscal responsibility for the City. This development will allow the City to increase tax revenue, decrease tax burden on residents, and promote prosperity by further developing a variety of neighborhoods with their own unique character that are governed by City regulations and provide housing choice and additional housing inventory.

The Billings Heights Neighborhood Plan states:

- ***Public Safety Goal: Provide safety for residents and development as it occurs. To lower emergency response times by providing easy access to emergency vehicles.***

  Before any development occurs within the proposed zone change area, it will go through a subdivision review process which will ensure that the development complies with all City of Billings subdivision standards, including roadway construction, dimensions and emergency access standards.

- ***Public Safety Goal: Provide safe routes for pedestrians to travel between schools, parks, neighborhoods and other community facilities.***

  Development within the proposed zone change area will be accessed by streets designed to City of Billings standards to include boulevard sidewalks, which will provide safe routes for pedestrians to destinations within the zone change area and to schools, parks, and community facilities in the surrounding area.

- ***Transportation Goal: Improve continuity of arterial routes within the Heights and between the Heights and other areas of the city.***

  The proposed zone change is located and designed so that vehicular trips generated thereby will have direct access to arterial and collector streets, thus avoiding added vehicular traffic on any local access streets. The proposal centers its most intense residential land use around the intersection of Annandale Rd. (minor arterial) and High Sierra Blvd. (collector). That intersection is the point of greatest network connectivity in the remaining undeveloped High Sierra subdivision. From that point, trips destined for the west end will have access via High Sierra Blvd. to Skyway Dr. and the Inner Belt Loop. Trips from the proposed development to destinations in the downtown or within the Heights will have access via Annandale Rd. to the principal arterials of Gleneagles Blvd. and Wicks Ln. Therefore, this zone change meets the plan's goal of improved continuity of arterial and locating increased density on arterials. Additionally, before any development takes place because of this zone change, a Traffic Impact Study (TIS) will be completed to determine its impact on the surrounding network and what expense the developer will be required to bear to make those improvements.

- ***Transportation Goal: Improve safety for motorized and non-motorized transportation facilities.***

  All development within the proposal area will comply with City of Billings engineering standards. Streets within the proposal area will include boulevards and sidewalks. Local access streets within the development will include traffic calming elements to improve safety for all street users of various modes.

- ***Transportation Goal: To encourage traffic analysis as high density housing or large commercial development occurs. Employ sufficient development oversight to ensure feasibility of future transportation facility plans.***

  Any future development within the proposed zone change area will be subject to master site plan review and subdivision review, which requires a Transportation Impact Study, which will determine what the impacts of the development will be on the surrounding transportation network, and for what portion of the expense of those improvements the developer is responsible.

- ***Land Use Goal: Prohibit high intensity commercial development in residential areas. Provide less intensive commercial development on arterial intersections within residential neighborhoods.***

  At the neighborhood pre-application meeting held on June 12 agents of the applicant asked attendees about their opinion of possibly including commercial zoning in the zone change application. Attendees reacted positively and stated that there is a desire and need for neighborhood commercial. Because of that feedback, a small area of CMU1 has been added to the intersection of Annandale Rd. (minor arterial) and High Sierra Blvd. (collector). This commercial will be of a scale consistent with the surrounding structures within the application area. Commercial land use at that intersection will support neighborhood

commercial development, capturing some trips within the bounds of the development, and providing a neighborhood center for local residents.

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

  The proposed zone change meets all the goal statements above. By gradually increasing residential density toward the center of the development area, it will provide residential dwellings that make more efficient use of land and materials, and are therefore more affordable than the existing, large lot single family zoning.

  The proposal includes a gradual transition of residential densities from the existing N3 zoning to N1 to NX1 to NX3. By doing so, it ensures that each zone is adjacent zones which are compatible in scale.

  The zone change proposal centers its highest-intensity residential uses at the intersection of Annandale Rd. (minor arterial) and High Sierra Blvd. (collector) and uses NX1 to line a segment of Annandale Rd. These higher-density residential land uses are better suited for arterial frontage because they can be accessed from the rear by vehicles, thus eliminating the need for frequent curb cuts.

  The zone change proposal is located away from existing residential development in the High Sierra subdivision, thus isolating any established neighborhoods from the new, multifamily residential neighborhood this application seeks to establish.

- ***Housing Goal: To provide housing and commercial development compatible with existing development. To meet residents preferred vision of the Heights.***

  This application meets this goal by providing a gradual transition from undeveloped, N3-zoned areas within the High Sierra subdivision. In doing so, this application ensures that all zones are adjacent to zones of compatible scale. By introducing increased residential density, this proposal makes neighborhood commercial uses possible at the intersection of Annandale Rd. and High Sierra Blvd.

  It is estimated that the proposed zone change would result in residential densities of about 13.4 dwellings per acre, which the 2016 Growth Policy considers "Residential Medium Density," and is within the bounds of that policy's "Public Preferred Scenario" for growth in the area. Furthermore, the surrounding development is developed to densities well below the preferred scenario, so this proposal will bring the area more in line with the preferred scenario and will promote fiscal sustainability for the area in the future.

- ***Economic Development Goal: Attract new businesses and corporations [to the heights].***

  By producing multifamily apartments, fourplexes, and townhomes that make more efficient use of land and materials, future development entitled by this zone change will provide housing for the workforce that businesses and corporations need.

- ***Economic Development Goal: Provide residents/visitors easier physical access to businesses and services in the Heights.***

  The increased residential density in this zone change proposal will make it more efficient to provide bus transit service to the subject area of the heights. The existing, low-density residential development in the area surrounding the proposal area makes more frequent, more useful bus transit service in the area infeasible.

  By locating increased density at the highly-connected intersection of High Sierra Blvd. and Annandale Rd., this proposal ensures that the residents of this development will have multi-modal access to employment and commercial destinations the West End, Downtown, and Heights without contributing trips to nearby local access streets.

- ***Economic Development Goal: To attract small and medium businesses to the eights. To promote "life to work" concept where people work close to or within walking distance of their homes.***

  By including a small amount of commercially-zoned land (3.08 acres) within the zone change proposal area, this development will create a small neighborhood center that could employ a small number of workers who could potentially live in the development and walk to work.

The 10 Zone Change Criteria:

- ***Whether the new zoning is designed in accordance with the Growth Policy***

  Yes, this zone change proposal and future development that will occur as a result will be consistent with the Growth Policy statement and guidelines on previous pages. The proposal area has already been annexed into the city and is adjacent to parcels where municipal services exist. The design and configuration of this zone change proposal creates a gradual, stepping increase in residential density which creates a transition from the scale of existing residential uses in the area to the larger scale residential zones proposed at the center of the application area.

- ***Whether the new zoning is designed to secure from fire and other dangers***

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

- ***Whether the new zoning will promote public health, public safety and general welfare***

  Yes, all development within the proposed neighborhood will be designed to comply with the City zoning code which regulates density and land use transitions. All residential uses will be subject to City of Billings building codes, and the utility and surface infrastructure will be constructed in accordance with City of Billings rules and regulations assuring compliance to this criterion. All public spaces within the neighborhood are also designed to be easily observable from residences, which provides a higher level of public safety.

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

  Yes, the proposed neighborhood will provide streets designed in compliance with relevant City of Billings regulations for adequate transportation provision. Impacts on the road network will be determined during later subdivision and master site plan approvals processes, which will include a Transportation Impact Study. Water, sewer and storm facilities will also be developed in accordance with all relevant regulations. The residential densities proposed in this master-planned community will create a neighborhood that costs less for schools to serve, as it will require less distance for buses to travel for student pick up and drop off. The zone change proposal includes a 0.68-acre area zoned P1. In addition to this zoned open space, the area within the proposal zoned NX3 will contain 4 public open spaces.

- ***Whether the new zoning will provide adequate light and air***

  Yes. All future development within the application area will be developed in accordance with City of Billings rules and regulations and therefore meets this requirement.

- ***Whether the new zoning will affect motorized and nonmotorized transportation***

  The proposal centers its most intense residential land use around the intersection of Annandale Rd. (minor arterial) and High Sierra Blvd. (collector). That intersection is the point of greatest network connectivity in the remaining undeveloped High Sierra subdivision. From that point, trips destined for the west end will have access via High Sierra Blvd. to Skyway Dr. and the Inner Belt Loop. Trips from the proposed development to destinations in the downtown or within the Heights will have access via Annandale Rd. to the principal arterials of Gleneagles Blvd. and Wicks Ln. The design and configuration of the zone change proposal therefore directs new traffic to arterial and collector roads rather than local streets and mitigates the impact of those new trips on existing residential uses.

  When this development progresses through the approvals process to master site plan review, a Traffic Impact Study will be completed, and the developer will be responsible for any

improvements the study deems necessary because of the trips generated by this development.

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

- ***Whether the new zoning will promote compatible urban growth***

  The proposal area is about 280 feet from existing platted N3 area to the east and 900 feet from the nearest platted area to the south. In addition to that existing buffer, the proposal's designs provide a stepping, gradual increase in residential density from the smaller-scale N3-zoned land around it, through N1, NX1, to the NX3 and CMU1 at its core. This stepping ensures that all residential zones in and outside the application boundary are adjacent to development of similar scale.

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

  Yes. Recent developments in the surrounding area including changes to the Limits of Annexation Map and completion of the Inner Belt Loop have made this location suitable for more intense development.

  The 2023 Limits of Annexation Map adopted by the City of Billings brought much of the land surrounding the proposal area into the Zone 1 Petition Area, anticipating that those areas will be annexed and developed for urban land use in the near future.

  The area to the north of the application area, known as the Dover Ranch, has submitted development plans to the city which include commercial development, multifamily residential development of 20 dwellings per acre, and single-family residential development of 7-9 dwellings per acre. The subject application would be compatible with that development to the north.

  The application's location and configuration around the intersection of Annandale Rd. (Minor Arterial) and High Sierra Blvd (collector) will give its residents easy access to destinations in both the downtown and Billings Heights. The recent completion of the Inner Belt Loop has significantly increased the subject property's network connectivity and access to destinations in the West End of Billings. This high level of connectivity and access makes the subject area suitable for more intense levels of development.

- ***Whether the new zoning will conserve the value of buildings***

  Yes. Although there is no evidence to suggest that the development of more compact development or multi-family residential uses has any negative effect on the value of adjacent, existing single-detached residential uses, the gradual stepping up toward the center of the zone change proposal area ensures that residential uses both within and outside of the application area are adjacent to buildings of similar scale.

- ***Whether the new zoning will encourage the most appropriate use of land throughout the City of Billings***

  Yes. The City of Billings continues to need projects that provide housing choice within financial reach of working people. It is appropriate to continue to promote development within City Limits boundaries that makes efficient use of costly land, labor, and construction materials. This zone change helps support an appropriate level of development which will serve the City both now and in the future.

From: Alex Heesch
To: Cromwell, Nicole; jhalverson@sandersonstewart.com
Subject: [EXTERNAL] Protext NX3 Zoning
Date: Thursday, June 20, 2024 7:41:57 AM

Good Morning,
We received a notice at our door yesterday afternoon for a public meeting that was held to discuss the NX3 Zoning for a four-story low income housing project in the High Sierra Subdivision.

The letter stated that public meeting was held on 6/12/24, obviously this notification was delivered well after the stated meeting day and time.

I am in protest of this project at the proposed location. When will the next meeting be held?

Thank you,
Alex Heesch
406-200-5058

From: Amanda Pillman
To: Cromwell, Nicole; jhalverson@sandersonsstewart.com
Subject: [EXTERNAL] Zone Change High Sierra
Date: Friday, June 14, 2024 10:26:45 AM

I live at 648 Cherry Hills Rd and am greatly opposed to the rezoning and building of apartment complexes in the High Sierra subdivision. This neighborhood has long been single family homes and is one of the reasons we built a house here after living on Cortez Ave. It is a quiet family oriented neighborhood and we'd like to keep it that way. We also have very little turnover in homes and one of the lowest crime rates in this area in all of Billings. Adding large complex living to this neighborhood is inappropriate. It would bring high turnover and more people and crime to the area. There is no commercial property over here and seems more appropriate to build short term living solutions in higher traffic areas like the west end. I will be deeply upset if the neighborhood is changed/ruined by large apartment complexes. I hope you'll consider the families already here, and keep this area zoned for single family houses only.

Thanks in advance,

Ali Cross

From: Andrea Heisser <aheisser@sbcglobal.net>
Sent: Monday, June 17, 2024 1:06 PM
To: Cromwell, Nicole <CromwellN@billingsmt.gov>; jhalverson@sandersonstewart.com
Cc: neecer@billingsmt.gov
Subject: [EXTERNAL] Proposed Zone Change at High Sierra Sub 14th Filing Block 33 Lot 1A1 and COS 3776 Parcel 1B

This email is our protest to the proposed zone change for two tracts, changing them from N3 to high density zoning, at High Sierra Sub 14th Filing Block 33 Lot 1A1 and COS 3776 Parcel 1B.

I recently retired as a Special Education Administrator and my husband and I chose to spend our remaining years in the City Of Billings and specifically the Heights due to the safety in our area.

My motivation to write this email comes from experience in living in high density areas that diminished, our quality life, and property values; as well as the stress/anxiety over the increase in crime with a decrease in response time or no response from first responders.

Public safety is the number one concern for the residents in our community. The reality is our police department is reactive to crime, and unable to be proactive, as growth in the City has outpaced everyday services. A change in zoning would only serve to burden an already overburdened police department and adversely impact our safety, putting us in harm's way, as we wait for the police response. These issues would only get worse with the proposed high density change.

The traffic issues created with the zone change aren't good either. Just ask the residents of Cherry Hills, Boca Raton, and Annandale what it's like during the school year, not good. It's not safe, and the police department can't keep up with enforcement.

Further, everyday services would be impacted as well, from mail delivery, garbage pick-up, to fire and ambulance response. The high density impact on other parts of the City is why we moved to this part of the Heights, please **don't** change the make-up of our neighborhoods.

Andrea and Kurt Heisser

2226 W. Skokie Dr.

Billings, MT 59105

805-750-9236

From: A Tolzien <amyrt13@gmail.com>
Sent: Tuesday, June 18, 2024 3:21 PM
To: Cromwell, Nicole <CromwellN@billingsmt.gov>; jhalverson@sandersonstewart.com
Subject: [EXTERNAL] Zone Change at High Sierra Sub 14th Filing Block 33 Lot 1A1 and COS 3776 Parcel 1B

I am writing in strong opposition to the proposed zone change by Sanderson Stewart. The proposed apartments will be detrimental to the area. All residents that I have spoken with in the surrounding neighborhoods are completely opposed to this development that will cause traffic and safety problems, create even more problems with schools that are already over-capacity, destroy local wildlife habitat, and potentially lower the property values of the existing community.

Schools in the area are already over capacity and understaffed. Allowing the creation of 5 or more dwelling units per structure would exacerbate this issue.

Property values are likely to go down in the area if apartments are built. Apartment buildings are inconsistent with the neighborhoods developed in the area.

Very few people have been made aware of this request as the majority of the land within a quarter mile remains vacant or is currently under construction.

I urge you to reject the proposed rezoning. Thank you for your consideration.

Amy Tolzien

2424 Cielo Circle

Billings MT 59105

406-281-2700

From: bilmitz@bresnan.net
To: Cromwell, Nicole
Subject: [EXTERNAL] proposed zone change in High Sierra Subdivision
Date: Saturday, June 29, 2024 10:30:07 AM

We strongly oppose any zone change for high density construction in our neighborhood that will create any more traffic on Annandale Rd. Annandale Rd is already over run with traffic of all types (construction, residential, speeders, etc.) There needs to be other outlets for vehicle traffic other than Annandale Rd. Bill and Mitzie Haney
330 Annandale Rd
Billings, MT

Bill and Margaret Abel June 25, 2024

1432 Las Palmas Ave.

Billings, MT. 59105

EMAIL: cromwelln@billingsmt.gov and jhalverson@sandersonstewart.com.

Dear Planners,

I received your letter of June 5, 2024 when it blew in the front door on June 20, 2024. No envelope or postage, just wedged in the door 8 days after the meeting noted in the body of the letter.

That's how we begin AND with additional red notation in all capitalized letters "…THAT TIME IS OF THE ESSENCE."

My wife and I reviewed the area and identified the proposed parcel, the streets that appear to be the main arterials, and discussed what we've witnessed for traffic circumstances year around on the existing streets as they are now. We have 4 years of living here plus 2 more years of frequenting before that. We don't believe that traffic will have a reasonable and safe flow in and out of the proposed area due to narrowness of streets with cars on both sides and or deep snow with one pair of car tracks down the center between the cars.

High Sierra Blvd would funnel traffic right through the parking and loading area of Skyview High School morning and afternoon. Annandale Road would see a parade of traffic through a residential area most likely at a speed exceeding what is established.

Next up is the soil issues being implemented for single story residences. The measures for larger footprint and multi- story structures could no doubt be met by design but at what cost? The rents will have to absorb the engineering and implementation. I think the Heights appeals to a different demographic than the West side.

I'm going to break this off here without addressing water/sewer, fire, schools, and the bait and switch of changing the zoning of residential area to High Density.

Bottom Line is a vote NO for the proposal. That's against the June 5, 2024 letter.

William F. Abel and Margaret C. Abel

From: Arica Lipp
To: Cromwell, Nicole
Subject: [EXTERNAL] Rezoning
Date: Monday, June 17, 2024 2:43:49 PM

Nicole Cromwell,
Today it was brought to my attention there was a zoning meeting on June 12, 2024 about a project that will directly effect my home and street traffic that I was not made aware of prior to the meeting. I am strongly opposed to this increase in housing to this degree that our streets cannot handle. Our residential area is already as busy at I believe it can be while still being safe. I have a family with small children off of st Andrews dr that directly connects wicks to Anindale Road where these apartments are planned to be built.
I and my neighbors should have been contacted and given a chance to voice our concerns.
I would like to know what can be done to prevent this from happening and request to be notified of any and all future meetings.
Yours truly,
Arica Lipp

From: Ashley Ward
To: Cromwell, Nicole; jhalverson@sandersonstewart.com
Subject: [EXTERNAL] Protest NX3 Zoning Malia
Date: Friday, June 21, 2024 8:29:24 AM

My husband and I live at 1405 Topanga Ave, Billings MT 59105. We DO NOT want the high density zoning. We are protesting this. But, we'd love a really nice park. We are one of the many families that are growing and would love a park for all the young families to enjoy and build a community.

Thank you,
Ashley and Joey Malia

Sent from my iPhone

From: Brenda Rush <bkrush1@yahoo.com>
Sent: Tuesday, September 17, 2024 4:53 AM
To: Cromwell, Nicole <CromwellN@billingsmt.gov>; Berns Brenda <bernsb@billingsmt.gov>; John Halverson <jhalverson@sandersonstewart.com>; John Halverson <jhalverson@sanbell.com>; Brenda Rush <bkrush1@yahoo.com>
Subject: [EXTERNAL] High Sierra Zone Concerns

Please find attached zoning concerns of three families that live in the High Sierra Subdivision. My first question is the attached photo of a zone change request that just appeared in recent days. Is this zone change different than the previous zone request in which a neighborhood meeting took place at the highlands golf course? Is it related the neighborhood meeting scheduled later this month, I believe it's scheduled on Wednesday the 25th at 5:00? If this is a new separate subdivision request will there be another neighborhood meeting? I don't think it will matter what we say as it appears no one is listening, the meetings are at times most people are working and can't attend. For example I work until 6:00 and to get to the meetings it would be impossible. Even school teachers hold the parent teacher conferences at times where working parents can make it. I'm fine with additional houses being built, everyone needs a place to live but adding multi level apartments is going to put a huge strain on all the services available. I feel the zoning committee needs to also take a look at what all is being added in areas near High Sierra Subdivision. **Such as what is being added at the end of High Sierra, just south of Skyview High School?** As I understand it there will be Tiny homes placed on Government land for people to rent the land at subsidies rent fee based on your income, and they will own their homes? I haven't been able to find any answers to what is going on there. When I did as about it in a previous e-mails sent to you, I was simply told that you were not aware of what is going on. **NO** answer was given to me. I think this would have an impact on the services in the area. I'm concerned that with adding multi family apartments to the area that I was told was zoned for single family homes will decrease the value of my home and change the family living we have. I strongly against adding apartment buildings and commercial buildings to the area. Especially since we haven't been told if the apartments are low income section 8 apartments. If they are I can assure you that the property value of my home will decreased.

Thank you for you time,

Brenda Rush

I know the sign is hard to see in this photo but if you look you can find it.



Nicole & John-

I'm sending this email to voice my concern and 100% am against re zoning to any NX3 in High Sierra. I wouldn't mind seeing some light commercial up there, possibly at the Annandale / High Sierra intersection.

Also it should be required to pave an access road up Annandale to High Sierra (Similar to what the city did on Sierra Granda) sooner than later as they develop West, up that way. Otherwise it will be a repeat of the current situation where Boca Raton Road is overloaded with traffic that is intended to go up Annandale, but the city keeps letting more of that area keep getting deleloped, without requiring Annandale to go through to Gleneagles yet.

Another problem is that although the newer quarter mile notification zone for a zone change neighborhood meeting is potentially better than the old 300' requirement, It wasn't any more effective in this case, and they even admitted it at the neighborhood meeting, they are trying to push the zone change through before very many residents are close enough to get a notice.

I'm estimating that out of the 300 notices that were sent out, only about 25 went to actual residents. The rest is vacant land, & homes under construction. A good edit to recode would be to have to notify 1/4 mile of actual residents, not just vacant or under construction lots.

Brendon Hill
406-860-1765 Cell

From: Brenda Rush
To: Cromwell, Nicole; jhalverson@sandersonstewart.com
Subject: [EXTERNAL] High Sierra Neighborhood
Date: Sunday, June 23, 2024 5:52:18 PM

Good Evening,
I am writing to express my strong opposition to the proposed housing development in the High Sierra neighborhood. I found out via Facebook about the zoning request.I would have attended the community meeting that was held. I've been told the requirement is to send out notices for people having concerns or an opinion is that they only need to be living 1/4 mile of the zoning change request. I feel that is not a large enough sample for this area and this zoning change. Based on what I've seen it appears the new complexes are placed in the middle of the parcels therefore, reducing the number of home owners invited to attend the meeting.
The proposed development is simply too large for our area. The increase in population density would put a strain on our already overburdened infrastructure, leading to increased traffic congestion, and strain on our public services. There are already safety concerns with the traffic congestion at Castle Rock middle school and Skyview High school. With the new cut across to Zimmerman Trail, cars are racing through our community trying to find the shortest and quickest way possible. A large influx of residents will do even more harm. We bought in this area because it is a single family community not RENTAL APARTMENTS!!!! The construction of this project will result in the destruction of natural habitats and putting wildlife at risk.
Furthermore, the type of housing being proposed is simply not in keeping with the character of our neighborhood. This development would bring in a large number of residents, which could lead to increased crime rates and other negative social effects. It would also drastically alter the aesthetic of our area, replacing the existing greenery and open spaces with a monolithic, high-density housing complex.I bought out here to have a view and peace and quiet. Adding a high-rise with apartments is not what I paid for! I strongly appose the zoning change request! And I'm sure you would too if you were in my position. Oh wait I was told that is relevant. Give me a break John you would like it either! I bought in a single family development! And that is what I want to continue to live in.
Finally, I am deeply concerned about the impact this development would have on property values in the surrounding area. The influx of low-income residents could result in a decline in property values, making it difficult for current residents to sell their homes and move elsewhere. It's not my fault they cannot afford to buy a home due to the increase in property values. I had to save and work for this life and I do not want to live next to apartment buildings.
In conclusion, I strongly urge you to reconsider this proposed housing development.

I want to be informed of all future meetings regarding this concern. I've been told it's on August 6th at 4:30 I will need to take off work to attend this meeting because I do work! I have to, t**o be-able to purchase a home in a single family**

community and not rent. I find it interesting that the meeting is schedule down town at the Miller Building at a time when **MOST** people in the area that own their homes are working. I would also like to know what room the meeting will be held in because I will be rushing to the meeting and I don't want to be trying to find the meeting room.
Thank you for your time.
Brenda Rush
1401 Topanga Ave
Billings MT 59105

From: Brad Sebek
To: Cromwell, Nicole; jhalverson@sandersonstewart.com
Subject: [EXTERNAL] NX3 Zoning Protest
Date: Thursday, June 20, 2024 9:22:41 AM

Nicole/John,

I am writing to protest the proposed zoning change in the High Sierra subdivision. This area already has a tremendous amount of traffic and the schools in the area are already at capacity. The entire subdivision is single family residences and when building in this area we were led to believe that was the long term plan for the entire subdivision. This proposed change would negatively impact the area, home prices, traffic flow, and school over crowding. I do not believe this zoning change should be approved for the reasons noted above.

Thanks!

