

**UPDATED AS OF 7/25/2016
NON-PUBLIC HEARING COMMENT ITEMS
AND ITEM 6 REVISED
CITY OF BILLINGS**

CITY OF BILLINGS VISION STATEMENT:

**“THE MAGIC CITY: A DIVERSE, WELCOMING COMMUNITY WHERE PEOPLE
PROSPER AND BUSINESS SUCCEEDS.”**

AGENDA

COUNCIL CHAMBERS

July 25, 2016

6:30 P.M.

CALL TO ORDER: Mayor Hanel

PLEDGE OF ALLEGIANCE: Mayor Hanel

INVOCATION: Councilmember McFadden

ROLL CALL: Councilmembers present on roll call were:

MINUTES: July 11, 2016

COURTESIES:

PROCLAMATIONS:

ADMINISTRATOR REPORTS - TINA VOLEK

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #1, #3, & #6 ONLY.

Speaker sign-in required. (Comments offered here are limited to one (1) minute for one item, or three (3) minutes for multiple items. Please sign in at the cart located at the back of the council chambers or at the podium. Comment on items listed as public hearing items will be heard ONLY during the designated public hearing time for each respective item. For Items not on this agenda, public comment will be taken at the end of the agenda.)

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

- A. **Five-Year Service Agreement for Energy Management Systems** with Alerton Energy Management Systems as provided by ATS Inland NW, LLC; \$55,120.
- B. **Acknowledging Receipt of Petition to Annex #16-04:** approximately 11 acres, Lot 8, Sunny Cove Fruit Farms, located at the southeast corner of Rimrock Road and 62nd Street West, Tule Ridge Developments, Robert Wattenbarger, agent, and setting a public hearing for 08/08/16.
- C. **Second/Final Reading Ordinance** expanding Ward IV (Annexation #16-03) for an approximate 6.4 acre parcel of land located south of Rimrock Road at the southwest corner of intersection of 54th Street West and Trail Creek Drive. Yellowstone Meadows Partners, LLC, petitioner.
- D. **Bills and Payroll:**

1. June 28, 2016

REGULAR AGENDA:

- 2. **PUBLIC HEARING AND FIRST READING ORDINANCE** amending City Code Sections 4-401, 4-405, and 4-407, permitting dogs and cats on leash within City parks. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
- 3. **RESOLUTION** allocating \$50,000 of Council Contingency Funds for a shelter at High Sierra Dog Park. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
- 4. **PUBLIC HEARING AND FIRST READING FOR ZONE CHANGE #947:** a zone change from Residential 6,000 (R-60) to Controlled Industrial (CI) on a 2 acre parcel of land described as: the north 4 acres of Lot 5 in the SW1/4 of Section 9, Township 1 South, Range 26 East. Ralph Hanser and Scott Hanser, applicants; Bill Morgan, Sanderson Stewart, agent. Zoning Commission recommends approval of the zone change and adoption of the findings of the 10 criteria. (Action: approval or disapproval of Zoning Commission recommendation.)

5. **PUBLIC HEARING AND SPECIAL REVIEW #944:** a special review to locate a motor vehicle wrecking yard in a Controlled Industrial (CI) zone on a 2 acre parcel of land described as: Lot 5, SW1/4 of Section 9, Township 1 South, Range 26 East, generally located at 505 and 521 S Billings Blvd. Ralph Hanser and Scott Hanser, applicants; Bill Morgan, agent. Zoning Commission recommends conditional approval and adoption of the findings of the 3 criteria. (Action: approval or disapproval of Zoning Commission recommendation.)
6. **RESOLUTION** of Intent to Adopt the 2016 City of Billings Growth Policy. Yellowstone County Board of Planning recommends approval. (Action: approval or disapproval of staff recommendation.)

PUBLIC COMMENT on Non-Agenda Items -- Speaker Sign-in required. (*Restricted to ONLY items not on this printed agenda. Comments here are limited to 3 minutes. Please sign in at the cart located at the back of the council chambers or at the podium.*)

COUNCIL INITIATIVES

ADJOURN

Additional information on any of these items is available in the City Clerk's Office.

Reasonable accommodations will be made to enable individuals with disabilities to attend this meeting. Please notify Denise Bohlman, (406) 657-8210.

Regular City Council Meeting**Meeting Date:** 07/25/2016**TITLE:** Approval of a Five-Year Service Agreement for the Energy Management Systems at the Airport**PRESENTED BY:** Kevin Ploehn, Director of Aviation and Transit**Department:** Airport

PROBLEM/ISSUE STATEMENT

The Airport Terminal Building and the Car Rental Quick Turn Around (QTA) Car Wash Facility both utilize an Alerton Energy Management System to manage/optimize the buildings' mechanical and electrical systems, and to enhance the safety, energy efficiency, and sustainability of these facilities. The Energy Management System is connected to and controls or monitors the steam and hot water boilers, A/C chillers, cooling towers, heat pumps, heat recovery systems, air handlers, radiant heaters, VAV units, fan coils, thermostats, pumps and motors for circulatory systems, and the lighting controls. It was calculated that this system provides the Airport with approximately \$12,000 to \$13,000 of energy efficiency savings annually. There is also a labor savings component by not needing to have personnel manually check all of the systems daily that are now hooked up and automatically monitored.

This service agreement will provide annual service and maintenance programs for the Alerton software, including upgrades of the system's software and hardware to current revisions, seasonal inspections/maintenance, and continuing help to optimize the automated operation of the control programs. The Alerton systems are proprietary and require that software updates and maintenance be provided by ATS Inland NW, LLC. This five-year Service Agreement will begin in July 2016 and end on June 30, 2021.