Brad Sebek
Get Outlook for iOS

From: Bonnie Erickson
To: Cromwell, Nicole
Cc: m.e.trucking@live.com
Subject: [EXTERNAL] High Sierra Sub Block 33
Date: Tuesday, June 18, 2024 8:44:31 AM

Please let me know when the next meeting will be for the High Sierra Sub-14th Filing Block 33, Lot 1A & COS 3776 Parcel 1B meeting will be. I live on St Andrews and it's alreay a super hwy on this road with trucks and cars. We oppose this new development and would like to have been at the first meeting that apparently was help on 6/12/2024 at Lake Hills. Thank you Nicole for adding us to your mailing list of information pertaining to this zoning request.

V/R

Bonnie & Marc Erickson

From: Britin Cross
To: Cromwell, Nicole; jhalverson@sandersonstewart.com
Subject: [EXTERNAL] Zoning change by Skyview
Date: Tuesday, June 18, 2024 1:55:17 PM

Nicole and John,

I am writing to you with concern to the zoning change at High Sierra Sub 14th filing block 33 lot IAI and COS 3776 Parcel IB. I am completely against this and hope you take my concerns into consideration. First many people own homes in that area and a 4 story apartment complex will completely destroy their property value. Our schools in the Heights are already bursting with too many kids, this will bring more kids to the community that our schools cannot handle. Our police and fire departments are also over worked, this will bring more issues to the Heights that will take their attention away from the areas that need them the most. Yes Billings is in a housing crisis, but when our community cannot support more people we cannot just keep building more and more multi families complexes without the resources. This will be a huge detriment to the Heights community and I am 100% against this. Do not change this areas zoning. Please leave this area as is.

I am also upset that I was never informed of a meeting on June 12th. As a Heights tax payer all of the residents of the High Sierra, Lake Hills Subdivision should have been informed and given the chance to attend. This seems sneaky as if the city did not want us to know.

Britin Cross
REALTOR® | Magic City Real Estate
406-390-0331
Follow me on Facebook
FB Britin Cross MCRE
www.MagicCityRealEstate.com

From: Calvin Nickell <uscalvino@gmail.com>
Sent: Thursday, June 20, 2024 9:54 AM
To: Cromwell, Nicole <CromwellN@billingsmt.gov>; jhalverson@sandersonstewart.com
Subject: [EXTERNAL] High Sierra Sub 14th Filing Block 33 Lot IAI and COS 3776 Parcel 18

I love this area, and think I understand the rules, however I'd like to know whether this application is in keeping with development for our suburb. I am concerned about the security, protection of views and privacy from overlooking. The houses in this area are already packed together tightly and with the proposed addition of multi-storied structures adds to density and removes what little amenities we have. I was hoping that the open field would be transformed into a huge park with trees planted and a walkway built around the perimeter.

Many apartment complexes have been and are being built on the west side of Billings and I see much more land available for these high rise structures and it is also where they fit in with the surrounding area. A 4 story complex would stick out like a sore thumb here and block the serene views of its neighborhood. Had I known that a change to the zoning would occur only 4 years after my home was built, I wouldn't have bought my house here. It is too much of a change in the landscape for my liking. I wanted to live in a housing area away from apartment complexes.

Oscar Newman's studies show that crime in neighborhoods with people below the poverty line living in single-family homes are not significantly greater than crimes in higher-income neighborhoods. But crimes in multifamily buildings with lots of common areas are significantly greater because there is no way to determine whether someone in a common area belongs there. So it is the design, not the people, that attracts the crime.

No one wants poor people living next to the house they worked damn hard to purchase. Worse yet is all these mid rise monstrosities they are building in the name of density.

I am sorry, but I object to this change in zoning and I implore Nicole Cromwell, Zoning Coordinator / Code Enforcement Supervisor, City of Billings to deny this application and continue to uphold the principles of planning and designing enduring communities by maintaining the integrity of High Sierra Sub Zone N3 - Suburban Neighborhood.

Sincerely, Calvin Nickell

From: Chere" Payovich
To: jhalverson@sandersonstewart.com; Cromwell, Nicole
Subject: [EXTERNAL] Zone Change at High Sierra
Date: Wednesday, June 19, 2024 9:29:47 PM

Just received a letter in my door this evening regarding a zone change request at High Sierra in Billings. This letter was dated June 5, 2024 and was delivered after a meeting was held on June 12, 2024.

I would like to protest the NX3 Zoning and any other High Density zoning.

I moved to the heights to live in a quiet and nice neighborhood. Building apartments in this area would create so many problems and I would like to see this area continue to grow with houses and not apartments.

Please keep this subdivision what it currently is. As a homeowner in this area, I would not be pleased with the zone change.

Again, I protest the NX3 Zoning and any other zoning changes.

Thank you,

Chere' Payovich

From: Connie Hayes
To: Cromwell, Nicole
Subject: [EXTERNAL] High Sierra proposed zone change 1056 Project Number PXZ-24-00202
Date: Wednesday, September 18, 2024 10:36:28 AM
Importance: High

I am responding in the strongest terms against this proposed zone change. Please find below my responses to the ten considerations from city code Section 27-1628.

City Zone Changes
Decision criteria
City Code Section 27- 1628
D. *Decision criteria.* The review and decision-making bodies shall consider the following statutory criteria in making a recommendation or decision regarding a zone change application:

1. Whether the new zoning is designed in accordance with the growth policy;
Response: For the last twenty years or more, this neighborhood has been made up of single-family buildings with a few multi-family dwellings mixed in, this should continue into the future.

2. Whether the new zoning is designed to secure from fire and other dangers;
Response: This site is very close to open range and the occupants of a large apartment complex rarely understand their impact on this type of property. Young people with no place to recreate, head to these open spaces to the north with their motorcycles, side by sides, and vehicles and make a nuisance of themselves. The damage to the grazing spaces takes years to recover.

3. Whether the new zoning will promote public health, public safety and general welfare;
Response: This type of property does not encourage any sense of ownership for the property or surroundings. The majority of the single-family properties in the current neighborhood have lawns, trees, gardens, and a sense of pride in ownership. The properties display well are a pleasure to drive past on your way to and from home.

4. Whether the new zoning will facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements;
Response: Cherry Hills is a major thru-way for Skyview HS traffic. The traffic will only increase heavily due to this high density of people needing to leave for work, shopping, school, etc.

5. Whether the new zoning will provide adequate light and air;
Response: The weather and wind in this area will make living in a 3 to 4 story building fairly scary. Fifty mile an hour winds have been clocked here regularly. This proposed zoning change removes more than fifty acres of grassland with no provision for replacing it and will be covered with mostly building and asphalt parking, A towering 3 or 4 story building to our northwest will block our sunset view and the Montana sky for us.

6. Whether the new zoning will affect motorized and nonmotorized transportation;
Response: As Cherry Hills Road is currently a highway for Skyview students, our traffic will undoubtedly be increased significantly. Skyview students race through our streets unheeding the speed limits and posted signs. The increase in foot traffic and solicitation will increase as well.

7. Whether the new zoning will promote compatible urban growth;
Response: This high-density zoning does not match any other building for miles. If this company owns more land adjacent to these fifty acres, we could be surrounded on the north by towering buildings. This will create an eye-sore in this open landscape and violate our Montana Big Sky!

8. Whether the new zoning considers the character of the district and the peculiar suitability of the property for particular uses;
Response: This zoning will violate all the character of this district and the suitability of this landscape of open land and beautiful big sky!

9. Whether the new zoning will conserve the value of buildings; and
Response: After a consultation with my realtor, it was estimated that this could reduce property values of a $500,000 home up to $60,000. The variables are whether this building/area is maintained and/or built in a fashion that compliments the area. There are two-story apartments located south of us that have not aged well. The owners don't keep the area policed for garbage, not enough parking is provided for the current residents and the whole area is run-down. I would expect that this building will not age well.

10. Whether the new zoning will encourage the most appropriate use of land throughout the city.
Response: This open area allows all the buildings to view our Montana landscape and skies. The addition of a large building will create an eyesore in the middle of an open range that will be seen for miles. This is contrary to my dream of the Montana landscape.

In summary, this type of high density building would have stopped me from purchasing anywhere near it. Furthermore, it may influence how much longer I live in this area, should this zone change be approved.

Thank you for your consideration.
Sincerely,
Connie Hayes
hayeshiker@gmail.com
645 Cherry Hills Rd
Billings, MT 59105

From: Coul Hill
To: Cromwell, Nicole
Cc: Tatia Hill
Subject: [EXTERNAL] High Sierra Neighborhood Zoning
Date: Tuesday, September 17, 2024 6:57:26 AM

Hello,

I would like you to please place me on the email list to be notified of the Zoning and Planning meeting related to High Sierra Neighborhood.

We live at 1439 Topanga Avenue and we are OPPOSED to the proposed zone change as it would drastically change the fabric of the neighborhood that we chose to buy our home in and where we are raising our children.

Thank you,

Coul & Tatia Hill

From: Pardy, Crystal
To: Cromwell, Nicole; jhalverson@sandersonstewart.com
Subject: [EXTERNAL] preapplication meeting
Date: Friday, June 21, 2024 8:42:00 AM

I just found out about the preapplication meeting regarding new apartments in an already crowded area. The problem is that there are not enough outlets to serve 100's more people.

I am very disgusted that someone posted your letter YESTERDAY 6/20/24 to Billings Heights FB page... for a meeting held 6/12/24.

YOU need to hold another meeting and ALL of us should get this invitation well ahead of the meeting.

Furthermore, I have heard these said apartments are going to house illegal immigrants.... that is a NO GO for me.

Thank you.

Crystal Pardy MA CCC
Speech-Language Pathologist
Shepherd School District
406-373-5516 ext 120

From: donna.paige51@gmail.com
To: Cromwell, Nicole
Subject: [EXTERNAL] Zoning opposition
Date: Monday, September 16, 2024 9:59:43 AM

Good morning,

Please add my email to your list to be notified of the Zoning and Planning Meetings related to the High Sierra neighborhood.

Also, please note my opposition to the proposed changes in zoning that will allow NX3 zoning. This area needs to remain residential and not be overrun with large multiple family homes of four stories.

Thank you for your consideration.

Donna Paige
1412 Las Palmas Avenue
Billings MT 59105
406-794-7469
Donna.paige51@gmail.com

From: Dustin Martin
To: Cromwell, Nicole; jhalverson@sandersonstewart.com
Subject: [EXTERNAL] Protest of NX3, NX1, and N1 Zoning Change
Date: Tuesday, June 18, 2024 11:33:32 PM

Hello,

My name is Dustin Martin and I am emailing to respectfully voice my opposition to the proposed zoning change for NX3, NX1, and N1. This is within the portion of the High Sierra Sub 14th Filing Block 33, Lot 1A1 & COS 3776 Tract 1B.

My wife and I built our home at 533 Boca Raton in 2019. We specifically purchased our lot and built our home after looking at the zoning surrounding our neighborhood. Switching the current zoning from single family homes, or suburban neighborhood classification, to zones that allow for multi-family dwellings, will drastically change the climate of this Heights area.

Although my preference would be to maintain the single family zoning in all of these areas, my biggest concern is with the NX3 proposed zoning change. Not only will this drastically change the "neighborhood" feel, it will impact the elementary, middle, and high schools that are already high in student numbers.

Creating many apartment building complexes that could be up to 4 stories tall, has the potential to significantly overcrowd the schools that are already near full capacity.

Finally, I also feel that this zoning change is being proposed at a time where very few residents currently live within the required quarter mile area of notification. Proposing this change in such a manner shows that it is not what is best for the area and would not be perceived and taken well by those living next to the proposed NX3 zone.

Thank you very much for your time and for reading my concerns related to this proposed zoning change.

If you happen to have any questions, please feel free to contact me via email or phone.

Sincerely,
Dustin Martin
406-670-5996

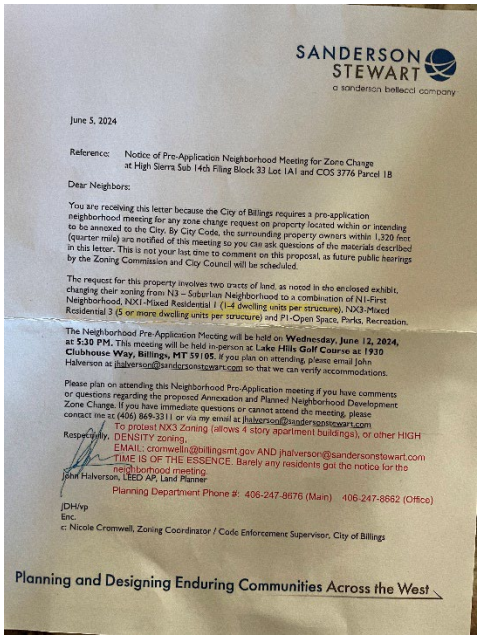
From: Frank Gonzales
To: Cromwell, Nicole; jhalverson@sandersonstewart.com
Subject: [EXTERNAL] Zone change at High Sierra Sub
Date: Friday, June 21, 2024 7:14:45 AM

Hello,
My name is Frank Gonzales and I live at 2020 St Andrews Dr. Billings, MT 59105. I am writing to express my opposition to the planned zoning change at High Sierra Sub 14 Filing Block 33 Lot IAI and COS 3776 Parcel IB.
The volume of traffic caused by people using St Andrews to access Annandale Rd is already way too high. The new construction that has taken place in that area has created a high volume of traffic and speeders that has diminished the quality of life on St Andrews Dr. Adding high density housing in the area will exasperate the traffic situation and I am highly opposed to the project.

Thank you

From: Frank Munson <frank.munson623@yahoo.com>
Sent: Wednesday, June 19, 2024 7:57 PM
To: Cromwell, Nicole <CromwellN@billingsmt.gov>; jhalverson@sandersonstewart.com
Subject: [EXTERNAL] Zoning change High Sierra

Good evening,



SANDERSON STEWART
a sanderson bellecci company

June 5, 2024

Reference: Notice of Pre-Application Neighborhood Meeting for Zone Change at High Sierra Sub 14th Filing Block 33 Lot 1A1 and COS 3776 Parcel 1B

Dear Neighbors:

You are receiving this letter because the City of Billings requires a pre-application neighborhood meeting for any zone change request on property located within or intending to be annexed to the City. By City Code, the surrounding property owners within 1,320 feet (quarter mile) are notified of this meeting so you can ask questions of the materials described in this letter. This is not your last time to comment on this proposal, as future public hearings by the Zoning Commission and City Council will be scheduled.

The request for this property involves two tracts of land, as noted in the enclosed exhibit, changing their zoning from N3 – Suburban Neighborhood to a combination of N1-First Neighborhood, NX1-Mixed Residential 1 (1-4 dwelling units per structure), NX3-Mixed Residential 3 (5 or more dwelling units per structure) and P1-Open Space, Parks, Recreation.

The Neighborhood Pre-Application Meeting will be held on **Wednesday, June 12, 2024, at 5:30 PM.** This meeting will be held in-person at **Lake Hills Golf Course at 1930 Clubhouse Way, Billings, MT 59105.** If you plan on attending, please email John Halverson at jhalverson@sandersonstewart.com so that we can verify accommodations.

Please plan on attending this Neighborhood Pre-Application meeting if you have comments or questions regarding the proposed Annexation and Planned Neighborhood Development Zone Change. If you have immediate questions or cannot attend the meeting, please contact me at (406) 869-3311 or via my email at jhalverson@sandersonstewart.com

Respectfully,

To protest NX3 Zoning (allows 4 story apartment buildings), or other HIGH DENSITY zoning,
EMAIL: cromwelln@billingsmt.gov AND jhalverson@sandersonstewart.com
TIME IS OF THE ESSENCE. Barely any residents got the notice for the neighborhood meeting.

John Halverson, LEED AP, Land Planner

Planning Department Phone #: 406-247-8676 (Main) 406-247-8662 (Office)

jDH/vp
Enc.
c: Nicole Cromwell, Zoning Coordinator / Code Enforcement Supervisor, City of Billings

Planning and Designing Enduring Communities Across the West

I am sending this email to let you know we are opposed to the zoning change and only want residential homes built in this area. Please do not do this to our nice neighborhood. Thank-you!

Kind Regards,

Frank Munson

Sent from Yahoo Mail for iPhone

[EXTERNAL] Zoning change

GL
gale larchick <glarch@hotmail.com>
To Cromwell, Nicole
Cc jhalverson@sandersonstewart.com

Good afternoon..

It has come to my attention that a meeting was held at Lake Hills Golf course concerning a Zoning Change for High Sierra Subdivision.

I did not receive any notice of said meeting concerning a zone change.

I would like it known I am not in favor of any change from N3 zoning.

Our neighborhood has a lot of traffic in this area…. High density housing would create too much traffic for our streets to safely handle.

Thank you.

Gale D. And Vickie L. Larchick

337 Cherry Hills Road

Billings Montana

From: George Zorzakis <zorzakis@gmail.com>
Sent: Sunday, June 16, 2024 6:05 AM
To: Cromwell, Nicole <CromwellN@billingsmt.gov>; jhalverson@sandersonstewart.com
Cc: neecer@billingsmt.gov
Subject: [EXTERNAL] Re: Proposed Zone Change at High Sierra Sub 14th Filing Block 33 Lot 1A1 and COS 3776 Parcel 1B

This email is our protest to the proposed zone change for two tracts, changing them from N3 to high density zoning, at High Sierra Sub 14th Filing Block 33 Lot 1A1 and COS 3776 Parcel 1B.

I recently retired as a police officer with the City Of Billings. My motivation to write this email comes from the knowledge I gained dealing with high density sections in the City, nothing of what I know is good for the quality of life in those areas. Public safety is the number one concern for the residents in our community. The reality is our police department is reactive to crime, and unable to be proactive, as growth in the City has outpaced everyday services.

The police department has three shifts for the patrol day, with only two officers in the Heights per shift. The Heights is split into two Beats, splitting it into two sections, one officer per section. And, one of those sections covers Rehberg Ranch. The downtown and midtown are often dispatched into the Heights, creating delays in calls being covered in a timely manner. A change in zoning would adversely impact our safety, putting us in harm's way, as we wait for the police response. Simply said, things would be worse with the proposed high density change.

The traffic issues created with the zone change aren't good either. Just ask the residents of Cherry Hills, Boca Raton, and Annandale what it's like during the school year, not good. It's not safe, and the police department can't keep up with enforcement.

Further, everyday services would be impacted as well, from mail delivery, garbage pick-up, to fire and ambulance response. The high density impact on other parts of the City is why we moved to this part of the Heights, please don't change the make-up of our neighborhoods.

George & Cheryl Zorzakis

2239 W. Skokie Dr.

Billings, MT 59105

(406) 208-3866

Brenda and Greg Rush
1401 Topanga
Billings MT 59105
208-651-3387

Dear City Zoning Commission,

I am writing to express my strong opposition to the proposed zone change from residential to high density in the High Sierra Subdivision. As a resident of this community, I believe that such a drastic shift in zoning regulations would have detrimental consequences for the quality of life and overall character of our area.

First and foremost, changing the zoning from residential to high-density would significantly increase the population density in our neighborhood. This would put a strain on our existing infrastructure, including roads, utilities, public services, and schools. The increased traffic congestion, noise levels, and environmental impact would negatively impact the well-being of current residents.

Furthermore, the transition to high-density housing could lead to overcrowding, compromising the sense of community and safety that we currently have. It will also result in a decrease in property values, as high-density developments often detract from the aesthetic appeal of the neighborhood.

Not knowing what type of Apartment Units are going to be placed in the area and the number is not beneficial for making plans. I've been told as many as 24 units on one acre. How many apartments are going to be in each unit? There are too many unanswered questions.

I urge you to consider the long-term implications of this proposed zone change and the potential effects it may have on the fabric of our community. Instead of pursuing high-density development, I believe that efforts should be focused on maintaining the residential character of our neighborhood and preserving the quality of life for all residents.

Thank you for taking the time to consider my concerns. I hope that you will reconsider the proposed zone change and prioritize the well-being and interests of the community as a whole.

Sincerely,
Greg and Brenda Rush
Brenda and Greg Rush

From: Greg Cook <grcook@bresnan.net>
Sent: Monday, June 17, 2024 5:14 PM
To: Owen, Jennifer <owenj@billingsmt.gov>; Cromwell, Nicole <CromwellN@billingsmt.gov>
Subject: [EXTERNAL] Sanderson Stewart zoning change request
Importance: High

Hello Jennifer and Nichole,

I want you to know that the proposed zoning change request for High Sierra Sub 14 filing Block 33 Lot IAI and COS 3776 Parcel IB is not ok with me. I just found out about this. I live at 2332 RIVER OAKS DR. RIVER OAKS intersects with ANNANDALE. This change will funnel a lot of traffic thru streets near my house and will cause a lot of traffic and congestion which means more accidents. I am surprised that you would agree with this plan because it is not a good idea for my neighborhood. Single family homes should be the only type of development allowed in this area. Please do not change the zoning in my neighborhood. A lot of neighborhoods have been ruined this way. This is not a good idea.

Looking forward to hearing back from you.

From: Greg Peterson <gregpeterso@outlook.com>
Sent: Friday, June 14, 2024 3:49 PM
To: jhalverson@sandersonstewart.com; Cromwell, Nicole <CromwellN@billingsmt.gov>
Cc: Greg Peterson <gregpete57@hotmail.com>; Greg Peterson <gregpeterso@outlook.com>
Subject: [EXTERNAL] Zone Change at High Sierra Sub - NX3 ZONING PROTESTED...DENIED ON RECORD

Mr. Halverson LEED AP,

In response to notification left on my door 467 Boca Raton Rd, Billings Heights location. I do NOT agree with inner city dwellings NX3 Zoning developments. These low rent/Non-Committed-ownership properties are rife for transient activities never ending. These developments in single family committed property ownerships create high traffic areas, transient non residential activities and lead to unsafe communities in single housing development ownerships as designed.

I **DO NOT agree** with Changing to HIGH DENSITY zoning developments in our N3 Suburban neighborhood pre-planned designs. These zoning actions are only designed for Gov/Corporate greed/enrichments.

Thank you for your consideration.

Greg Peterson

467 Boca Raton Rd

Billings Heights 59105

425-444-2044

Reference: Notice of Pre-Application Neighborhood Meeting for Zone Change at High Sierra Sub 14th filing block 33 lot 1A1 and COS 3776 Tract 1B

From: Harold Anderson
To: jhalverson@sandersonstewart.com; Cromwell, Nicole
Subject: [EXTERNAL] Objection to Zoning change proposal
Date: Friday, June 14, 2024 2:46:42 PM

Dear Mr. Halverson and Nicole Cromwell,

I am writing this notice to you to voice our fervent opposition and our protest to the proposal to change to NX3 Zoning (allowing possible 4 story apartment buildings in the High Sierra Sub 14th Filing Block 33 Lot(A) and COS 3776 Parcel 1B). I would have attended the meeting at Lake Hills Golf Course, but I have a medical condition awaiting surgery that prevented me from attending.

When we purchased our home in this area, we did so with the belief and commitment from a realtor that this is a single-family housing area, and we are strongly opposed to any change that would take away from the integrity of a single-family housing neighborhood. Please take this note as our strong protest to this change.

Sincerely,

Harold Anderson
Rebecca Anderson

579 Cherry Hills Rd
Billings MT 59105

Jeff Seward
1432 Rancho Vista Ave
Billings MT 59105
208-651-3387

Dear City Zoning Commission,

I am writing to express my strong opposition to the proposed zone change from residential to high density in the High Sierra Subdivision. As a resident of this community, I believe that such a drastic

shift in zoning regulations would have detrimental consequences for the quality of life and overall character of our area.

First and foremost, changing the zoning from residential to high-density would significantly increase the population density in our neighborhood. This would put a strain on our existing infrastructure, including roads, utilities, public services, and schools. The increased traffic congestion, noise levels, and environmental impact would negatively impact the well-being of current residents.

Furthermore, the transition to high-density housing could lead to overcrowding, compromising the sense of community and safety that we currently have. It will also result in a decrease in property values, as high-density developments often detract from the aesthetic appeal of the neighborhood.

Not knowing what type of Apartment Units are going to be placed in the area and the number is not beneficial for making plans. What kind of income is the investor planning to make? I've been told as many as 24 units on one acre. How many apartments are going to be in each unit? There are too many unanswered questions.

I urge you to consider the long-term implications of this proposed zone change and the potential effects it may have on the fabric of our community. Instead of pursuing high-density development, I believe that efforts should be focused on maintaining the residential character of our neighborhood and preserving the quality of life for all residents.

Thank you for taking the time to consider my concerns. I hope that you will reconsider the proposed zone change and prioritize the well-being and interests of the community as a whole.

Sincerely,

Jeff Seward

From: jeremy stiff
To: Cromwell, Nicole; jhalverson@sandersonstewart.com
Subject: [EXTERNAL] High Sierra 14th Filing Block 33 Zone Change
Date: Wednesday, June 19, 2024 8:08:23 PM

Dear John Halverson and Nicole Cromwell,

I hope this email finds you well.

I received a notice regarding the Pre-Application Neighborhood Meeting for the proposed zoning change at High Sierra Sub 14th Filing Block 33 Lot 1A1 and COS 3776 Parcel 1B tonight on June 19th. Unfortunately, I received the letter a week after the meeting was held on June 12, 2024. As a resident within the affected area, I am very interested in understanding the details and implications of this zoning change.

Could you please provide me with any information that was discussed during the meeting? Additionally, I would appreciate being informed of any future meetings or opportunities for public comment on this proposal.

Thank you for your attention to this matter. I look forward to your response.

Best regards,

Jeremy Stiff
2305 Acacia Circle
Billings, MT 59105
406-696-0369

From: Jesse Pritchard <jpritch585@yahoo.com>

Sent: Tuesday, June 18, 2024 6:43 AM

To: Cromwell, Nicole <CromwellN@billingsmt.gov>

Subject: [EXTERNAL] Meeting for Zone change to High Sierra 14th filing Block 33 Lot A and COS 3776 Parcel 1B

First: The notice of a Neighborhood meeting on Wednesday, June 12, 2024 was not received by us until Friday June 14. Two days after the meeting. I believe in the interest of a fair hearing from the neighborhood would best be served by an additional meeting where all affected residents can voice their concerns.

As you already know, we have a speed issue on Annandale Rd already. If there isn't an increased traffic flow study included in the filing, then the whole filing should be negated and filed again to include the study.

For the stated objections, we vehemently oppose this zoning change filing.

Sent from my iPhone

Jesse & Linda Pritchard

406-861-0511

185 Annandale Rd.

Billings 59105

From: Justen R
To: Cromwell, Nicole; jhalverson@sandersonstewart.com
Cc: Jen Rudolph
Subject: [EXTERNAL] Opposed NX3 zoning change for High Sierra Sub
Date: Monday, July 1, 2024 8:06:02 AM

My wife and I are writing to **oppose** the zoning change to NX3 - High Density Housing for High Sierra Sub 14th Filing Block 33 Lot 1A1 and COS 3776 Parcel 1B. We have been homeowners in the heights for the past 18 years (on W Skokie Dr off Greenbriar) and have 2 children, ages 16 and 13, attending Skyview and Castle Rock. My opposition to this high density housing comes in part from the already overcrowded and large class sizes that my kids are a part of every day. From a practical point of view, the schools will be unable to handle the additional 600+ families and their children. In addition, public services for the heights are also limited with 2 police officers patrolling the entire heights at any given time. With the increase in crime already noted across Billings, we know that the increased tax basis that this housing will provide will not stay in the heights to support our community.

The original intent of the zoning was for single family units and it should continue to be. I realize the economics have changed in housing, but a bad business decision for the landowner/developer should not be the impetus to change the years of prior planning, this previous decision was made intentionally. It's not unnoticed that the largest section in the new proposal is NX3 designation. There has been a significant amount of growth in homes in this area of the heights for the last 5 - 10 years and will continue to be so, even without the NX3 designation. There is already a significant population increase in our neighborhood and high density housing would further put pressure on all services, but most concerning for us, is the schools.

Thank you for your consideration in this important matter,
Justen & Jennifer Rudolph

From: Justin Mclaughlin
To: Cromwell, Nicole; jhalverson@sandersonstewart.com
Subject: [EXTERNAL] High Sierra sub division
Date: Monday, June 17, 2024 3:05:44 PM

I am adamantly opposed to this deployment. I live at 1938 saint amdrews drive. My road is already incredibly busy, unpatroled and in serious need of speed bumps. The road is incredibly dangerous to park our vehicles on during the winter months. Everyone of my neighbors has had their mailbox taken out at least once already. We fear that increasing the traffic flow will not only make the road more hazardous but also negatively impact our home values. If you take a look at my approach to my home it is very very steep. More homes equats to the eventual expansion of the roads which will jave a very undesirable effect to the nearby residents. We simply don't have the infrastructure necessary to facilitate this kind of development.

Simply put, I vote NO to adding apartment complexes around lake hills. I'd love to see additional single family homes built in the heights but keep your apartments on the west end. I will try to attend any future meetings on this matter if I am appropriately notified ahead of time.

From: Justin Nelson
To: Cromwell, Nicole; jhalverson@sandersonstewert.com
Subject: [REVIEW] Zone Change
Date: Thursday, June 20, 2024 8:18:06 AM

I am a resident that lives on Topanga avenue. I am highly against a zone change that allows apartment buildings or other high density zoning.

From: Kellie Malia <kellie.johnson316@gmail.com>
Sent: Monday, June 24, 2024 11:34 AM
To: Cromwell, Nicole <CromwellN@billingsmt.gov>; jhalverson@sandersonstewart.com
Cc: Ty Malia <tymalia@hotmail.com>
Subject: [EXTERNAL] Notice of Opposition to Proposed Zone Change in High Sierra Neighborhood

Good morning,

We are writing to express our strong opposition to the proposed zone change that would allow for the development of apartment complexes in our neighborhood. As long-standing residents of the High Sierra subdivision, we are deeply concerned about the potential negative impact this change could have on our community.

Our neighborhood has thrived as a quiet, family-friendly enclave with primarily single-family homes. Introducing apartment complexes would fundamentally alter the character and quality of life that attracted many of us to settle here in the first place.

Specifically, we are concerned about the following issues:

1. **Increased Density and Traffic**: Apartments would significantly increase the population density in our area, leading to heightened traffic congestion and safety risks on our already narrow streets.
2. **Impact on Property Values**: The presence of apartment complexes could potentially lower property values for existing homeowners, impacting our financial investments and stability.
3. **Strain on Infrastructure**: Our neighborhood's infrastructure, including schools, utilities, and recreational facilities, may not be adequately equipped to support the needs of a larger, more densely populated community.
4. **Loss of Community Character**: Our neighborhood has a unique sense of community and identity that could be diluted by the introduction of transient apartment residents.

We understand the importance of responsible urban planning and development, but we believe that there are more suitable locations within our city for apartment complexes that are already zoned appropriately. It is crucial that the interests and concerns of current residents are given priority in decisions that will have a profound impact on our daily lives.

Therefore, we urge you to reconsider the proposed zone change and to engage in a more thorough dialogue with the residents of our neighborhood before moving forward with any decisions. Please keep us informed with appropriate and advanced notification of any further developments, hearings, or opportunities for community input regarding this matter.

Thank you for considering our views on this important issue.

Kellie and Ty Malia
Benjamin Blvd., Billings, MT 59105
406-208-9981

From:	Koery & Paula Nelson
To:	Cromwell, Nicole; jhalverson@sandersonstewart.com
Cc:	Neese, Roy; Owen, Jennifer
Subject:	[EXTERNAL] High Sierra Zone Change NX3
Date:	Tuesday, June 25, 2024 10:27:54 PM
Attachments:	Screenshot 2024-06-25 at 9.54.39 PM.png

Hello Ms. Cromwell, Mr. Halverson, Mr. Neeser, Ms. Owens,

I'm writing this email to express my opposition to the proposed zone change that would allow 4 story apartment buildings in our neighborhood. Although I am not opposed to growth and expansion, bringing in this amount of additional people to this area seems unrealistic.

Currently there are only two main routes to the downtown area each consisting of a single lane of traffic (Aronson, Elmo). Both of these streets already have a high rate of traffic with schools and small children constantly using the bike lanes and side walks. In the case of Elmo, there aren't even street lights to illuminate the walk ways in early mornings and the evenings. By adding such large housing complexes I feel it is an exponential risk to young pedestrians in our area / neighborhoods. Until such time that our roadways can handle the increased traffic, possible street lights added and the safety and well being of the community is not jeopardize my wife and I are strongly opposed to such expansion.

For the record, we live within a 1/4 mile of the proposed zone change but were not notified by the engineering firm / developer. This matter was brought to our attention by concerned neighbors.

Regards,

Koery & Paula Nelson
2234 Clubhouse Way

From: Kortney Vierthaler
To: Cromwell, Nicole; jhalverson@sandersonstewart.com
Subject: [EXTERNAL] PROTEST NX3 Zoning
Date: Wednesday, June 19, 2024 9:47:30 PM

To whom it may concern,

I am against NX3 zoning and other high density zoning in the High Sierra neighborhood of Billings, MT. We were given notice of this zoning change on 6/19, one week after the public meeting was held on 6/12. Had we been given notice, we would have been there in person to protest this as well. This is not a positive change to this neighborhood whatsoever.

Please contact me with further questions if needed.

Kortney Vierthaler
1425 Las Palmas Ave.
Billings, MT 59105

From: Kristy Brammer
To: Cromwell, Nicole; jhalverson@sandersonstewart.com
Subject: [EXTERNAL] protest
Date: Sunday, June 16, 2024 3:42:26 PM

My name is Kristy Brammer. I live at 636 Boca Raton rd Billings MT 59105. I would like to protest NX3 Zoning (allowing 4 story apartment buildings), or other high density Zoning at High Sierra Sub 14th Filing Block 33 Lot I A I and COS 3776 Parcel 1 B.
Thank you,
Kristy Brammer

From: Laurie Benzel
To: Cromwell, Nicole
Subject: [EXTERNAL] High Sierra
Date: Monday, September 9, 2024 12:33:52 PM

Hi, I would like to add my voice to the neighbors who are concerned about the proposed construction of apartments and/or a gas station on the land adjacent to High Sierra. We were led to believe that there would be no building in that area, and certainly not commercial and/or multifamily units.

Thank you for your time.

Laurie Benzel
2130 Largo Cirt

From: Leona Hanner
To: Cromwell, Nicole
Subject: [EXTERNAL] Zoning change NX3
Date: Monday, June 17, 2024 3:46:57 PM

Sent from my iPhone
My husband and I strongly oppose the zoning change at High Sierra Sub 14 filing Block 33 lot 1A1 and COS 3776 Parcel 1B.
I cannot image that the city would allow high density zoning given the congestion with traffic that already exists in the Billings Heights. For example the accident at the intersection of Main and Airport Road recently that prevented people from getting home from work for hours not to mention the daily traffic congestion. Please do not approve this zone change!
Sincerely,
Leona and Scott Hanner
453 Boca Raton Road
Billings, Mt 59105

From: Lynnette Verlanic
To: Cromwell, Nicole; jhalverson@sandersonstewart.com
Subject: [EXTERNAL] Protest NX3 Zoning High sierra subdivision
Date: Monday, July 8, 2024 10:42:42 AM

To whom it may concern,

I was not made aware of the June 12 meeting, until after June 20,2024.

I in the strongest way object to changing the High Sierra subdivision zone from a single residential home zone to the proposed zone change.

I live at 1429 Las Palmas Ave. When I purchased my home, I specifically asked the realtor and contractor is the zoning in this area residential single home only. I was assured it was. In addition, I specifically asked if it could be changed and again was assured it would not be changed.

I in the strongest terms possible object to the zoning being changed! I would not have purchased my home if the knew this was not going to remain a single home residential home zone!!

Sincerely,

Lynnette Tubbs
(Legal name: Miriam Lynnette Tubbs)
1429 Las Palmas Ave
Billings Mt 59105
(406) 459-7842

Sent from the all new AOL app for iOS

From: Matthew Riste
To: Cromwell, Nicole
Subject: [EXTERNAL] High Sierra Zoning
Date: Friday, September 13, 2024 6:19:07 PM

Hello,

My name is Matthew Riste. My family and I are residents of the High Sierra neighborhood and reside on Rancho Vista Avenue. We are opposed to the proposed zoning for High Sierra and Annandale and do not want to see an apartment building and/or convenience store located in the neighborhood.

I would like to to be included on the email list to be notified for the zoning and planning meetings related to the High Sierra Neigjborhood.

Thanks,

Matthew

From: Milt Strong
To: Cromwell, Nicole; jhalverson@sandersonstewart.com
Subject: [EXTERNAL] Protest NX3Zoning or other high density zoning
Date: Friday, June 14, 2024 8:09:41 AM

We do protest this zoning. We received information on the notice of the neighborhood Pre-Application meeting that was held on the 12th of June at the Lake Hills Golf Course on the 13th of June ; 1 day after that meeting . We have to stop pushing thru these zoning changes with no neighborhood input . Milt Strong

From: miranda@askenalaw.com
To: Cromwell, Nicole
Cc: jhalverson@sandersonstewart.com
Subject: [EXTERNAL] PROTEST TO NX3 Zoning
Date: Monday, June 17, 2024 7:31:10 PM
Attachments: image001.png

Hello,

My husband and I both protest the NX3 Zoning and any other HIGH DENSITY zoning. We live on Boca Raton Rd and bought our house partially because of the field, view, quiet, and wildlife out our back door. We were told by the ranch directly across the field that owned some of the land that they were not selling. Obviously, that changed and it is out of anyone's control, but to think of 4 story apartments or any of the like being built back there or close to it is even more devastating. We wish it would all just stay empty.

We are unsure if we can make the meeting on Wednesday but are going to try.

Thank you!!

Best regards,



From: Murl Booth
To: Cromwell, Nicole
Subject: [EXTERNAL] High Sierra zone change
Date: Thursday, September 19, 2024 6:58:45 PM

Ms Cromwell & interested parties for the proposed high density zone change in the Heights area. As I was sitting in my living room trying to compose a letter that would be helpful in making your decision to allow this zone change, it occured to me as the two cars driven by young men at a very high rate of speed heading north on Gleneagles Blvd, that number one, traffic in this area has not limited itself to the 35 mph limit but there are rarely any local law enforcement people to enforce such laws. We have only recently moved to the city of Billings but we have already noticed that the refuse collection and mail service has been effected by the influx of citizens, yes even my household could be considered part of this problem,. If you continue on the path of high density housing it will only exacerbate these situations. I am not sure if the city and its citizens can afford anymore tax or revenue increases to fully support the numbers of people inhabiting these establishments. I drive by the Castle Rock apartments on a biweekly basis and shake my head in amazement the overflow of vehicles that have to park on the street because of possibly not the greatest of PLANNING. I would ask this of any interested person, to drive into the Castle Rock or Skyview High School areas as schools are starting, getting out or anytime during the school hours and see the congestion and confusion of drivers, students and passersbys. The corner of Wicks and Gleneagles/Governors has seen multiple collisions and numerous close calls, most of the time because of drivers impatient with children crossing legally on these streets. YES I have seen a young boy almost get run over, crossing legally but a driver was in too big of a hurry! It seems to me that there is only one reason to add dozens of vehicles to this already congested neighborhood is for somebodys pocketbook. i would suggest that with all of the very nice single family homes with nice yards and landscaping that the city deny any ideas of any high density housing. Once you go down this road there is no turning back. I feel that it is in my best interest and all of our neighbors that this area stays single family dwellings. Fianlly, there are so many reasons not to let this project happen that it makes almost no sense to me of why the city would even consider letting projects like this get built.

Respectfully

Murl Booth

From: Murl Booth
To: Cromwell, Nicole
Subject: [EXTERNAL] Zoning change proposal
Date: Friday, June 14, 2024 5:23:34 PM

Dear Ms Cromwell
I am writing to express my opposition to the new zoning proposal near Annandale Road. The addition of these proposed apartment buildings will have an adverse effect on the already established homes in this neighborhood. Just the added influx of traffic and parking areas should be considered in any decision. We have just recently moved to this area and with the location of one junior high school and one high school in this area, it seems that these apartments will only compound this already existing problem.
I do not see these proposed builds having anything but an adverse effect on our property values.
I respectfully urge you to disapprove this proposed rezoning.
Thank you
Murl Booth
Resident on Gleneagles Blvd
Sent from my iPhone

From: bigskypm@aol.com <bigskypm@aol.com>
Sent: Monday, June 17, 2024 9:00 AM
To: Cromwell, Nicole <CromwellN@billingsmt.gov>; jhalverson@sandersonstewart.com
Subject: [EXTERNAL] Protesting NX3 Zoning-Billings Heights

My name is Paul Mazel, and I own the home at 2035 Gleneagles Blvd, Billings MT 59105. I was not provided written advance notice of the Neighborhood Pre-Application meeting on June 12th. I would have attended and loudly protested against any form of High Density Zoning. Gleneagles leads to Wicks, which is now the gateway to the new Skyway Belt road to Zimmerman Trail. High Density housing would create tons new traffic that this area could handle.

Keep our neighborhood free of High Density NX# Zoning!

Paul Mazel

From: Jim/Paula Mahaffey
To: Cromwell, Nicole
Subject: [EXTERNAL] Proposed rezoning
Date: Friday, June 21, 2024 5:11:58 PM

Mrs. Paula Mahaffey

162 Annandale Rd.

Billings MT 59015

June 12, 2024

Nicole Cromwell, Zoning Coordinator

City Of Billings

cromwell@billingsmt.gov.

406-247-8676

Dear Ms. Cromwell,
<!--[if !supportLineBreakNewLine]-->
<!--[endif]-->

I am writing to express my strong opposition to the proposed rezoning at High Sierra Sub Block 33 Lot 1A1and COS 3776 Parcel 1B.

The building of multi-family housing will cause traffic and safety problems, destroy local wildlife habitat, and reduce the property values of our residential neighborhood.

Traffic and safety of pedestrians are major areas of concern. Traffic on Annandale Rd already has many high-speed drivers and the addition of multi-family housing will increase traffic. The local neighborhood traffic will disproportionately surge during morning and evening rush hours.

Wildlife such as deer, geese, turtles and ducks are in the area, and any development will destroy their habitat. Any planned development of the property should consider the continuing impact to local wildlife habitat.

Property values are likely to go down in the area if multi-family apartments or condominiums are built. Multi-family dwellings are inconsistent with the neighborhoods developed in the area.

I was disappointed that I received my notice of a neighborhood meeting on my doorstep the day after the meeting of June 12. There was no indication of where the

notifications were sent or of their number.

I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not been aware to date of the proposed change or of the meetings.

Thank you for your time and attention and service to our communities.

Respectfully,

Paula Mahaffey

From: Ralph Blee <bleefamily@yahoo.com>
Sent: Friday, June 14, 2024 8:26 AM
To: Cromwell, Nicole <CromwellN@billingsmt.gov>
Subject: [EXTERNAL] Zone Change at High Sierra Sub 14th Filing Block 33 Lot IAI and COS 3776 Parcel I B

My Name is Ralph W Blee and my residence is 176 Annandale Rd and I strongly protest the Zoning change from the N3 zone to proposed Zones N1, NX1 and NX3 for the following reasons:

1. Annandale Rd. and St. Andrews Ave were not designed to handle the traffic from the increased density of the proposed zoning changes.

2.High Serra Boulevard and Wicks Lane were not designed to handle the traffic from the increased density of the proposed zoning changes.

3.The Property Owners in the surrounding and nearby subdivisions made purchases based on this property being zoned as N3-Suburban Neighborhood, and their property values could be significantly impacted by this zoning change.

Ralph & Helen Blee.

From: Ron Hill
To: Cromwell, Nicole
Subject: [EXTERNAL] High Sierra ZC
Date: Friday, June 14, 2024 2:51:20 PM

Hi Nicole,

The Neighborhood Pre-Application meeting for High Sierra Subdivision ZC had a low turnout due to most of the 1/4 mile notice area being undeveloped land The ones who attended are not in favor of NX3 and some have put out additional notices. After our discussions 4 years ago, I appreciate that the notice area did extend to 1320 ft vs. the previous 300 ft.
With less than 5% of the 1/4 mile notice area having current residences, who are just recently moving in, the intent of the meeting is missed. In this type of situation, in the city limits, the 1/4 mile notice area should start where the neighborhood starts, for example Gleneagles to the east and on around. Then the meeting would serve the intended purpose, where the meeting that was held did not

We did not see a plat or roster of land owners within the !/4 mile notice area. Please forward that information.

Thank you,
Ron

From: Sarah Moran
To: Cromwell, Nicole; jhalverson@sandersonstewart.com
Subject: [EXTERNAL] Zoning
Date: Thursday, June 20, 2024 8:16:35 AM

Good Morning,

I am writing to express my strong opposition to the proposed housing development in the High Sierra neighborhood. While I understand the need for affordable housing in our city, I believe that this project would have a detrimental impact on our community. Some my neighbors received the attached letter regarding the zoning, but many did not. I found out via Facebook. I am sure most of the residents in the area would agree with my stance had they been made aware of the zoning request, however, I fear they were not recipients of this letter.

First and foremost, the proposed development is simply too large for our area. The increase in population density would put a strain on our already overburdened infrastructure, leading to increased traffic congestion, noise pollution, and strain on our public services. There are already safety concerns with the traffic congestion at Castle Rock middle school and Skyview High school, a large influx of residents will do even more harm. additionally, the construction of this project will result in the destruction of natural habitats and putting wildlife at risk.

Furthermore, the type of housing being proposed is simply not in keeping with the character of our neighborhood. This development would bring in a large number of residents, which could lead to increased crime rates and other negative social effects. It would also drastically alter the aesthetic of our area, replacing the existing greenery and open spaces with a monolithic, high-density housing complex.

Finally, I am deeply concerned about the impact this development would have on property values in the surrounding area. The influx of low-income residents could result in a decline in property values, making it difficult for current residents to sell their homes and move elsewhere.

In conclusion, I strongly urge you to reconsider this proposed housing development. While I recognize the need for affordable housing, I believe that this project is simply not the right fit for our neighborhood. Thank you for your attention to this matter.

Sincerely,
Sarah Moran
406-860-0769
Sent from my iPhone

From: Steve Coombs
To: Cromwell, Nicole; halvorson@sandersonstewart.com
Subject: [EXTERNAL] Zoning change to High Sierra Sub, Billings Heights
Date: Monday, June 17, 2024 4:23:40 PM

My name is Steve Coombs. I live at 1747 St. Andrews Dr. and have become aware of a zoning change that would most significantly impact my neighborhood, specifically the increase in traffic flow on St. Andrews Dr. The City of Billings already does little to stem the speed of traffic on this main road, not to mention its heavy use. I would ask to be made aware of future meetings regarding this proposal. Thank you for your attention regarding this matter.

Steve and Molly Coombs
1747 St. Andrews Dr.
Billings, MT 59105

From: Todd Martens
To: jhalverson@sandersonstewart.com; Cromwell, Nicole
Subject: [EXTERNAL] Zone Change
Date: Monday, June 17, 2024 11:11:14 AM

Good morning,

I would like to express my opposition to the proposed zone change pertaining to the High Sierra Sub 14th Filing Block 33 Lot IAI and COS 3776 Parcel IB.

My first issue concerns the manner in which we, the affected neighborhoods, were notified of the public meeting scheduled for Wednesday, June 12, 2024. I received notification of this meeting via a flyer stuck in my front door on Thursday, June 13, 2024, approximately 24 hours after the meeting took place. When I walked a loop around my neighborhood on Friday morning, I saw many of these same flyers still stuck in the doors of other residents, who clearly were notified after the meeting. This seems a bit shady to say the least since the very people likely to voice opposition to the proposed change are the ones notified of the meeting after it took place. If this is the way Sanderson Stewart and the City of Billings go about zoning changes, it probably needs looked into by someone other than local authorities.

My second issue is the increase in vehicle traffic that multiple dwelling units per structure will bring into this area. Annandale, Cherry Hills, and Boca Raton Roads and Gleneagles Boulevard are already race tracks for residents, high school students, construction workers, and others looking to avoid traffic on Wicks Lane. To exponentially increase the amount of traffic on these streets without adding safety features such as traffic lights, speed bumps, or dedicated police presence seems like accidents waiting to happen and added liability for the city.

Thank you for your time and consideration,

Todd Martens
272 Annandale Road
Billings, MT

Sent from my iPhone

From: Traci Ortgies
To: Cromwell, Nicole
Subject: [EXTERNAL] Nx3 protest
Date: Sunday, June 16, 2024 8:29:17 AM

Nicole,
Hello I live on Gleneagles Blvd, I wasn't able to attend the meeting this last week. I am writing to you to let you know that as a home owner I am against this zoning proposal! We have lived here for 3 years and we are very happy to not have multi unit dwelling structures in our neighborhood. We had our home built here with that in mind, it is a much safer area without those structures in the area. More people means more opportunity for crime. I have lived in those type of places and they were always problematic. In my opinion I believe that more affordable homes should be built instead of these multi units!
Please reconsider your decision to allow this change!
Sincerely,
Traci Ortgies
Sent from my iPad

Tristie Smith
1432 Rancho Vista Ave
Billings MT 59105
208-651-3387

Dear City Zoning Commission,

I am writing to express my strong opposition to the proposed zone change from residential to high density in the High Sierra Subdivision. As a resident of this community, I believe that such a drastic

shift in zoning regulations would have detrimental consequences for the quality of life and overall character of our area.

First and foremost, changing the zoning from residential to high-density would significantly increase the population density in our neighborhood. This would put a strain on our existing infrastructure, including roads, utilities, public services, and schools. The increased traffic congestion, noise levels, and environmental impact would negatively impact the well-being of current residents.

Furthermore, the transition to high-density housing could lead to overcrowding, compromising the sense of community and safety that we currently have. It will also result in a decrease in property values, as high-density developments often detract from the aesthetic appeal of the neighborhood.

I urge you to consider the long-term implications of this proposed zone change and the potential effects it may have on the fabric of our community. Instead of pursuing high-density development, I believe that efforts should be focused on maintaining the residential character of our neighborhood and preserving the quality of life for all residents.

Thank you for taking the time to consider my concerns. I hope that you will reconsider the proposed zone change and prioritize the well-being and interests of the community as a whole.

Sincerely,

Tristie Smith

From: Victoria Nelson
To: Cromwell, Nicole; jhalverson@sandersonstewart.com
Subject: [EXTERNAL] NX3 Zoning
Date: Wednesday, June 19, 2024 7:38:27 PM

I am against and protest against the NX3 Zoning or any other High Density Zoning!
One of the main reasons I bought in my neighborhood was because it is a N3 - Suburban Neighborhood. I am not interested in the change or the risks that come with it.
Our neighborhood should have gotten a more practical and timeful notice.

Sincerely,
A Concerned Neighbor

From: Kortney Vierthaler
To: Cromwell, Nicole
Subject: K Vierthaler
Date: Sunday, September 29, 2024 7:48:24 PM

To whom it may concern,

I am against NX1, NX3 zoning, and other high density zoning in the High Sierra neighborhood of Billings, MT. These changes will drastically change the neighborhood for the worse specifically with four dwelling units or other multi-family apartment building structures.

Please feel free to contact me if needed for further opposition to this zoning request.

Kortney Vierthaler
406-690-7650
1425 Las Palmas Ave.

From: Kyle Vierthaler
To: Cromwell, Nicole
Subject: Kyle Vierthaler
Date: Sunday, September 29, 2024 7:53:38 PM

To whom it may concern,

I am against NX1, NX3 zoning, and other high density zoning in the High Sierra neighborhood of Billings, MT. These changes will drastically change the neighborhood for the worse specifically with four dwelling units or other multi-family apartment building structures.

Please feel free to contact me if needed for further opposition to this zoning request

Kyle Vierthaler
Physical Education
Medicine Crow Middle School

Robert J Goodson
2213 Entrada Rd
Billings, MT 59105
rjgoodson@outlook.com
334-405-7369
9/29/2024

Dear City Zoning Commission,

I am writing to express my strong opposition to the proposed zone change from residential to high-density in the High Sierra Subdivision. As a resident of this community, I believe that such a drastic shift in zoning regulations would have detrimental consequences for the quality of life and overall character of our area.

First and foremost, changing the zoning from residential to high-density would significantly increase the population density in our neighborhood. This would put a strain on our existing infrastructure, including roads, utilities, public services, and schools. The increased traffic congestion, noise levels, and environmental impact would negatively impact the well-being of current residents.

Furthermore, the transition to high-density housing could lead to overcrowding, compromising the sense of community and safety that we currently have. It will also result in a decrease in property values, as high-density developments often detract from the aesthetic appeal of the neighborhood.

I urge you to consider the long-term implications of this proposed zone change and the potential effects it may have on the fabric of our community. Instead of pursuing high-density development, I believe that efforts should be focused on maintaining the residential character of our neighborhood and preserving the quality of life for all residents.

Thank you for taking the time to consider my concerns. I hope that you will reconsider the proposed zone change and prioritize the well-being and interests of the community as a whole.

Sincerely,

Robert Goodson

From: Goodson, Jared
To: Cromwell, Nicole; Berns Brenda
Cc: rjgoodson@outlook.com
Subject: J Goodson
Date: Sunday, September 29, 2024 9:49:12 PM
Attachments: Email to zoning commission.pdf

Dear City Zoning Commission,

I am writing to express my strong opposition to the proposed zone change from residential to high-density in the High Sierra Subdivision. As a resident of this community, I believe that such a drastic shift in zoning regulations would have detrimental consequences for the quality of life and overall character of our area. First and foremost, changing the zoning from residential to high-density would significantly increase the population density in our neighborhood. This would put a strain on our existing infrastructure, including roads, utilities, public services, and schools. The increased traffic congestion, noise levels, and environmental impact would negatively impact the well-being of current residents. Furthermore, the transition to high-density housing could lead to overcrowding, compromising the sense of community and safety that we currently have. It will also result in a decrease in property values, as high-density developments often detract from the aesthetic appeal of the neighborhood.
I urge you to consider the long-term implications of this proposed zone change and the potential effects it may have on the fabric of our community. Instead of pursuing high-density development, I
believe that efforts should be focused on maintaining the residential character of our neighborhood and preserving the quality of life for all residents. Thank you for taking the time to consider my concerns. I hope that you will reconsider the proposed zone change and prioritize the well-being and interests of the community as a whole.

Sincerely,

Robert J Goodson
2213 Entrada Rd
Billings, MT 59105
rjgoodson@outlook.com
334-405-7369
9/29/2024

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Amy L Goodson
2213 Entrada Rd
Billings, MT 59105
leann0806@hotmail.com
334-790-7925
9/29/2024

Dear City Zoning Commission,

I am writing to express my strong opposition to the proposed zone change from residential to high-density in the High Sierra Subdivision. As a resident of this community, I believe that such a drastic shift in zoning regulations would have detrimental consequences for the quality of life and overall character of our area.

First and foremost, changing the zoning from residential to high-density would significantly increase the population density in our neighborhood. This would put a strain on our existing infrastructure, including roads, utilities, public services, and schools. The increased traffic congestion, noise levels, and environmental impact would negatively impact the well-being of current residents.

Furthermore, the transition to high-density housing could lead to overcrowding, compromising the sense of community and safety that we currently have. It will also result in a decrease in property values, as high-density developments often detract from the aesthetic appeal of the neighborhood.

I urge you to consider the long-term implications of this proposed zone change and the potential effects it may have on the fabric of our community. Instead of pursuing high-density development, I believe that efforts should be focused on maintaining the residential character of our neighborhood and preserving the quality of life for all residents.

Thank you for taking the time to consider my concerns. I hope that you will reconsider the proposed zone change and prioritize the well-being and interests of the community as a whole.

Sincerely,

Amy Goodson

From: Amy Goodson
To: Cromwell, Nicole; Berns Brenda
Subject: A Goodson
Date: Sunday, September 29, 2024 10:09:45 PM
Attachments: Email to zoning commission.pdf

Dear City Zoning Commission,

I am writing to express my strong opposition to the proposed zone change from residential to high-density in the High Sierra Subdivision. As a resident of this community, I believe that such a drastic shift in zoning regulations would have detrimental consequences for the quality of life and overall character of our area. First and foremost, changing the zoning from residential to high-density would significantly increase the population density in our neighborhood. This would put a strain on our existing infrastructure, including roads, utilities, public services, and schools. The increased traffic congestion, noise levels, and environmental impact would negatively impact the well-being of current residents. Furthermore, the transition to high-density housing could lead to overcrowding, compromising the sense of community and safety that we currently have. It will also result in a decrease in property values, as high-density developments often detract from the aesthetic appeal of the neighborhood.
I urge you to consider the long-term implications of this proposed zone change and the potential effects it may have on the fabric of our community. Instead of pursuing high-density development, I
believe that efforts should be focused on maintaining the residential character of our neighborhood and preserving the quality of life for all residents. Thank you for taking the time to consider my concerns. I hope that you will reconsider the proposed zone change and prioritize the well-being and interests of the community as a whole.

Sincerely,

Amy L. Goodson
2213 Entrada Rd
Billings, MT 59105
leann0806@hotmail.com
334-790-7925
9/29/2024

From: connie irish
To: Cromwell, Nicole
Subject: J and C Irish
Date: Monday, September 30, 2024 1:38:10 PM

Sent from my iPhone

Begin forwarded message:

> **From:** connie irish <connieirish39@yahoo.com>
> **Date:** September 27, 2024 at 7:52:00 PM MDT
> **To:** CROMWELLN@billingsmt.com
> **Subject: Zone Change at High Sierra**
>
> This letter is opposing the zone change for the High Sierra neighborhood in which we currently live.
> We are strongly against any low income housing coming into this area and are very concerned for several
> reasons.
>
> We look forward to addressing our concerns at the meeting scheduled on October 1, 2024.
>
> James & Connie Irish

Jerry Smyle
2313 Gleneagles Blvd
Billings, MT 59105
jsmyle3@hotmail.com
(406) 671-6303

September 30, 2024

Dear City Zoning Commission,

I am writing to express my strong opposition to the proposed zone change from residential to high- density in the High Sierra Subdivision. As a resident of this community, I believe that such a drastic shift in zoning regulations would have detrimental consequences for the quality of life and overall character of our area.

First and foremost, changing the zoning from residential to high-density would significantly increase the population density in our neighborhood. This would put a strain on our existing infrastructure, including roads, utilities, public services, and schools. The increased traffic congestion, noise levels, and environmental impact would negatively impact the well-being of current residents.

Furthermore, the transition to high-density housing could lead to overcrowding, compromising the sense of community and safety that we currently have. It will also result in a decrease in property values, as high-density developments often detract from the aesthetic appeal of the neighborhood.

I urge you to consider the long-term implications of this proposed zone change and the potential effects it may have on the fabric of our community. Instead of pursuing high-density development, I believe that efforts should be focused on maintaining the residential character of our neighborhood and preserving the quality of life for all residents.

Thank you for taking the time to consider my concerns. I hope that you will reconsider the proposed zone change and prioritize the well-being and interests of the community as a whole.

Sincerely,
Jerry Smyle
2313 Gleneagles Blvd
406-671-6303

From: Jerry Smyle <jerry.smyle@thegoodmangroup.com>
Sent: Monday, September 30, 2024 8:13 AM
To: 'cromwelln@billingsmt.gov.' <cromwelln@billingsmt.gov.>; Berns Brenda <bernsb@billingsmt.gov>
Subject: [EXTERNAL] High Sierra Subdivision letter of opposition

Dear Sir or Madam,

I notice that the cromwelln email is going to bounce back, do you have a current email for that zoning member or are they no longer on the commission?

Attached is a letter stating my opposition to the zoning change request for the High Sierra subdivision. Although I would agree to some zoning changes I do not agree with all of the requested changes and so I must oppose it. I would be agreeable to a convenience store and gas station and multifamily such as townhomes, but the high density housing requested will create more traffic and infrastructure issues than I think is reasonable.

Jerry Smyle
Regional Director of Operations

1107 Hazeltine Boulevard, Suite 200, Chaska, MN 55318
PHONE (406) 696-2397
EMAIL jerry.smyle@thegoodmangroup.com

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2018 - 2023

From: Mari H.
To: Cromwell, Nicole
Subject: M Hall
Date: Tuesday, October 1, 2024 8:29:10 AM

Good morning,

I would like to make a few comments before the City Zoning Commission public hearing today regarding City Zone Change 1056 High Sierra Sub.

First, I'd like to bring up that very few residents in the High Sierra area were notified of the June 12th Pre-Application Meeting. While there are other public hearings, it would have been helpful to attend the initial pre-application meeting to learn more about the development plans. Other than signing up for the email notifications from the city, I believe that the city should notify nearby residents by mail.

In addition, I do not believe that the four-story structures to be built will be affordable. Luxury apartments have just been built off of Zimmerman Trail, and I am afraid that these structures will be similar. While the zoning application notes affordability, it does not go into detail how much each housing unit will cost residents per month. Housing is already too expensive. The land within Billings should be used to improve the quality of life of residents as well as provide affordable housing options to residents, not car washes and luxury dwelling units that most residents can't afford.

Also, I'm worried that the single family/townhome units may be bought in bulk by those wanting to rent them out/used as vacation rentals (Airbnb, etc.). This is an unacceptable use of new housing units and I want to ensure that these units will not be sold in this way.

In conclusion, more information needs to be publicly shared about this development. While I only rent in the area, I understand the frustrations from homeowners to see the land around them being developed, especially with little information and concrete numbers/facts to support the claims the developers are making.

Billings is growing and more housing is needed, however, the city must ensure that the housing developed should remain affordable for renters and for Billings families and those wanting to stay in Billings and buy their first home.

Thank you for accepting my comments.

Mari Hall
Billings Heights Resident

From: Britin Cross
To: Cromwell, Nicole
Subject: B Cross 2
Date: Tuesday, October 1, 2024 8:12:07 AM
Attachments: image001.jpg

Nicole since you are sending 1 more batch of comments today I wanted to again express that I am 100% against this zoning change. I have been in the Heights schools and they are bursting at the seams. Castlerock Middle School cannot take on any more children as they do not have room. Isn't this also a safety issue for our community, kids going to schools that are over capacity. If we have more apartments, multi family homes, that is more children going to schools in the area. Now do not get me wrong we need more affordable housing, but this is not the solution. Billings taxpayers cannot afford to build more schools, but idiot ideas like this will force another Mill Levy ask and Billings will not vote it in, so in return over capacity schools. This sounds like someone wanting to make more money without worrying about the impact on our community.

I planned to come to the meeting today, but need to know if it was indeed moved to Dec 3rd?

Britin Cross
REALTOR® | Magic City Real Estate
406-390-0331
Follow me on Facebook
FB Britin Cross MCRE
www.MagicCityRealEstate.com





On Thu, Sep 26, 2024 at 4:38 PM Cromwell, Nicole <CromwellN@billingsmt.gov> wrote:

> Good afternoon,
>
> The applicant has requested, in writing, to delay the public hearing for Zone Change 1056 from Oct 1, 2024 to the December 3, 2024 meeting of the Zoning Commission. Attached is the letter requesting this delay.

As per the zoning code Section 27-1606.C, an applicant may request a delay but must appear in person at the scheduled hearing date to formally make this request to the Zoning Commission.

The applicant has indicated they will use this time to re-evaluate the zoning plan and may make changes and adjustments.

If the delay is granted – and most requests to delay are granted by the Zoning Commission - the Planning Division will re-send notices, re-post the property and provide any new information on the application in early November.

Thank you for your participation in the zone change process so far. Additional comments may be made at any time.

You may attend the meeting scheduled for October 1, 2024, but it is likely the Zoning Commission will grant the delay and will not open the public hearing.

The meeting is to be held on the 3rd Floor of the Stillwater Building, Room 3108, at 316 N 26th St.

Be assured, all your comments have been relayed to the Zoning Commission.

I will be sending a final batch of comments to the Commission in the early afternoon of Oct 1.

Sincerely yours,

	Nicole Cromwell, AICP Zoning Coordinator *Cromwelln@billingsmt.gov*
billingsmt.gov	P.O. Box 1178 Billings, MT 59103 P 406.247.8662

If I am not available, we have a team of Planners who can answer most zoning and land use questions. They are always available at 406-657-8247 or plnonline@billingsmt.gov

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message is intended for the use of the individual or entity named above. If you are not the intended recipient of this transmission, please notify the sender immediately, do not forward the message to anyone, and delete all copies. Thank you.

Please note starting August 28, 2024 the Planning Division will be located in the Depot Building at 2224 Montana Avenue

From: Brenda Rush
To: Cromwell, Nicole; John Halverson; John Halverson; Brenda Rush; wolverine59105@gmail.com
Subject: [EXTERNAL] Opposition to proposed zone change
Date: Saturday, November 9, 2024 4:16:23 PM

November 9, 2024

Planning and Zoning Commission
City of Billings

Re: Opposition to Proposed Zone Change – Case No. CMU1, NX3, NX1, N1

Dear Members of the Planning and Zoning Commission,
I am writing to express my strong opposition to the proposed zone change for the area encompassing CMU1, NX3, NX1, and N1 districts. While I understand the desire to create a variety of housing options, I believe this application is motivated by the developer's interest in increasing profits at the expense of the established character of our community. The proposed changes will have long-term negative consequences for current residents, and I urge you to reject this application in favor of maintaining the existing single-family zoning.
The current zoning, which supports single-family dwellings, has been a fundamental element in preserving the quality of life for those of us who live here. The introduction of mixed-use zones, particularly NX3 and CMU1, represents a significant departure from the neighborhood's established character. These changes may increase density, introducing townhomes, fourplexes, and commercial establishments, which will not be in scale with the surrounding homes. While proponents may argue that this would create affordable housing and increase options for different income levels, it appears that the primary beneficiary of these changes would be the developer, who stands to profit from the construction of more units and the commercial development at the intersection of Annandale Rd. and High Sierra Blvd. This does not seem to be a decision made with the well-being of the existing community in mind, but rather an effort to maximize returns at the expense of the

neighborhood's stability.
Furthermore, the gradual transition of zoning from N1 to NX1 to NX3 within this proposal will likely result in overcrowding and increased traffic, which will diminish the quality of life for current residents. While some may see this as a necessary evolution to meet growing housing demands, it risks overcrowding our streets, straining local infrastructure, and changing the character of our peaceful, residential area. It is not unreasonable to be concerned that the financial interests of the developer are driving these changes, rather than a balanced approach that considers both the needs for new housing and the preservation of the community's unique character.
I also believe the proposed zone change could have detrimental effects on property values in the area. Many of us have made substantial investments in our homes, and we have chosen this neighborhood in large part because of its single-family residential character. The shift toward denser, mixed-use zones could make our properties less attractive to future buyers who are seeking the same quiet, residential environment we enjoy today. The proposal, while perhaps profitable for some, risks destabilizing the area and undermining the investments of long-term homeowners.
While I understand that there is a desire to create more diverse housing options, the current N1 and NX1 zones already offer flexibility in housing types, including single-family homes, duplexes, and small multi-family units, which are more in keeping with the existing neighborhood. The area currently enjoys a well-defined boundary between residential zones and denser, mixed-use areas further toward the center of town. I believe maintaining this boundary is in the best interest of the community and will protect the quality of life for those of us who have chosen to live in this neighborhood.
In conclusion, I urge you to reject the proposed zone change and preserve the single-family zoning that has helped our community thrive. The motivations behind this proposal seem to prioritize financial gain for the developer rather than the long-term needs of our neighborhood. I trust that the Planning and Zoning Commission will carefully consider the impacts of this application, both for the residents and for the broader community.
Thank you for your attention to this matter. I hope my concerns will

be fully considered during the review process.
Sincerely,

Brenda Rush
bkrush1@yahoo.com

From: Harold Anderson
To: Cromwell, Nicole
Subject: Harold Anderson OBJECTION to City Zone Change 1056
Date: Sunday, November 10, 2024 5:31:17 PM

Nicole,

This is the third notice of my opposition to the request by Gary Oakland and John Halverson for a City Zone Change 1056 – **From** N3 toNX1, NX3, CMU1, & P1 – C/S 3894 Tract 1.
It is obvious that they are only concerned about feathering their own nest and they could care less about the current residents in these Heights neighborhoods and the impact of what they intend to do with their own idea of development. Therefore, I am not in the slightest bit interested in seeking a compromise, I strongly oppose any change as they have requested. I suggest they seek land in a different part of the county or build dwellings that are consistent with the current surrounding neighborhoods. Please reject any and all requests from them in their attempt to change the quality of Heights residents lives for the sake of future tenants that have no property interests or investment in any way in our community that we have built into a neighborhood of family and friends.

November 6, 2024

Dakota Martonen
City of Billings Public Works Department
2224 Montana Avenue
Billings, MT 59101

Reference: Tract 1 of Certificate of Survey 3894 Concept Design/Zone Change – Traffic Analysis Letter
Project No. 82061.154

Dear Dakota:

The purpose of this letter is to provide a traffic generation update for the projected zone change of Tract 1 of Certificate of Survey 3894 in Billings, Montana. The 53.3-acre site was originally zoned as a Suburban Neighborhood (N3) and the proposed change is to a combination of Mixed Residential (NX3 and NX1), First Neighborhood (N1), Mixed-Use (CMU1), and Parks and Open Space (P1). The proposed zoning plan is presented in Figure 1 (attached).

The 2023 City of Billings Long Range Transportation Plan (LRTP) provides existing and proposed roadway functional classifications for roadways throughout Billings. Gleneagles Boulevard, Annandale Road, and High Sierra Boulevard are major roadways surrounding the site. The City of Billings LRTP existing and proposed roadway functional classifications for major roadways surrounding the site are also presented in Figure 1 of the attachments.

Trip Generation

The trip projection analysis utilized Trip Generation, 11th Edition, published by the Institute of Transportation Engineers (ITE), which is the most widely accepted source for determining trip generation projections. Land Use 210 – Single-Family Detached Housing was used to estimate trip generation with the existing N3 zoning. This land use and unit density were determined based on similar, already developed areas in Billings with N3 zoning. Trip generation projections for Tract 1 of Certificate of Survey 3894 with the current N3 zoning are presented in Table 1 on the following page.

Table 1: Trip Generation – Current Zoning

Land Use	Independent Variable		Average Weekday			AM Peak Hour			PM Peak Hour		
	Intensity	Units	total	enter	exit	total	enter	exit	total	enter	exit
Single-Family Detached Housing[1]	190	Dwelling Units	1792	896	896	133	33	100	179	113	66
Full Buildout New External Trips			**1792**	**896**	**896**	**133**	**33**	**100**	**179**	**113**	**66**

(1) Single-Family Detached Housing - Land Use 210* Units = Dwelling Units

Average Weekday: Average Rate = 9.43 (50% entering/50% exiting)

Peak Hour of the Adjacent Street, One Hour between 7 and 9 AM: Average Rate = 0.70 (25% entering/75% exiting)

Peak Hour of the Adjacent Street, One Hour between 4 and 6 PM: Average Rate = 0.94 (63% entering/37% exiting)

**Trip Generation, 11th Edition* , Institute of Transportation Engineers, 2021

The new zoning areas for the development are listed as follows: 14.23 acres as NX3, 26.34 acres as NX1, 8.92 acres as N1, 3.08 acres as CMU1, and 0.68 acres as P1. Land Use 220 – Multifamily Housing (Low-Rise), Land Use 215 – Single-Family Attached Housing, Land Use 210 – Single-Family Detached Housing, and Land Use 822 – Strip Retail Plaza (<40k) were used to estimate trip generation for the proposed NX3, NX1, N1 and CMU1 zoning, respectively. These land uses and unit density were determined based on similar, already developed areas in Billings with NX3, NX1, N1, and CMU1 zoning. Trips generated from the proposed P1 zoning would be negligible due the size of the proposed area, therefore, no land use was assigned for that zone. Internal Capture and pass-by trips were calculated where applicable and removed from total gross trips to find the total external trips. Internal capture trips do not have origins or destinations external to a project site, so they do not have an impact on external traffic operations. Pass-by trips are attracted from traffic "passing by" on an adjacent street that offers direct access to the site. Trip generation projections for Tract 1 of Certificate of Survey 3894 with the proposed zoning change are presented in Table 2 on the following page.

The proposed zone change would represent an increase in trip generation of 3,775 average weekday external trips, with an addition of 222 trips during the AM peak hour and 283 trips during the PM peak hour. New external weekday vehicle trips were assigned to adjacent roadways.

Table 2: Trip Generation – Proposed Zoning

Land Use	Independent Variable		Average Weekday			AM Peak Hour			PM Peak Hour		
	Intensity	Units	total	enter	exit	total	enter	exit	total	enter	exit
Multifamily Housing (Low-Rise)[1]	332	Dwelling Units	2238	1119	1119	133	32	101	169	106	63
Internal Capture Trips**			79	47	32	2	1	1	10	7	3
Single-Family Attached Housing[2]	300	Dwelling Units	2160	1080	1080	144	36	108	171	101	70
Internal Capture Trips**			77	46	31	2	1	1	10	7	3
Single Family Detached Housing[3]	80	Dwelling Units	754	377	377	56	14	42	75	47	28
Internal Capture Trips**			27	16	11	1	0	1	4	3	1
Strip Retail Plaza (<40k)[4]	20	1000 SF GFA	1089	545	544	47	28	19	132	66	66
Internal Capture Trips**			183	74	109	5	3	2	24	7	17
Pass-By Trips** (Avg. Rate = 34%)			308	160	148	15	9	6	37	20	17
Total Buildout Gross Trips			**6241**	**3121**	**3120**	**380**	**110**	**270**	**547**	**320**	**227**
Total Buildout Internal Capture Trips			**366**	**183**	**183**	**10**	**5**	**5**	**48**	**24**	**24**
Total Pass-By Trips			**308**	**160**	**148**	**15**	**9**	**6**	**37**	**20**	**17**
Total Buildout New External Trips			**5567**	**2778**	**2789**	**355**	**96**	**259**	**462**	**276**	**186**

(1) Multifamily Housing (Low-Rise) - Land Use 220* — Units = Dwelling Units
Average Weekday: Average Rate = 6.74 (50% entering/50% exiting)
Peak Hour of the Adjacent Street, One Hour between 7 and 9 AM: Average Rate = 0.40 (24% entering/76% exiting)
Peak Hour of the Adjacent Street, One Hour between 4 and 6 PM: Average Rate = 0.51 (63% entering/37% exiting)

(2) Single-Family Attached Housing - Land Use 215* — Units = Dwelling Units
Average Weekday: Average Rate = 7.20 (50% entering/50% exiting)
Peak Hour of the Adjacent Street, One Hour between 7 and 9 AM: Average Rate = 0.48 (25% entering/75% exiting)
Peak Hour of the Adjacent Street, One Hour between 4 and 6 PM: Average Rate = 0.57 (59% entering/41% exiting)

(3) Single-Family Detached Housing - Land Use 210* — Units = Dwelling Units
Average Weekday: Average Rate = 9.43 (50% entering/50% exiting)
Peak Hour of the Adjacent Street, One Hour between 7 and 9 AM: Average Rate = 0.70 (25% entering/75% exiting)
Peak Hour of the Adjacent Street, One Hour between 4 and 6 PM: Average Rate = 0.94 (63% entering/37% exiting)

(4) Stip Retail Plaza (<40k) - Land Use 822* — Units = 1000 SF GFA
Average Weekday: Average Rate = 54.45 (50% entering/50% exiting)
Peak Hour of the Adjacent Street, One Hour between 7 and 9 AM: Average Rate = 2.36 (60% entering/40% exiting)
Peak Hour of the Adjacent Street, One Hour between 4 and 6 PM: Average Rate = 6.59 (50% entering/50% exiting)

**Trip Generation, 11th Edition* , Institute of Transportation Engineers, 2021

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

ADT Comparison

Sanbell collected ADT data on September 10-12, 2024, to analyze of the impact on roadways and intersections due to the proposed zoning change. The data was collected on Gleneagles Boulevard and High Sierra Boulevard using Houston Radar Stats Analyzer.

The ADTs counted by the radar data collection devices for High Sierra Boulevard and Gleneagles Boulevard were 1,330 and 3,953 vehicles, respectively, as shown in the attached Figure 2. MDT's traffic count stations on High Sierra Boulevard and Gleneagles Boulevard just north of Wicks Lane collected 2023 annual average daily traffic (AADT) volumes of 2,170 vehicles on High Sierra Boulevard and 4,240 vehicles on Gleneagles Boulevard. The location of the High Sierra Boulevard radar device for

this study was placed north of Skyview High School so that school traffic was not captured, which explains the decrease in volumes in comparison to the MDT volumes.

Average weekday trip generation values were added to existing ADTs collected for this study to determine future volume projections on High Sierra Boulevard and Gleneagles Boulevard. The resulting Existing + Site volumes are 3,218 vehicles on High Sierra Boulevard and 5,840 vehicles on Gleneagles Boulevard. These values are also shown in Figure 2 (attached). The City of Billings LRTP projects a 2045 AADT of less than 3,000 vehicles on High Sierra Boulevard. The addition of the new zoning trips does make High Sierra Boulevard exceed the future volume expectation, but it is still well below the 12,000 vehicles theoretical capacity for a two-lane road. With the proposed development adjacent to High Sierra Boulevard, its future volumes will inevitably increase beyond the LRTP projection. Gleneagles Boulevard is projected to experience a 2045 AADT in the 3,001 to 10,000 vehicles range. With the addition of the new zoning trips, Gleneagles Boulevard is still within the future projected volume range and below the theoretical capacity of two-lane roads.

Speed Data

Speed data was also collected on September 10-12, 2024, using Houston Radar Stats Analyzer. Data was collected on High Sierra Boulevard between Siesta Avenue and El Rancho Drive and on Gleneagles Boulevard between Wicks Lane and Pebble Beach Road.

The posted speed limit on Gleneagles Boulevard is 35 mph, and High Sierra Boulevard is 25 mph. The speeds at which 50 percent and 85 percent of traffic are observed to travel at or below during free-flow conditions (50th percentile and 85th percentile speeds) were collected in addition to the 10-mph pace of the traffic stream. These values are illustrated in Table 3 below. The 50th and 85th percentile speeds are often used to help establish appropriate speed limits.

Table 3: Speed Data

Location	50th Percentile Speed	85th Percentile Speed	Pace of Traffic Stream
35-mph Speed Zone - NB & SB			
Gleneagles Boulevard	31-mph SB	35-mph SB	(26-mph - 36-mph)
280-ft N of Siesta Avenue	30-mph SB	34-mph SB	(25-mph - 35-mph)
25-mph Speed Zone - NB & SB			
High Sierra Boulevard	28-mph NB	33-mph NB	(24-mph - 34-mph)
800-ft N of Wicks Lane	30-mph SB	34-mph SB	(25-mph - 35-mph)

The 50th and 85th percentile speeds collected on Gleneagles Boulevard did not exceed the posted speed limit of 35 mph, and the average pace was 25-35 mph. This data suggests the posted speed limit is adequate for Gleneagles Boulevard.

All 50th and 85th percentile speeds collected on High Sierra Boulevard exceeded the posted speed limit of 25 mph, and the average pace was 25-35 mph. This data suggests that increased enforcement of the 25-mph speed limit may be necessary on High Sierra Boulevard. Traffic calming measures such as curb bulb outs at intersections, raised intersections or crosswalks, speed humps, and/or narrower lanes could also be implemented to reduce speeds on High Sierra Boulevard.

Conclusion

The projected zone change of Tract 1 of Certificate of Survey 3894 from N3 to NX3, NX1, N1, CMU1, and P1 is expected to result in a large increase in traffic demand but is not anticipated to exceed roadway capacities. Projected volumes from the 2023 LRTP are projected to be exceeded on High Sierra Boulevard but remain within the anticipated range on Gleneagles Boulevard.

Please feel free to contact me at 406-922-4306 or jstaszcuk@sanbell.com if you have any questions or would like to discuss this further.

Sincerely,



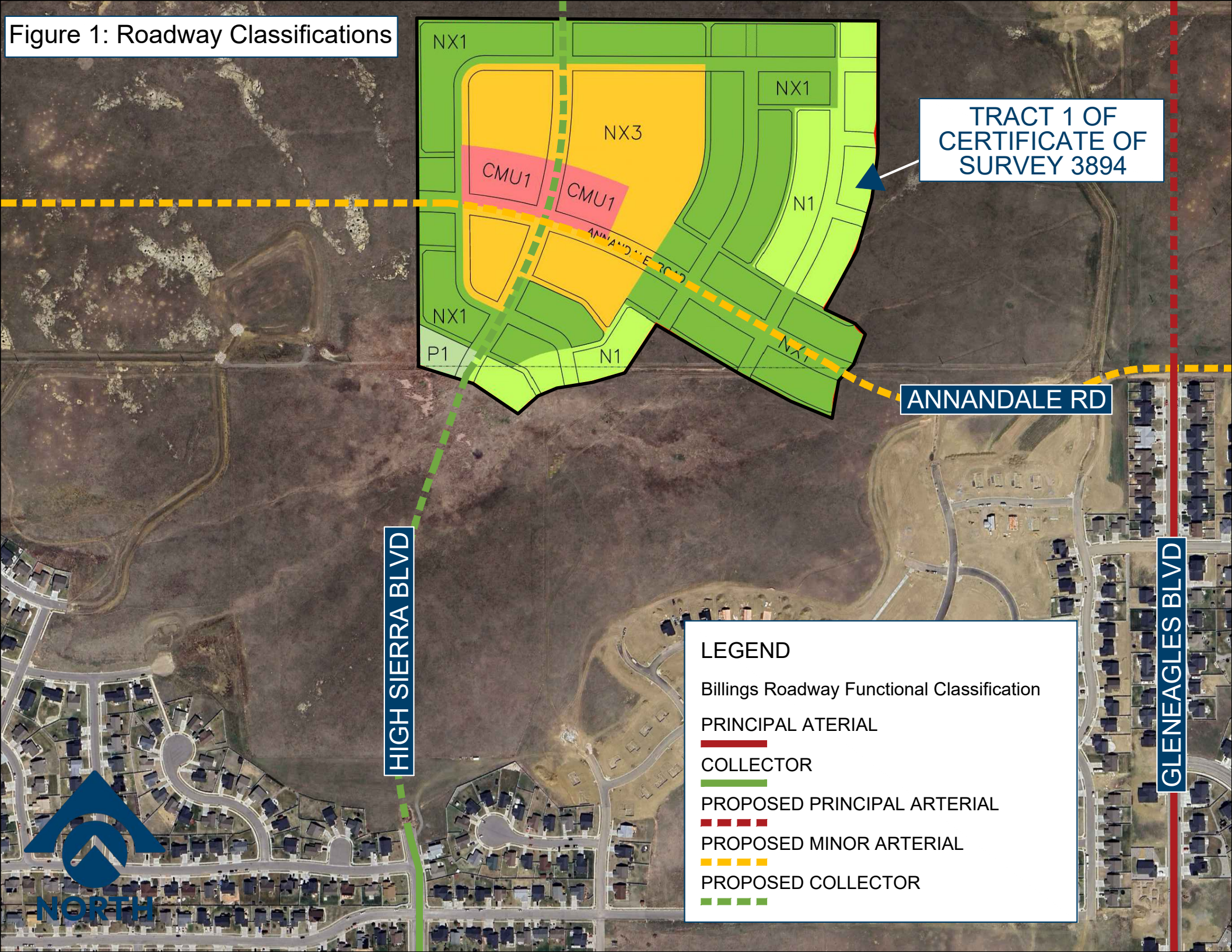
Joey Staszcuk, PE, PTOE, RSP1
Senior Engineer | Community Transportation Studio Manager

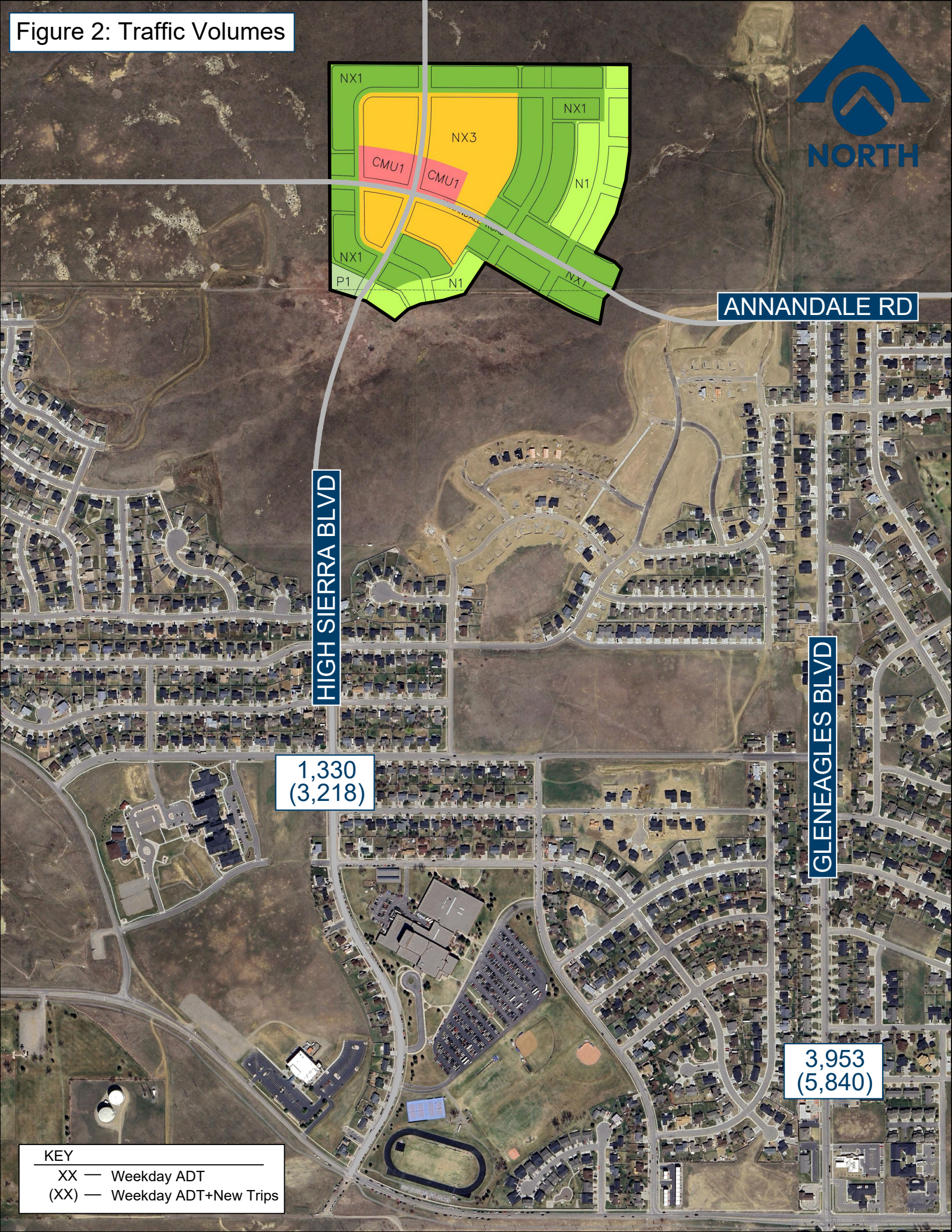
KRK/ars/roft/jhs

Enc:
Roadway Classification Figure
Traffic Volumes Figure

P:82061.154_High_Sierra_II_Zone_Change_and_Concept _11.6.2024

Figure 1: Roadway Classifications




Figure 2: Traffic Volumes
NX1
NX3
NX1
CMU1
CMU1
N1
NX1
P1
N1
NX1
NORTH
ANNANDALE RD
HIGH SIERRA BLVD
GLENEAGLES BLVD
1,330
(3,218)
3,953
(5,840)
KEY
XX — Weekday ADT
(XX) — Weekday ADT+New Trips

ORDINANCE 25-_____

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THE ZONE CLASSIFICATION for Tract 1 of C/S 3894, BE AMENDED

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

Section 1. **RECITALS.** *Title 76, Chapter 2, Part 3, MCA,* and *Sections 27-1628, BMCC,* provide for amendment to the City Zoning Map from time to time. The City Zoning Commission and staff have reviewed the proposed zoning for the real property hereinafter described. The Zoning Commission and staff have considered the ten (10) criteria required by Title 76, Chapter 2, Part 3, MCA. The recommendations of the Zoning Commission and staff have been submitted to the City Council, and the City Council, in due deliberation, has considered the ten (10) criteria required by state law.

Section 2. **DESCRIPTION. Tract 1 of C/S 3894** is presently zoned **Suburban Neighborhood Residential (N3)** and is shown on the official zoning map within this zone district.

Section 3. **ZONE DISTRICT AMENDMENT.** The official zoning map is hereby amended and the zoning for **Tract 1 of C/S 3894,** is hereby changed from **Suburban Neighborhood Residential (N3), to First Neighborhood (N1), Mixed Residential 1 (NX1), Mixed Residential 3 (NX3), Corridor Mixed-Use 1 (CMU1, and Public 1 (P1) as shown on Exhibit A**, and from the effective date of this ordinance, the area shown on Exhibit A shall be subject to all the rules and regulations pertaining to **First Neighborhood (N1), Mixed Residential 1 (NX1), Mixed Residential 3 (NX3), Corridor Mixed-Use 1 (CMU1, and Public 1 (P1),** as set out in the Billings, Montana City Code.

Section 4. **EFFECTIVE DATE**. This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

Section 5. **REPEALER**. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

Section 6. **SEVERABILITY**. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

PASSED by the City Council on first reading this 27th day of January, 2025.

PASSED, ADOPTED and APPROVED on second reading this 10th day of February, 2025.

CITY OF BILLINGS

BY:_____

William A. Cole, Mayor

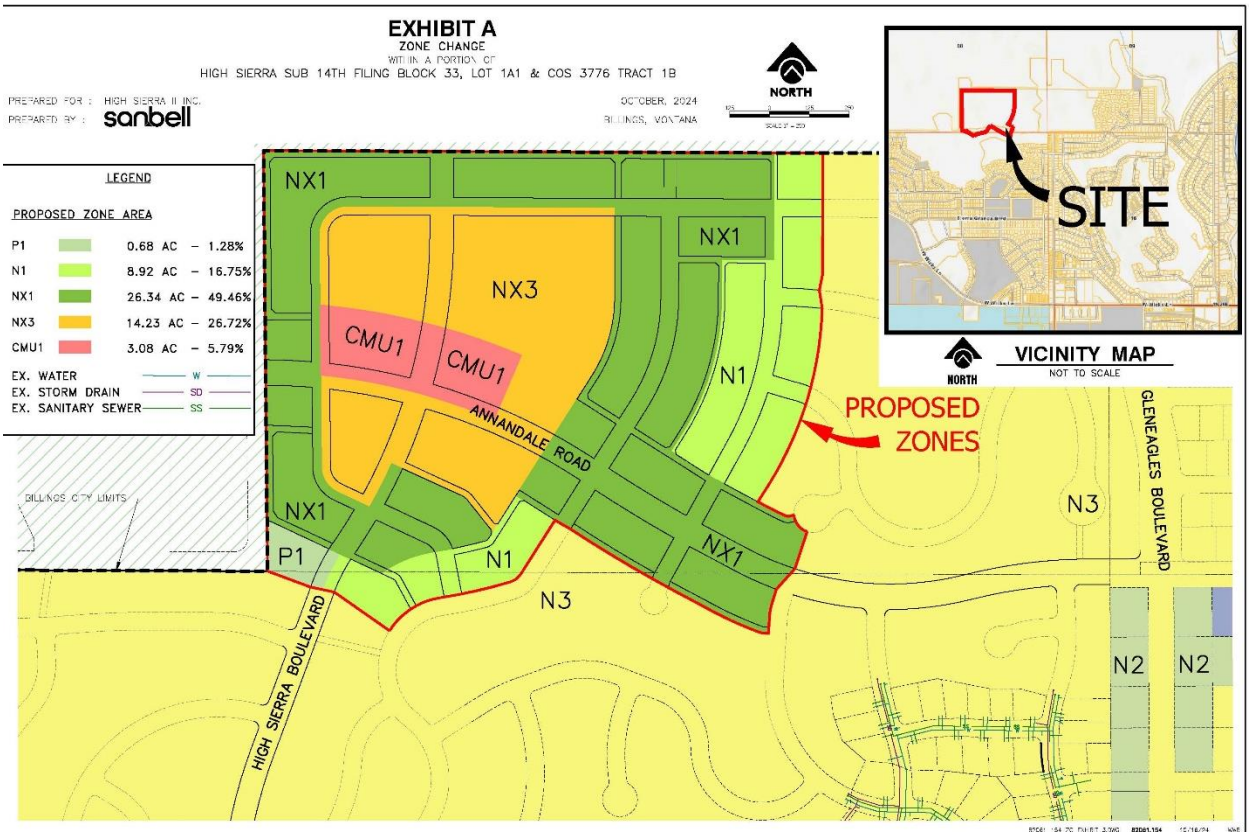
Attest:

BY:_____

Denise R. Bohlman, City Clerk

Zone Change 1056 – C/S 3894 Tract 1 – High Sierra Neighborhood

Exhibit A



January 3, 2025

City Of Billings Planning & Community Services
Zoning Commission
316 N 26th St.
Billings, MT 59101

Reference: January 07, 2024, Hearing on City Zone Change 1056

Commissioners,

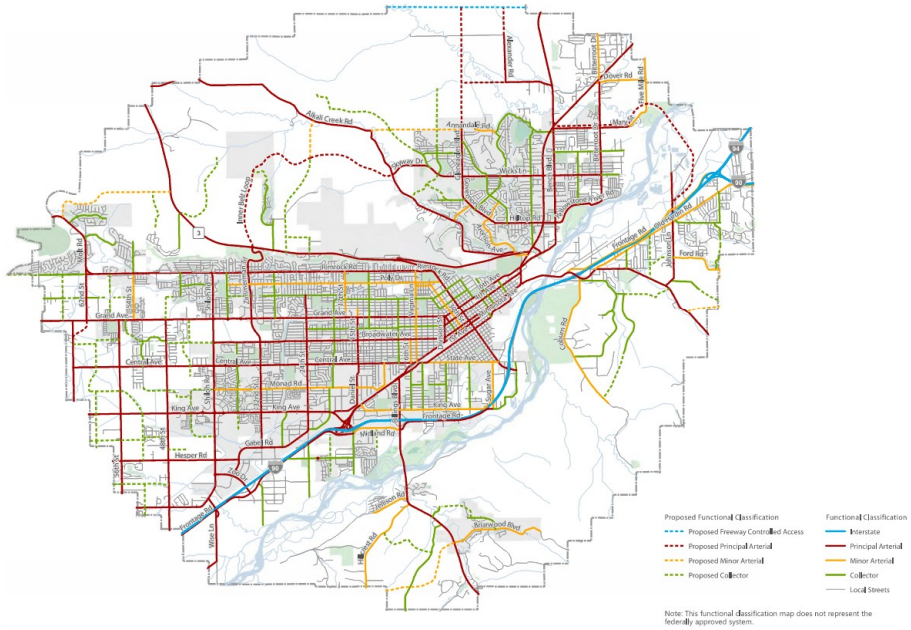
Sanbell, on behalf the applicant for City Zone Change 1056, Gary Oakland, submits this letter to provide clarification and response to questions posed by the Zoning Commission during the public hearing on December 03, 2024. We thank the commission for its consideration.

I. Traffic - 2023 LRTP Projections and Roadway Capacity

The 2023 Long Range Transportation Plan (LRTP) projects future trips on the planned and existing street network within the MPO boundaries. The extents of the 2023 LRTP include some undeveloped areas, and uses a traffic travel demand model based on existing zoning and development to project future traffic volumes.

The Traffic Analysis Letter prepared by Sanbell was reviewed by City Traffic Engineer Martonen, who accepted its methods and findings, which demonstrated that the existing and added trips generated by Zone Change 1056 would be well within the capacity of Gleneagles Blvd. (resulting 27% capacity) and High Sierra Blvd. (resulting 49% capacity). These projections do not account for future street connections planned to the north and west, which would reduce the impact of this development on High Sierra Blvd. and Gleneagles Blvd.

FIGURE 35. FUNCTIONAL CLASSIFICATION



66 2023 BILLINGS URBAN AREA LONG RANGE TRANSPORTATION PLAN

2. Traffic - Process for Allocation of System Development Costs

During the Commission's deliberations on December 3, commissioners asked how costs associated with development resulting from this application would be allocated. Per City of Billings Subdivision Regulations section 23-406, the High Sierra development would be required to construct all internal roadways (Local Streets, Collectors, and Arterials) to the City standards at 100% development cost. Those regulations also require that a Traffic Accessibility Study (23-406(b)(4)) must be completed and approved by a city engineer as a condition of approval. The city will also require a comprehensive traffic impact study at the time of site plan approval that reviews traffic and safety operations of Collector/Arterial intersections within a mile or more of the development at the discretion of the City's Traffic Engineer. At the conclusion of the traffic impact study, the city will calculate the portion of all collector/arterial intersections, for which the developer is responsible, based on the proposed development's density, (i.e., the higher the development density, the higher transportation fees that will be required.) These fees are collected by the City and used for intersection traffic and safety upgrades across the City on the Collector and Arterial intersection.

3. Why Here?

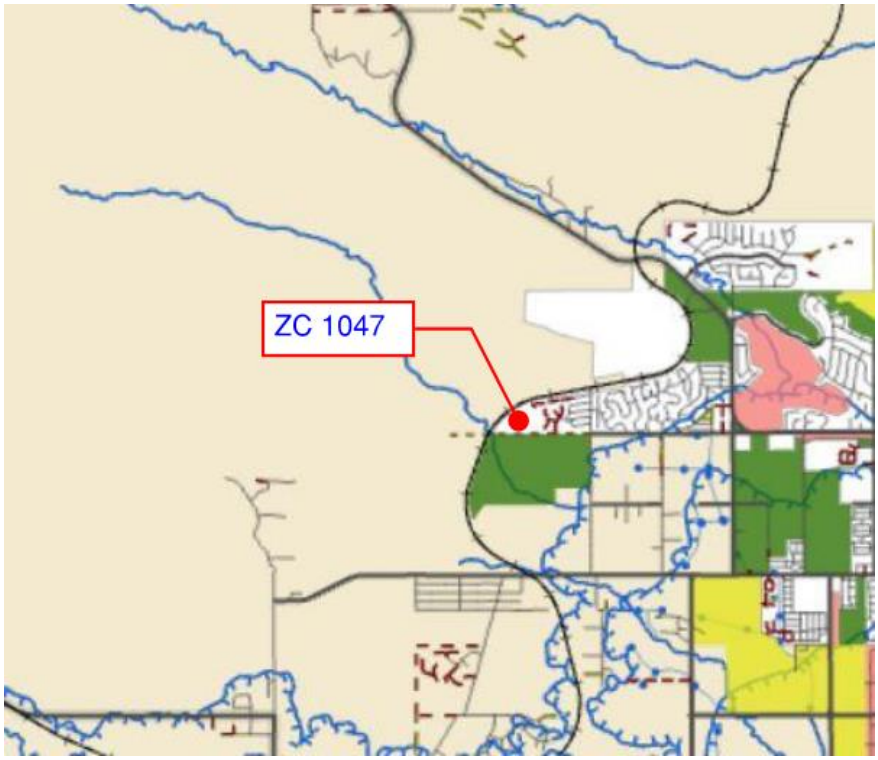
During deliberations, some commissioners mentioned that they would be more supportive of the application were it on Main Street. Unfortunately, no developable parcels with sufficient acreage to support multifamily residential are available on Main Street. Unlike a smaller, more centrally located property, introduction of multifamily residential at the proposed location allows for a planned transition between building scales, insulating existing residences with buffers N3 of more than a hundred yards in all directions.

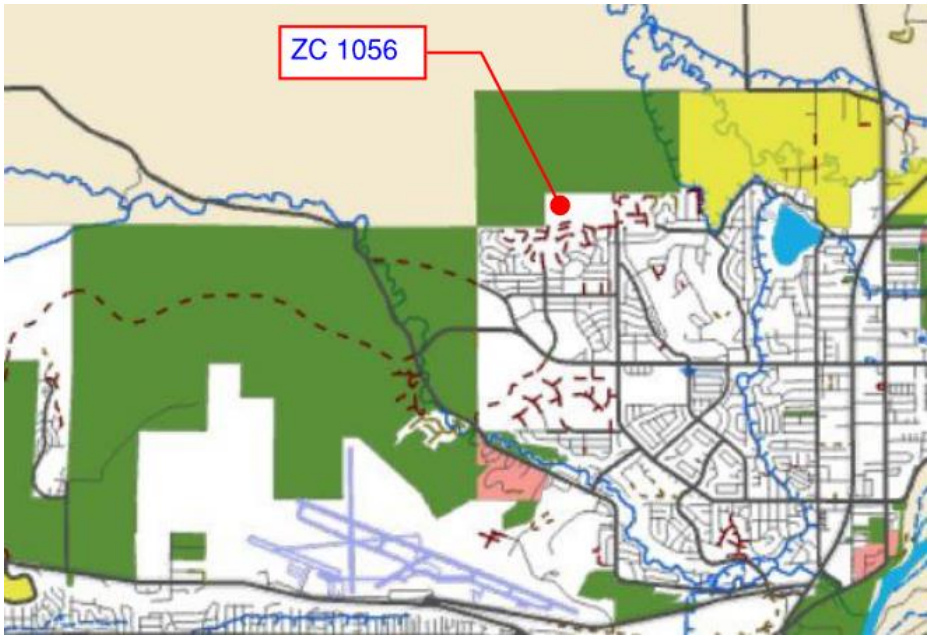
4. Why this application is not like Copper Ridge

At several points during the commission's deliberation on Zone Change 1056, Commissioners compared this application to zone change 1047, Copper Ridge 7th and 8th filings. Those applications are not comparable for several reasons.

While both applications address zoning for property located at the edge of city limits, the similarities end there. Zone change 1047 sat at the end of a narrow, disconnected outgrowth of annexed land (white), surrounded, with one exception, by county land outside of the petition (green) or long-range annexation area (yellow), i.e. land not planned for future urban development of any kind in the 2016 Growth Policy.

Zone change 1056, by contrast, sits at the northwestern edge of a contiguous body of annexed land (white), with petition areas (green) of 800 acres to its northwest, and petition area of 4,300 acres to its southwest, both of which are planned in the 2016 Growth Policy for similar intensities of development.


ZC 1047


ZC 1056

5. Tenth Statutory Zone Change Criteria

During the December 3rd hearing, commissioners stated that this application likely meets all criteria except criteria ten, "*whether the new zoning will encourage the most appropriate use of land throughout the City of Billings.*"

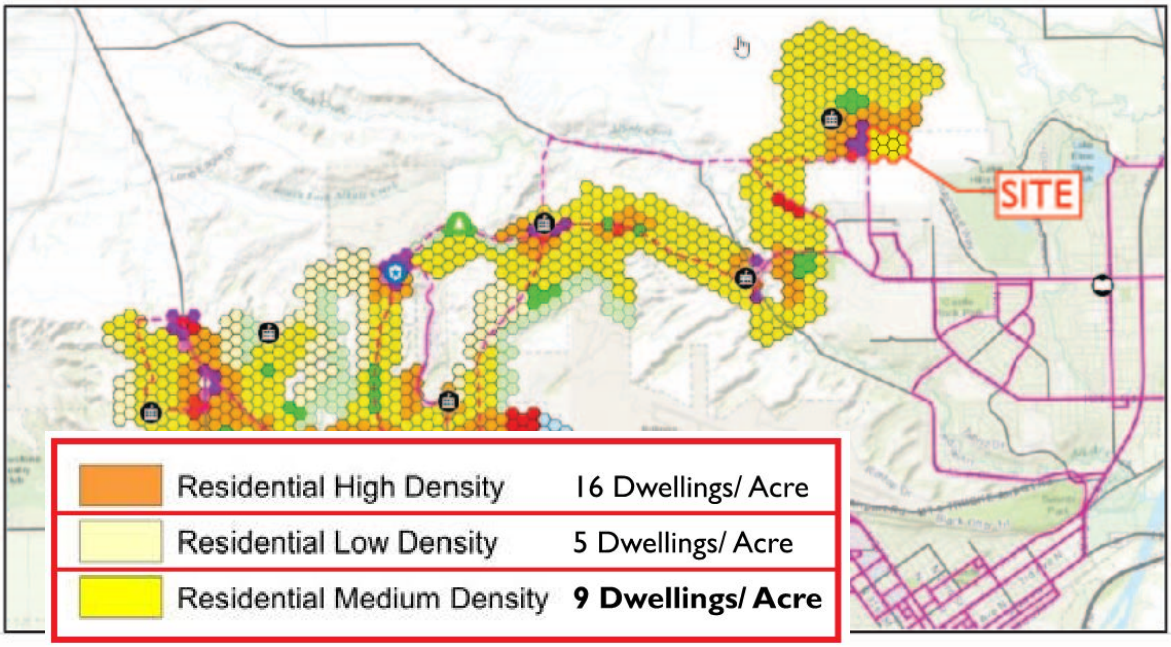
We contend that the best way to judge any zoning application against the vague wording of criterias 2-10 of MCA 76-2-304 is to measure the application's consistency with the Growth Policy, which is criteria 1, and offers the most detailed analysis of the themes discussed in MCA 76-2-304.

6. Accordance with the 2016 Growth Policy

This application meets the first statutory zone change criteria and is wholly consistent with the City of Billings 2016 Growth Policy, which contains the most in-depth analysis available as to what kind and intensity of development is appropriate and desired by the public for The Heights growth area.

The Heights growth area identified in the 2016 Growth Policy directly abuts Zone Change 1056 to the north and west and plans for development of 9-15 dwellings per acre throughout most of the growth area, with higher densities of 16

NORTH PUBLIC PREFERRED SCENARIO (NPP)



dwellings per acre and mixed-use development planned for the area directly west of the subject property.

With an average residential density of 13.4 dwellings per acre and the inclusion of a small area of commercial use, this application is exactly the kind of development that the 2016 Growth Policy, and the public input that informed it, calls for.

Denial of this application would create one of two scenarios: it would either create a precedent of denial for similar requests in this area, in direct conflict with the Growth Policy, or it would put the commission in the position of having denied zoning on one side of the fence, only to approve it on the other.

Approval of Zone Change 1056 would conform with the Growth Policy, its analysis, and the public vision expressed therein. Approval of this application sows the seeds of fiscally and socially sustainable growth in The Heights, whose fruits will be enjoyed by generations to come.

In accordance with the 2016 Growth Policy, we respectfully request a unanimous recommendation for approval. Thank you.

Sincerely,

John D. Halverson, LEED AP BD+C
Planner

JDH/vp
P:/ Commissioners_hearing_city_zone_change_1056_010325.docx

City Council Regular

Date:	01/27/2025
Title:	First Reading and Public Hearing - City Ordinance Amendments Related to Code Enforcement Activity
Presented by:	Tina Hoeger
Department:	Planning & Community Services
Presentation:	Yes
Legal Review:	Yes
Project Number:	N/A

RECOMMENDATION

Staff recommends the Council conduct a public hearing and approve the amendments to City ordinances on first reading. These amendments will make enforcement and legal processes for Code Enforcement, Police Department and other Departments more effective and efficient.

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

At the City Council Work Session held on Monday, January 6, 2025, five proposed ordinance amendments and one resolution amendment were presented and discussed with Council. These amendments have been worked on by Code Enforcement and Legal staff for months and coordinated with all other Departments that may be involved or impacted by the code changes. Council accepted the suggestions and directed staff to move the amended ordinances to a public hearing and first reading. The amended resolution does not require a public hearing and will be presented to council at the February 10, 2025, regular meeting on the consent agenda. The following is a list of the amended ordinances:

- BMCC 24-411 Parking for Camping Purposes
- BMCC 18-1100 Graffiti (reward language only)
- BMCC 18-1302 Civil citations service and requirements
- BMCC 6-1300 Display of address numbers
- BMCC 13-400 Division 3 - Business, occupation and professional tax

Red-lined ordinances are attached to this memo, amending some language. Clean versions are also attached to this memo to show what will be approved on First Reading.

STAKEHOLDERS

The suggested amendments will update the language in the ordinances to be consistent with previously amended ordinances approved by council. The amendments remove the penalty for violating these ordinances as a misdemeanor and replace the penalty as a municipal infraction, which has a direct effect on the property owner and simplifies the prosecution process. This eliminates the need for legal staff to be involved at a court level in these cases. Overall, the amendments also enable more efficient and effective application and enforcement of City codes.

ALTERNATIVES

City Council may:

- Approve the five amended ordinances as submitted; or,
- Not Approve the five amended ordinances as submitted. Not making the ordinance amendments will result in existing alignment issues between City ordinance sections, more complex legal processes where municipal infractions are not applicable and less efficiency for Code Enforcement and other departments in applying and enforcing the City codes.

FISCAL EFFECTS

Approval does not have a negative impact on the code enforcement budget and may decrease staff time required to prosecute these cases, increasing efficiency and allowing code enforcement staff to have more time to address more and varying city code violations.

SUMMARY

Staff recommends the City Council approve the amendments to the five city ordinances on first reading.

Attachments

Presentation
Parking for Camping Purposes (redline)
Parking for Camping Purposes (clean)
Graffiti (redline)
Graffiti (clean)
Civil citations service and requirements (redline)
Civil citations service and requirements (clean)
Display of address numbers (redline)
Display of address numbers (clean)
Business, occupation and professional tax (redline)
Business, occupation and professional tax (clean)

Billings CODE ENFORCEMENT

Ordinance Amendments
Public Hearing and First Reading

Tina Hoeger
Code Enforcement Division Manager
Todd Corne
Civil Deputy City Attorney

City Council Regular Meeting
January 27, 2025

Overview

First presented at the City Council Work Session on January 6, 2025. Council moved proposed amendments on the following ordinances to a public hearing and first reading, which is being conducted tonight:

- Parking for Camping Purposes
- Graffiti Reward (minor language revisions to previously amended ordinance and resolution)
- Civil Citations Service and Requirements
- Display of Address Numbers
- Business, Occupation and Professional Tax

Resolution amendments to the graffiti reward fund do not require a public hearing and will be brought to council at the February 10, 2025, City Council Regular Meeting, pending tonight's meeting.

Slides that follow are from the same presentation as the January 6, 2025, City Council Work Session.

BMCC 24-411
Parking for Camping Purposes

- Addition of language: or any non-motorized vehicles
- Removal of terminology: authorized tourist park, replacing it with MCA definition of a campground.
  - Allows city to address all types of vehicles in public spaces
    - Unattached campers on a city street or other public areas
    - Any other version of a non-motorized vehicle
  - Remaining language in code stays the same

Revision reviewed and approved by BPD administration and parking division.

BMCC 18-1105
Graffiti Rewards and Reimbursements for Information

- Language revisions:
  - Change accept to approve and accepted to approved
    - Provides additional clarity
  - Change council to administrator
    - City Administrator to approve a reward as an administrative function, as originally intended.
  - Same language revisions made in Resolution 24-11193 Establishing a Graffiti Fund, item 3 Review of Claims.
- If approved, update language in graffiti reward form.
  - Copy of reward form is attached for council information.
- Remaining language in code stays the same

Billings CODE ENFORCEMENT

BMCC 18-1302
Civil Citations – Service and Requirements

- Language revision to 18-1302(b)(3):
  - By publication, in the manner described in Rule 4(o) of the Montana Rules of Civil Procedure, except that all proceedings for issuance of service by publication shall be had with the Billings Municipal Court and the Billings Municipal Court Clerk in place of the District Court and the Clerk of the District Court.
- The Civil Procedure Rule referenced for service by publication is outdated and requires above amendment.
- Remaining language in this article stays the same.

Billings CODE ENFORCEMENT

BMCC 6-1300
Display of Address Numbers

- 6-1307 Compliance required; correction of violations (Address Display)
  - Removed within twenty (20) days after the date of such notice.
  - Updated language would be consistent with current enforcement process, i.e. letter notification, etc.

- 6-1308 Penalty.
  - Amended language to change enforcement of this article from a misdemeanor to a municipal infraction.

Amendments reviewed and approved by Building Official.

Billings CODE ENFORCEMENT

BMCC 13-400 Division 3
Business, Occupation and Profession Tax

- 13-436 Additional penalties:
  - Amended language to change enforcement from a misdemeanor to a municipal infraction.
  - Added language:
    - Each day that a violation occurs is a separate offense.
- Remaining language in code stays the same

Amendments reviewed and approved by Finance Director.

ORDINANCE 25-_____

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE BILLINGS, MONTANA CITY CODE (BMCC) BE AMENDED BY REVISING ARTICLE 24-411, OF SAID CODE

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

Section 1. That Article 24-411, of the Billings, Montana City Code (BMCC) is amended so that such section shall read as follows:

Article 24-411 – Parking for Camping Purposes

It is unlawful for any person to park any motor vehicle or any non-motorized vehicle for camping purposes in the city except in ~~an authorized tourist park.~~ a campground as defined by MCA 50-52-101(1) and which is in compliance with state and city health, licensing, and zoning provisions.

(1) Overnight parking or camping in private parking lots within the city limits is prohibited. However, a rest period of no more than ten (10) hours shall be allowed, providing it is permitted by the owner of the parking lot. The rest period shall consist of ten (10) consecutive hours, after which time the vehicle must be removed from the parking lot.

(2) Upon approval by resolution, the city council may temporarily suspend the requirements and restrictions imposed by section 24-411 in order to accommodate special events held within the city. The resolution of suspension shall become effective forty-eight (48) hours prior to the official start of the scheduled event and shall terminate forty-eight (48) hours after official conclusion of the event.

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 27th day of January 2025.

PASSED, ADOPTED and APPROVED on second reading this 10th day of February 2025.

CITY OF BILLINGS

BY:_____
William A. Cole, Mayor

Attest
:

_____
Denise R. Bohlman, City Clerk

ORDINANCE 25-_____

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE BILLINGS, MONTANA CITY CODE (BMCC) BE AMENDED BY REVISING ARTICLE 24-411, OF SAID CODE

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

Section 1. That Article 24-411, of the Billings, Montana City Code (BMCC) is amended so that such section shall read as follows:

Article 24-411 – Parking for Camping Purposes

It is unlawful for any person to park any motor vehicle or any non-motorized vehicle for camping purposes in the city except in a campground as defined by MCA 50-52-101(1) and which is in compliance with state and city health, licensing, and zoning provisions.

(1) Overnight parking or camping in private parking lots within the city limits is prohibited. However, a rest period of no more than ten (10) hours shall be allowed, providing it is permitted by the owner of the parking lot. The rest period shall consist of ten (10) consecutive hours, after which time the vehicle must be removed from the parking lot.

(2) Upon approval by resolution, the city council may temporarily suspend the requirements and restrictions imposed by section 24-411 in order to accommodate special events held within the city. The resolution of suspension shall become effective forty-eight (48) hours prior to the official start of the scheduled event and shall terminate forty-eight (48) hours after official conclusion of the event.

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

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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 27th day of January 2025.

PASSED, ADOPTED and APPROVED on second reading this 10th day of February 2025.

CITY OF BILLINGS

BY:_____
William A. Cole, Mayor

Attest
:

_____
Denise R. Bohlman, City Clerk

ORDINANCE 25-_____

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE BILLINGS, MONTANA CITY CODE (BMCC) BE AMENDED BY REVISING ARTICLE 18-1100, OF SAID CODE

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

Section 1. That Article 18-1100, of the Billings, Montana City Code (BMCC) is amended so that such section shall read as follows:

Article 18-1100. Graffiti

Sec. 18-1101. Purpose.

Graffiti presents a threat to the health, safety and welfare of the community and reduces the value of adjoining properties. Graffiti is deemed a public nuisance in accordance with section 18-301. Standards for graffiti abatement established in this section will help improve the appearance of these structures and preserve neighborhood property values.

(Ord. No. 24-5880, § 1, 4-22-24)

Sec. 18-1102. Definitions.

For the purposes of this article the following definitions shall apply:

Graffiti means any unauthorized inscription, word, figure, painting or other defacement that is written, marked, etched, scratched, sprayed, drawn, painted, or engraved on or otherwise affixed to any surface of public or private property by any graffiti implement, to the extent that the graffiti was not authorized in advance by the owner or occupant of the property, or, despite advance authorization constitutes a public nuisance as defined in section 18-302.

Graffiti implement means an aerosol paint container, a broad-tipped marker, gum label, paint stick or graffiti stick, etching equipment, brush or any other device capable of scarring or leaving a visible mark on any natural or man-made surface.

Owner means any entity or entities have a legal or equitable interest in real or personal property including but not limited to the interest of a tenant or lessee.

Paint stick or *graffiti stick* means any device containing a solid form of paint, chalk, wax, epoxy, or other similar substance capable of being applied to a surface by pressure and leaving a mark of at least one-eighth (⅛) of an inch in width.

Perpetrator means a person who applies graffiti to or on any property located within the city.

Person means any individual, partnership, cooperative association, private corporation, personal representative, receiver, trustee, assignee, or any other legal entity.

Property means any real or personal property and that which is affixed, incidental or appurtenant to real property including but not limited to any structure, fence, wall, sign or any separate part thereof whether permanent or not.

Responsible party means an owner or entity or person acting as an agent for an owner by agreement who has authority over the property or is responsible for the property's maintenance or management. Irrespective of any arrangement to the contrary with any other party, each owner shall always be a responsible party for the purposes of this chapter. There may be more than one responsible party for a particular piece of property.

Unauthorized means without the consent of the responsible party.

(Ord. No. 24-5880, § 1, 4-22-24)

Sec. 18-1103. Prohibitions.

It shall be unlawful for any person to apply graffiti to or on any property located within the city.

(Ord. No. 24-5880, § 1, 4-22-24)

Sec. 18-1104. Enforcement and penalties—Perpetrator.

(a) *Fines and imprisonment.* Any person violating this article by applying graffiti to any property shall be punished as provided in section 1-110.

(b) *Restitution.* In addition to any punishment specified in this section, the court shall order any violator to make restitution to the victim for damages or loss caused directly or indirectly by the violator's offense in the amount or manner determined by the court.

(c) *Community service.* In-lieu of, or as part of, the penalties specified in this section, an offender may be required to perform community service as described by the court based on the following minimum requirements:

  (1) The offender shall perform at least thirty (30) hours of community service.

  (2) The entire period of community service shall be performed under the supervision of a community service provider approved by the municipal court.

  (3) Reasonable effort shall be made to assign the minor or adult to a type of community service that is reasonably expected to have the most rehabilitative effect on the offender, including community service that involves graffiti removal.

(Ord. No. 24-5880, § 1, 4-22-24)

Sec. 18-1105. Rewards and reimbursements for information.

(a) The city may offer a reward in an amount to be established by resolution of the city council for information leading to the identification and apprehension of any person who willfully damages or destroys any public or private property by the use of graffiti. In the event of damage to public property, the offender or the parents or legal guardian of any unemancipated minor must reimburse the city for any reward paid. In the event of multiple contributors of information, the reward amount shall be divided by the city in the manner it shall deem appropriate.

(b) Claims for rewards under this section shall be filed, in writing, with the city clerk. Each claim should:

(1) Specifically identify the date, location, and kind of property damaged or destroyed;

(2) Identify by name the person who was convicted; and

(3) Identify the court and the date upon which the conviction occurred.

(c) The city administrator shall review each claim for reward submitted pursuant to this chapter and either approve ~~accept~~, ~~accept~~ approve in part, or deny the claim. No claim for a reward shall be ~~accepted~~ approved by the city ~~council~~ administrator unless the city investigates and verifies the accuracy of the claim and determines that the requirements of this section have been satisfied. The investigation must determine that the claimant's information was relevant and directly responsible for the arrest and conviction of the suspect.

(d) The offer of a reward is made to members of the public generally. However, no law enforcement officer, municipal officer, employee of the city, or person(s) apprehended shall be eligible for such a reward.

(e) Any person committing graffiti vandalism shall be civilly liable for any reward paid pursuant to this section. If said person is an unemancipated minor, then the parent or lawful guardian of said minor shall be civilly liable for any reward paid pursuant to this section.

(Ord. No. 24-5880, § 1, 4-22-24)

Sec. 18-1106. Graffiti as a public nuisance.

(a) The existence of graffiti on private property in violation of this article is expressly declared to be a public nuisance and, therefore, is subject to the abatement provisions specified in section 18-305.

(b) It is the duty of both the owner of the private property to which the graffiti has been applied and any responsible party to at all times keep the private property clear of graffiti.

(c) Failure to remove graffiti by the private property owner or any responsible party shall be punished as a municipal infraction and shall be subject to civil penalties as

specified in section 18-1304.

(Ord. No. 24-5880, § 1, 4-22-24)

Secs. 18-1107—18-1113. Reserved.

Sec. 18-1114. Ease of removal provisions.

(a) *Common utility colors and paint type.* Any gas, electric, telephone, water, sewer, cable, telephone and other utility operating in the city shall paint its above-surface metal fixtures with a uniform paint type and color, or wrap, that meets with the approval of the city administrator or the city administrator's designee.

(b) *Conditional encroachment permits.* All encroachment permits issued by the city shall, among such other things, be conditioned on:

(1) The permittee's application of an anti-graffiti material to the encroaching object of a type and nature that is acceptable to the city administrator, or the city administrator's designee;

(2) The permittee's immediate removal of any graffiti;

(3) The city's right to remove graffiti or to paint the encroaching object; or

(4) The permittee's providing the city with sufficient matching paint and/or anti-graffiti material on demand for use in the painting of the encroaching object containing graffiti.

(Ord. No. 24-5880, § 1, 4-22-24)

Sec. 18-1115. Reserved.

Sec. 18-1116. Anti-graffiti fund.

The city council may at its discretion create the city anti-graffiti fund. Costs recovered for graffiti removal and penalties assessed in municipal court against violators of this article shall be placed in the fund, along with any monetary donations received from persons wishing to contribute to the fund. The council, or its designee, shall direct the expenditures of monies in the fund. Such expenditures shall be limited to the payment of the cost of labor and materials for graffiti removal, the payment, at the discretion of the city council, or its designee, of rewards for information leading to the conviction of violation of the article, the costs of administering the article, and such other public purposes pertaining to graffiti as may be approved by the council by resolution.

(Ord. No. 24-5880, § 1, 4-22-24)

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 27th day of January 2025.

PASSED, ADOPTED and APPROVED on second reading this 10th day of February 2025.

CITY OF BILLINGS

BY:_____
William A. Cole, Mayor

Attest
:

_____
Denise R. Bohlman, City Clerk

ORDINANCE 25-_____

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE BILLINGS, MONTANA CITY CODE (BMCC) BE AMENDED BY REVISING ARTICLE 18-1100, OF SAID CODE

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

Section 1. That Article 18-1100, of the Billings, Montana City Code (BMCC) is amended so that such section shall read as follows:

Article 18-1100. Graffiti

Sec. 18-1101. Purpose.

Graffiti presents a threat to the health, safety and welfare of the community and reduces the value of adjoining properties. Graffiti is deemed a public nuisance in accordance with section 18-301. Standards for graffiti abatement established in this section will help improve the appearance of these structures and preserve neighborhood property values.

(Ord. No. 24-5880, § 1, 4-22-24)

Sec. 18-1102. Definitions.

For the purposes of this article the following definitions shall apply:

Graffiti means any unauthorized inscription, word, figure, painting or other defacement that is written, marked, etched, scratched, sprayed, drawn, painted, or engraved on or otherwise affixed to any surface of public or private property by any graffiti implement, to the extent that the graffiti was not authorized in advance by the owner or occupant of the property, or, despite advance authorization constitutes a public nuisance as defined in section 18-302.

Graffiti implement means an aerosol paint container, a broad-tipped marker, gum label, paint stick or graffiti stick, etching equipment, brush or any other device capable of scarring or leaving a visible mark on any natural or man-made surface.

Owner means any entity or entities have a legal or equitable interest in real or personal property including but not limited to the interest of a tenant or lessee.

Paint stick or *graffiti stick* means any device containing a solid form of paint, chalk, wax, epoxy, or other similar substance capable of being applied to a surface by pressure and leaving a mark of at least one-eighth (⅛) of an inch in width.

Perpetrator means a person who applies graffiti to or on any property located within the city.

Person means any individual, partnership, cooperative association, private corporation, personal representative, receiver, trustee, assignee, or any other legal entity.

Property means any real or personal property and that which is affixed, incidental or appurtenant to real property including but not limited to any structure, fence, wall, sign or any separate part thereof whether permanent or not.

Responsible party means an owner or entity or person acting as an agent for an owner by agreement who has authority over the property or is responsible for the property's maintenance or management. Irrespective of any arrangement to the contrary with any other party, each owner shall always be a responsible party for the purposes of this chapter. There may be more than one responsible party for a particular piece of property.

Unauthorized means without the consent of the responsible party.

(Ord. No. 24-5880, § 1, 4-22-24)

Sec. 18-1103. Prohibitions.

It shall be unlawful for any person to apply graffiti to or on any property located within the city.

(Ord. No. 24-5880, § 1, 4-22-24)

Sec. 18-1104. Enforcement and penalties—Perpetrator.

(a) *Fines and imprisonment.* Any person violating this article by applying graffiti to any property shall be punished as provided in section 1-110.

(b) *Restitution.* In addition to any punishment specified in this section, the court shall order any violator to make restitution to the victim for damages or loss caused directly or indirectly by the violator's offense in the amount or manner determined by the court.

(c) *Community service.* In-lieu of, or as part of, the penalties specified in this section, an offender may be required to perform community service as described by the court based on the following minimum requirements:

  (1) The offender shall perform at least thirty (30) hours of community service.

  (2) The entire period of community service shall be performed under the supervision of a community service provider approved by the municipal court.

  (3) Reasonable effort shall be made to assign the minor or adult to a type of community service that is reasonably expected to have the most rehabilitative effect on the offender, including community service that involves graffiti removal.

(Ord. No. 24-5880, § 1, 4-22-24)

Sec. 18-1105. Rewards and reimbursements for information.

(a) The city may offer a reward in an amount to be established by resolution of the city council for information leading to the identification and apprehension of any person who willfully damages or destroys any public or private property by the use of graffiti. In the event of damage to public property, the offender or the parents or legal guardian of any unemancipated minor must reimburse the city for any reward paid. In the event of multiple contributors of information, the reward amount shall be divided by the city in the manner it shall deem appropriate.

(b) Claims for rewards under this section shall be filed, in writing, with the city clerk. Each claim should:

(1) Specifically identify the date, location, and kind of property damaged or destroyed;

(2) Identify by name the person who was convicted; and

(3) Identify the court and the date upon which the conviction occurred.

(c) The city administrator shall review each claim for reward submitted pursuant to this chapter and either approve, approve in part, or deny the claim. No claim for a reward shall be approved by the city administrator unless the city investigates and verifies the accuracy of the claim and determines that the requirements of this section have been satisfied. The investigation must determine that the claimant's information was relevant and directly responsible for the arrest and conviction of the suspect.

(d) The offer of a reward is made to members of the public generally. However, no law enforcement officer, municipal officer, employee of the city, or person(s) apprehended shall be eligible for such a reward.

(e) Any person committing graffiti vandalism shall be civilly liable for any reward paid pursuant to this section. If said person is an unemancipated minor, then the parent or lawful guardian of said minor shall be civilly liable for any reward paid pursuant to this section.

(Ord. No. 24-5880, § 1, 4-22-24)

Sec. 18-1106. Graffiti as a public nuisance.

(a) The existence of graffiti on private property in violation of this article is expressly declared to be a public nuisance and, therefore, is subject to the abatement provisions specified in section 18-305.

(b) It is the duty of both the owner of the private property to which the graffiti has been applied and any responsible party to at all times keep the private property clear of graffiti.

(c) Failure to remove graffiti by the private property owner or any responsible party shall be punished as a municipal infraction and shall be subject to civil penalties as

specified in section 18-1304.

(Ord. No. 24-5880, § 1, 4-22-24)

Secs. 18-1107—18-1113. Reserved.

Sec. 18-1114. Ease of removal provisions.

(a) *Common utility colors and paint type.* Any gas, electric, telephone, water, sewer, cable, telephone and other utility operating in the city shall paint its above-surface metal fixtures with a uniform paint type and color, or wrap, that meets with the approval of the city administrator or the city administrator's designee.

(b) *Conditional encroachment permits.* All encroachment permits issued by the city shall, among such other things, be conditioned on:

(1) The permittee's application of an anti-graffiti material to the encroaching object of a type and nature that is acceptable to the city administrator, or the city administrator's designee;

(2) The permittee's immediate removal of any graffiti;

(3) The city's right to remove graffiti or to paint the encroaching object; or

(4) The permittee's providing the city with sufficient matching paint and/or anti-graffiti material on demand for use in the painting of the encroaching object containing graffiti.

(Ord. No. 24-5880, § 1, 4-22-24)

Sec. 18-1115. Reserved.

Sec. 18-1116. Anti-graffiti fund.

The city council may at its discretion create the city anti-graffiti fund. Costs recovered for graffiti removal and penalties assessed in municipal court against violators of this article shall be placed in the fund, along with any monetary donations received from persons wishing to contribute to the fund. The council, or its designee, shall direct the expenditures of monies in the fund. Such expenditures shall be limited to the payment of the cost of labor and materials for graffiti removal, the payment, at the discretion of the city council, or its designee, of rewards for information leading to the conviction of violation of the article, the costs of administering the article, and such other public purposes pertaining to graffiti as may be approved by the council by resolution.

(Ord. No. 24-5880, § 1, 4-22-24)

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 27th day of January 2025.

PASSED, ADOPTED and APPROVED on second reading this 10th day of February 2025.

CITY OF BILLINGS

BY:_____
William A. Cole, Mayor

Attest
:

_____
Denise R. Bohlman, City Clerk

ORDINANCE 25-_____

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE BILLINGS, MONTANA CITY CODE (BMCC) BE AMENDED BY REVISING ARTICLE 18-1302, OF SAID CODE

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

Section 1. That Article 18-1302, of the Billings, Montana City Code (BMCC) is amended so that such section shall read as follows:

Article 18-1302. Civil citations – Service and requirements.

(a) Any officer may issue a civil citation to a person who commits a municipal infraction.

(b) The citation may be served on the alleged violator by any one of the following methods:

(1) Personal service;

(2) By certified mail addressed to the defendant at the defendant's last known mailing address, return receipt requested; or

(3) By publication, in the manner described in ~~R~~rule 4(o) ~~D(5)~~ of the Montana Rules of Civil Procedure, except that all proceedings for issuance of service by publication shall be had with the Billings Municipal Court and the Billings Municipal Court Clerk in place of the District Court and the Clerk of the District Court.

(c) A copy of the citation must be retained by the issuing officer and one copy be sent to or filed with the clerk of the Billings Municipal Court.

(d) The citation shall serve as notification that a municipal infraction has been committed and shall contain the following information:

(1) The name and address of the defendant;

(2) The name or description of the infraction attested to by the officer issuing the citation;

(3) The location and time of the infraction;

(4) The amount of the civil penalty to be assessed or the alternative relief sought, or both;

(5) The manner, location and time in which the penalty may be paid;

(6) The time and place of court appearance; and

(7) The penalty for failure to appear in court.

(Ord. No. 10-5501, § 1, 1-11-10)

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 27th day of January 2025.

PASSED, ADOPTED and APPROVED on second reading this 10th day of February 2025.

CITY OF BILLINGS

BY:_____
William A. Cole, Mayor

Attest
:

_____
Denise R. Bohlman, City Clerk

ORDINANCE 25-_____

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE BILLINGS, MONTANA CITY CODE (BMCC) BE AMENDED BY REVISING ARTICLE 18-1302, OF SAID CODE

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

Section 1. That Article 18-1302, of the Billings, Montana City Code (BMCC) is amended so that such section shall read as follows:

Article 18-1302. Civil citations – Service and requirements.

(a) Any officer may issue a civil citation to a person who commits a municipal infraction.

(b) The citation may be served on the alleged violator by any one of the following methods:

  (1) Personal service;

  (2) By certified mail addressed to the defendant at the defendant's last known mailing address, return receipt requested; or

  (3) By publication, in the manner described in Rule 4(o) of the Montana Rules of Civil Procedure, except that all proceedings for issuance of service by publication shall be had with the Billings Municipal Court and the Billings Municipal Court Clerk in place of the District Court and the Clerk of the District Court.

(c) A copy of the citation must be retained by the issuing officer and one copy be sent to or filed with the clerk of the Billings Municipal Court.

(d) The citation shall serve as notification that a municipal infraction has been committed and shall contain the following information:

  (1) The name and address of the defendant;

  (2) The name or description of the infraction attested to by the officer issuing the citation;

  (3) The location and time of the infraction;

  (4) The amount of the civil penalty to be assessed or the alternative relief sought, or both;

  (5) The manner, location and time in which the penalty may be paid;

  (6) The time and place of court appearance; and

  (7) The penalty for failure to appear in court.

(Ord. No. 10-5501, § 1, 1-11-10)

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 27th day of January 2025.

PASSED, ADOPTED and APPROVED on second reading this 10th day of February 2025.

CITY OF BILLINGS

BY:_____
William A. Cole, Mayor

Attest
:

_____
Denise R. Bohlman, City Clerk

ORDINANCE 25-_____

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE BILLINGS, MONTANA CITY CODE (BMCC) BE AMENDED BY REVISING ARTICLE 6-1300, OF SAID CODE

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

Section 1. That Article 6-1300, of the Billings, Montana City Code (BMCC) is amended so that such section shall read as follows:

Article 6-1300 Display of Address Numbers

Sec. 6-1301. Address number required.

All houses, buildings or structures used or intended for use as living quarters or as a place for the conduct of business in the city shall have a designated address number conspicuously displayed above or near a door or entrance that faces a public or private street.

(Ord. No. 84-4596, § 1, 7-9-84)

Sec. 6-1302. Designation of address numbers.

The city administrator, or his designee, shall designate the proper address numbers for all houses, buildings or structures required to be numbered by section 6-1301. The city administrator or his designee shall have the power to change such numbers when, in his judgment, such change is necessary to avoid or eliminate confusion with other numbers.

(Ord. No. 84-4596, § 2, 7-9-84)

Sec. 6-1303. Record of address numbers.

The city administrator or his designee shall keep a record of all proper address numbers and shall furnish such numbers to any person requesting same.

(Ord. No. 84-4596, § 3, 7-9-84)

Sec. 6-1304. House, building or structure being erected or remodeled required to be numbered.

Any person erecting or remodeling any house, building or structure required to be numbered by section 6-1301 shall ascertain from the city administrator or his designee the proper address number for such house, building or structure and shall display said

number as provided in this article.

(Ord. No. 84-4596, § 4, 7-9-84)

Sec. 6-1305. Specifications for display of address number.

All address numbers shall be displayed with arabic numerals, which shall be a minimum of three and one-half (3½) inches and a maximum of eighteen (18) inches in height having a minimum stem width of one-half (½) inch and shall be of a contrasting color with the building. No address number shall be obscured from view by vegetation, screening or other means.

(Ord. No. 84-4596, § 5, 7-9-84)

Sec. 6-1306. Alternative method of address display.

A different method of address display may be required by the city administrator or his designee for a house, building or structure which is located further from a street than the normal front yard set back.

(Ord. No. 84-4596, § 6, 7-9-84)

Sec. 6-1307. Compliance required; correction of violations.

Any person owning, leasing, occupying or maintaining any house, building or structure which has no number displayed thereon, which displays an incorrect number, or violates this article in any way, when so informed and notified by the city administrator or his designee shall put up a number, shall change the incorrect number so that the proper number will be displayed, or shall take any necessary action to comply with this article~~., within twenty (20) days after the date of such notice.~~

(Ord. No. 84-4596, § 7, 7-9-84)

Sec. 6-1308. Penalty.

Any person who violates any of the provisions of this article ~~is guilty of~~ may be cited for the violation into municipal court as a ~~misdemeanor~~ municipal infraction and shall be subject to civil penalties as specified in section 18-1304. ~~and upon conviction thereof is punishable by a fine not exceeding twenty-five dollars ($25.00).~~ Each day that a violation occurs is a separate offense. ~~such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this article is committed, continued, or permitted by such person, and shall be punished accordingly.~~

(Ord. No. 84-4596, § 8, 7-9-84)

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 27th day of January 2025.

PASSED, ADOPTED and APPROVED on second reading this 10th day of February 2025.

CITY OF BILLINGS

BY:_____
William A. Cole, Mayor

Attest
:

_____
Denise R. Bohlman, City Clerk

ORDINANCE 25-_____

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE BILLINGS, MONTANA CITY CODE (BMCC) BE AMENDED BY REVISING ARTICLE 6-1300, OF SAID CODE

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

Section 1. That Article 6-1300, of the Billings, Montana City Code (BMCC) is amended so that such section shall read as follows:

Article 6-1300 Display of Address Numbers

Sec. 6-1301. Address number required.

All houses, buildings or structures used or intended for use as living quarters or as a place for the conduct of business in the city shall have a designated address number conspicuously displayed above or near a door or entrance that faces a public or private street.

(Ord. No. 84-4596, § 1, 7-9-84)

Sec. 6-1302. Designation of address numbers.

The city administrator, or his designee, shall designate the proper address numbers for all houses, buildings or structures required to be numbered by section 6-1301. The city administrator or his designee shall have the power to change such numbers when, in his judgment, such change is necessary to avoid or eliminate confusion with other numbers.

(Ord. No. 84-4596, § 2, 7-9-84)

Sec. 6-1303. Record of address numbers.

The city administrator or his designee shall keep a record of all proper address numbers and shall furnish such numbers to any person requesting same.

(Ord. No. 84-4596, § 3, 7-9-84)

Sec. 6-1304. House, building or structure being erected or remodeled required to be numbered.

Any person erecting or remodeling any house, building or structure required to be numbered by section 6-1301 shall ascertain from the city administrator or his designee the proper address number for such house, building or structure and shall display said

number as provided in this article.

(Ord. No. 84-4596, § 4, 7-9-84)

Sec. 6-1305. Specifications for display of address number.

All address numbers shall be displayed with arabic numerals, which shall be a minimum of three and one-half (3½) inches and a maximum of eighteen (18) inches in height having a minimum stem width of one-half (½) inch and shall be of a contrasting color with the building. No address number shall be obscured from view by vegetation, screening or other means.

(Ord. No. 84-4596, § 5, 7-9-84)

Sec. 6-1306. Alternative method of address display.

A different method of address display may be required by the city administrator or his designee for a house, building or structure which is located further from a street than the normal front yard set back.

(Ord. No. 84-4596, § 6, 7-9-84)

Sec. 6-1307. Compliance required; correction of violations.

Any person owning, leasing, occupying or maintaining any house, building or structure which has no number displayed thereon, which displays an incorrect number, or violates this article in any way, when so informed and notified by the city administrator or his designee shall put up a number, shall change the incorrect number so that the proper number will be displayed, or shall take any necessary action to comply with this article.

(Ord. No. 84-4596, § 7, 7-9-84)

Sec. 6-1308. Penalty.

Any person who violates any of the provisions of this article may be cited for the violation into municipal court as a municipal infraction and shall be subject to civil penalties as specified in section 18-1304. Each day that a violation occurs is a separate offense.

(Ord. No. 84-4596, § 8, 7-9-84)

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 27th day of January 2025.

PASSED, ADOPTED and APPROVED on second reading this 10th day of February 2025.

CITY OF BILLINGS

BY:_____
William A. Cole, Mayor

Attest
:

_____
Denise R. Bohlman, City Clerk

ORDINANCE 25-_____

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE BILLINGS, MONTANA CITY CODE (BMCC) BE AMENDED BY REVISING ARTICLE 13-400, DIVISION 3, OF SAID CODE

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

Section 1. That Article 13-400, Division 3, of the Billings, Montana City Code (BMCC) is amended so that such section shall read as follows:

Article 13-400 Taxation

Division 3. Business, Occupation and Professional Tax

Sec. 13-421. Definitions.

For the purpose of this division the following definitions have the meanings established as follows unless the context provides otherwise:

Business, occupation and profession is intended to cover all businesses, associations, occupations, professions, trades, pursuits, vocations, entertainments, continuous garage sales, transient vending, and door-to-door sales conducted within the city on a regular on-going basis.

Continuous garage sales are garage sales which are conducted for more than three (3) consecutive days and more often than semiannually.

Home occupation means all businesses or offices operated out of a home and defined in the zoning ordinance.

Liquor includes beer, wine, and all beverages and is in addition to city general license fees and fees imposed by the state.

Tax receipt is the document issued by the city, evidence that the tax has been paid. The tax receipt shall be issued in lieu of a license fee receipt for persons and entities that are required to pay a license fee tax to the city for the sale of liquor.

Transfers means a fee for all holders of tax receipts to pay to transfer ownership or sites.

Transient vendors and *door-to-door salespersons* are persons representing themselves or other businesses who conduct their sales activities from door-to-door within the city.

(Ord. No. 82-4474, § 2(3.15.030), 11-8-82; Ord. No. 84-4567, § 2(3.15.030), 1-9-84;

Ord. No. 86-4700, § 1, 6-23-86)

Cross reference(s)—Definitions and rules of construction generally, § 1-102.

Sec. 13-422. Construction.

No provision contained in this division shall be construed so as to tax any trade, business, occupation, vocation, pursuit, profession or entertainment prohibited by the constitution or laws of the United States, or the constitution of the state.

(Ord. No. 82-4474, § 2(3.15.010), 11-8-82; Ord. No. 84-4567, § 2(3.15.020), 1-9-84)

Sec. 13-423. Tax imposed.

Every person conducting, transacting, or carrying on any business, occupation, profession, trade, pursuit, vocation, entertainment, continuous garage sale, transient vending, or door-to-door sales within the city shall be subject to and shall pay the annual tax imposed under this division. A nonprofit arts organization having a special beer and table wine license issued pursuant to Section 16-4-303, MCA is exempt from and shall not be required to pay the annual beer and wine liquor license fees imposed under this division.

(Ord. No. 82-4474, § 2(3.15.020), 11-8-82; Ord. No. 84-4567, § 2(3.15.020), 1-9-84; Ord. No. 91-4862, § 1, 2-25-91)

Sec. 13-424. Tax schedule.

The following tax schedule shall be applied to all persons or entities subject to this division:

Tax Schedule

Category by Gross Revenue

	I	*II*	*III*	*IV*
	I 0 to 100,000	II Over 100,000 to 2,000,000	III Over 2,000,000 to 3,000,000	IV Over 3,000,000
Basic Tax:				
General	$55.00	$90.00	$140.00	$215.00
Home occupation	20.00	20.00	20.00	20.00
Additions to Basic Tax:				
Over 5 full time equivalent employees or independent contractors per	6.00	6.00	6.00	6.00

employee or contractor				
Additional Fees When Applicable:				
Health inspection	50.00	50.00	50.00	50.00
Health reinspection	50.00	50.00	50.00	50.00
Liquor license fee:				
Beer	200.00	200.00	200.00	200.00
Wine	200.00	200.00	200.00	200.00
All beverages	500.00	500.00	500.00	500.00
Transfers:				
Base fee	20.00	20.00	20.00	20.00
Fire inspection (If required)	15.00	15.00	15.00	15.00
Health inspection (If required)	50.00	50.00	50.00	50.00

(Ord. No. 82-4474, § 2(3.15.040), 11-8-82; Ord. No. 84-4567, § 2(3.15.040), 1-9-84; Ord. No. 85-4675, § 6, 12-2-85; Ord. No. 86-4700, § 2, 6-23-86; Ord. No. 89-4809, § 1, 11-6-89; Ord. No. 94-4962, § 1, 5-23-94)

Sec. 13-425. Receipt.

Upon payment of the tax as provided in this division the taxpayer shall be issued a tax receipt. The tax receipt shall be conspicuously displayed in such a manner that a city official may observe the same upon entering the place of business. If the business being conducted is the type of business that is not normally conducted at one place of business, such as, transient vendors or door-to-door salespersons, the city receipt or a facsimile of the employer's receipt shall be carried on the person and shall be produced and displayed upon request.

(Ord. No. 82-4474, § 2(3.15.050), 11-8-82; Ord. No. 84-4567, § 2(3.15.050), 1-9-84)

Sec. 13-426. Collection.

The city administrator is hereby charged with collection of the taxes imposed by this division.

(Ord. No. 82-4474, § 2(3.15.060), 11-8-82; Ord. No. 84-4567, § 2(3.15.060), 1-9-84)

Sec. 13-427. Questionnaire.

The city administrator shall develop and update as necessary a questionnaire to be completed initially by each person or entity conducting a business, occupation or profession within the city. The questionnaire shall solicit only that information necessary to correctly determine the tax imposed by this division. The city may audit the information provided to verify its accuracy. Any significant change in ownership or form of business, occupation or profession shall require a new completed questionnaire.

(Ord. No. 82-4474, § 2(3.15.070), 11-8-82; Ord. No. 84-4567, § 2(3.15.070), 1-9-84)

Sec. 13-428. Appeal to review committee.

Any person or entity aggrieved by application of this division or imposition of the tax shall pay the tax imposed and may then appeal to the review committee, by filing notice in writing with the city. The notice shall describe in detail the taxpayer's grievance.

(Ord. No. 82-4474, § 2(3.15.080), 11-8-82; Ord. No. 84-4567, § 2(3.15.080), 1-9-84)

Sec. 13-429. Review committee.

There is hereby established a review committee to be designated by the city administrator but shall include representatives from at least the following departments:

(1) Police

(2) Fire

(3) Health

(4) Finance

(5) City attorney.

(Ord. No. 82-4474, § 2(3.15.090), 11-8-82; Ord. No. 84-4567, § 2(3.15.090), 1-9-84)

Sec. 13-430. Review.

The review committee shall review the taxpayer's appeal and provide to the taxpayer a decision in writing within thirty (30) days following the date of appeal.

(Ord. No. 82-4474, § 2(3.15.100), 11-8-82; Ord. No. 84-4567, § 2(3.15.100), 1-9-84)

Sec. 13-431. Appeal to city council.

If the taxpayer feels aggrieved by the decision of the review committee, the taxpayer may appeal to the city council by filing written notice with the city clerk not more than ten (10) days after receipt of the written decision of the review committee together with a fee to be prescribed by the city administrator in an amount sufficient to cover the administrative costs of the appeal. The notice shall state the grounds and shall include taxpayer's correct name or designation and correct mailing address. The clerk shall cause the matter to be placed on the council agenda not less than ten (10)

days after receipt of notice of appeal. The taxpayer shall be notified in writing by certified mail, return receipt requested, of the date and time the matter will be considered on the agenda. The taxpayer may appear in person or by counsel at the time and place and be heard.

(Ord. No. 82-4474, § 2(3.15.110), 11-8-82; Ord. No. 84-4567, § 2(3.15.110), 1-9-84)

Sec. 13-432. Regulation.

Every person conducting a business, occupation or profession within the city shall be subject to reasonable inspection and shall abide by and obey all laws and ordinances.

(Ord. No. 82-4474, § 2(3.15.120), 11-8-82; Ord. No. 84-4567, § 2(3.15.120), 1-9-84; Ord. No. 12-5587, § 1, 10-9-12)

Sec. 13-433. Separate sites.

Any business, occupation or profession conducted on more than one (1) site shall pay a separate tax for each separate business or site.

(Ord. No. 82-4474, § 2(3.15.130), 11-8-82; Ord. No. 84-4567, § 2(3.15.130), 1-9-84)

Sec. 13-434. Annual tax.

The tax imposed by this division shall be paid annually on or before the anniversary date of the original payment.

(Ord. No. 82-4474, § 2(3.15.140), 11-8-82; Ord. No. 84-4567, § 2(3.15.140), 1-9-84)

Sec. 13-435. Penalty and interest.

The tax shall be deemed late ten (10) days after the due date and a penalty equal to fifty (50) percent of the tax shall be assessed and collected. In addition to the penalty imposed hereby the unpaid tax shall bear interest from the due date at one (1) percent per month.

(Ord. No. 82-4474, § 2(3.15.150), 11-8-82; Ord. No. 84-4567, § 2(3.15.150), 1-9-84)

Sec. 13-436. Additional penalties.

In addition to all other penalties provided in this division, any person violating the provisions of this division, may be cited for the violation into municipal court as a municipal infraction and shall be subject to civil penalties as specified in section 18-1304. Each day that a violation occurs is a separate offense. ~~shall upon conviction thereof, be punished as provided in section 1-110.~~ This provision is not applicable to regularly licensed attorneys-at-law.

(Ord. No. 82-4474, § 2(3.15.160), 11-8-82; Ord. No. 84-4567, § 2(3.15.160), 1-9-84)

Sec. 13-437. Reserved.

Editor's note(s)—Ord. No. 89-4785, § 1, adopted May 8, 1989 added § 13-437, which provided a business tax exemption for August and September 1989 for persons conducting temporary tourist homes, and which was effective Aug. 20, 1989 and terminated Sept. 16, 1989.

Sec. 13-438. All businesses, occupations, and professions to comply with local, state, and federal law.

(a) No business tax determination or business license shall be issued for any business, occupation, or profession that violates any provision of city, state, or federal ordinance, regulation, law, or statute. The issuance of a business tax determination or acceptance of payment by the city does not authorize any business, occupation, or profession to operate in violation of any provision or local, state, or federal ordinance, regulation, law, or statute. Any such business tax or business determination license mistakenly issued by the city shall be deemed void from the date of issuance.

(b) All existing businesses with current business tax determinations or licenses shall fully comply with this provision within two (2) years of the effective date of this section. Any such businesses, occupation or profession licensed on the effective date of this section but in violation of this section shall be deemed a legal non-conforming use, and shall be permitted to renew such business tax determination or license for a period of two (2) years from the effective date of this section. Two (2) years from the effective date of this section, any prior issued business tax determination or license which violates this section shall be cancelled and deemed void, no matter when issued or renewed.

(Ord. No. 12-5587, § 2, 10-9-12)

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 27th day of January 2025.

PASSED, ADOPTED and APPROVED on second reading this 10th day of February 2025.

CITY OF BILLINGS

BY:_____
William A. Cole, Mayor

Attest
:

_____
Denise R. Bohlman, City Clerk

ORDINANCE 25-_____

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE BILLINGS, MONTANA CITY CODE (BMCC) BE AMENDED BY REVISING ARTICLE 13-400, DIVISION 3, OF SAID CODE

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

Section 1. That Article 13-400, Division 3, of the Billings, Montana City Code (BMCC) is amended so that such section shall read as follows:

Article 13-400 Taxation

Division 3. Business, Occupation and Professional Tax

Sec. 13-421. Definitions.

For the purpose of this division the following definitions have the meanings established as follows unless the context provides otherwise:

Business, occupation and profession is intended to cover all businesses, associations, occupations, professions, trades, pursuits, vocations, entertainments, continuous garage sales, transient vending, and door-to-door sales conducted within the city on a regular on-going basis.

Continuous garage sales are garage sales which are conducted for more than three (3) consecutive days and more often than semiannually.

Home occupation means all businesses or offices operated out of a home and defined in the zoning ordinance.

Liquor includes beer, wine, and all beverages and is in addition to city general license fees and fees imposed by the state.

Tax receipt is the document issued by the city, evidence that the tax has been paid. The tax receipt shall be issued in lieu of a license fee receipt for persons and entities that are required to pay a license fee tax to the city for the sale of liquor.

Transfers means a fee for all holders of tax receipts to pay to transfer ownership or sites.

Transient vendors and *door-to-door salespersons* are persons representing themselves or other businesses who conduct their sales activities from door-to-door within the city.

(Ord. No. 82-4474, § 2(3.15.030), 11-8-82; Ord. No. 84-4567, § 2(3.15.030), 1-9-84;

Ord. No. 86-4700, § 1, 6-23-86)

Cross reference(s)—Definitions and rules of construction generally, § 1-102.

Sec. 13-422. Construction.

No provision contained in this division shall be construed so as to tax any trade, business, occupation, vocation, pursuit, profession or entertainment prohibited by the constitution or laws of the United States, or the constitution of the state.

(Ord. No. 82-4474, § 2(3.15.010), 11-8-82; Ord. No. 84-4567, § 2(3.15.020), 1-9-84)

Sec. 13-423. Tax imposed.

Every person conducting, transacting, or carrying on any business, occupation, profession, trade, pursuit, vocation, entertainment, continuous garage sale, transient vending, or door-to-door sales within the city shall be subject to and shall pay the annual tax imposed under this division. A nonprofit arts organization having a special beer and table wine license issued pursuant to Section 16-4-303, MCA is exempt from and shall not be required to pay the annual beer and wine liquor license fees imposed under this division.

(Ord. No. 82-4474, § 2(3.15.020), 11-8-82; Ord. No. 84-4567, § 2(3.15.020), 1-9-84; Ord. No. 91-4862, § 1, 2-25-91)

Sec. 13-424. Tax schedule.

The following tax schedule shall be applied to all persons or entities subject to this division:

Tax Schedule

Category by Gross Revenue

	I	*II*	*III*	*IV*
	I 0 to 100,000	II Over 100,000 to 2,000,000	III Over 2,000,000 to 3,000,000	IV Over 3,000,000
Basic Tax:				
General	$55.00	$90.00	$140.00	$215.00
Home occupation	20.00	20.00	20.00	20.00
Additions to Basic Tax:				
Over 5 full time equivalent employees or independent contractors per	6.00	6.00	6.00	6.00

employee or contractor				
Additional Fees When Applicable:				
Health inspection	50.00	50.00	50.00	50.00
Health reinspection	50.00	50.00	50.00	50.00
Liquor license fee:				
Beer	200.00	200.00	200.00	200.00
Wine	200.00	200.00	200.00	200.00
All beverages	500.00	500.00	500.00	500.00
Transfers:				
Base fee	20.00	20.00	20.00	20.00
Fire inspection (If required)	15.00	15.00	15.00	15.00
Health inspection (If required)	50.00	50.00	50.00	50.00

(Ord. No. 82-4474, § 2(3.15.040), 11-8-82; Ord. No. 84-4567, § 2(3.15.040), 1-9-84; Ord. No. 85-4675, § 6, 12-2-85; Ord. No. 86-4700, § 2, 6-23-86; Ord. No. 89-4809, § 1, 11-6-89; Ord. No. 94-4962, § 1, 5-23-94)

Sec. 13-425. Receipt.

Upon payment of the tax as provided in this division the taxpayer shall be issued a tax receipt. The tax receipt shall be conspicuously displayed in such a manner that a city official may observe the same upon entering the place of business. If the business being conducted is the type of business that is not normally conducted at one place of business, such as, transient vendors or door-to-door salespersons, the city receipt or a facsimile of the employer's receipt shall be carried on the person and shall be produced and displayed upon request.

(Ord. No. 82-4474, § 2(3.15.050), 11-8-82; Ord. No. 84-4567, § 2(3.15.050), 1-9-84)

Sec. 13-426. Collection.

The city administrator is hereby charged with collection of the taxes imposed by this division.

(Ord. No. 82-4474, § 2(3.15.060), 11-8-82; Ord. No. 84-4567, § 2(3.15.060), 1-9-84)

Sec. 13-427. Questionnaire.

The city administrator shall develop and update as necessary a questionnaire to be completed initially by each person or entity conducting a business, occupation or profession within the city. The questionnaire shall solicit only that information necessary to correctly determine the tax imposed by this division. The city may audit the information provided to verify its accuracy. Any significant change in ownership or form of business, occupation or profession shall require a new completed questionnaire.

(Ord. No. 82-4474, § 2(3.15.070), 11-8-82; Ord. No. 84-4567, § 2(3.15.070), 1-9-84)

Sec. 13-428. Appeal to review committee.

Any person or entity aggrieved by application of this division or imposition of the tax shall pay the tax imposed and may then appeal to the review committee, by filing notice in writing with the city. The notice shall describe in detail the taxpayer's grievance.

(Ord. No. 82-4474, § 2(3.15.080), 11-8-82; Ord. No. 84-4567, § 2(3.15.080), 1-9-84)

Sec. 13-429. Review committee.

There is hereby established a review committee to be designated by the city administrator but shall include representatives from at least the following departments:

(1) Police

(2) Fire

(3) Health

(4) Finance

(5) City attorney.

(Ord. No. 82-4474, § 2(3.15.090), 11-8-82; Ord. No. 84-4567, § 2(3.15.090), 1-9-84)

Sec. 13-430. Review.

The review committee shall review the taxpayer's appeal and provide to the taxpayer a decision in writing within thirty (30) days following the date of appeal.

(Ord. No. 82-4474, § 2(3.15.100), 11-8-82; Ord. No. 84-4567, § 2(3.15.100), 1-9-84)

Sec. 13-431. Appeal to city council.

If the taxpayer feels aggrieved by the decision of the review committee, the taxpayer may appeal to the city council by filing written notice with the city clerk not more than ten (10) days after receipt of the written decision of the review committee together with a fee to be prescribed by the city administrator in an amount sufficient to cover the administrative costs of the appeal. The notice shall state the grounds and shall include taxpayer's correct name or designation and correct mailing address. The clerk shall cause the matter to be placed on the council agenda not less than ten (10)

days after receipt of notice of appeal. The taxpayer shall be notified in writing by certified mail, return receipt requested, of the date and time the matter will be considered on the agenda. The taxpayer may appear in person or by counsel at the time and place and be heard.

(Ord. No. 82-4474, § 2(3.15.110), 11-8-82; Ord. No. 84-4567, § 2(3.15.110), 1-9-84)

Sec. 13-432. Regulation.

Every person conducting a business, occupation or profession within the city shall be subject to reasonable inspection and shall abide by and obey all laws and ordinances.

(Ord. No. 82-4474, § 2(3.15.120), 11-8-82; Ord. No. 84-4567, § 2(3.15.120), 1-9-84; Ord. No. 12-5587, § 1, 10-9-12)

Sec. 13-433. Separate sites.

Any business, occupation or profession conducted on more than one (1) site shall pay a separate tax for each separate business or site.

(Ord. No. 82-4474, § 2(3.15.130), 11-8-82; Ord. No. 84-4567, § 2(3.15.130), 1-9-84)

Sec. 13-434. Annual tax.

The tax imposed by this division shall be paid annually on or before the anniversary date of the original payment.

(Ord. No. 82-4474, § 2(3.15.140), 11-8-82; Ord. No. 84-4567, § 2(3.15.140), 1-9-84)

Sec. 13-435. Penalty and interest.

The tax shall be deemed late ten (10) days after the due date and a penalty equal to fifty (50) percent of the tax shall be assessed and collected. In addition to the penalty imposed hereby the unpaid tax shall bear interest from the due date at one (1) percent per month.

(Ord. No. 82-4474, § 2(3.15.150), 11-8-82; Ord. No. 84-4567, § 2(3.15.150), 1-9-84)

Sec. 13-436. Additional penalties.

In addition to all other penalties provided in this division, any person violating the provisions of this division, may be cited for the violation into municipal court as a municipal infraction and shall be subject to civil penalties as specified in section 18-1304. Each day that a violation occurs is a separate offense. This provision is not applicable to regularly licensed attorneys-at-law.

(Ord. No. 82-4474, § 2(3.15.160), 11-8-82; Ord. No. 84-4567, § 2(3.15.160), 1-9-84)

Sec. 13-437. Reserved.

Editor's note(s)—Ord. No. 89-4785, § 1, adopted May 8, 1989 added § 13-437, which provided a business tax exemption for August and September 1989 for persons conducting temporary tourist homes, and which was effective Aug. 20, 1989 and terminated Sept. 16, 1989.

Sec. 13-438. All businesses, occupations, and professions to comply with local, state, and federal law.

(a) No business tax determination or business license shall be issued for any business, occupation, or profession that violates any provision of city, state, or federal ordinance, regulation, law, or statute. The issuance of a business tax determination or acceptance of payment by the city does not authorize any business, occupation, or profession to operate in violation of any provision or local, state, or federal ordinance, regulation, law, or statute. Any such business tax or business determination license mistakenly issued by the city shall be deemed void from the date of issuance.

(b) All existing businesses with current business tax determinations or licenses shall fully comply with this provision within two (2) years of the effective date of this section. Any such businesses, occupation or profession licensed on the effective date of this section but in violation of this section shall be deemed a legal non-conforming use, and shall be permitted to renew such business tax determination or license for a period of two (2) years from the effective date of this section. Two (2) years from the effective date of this section, any prior issued business tax determination or license which violates this section shall be cancelled and deemed void, no matter when issued or renewed.

(Ord. No. 12-5587, § 2, 10-9-12)

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 27th day of January 2025.

PASSED, ADOPTED and APPROVED on second reading this 10th day of February 2025.

CITY OF BILLINGS

BY:_____
William A. Cole, Mayor

Attest
:

_____
Denise R. Bohlman, City Clerk

City Council Regular

Date:	01/27/2025
Title:	Ward III Councilmember Appointment
Presented by:	Chris Kukulski, City Administrator
Department:	City Hall Administration
Presentation:	No
Legal Review:	No
Project Number:	N/A

RECOMMENDATION

Mayor Cole is appointing TJ Rogers to fill the Ward III vacancy and requests consent of the City Council.

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

On December 17, 2024, the Yellowstone County Commissioners appointed Councilmember Denise Joy to replace Emma Kerr-Carpenter for the Montana House of Representatives. Councilmember Joy resigned her seat on City Council effective January 6, 2025, when she was sworn in as a House Representative, leaving her position for Ward III vacant on the Billings City Council. The Billings City Charter in Section 3.09(C) states:

> **Fillings of Vacancies of City Council.** Vacancies of less than five (5) in number on the City Council shall be filled by appointment by the Mayor with the advice and consent of the majority of the remaining City Council. The appointed Councilmember shall be a resident of the ward in which the vacancy occurs and a qualified voter of the City of Billings. A vacancy shall be filled within thirty (30) days after it occurs. If not filled within thirty (30) days, a special election shall be called in that ward. At the next general election, an appointed Councilmember shall stand for election for any remaining portion of the term of the office to which he or she has been appointed. If five (5) or more Council positions are vacant, a special election shall be held within ninety (90) days for the unexpired terms of the vacant positions. In the event that all members of the City Council are removed by death, disability, forfeiture of office, or other cause, the Governor 6 shall appoint an interim Council which shall hold office until a special election can be held within ninety (90) days.

Mayor Cole reviewed the applications and hosted a community "meet and great" event on January, 16 in the library's community room. The following individuals applied to fill the Ward III vacancy: Amy Aguirre, Sam Bower, Conrad Caron, Danny Choriki, Alexander Clark, Chris Friedel, Andrew Gutierrez Sr., Diana Krumm, Charles Loveridge, Rebecca Noell, TJ Rogers, Tammy Schwabe and Mark Snyder.

ALTERNATIVES

City Council may:

- Approve the Mayor's appointment for Ward III Councilmember to replace State Representative Denise Joy, who left office on January 6, 2025; or,
- Disappove the Mayor's appointment and provide him with feedback regarding the appointment and acceptable alternatives; or
- Disapprove the Mayor's appointment and call for a special election to fill the vacant Ward III Councilmember seat.

FISCAL EFFECTS

This action has no financial impact on the City of Billings unless a special election is needed. The cost of a special election, based on past election costs, could exceed $20,000.

City Council Regular

Date:	01/27/2025
Title:	Council appointments to Boards and/or Committees and Council Subcommittees
Presented by:	Chris Kukulski, City Administrator
Department:	City Hall Administration
Presentation:	No
Legal Review:	No
Project Number:	N/A

RECOMMENDATION

Determine which council members will fill vacancies on each of the following boards:

- Beartooth Resource Conservation & Development (RC&D)
- Community Development Board

and to Council Subcommittee:

- Legislative and Local Affairs Subcommittee

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

Due to the vacation of Council member Joy's position in Ward 3, a vacancy remains on the Community Development Board, which meets on the first Tuesday of every month at 3:00 pm.
and on the Council Subcommittee - Legislative and Local Affairs, which meets on the second Wednesday of the month in the 5th Floor, Rimrock conference room, New City Hall, 4:00 - 5:00 PM and more often when the legislature is in session. Resolution 23-11173 regarding council subcommittees is attached for your review. The Mayor has indicated that the newly appointed city council member for ward 3 will be these two board seats.

Councilmember Kennedy wishes to vacate his position on the Beartooth RC&D Board, which meets on the third Thursday of odd numbered months at 1:30 pm. The Mayor is requesting a volunteer to fill this board seat.

Neither the City Charter nor the Council's Rules of Procedure dictate the process to use for determining council member appointments to boards and commissions.

ALTERNATIVES

City Council may:

- Approve the Mayor's suggested appointments; or,
- Not Approve the Mayor's suggested appointments and nominate others to fill the vacant positions.

FISCAL EFFECTS

The proposed action has no financial impact.

Attachments

Resolution 23-11173

RESOLUTION 23-11173

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; and

WHEREAS, on September 26, 2022, four standing committees were created to address ongoing areas of Council concern, including Budget and Finance, Legislative, Local Affairs, and Council Operations, and

WHEREAS, these committees have been in effect for approximately a year and Council finds it appropriate to make some modification to the criteria related to the committees and to consolidate the Legislative and Local Affairs committees.

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 to five 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 & Local Affairs Committee

        i. Three to five Council Members appointed by the Mayor
        ii. Scope:
            (a) 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.
            (b) This committee focuses on building relationships with other local officials including the Yellowstone County Commission and Billings Public School Board.

(c) 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.
(d) This committee may focus on federal legislation as the need arises, or when asked to do so by a majority vote of council.

iii. Outside of the legislative session, the committee is specifically prohibited from expressing a formal city position on any legislation without approval from City Council. During the legislative session the committee is expected to work within the parameters adopted by the full council. ~~This committee is specifically prohibited from expressing a formal city position on any legislation without approval from City Council.~~

c. Council Operations

i. Three to five Council members including the Mayor, Deputy Mayor, and Mayor Pro Tempore
ii. Scope: this committee oversees general Council operations and logistics, including but not limited to agenda development, Council meeting rules, meeting efficiency, Council member relationships, strategic planning processes, new member orientation, and City Administrator annual review processes.

2. Except for the Council Operations Committee, committee member terms shall be two years.

3. Each Committee shall select a chair to serve on an annual basis but for no more than two successive years.

4. 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. 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.

6. 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.

7. At the first meeting in January following each general municipal election, Council Members shall be appointed to the committees and each committee shall hold an organizational meeting within 30 days to review the general rules of the committee, including meeting date, time, and place and make any appropriate changes. The committee shall report any changes 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.

8. REPEALER. Resolution 22-11076 is hereby repealed.

9. EFFECTIVE DATE. This resolution shall be effective upon adoption.

ADOPTED AND APPROVED by the City Council of the City of Billings, Montana, on the 27th day of November, 2023.

CITY OF BILLINGS

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

ATTEST:

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

Res. 23-11173

COUNCIL ACTION Approved 10-0 Owen Absent/Excused

NOV 27 2023

db

CITY CLERK

City Council Regular

Date:	11/27/2023
Title:	Resolution modifying Council subcommittees
Presented by:	Gina Dahl
Department:	Legal
Presentation:	No
Legal Review:	Yes
Project Number:	N/A

RECOMMENDATION

Staff recommends Council adopt the resolution establishing Council committees and repealing Resolution 22-11076.

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

In September 2022, Council created four subcommittees: Council Operations, Legislative, Local Affairs, and Budget and Finance. These committees have been meeting and working on their related subject areas for the last year. With some practical experience with these committees, Council discussed the makeup and scope of the committees during a recent work session and found it appropriate to make some changes. As a result, Council has asked staff to present a resolution that combines the Legislative and Local Affairs committees and modifies the resolution to reflect these changes.

The attached resolution addresses the requested modifications and combines the Legislative and Local Affairs committees. Language was added to allow this committee to express opinions regarding legislation during a legislative session, which is a change from the previous resolution. Additionally, the term limits were eliminated to allow for committee members to remain on a committee for more than two consecutive terms. There were no other substantive changes to the resolution.

ALTERNATIVES

City Council may:

- Approve; or,
- Not Approve

FISCAL EFFECTS

Attachments

Resolution

RESOLUTION 23-_____

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; and

WHEREAS, on September 26, 2022, four standing committees were created to address ongoing areas of Council concern, including Budget and Finance, Legislative, Local Affairs, and Council Operations, and

WHEREAS, these committees have been in effect for approximately a year and Council finds it appropriate to make some modification to the criteria related to the committees and to consolidate the Legislative and Local Affairs committees.

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

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    b. Legislative & Local Affairs Committee

        i. Three to five Council Members appointed by the Mayor
        ii. Scope:
            (a) 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.
            (b) This committee focuses on building relationships with other local officials including the Yellowstone County Commission and Billings Public School Board.

(c) 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.
(d) This committee may focus on federal legislation as the need arises, or when asked to do so by a majority vote of council.

iii. Outside of the legislative session, the committee is specifically prohibited from expressing a formal city position on any legislation without approval from City Council. During the legislative session the committee is expected to work within the parameters adopted by the full council.

c. Council Operations

i. Three to five Council members including the Mayor, Deputy Mayor, and Mayor Pro Tempore
ii. Scope: this committee oversees general Council operations and logistics, including but not limited to agenda development, Council meeting rules, meeting efficiency, Council member relationships, strategic planning processes, new member orientation, and City Administrator annual review processes.

2. Except for the Council Operations Committee, committee member terms shall be two years.

3. Each Committee shall select a chair to serve on an annual basis but for no more than two successive years.

4. 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. 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.

6. 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.

7. At the first meeting in January following each general municipal election, Council Members shall be appointed to the committees and each committee shall hold an organizational meeting within 30 days to review the general rules of the committee, including meeting date, time, and place and make any appropriate changes. The committee shall report any changes 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.

8. REPEALER. Resolution 22-11076 is hereby repealed.

9. 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 _____, 2023.

CITY OF BILLINGS

By: _____
William A. Cole, Mayor

ATTEST:

By: _____
Denise R. Bohlman, City Clerk

Date:	01/27/2025
Title:	Council Initiative Vehicle Allowances / Staff Mileage
Presented by:	Chris Kukulski, City Administrator
Department:	City Hall Administration
Presentation:	No
Legal Review:	Not Applicable
Project Number:	N/A

RECOMMENDATION

Council member Kennedy requests the Council's consideration for his initiative to eliminate car allowances for department heads.

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

See CM Kennedy's attached initiative.

ALTERNATIVES

City Council may:

- Approve; or,
- Not Approve

FISCAL EFFECTS

Fiscal effects will be estimated if the initiative is approved.

Attachments

Staff Mileage

COUNCIL INITIATIVE PROPOSAL FORM

City Code Sec. 2-214(14). *Council Initiatives. This section of the agenda is reserved for individual councilmember requests for future legislative or staff action. These shall be limited to giving direction to staff to assist in formulating policies, work plans, etc. for future consideration of the city council. An initiative moves forward by majority vote of the city council.*

City Charter Sec. 3.08. *Interference with Administration. Except for the purposes of inquiries and investigations, the Council, its members and the mayor shall deal with the City officers and employees who are subject to the direction and supervision of the City Administrator solely through the City Administrator.*

COUNCIL MEMBER PROPOSING INITIATIVE: BILL KENNEDY

SHORT NAME OF INITIATIVE: STAFF MILEAGE

TERMS OF MOTION PROPOSING LEGISLATIVE OR STAFF ACTION: (Please be as specific as possible. Indicate if action is to be divided into steps or phases. Use separate sheets if needed.)

CITY STAFF OR DEPARTMENT POTENTIALLY IMPACTED BY INITIATIVE: Department heads receiving Car allowance.

HAS COUNCIL MEMBER COMMUNICATED WITH CITY ADMINISTRATOR ABOUT THE INITIATIVE?
YES x☐ NO ☐

ESTIMATE OF APPROXIMATE STAFF AND COUNCIL TIME REQUIRED: 0

APPROXIMATE TIMELINE FOR STAFF/DEPARTMENT ACTION:
THIS WILL GO INTO EFFECT FY 2026

COSTS OTHER THAN STAFF TIME, IF ANY: Cost savings to the budget.

PRIORITY RELATIVE TO EXISTING INITIATIVES (SEE LIST AVAILABLE FROM CITY ADMINISTRATOR): Budget-High

ADDITIONAL INFORMATION OR COMMENTS:
CAR ALLOWANCES GO TO LESS THAN 20 DEPARTMENT HEADS. EACH DEPARTMENT HEAD WILL TURN IN ACTUAL MILEAGE FOR THEIR USE OF THEIR OWN VEHICLE. THIS IS WITH POLICY FOR ALL CITY EMPLOYEES. THIS WOULD NOT COST ANY OUT-OF-POCKET EXPENSES FOR THE EMPLOYEES. THIS WOULD BE A COST SAVING TO THE CITY BUDGET FOR DEPARTMENT HEADS WHO DO NOT TRAVEL OR USE CITY VEHICLES.