The costs are:

	ANNUAL AMOUNT	FIVE-YEAR TOTAL
Terminal Building	\$8,580	\$42,900
QTA Car Wash	\$2,444	\$12,220
Total Cost	\$11,024	\$55,120

ALTERNATIVES ANALYZED

City Council may:

- Approve this five-year Agreement with Alerton; or
- Decline the Agreement delaying the program upgrades and service.

FINANCIAL IMPACT

The total cost of this five-year Agreement is \$55,120. Funds are available in the Airport's Operations and Maintenance budget.

RECOMMENDATION

Staff recommends the City Council approve the Five-Year Service Agreement for the Alerton Energy Management Systems as provided by ATS Inland NW, LLC for the five-year amount of \$55,120.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 07/25/2016

TITLE: Annexation #16-04: Acknowledge receipt of petition and set a public hearing date

PRESENTED BY: Candi Millar, Planning & Community Services Department Director

Department: Planning & Community Services

PROBLEM/ISSUE STATEMENT

Tule Ridge Developments, Robert Wattenbarger, agent, submitted a petition to annex land it owns using the provisions of Section 7-2-4600, MCA. The subject property is 11 acres in size and described as Lot 8, Sunny Cove Fruit Farms. The property is located at the southeast corner of Rimrock Road and 62nd Street West. The property is vacant and has been used for agricultural. The owner is requesting annexation in order to develop the property in the City for commercial uses. The property was recently zoned Community Commercial in the County and would retain this zoning upon annexation into the City.

The property is located within the five-year annexation area of the City's Limits of Annexation Map and appears to meet some of the City's criteria in its Annexation Policy. A detailed review and analysis of the Annexation Policy criteria will be provided in the Council's public hearing memo. The City Council's policy is to consider annexations at two separate Council meetings. At the first meeting, the Council acknowledges receipt of a petition and sets a public hearing date. At the second meeting, the Council conducts the hearing and takes action on the annexation petition.

ALTERNATIVES ANALYZED

Section 7-2-4600, MCA, allows owners of more than 50% of the property to petition the City for annexation. The only alternative that is consistent with City Council policy is to acknowledge receipt of the petition and set a public hearing date.

FINANCIAL IMPACT

Analysis by City staff of how City services may be provided to this property and a recommendation on the annexation will be prepared and presented at the public hearing.

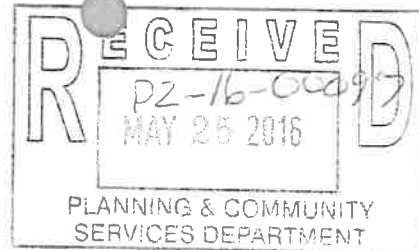
RECOMMENDATION

Staff recommends that the City Council acknowledge receipt of the annexation petition and schedule a public hearing for August 8, 2016 to consider annexing this property.

APPROVED BY CITY ADMINISTRATOR

Attachments

Annexation Petition
Annexation Exhibit
Applicant Area Map



**PETITION
FOR ANNEXATION
TO THE CITY OF BILLINGS**

NOTICE TO PETITIONER

This is a Petition to the City of Billings requesting the annexation of property to the City, pursuant to MCA Title 7, Chapter 2, Part 46. Procedures for annexation are governed by the Statutes of the State of Montana. This Petition requires the signatures of more than 50% of the Resident Freeholder Electors to be considered for annexation.

INSTRUCTIONS

1. All items must be completed or provided. Please type or print. You may attach additional pages if more space is needed.
2. Prepare a map drawn to a scale adequate and legible to show the property requesting annexation and all other property within one-quarter (1/4) mile.

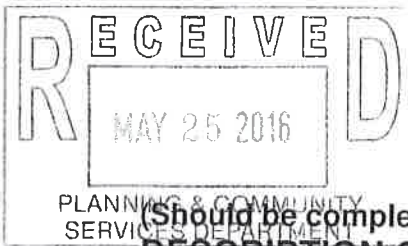
The map must show:

- a. The present and proposed boundaries of the municipality;
 - b. The present streets, major trunk water mains and sewer mains;
 - c. The zoning of the property requesting annexation and the property immediately adjacent to it.
3. The Petition should be submitted to the Planning Department, Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m., located on the 4th Floor at 2825 3rd Avenue North, Billings, Montana. Upon presentation, the Petition will be checked for completeness. Once accepted, the Petition will be routed to the following City Departments: Public Works, City-County Planning, Public Utilities, Fire Department, City Attorney, Police Department, Parks and Recreation Department, and the Finance Department. If the departments find no problems with the Petition, the City Clerk will schedule the Petition for City Council action.
 4. By filing the petition for annexation, the Petitioner(s) agree that only those City services which are available to the general area shall be provided to Petitioner, and that additional services as may become available to the general area shall be made available to Petitioner(s) in the same manner as said services are made available to other residents of the City. Petitioner(s) specifically waive the right to the report and plans for extension of services as provided in MCA Title 7, Chapter 2, Part 47.
 5. A description of the territory to be annexed to the City is legally described on a document attached hereto.

RESIDENT FREEHOLDER ELECTORS

Date	Print Name	Name Signature	Address
<u>5/20/16</u>	<u>Robert Wattenbarger</u>	<u>Robert Wattenbarger</u>	<u>3031 Grand Avenue #130</u>
<u> </u>	<u> </u>	<u> </u>	<u>Billings, MT 59102</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
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(continued on separate page)



(Should be completed prior to obtaining signatures of resident freeholder electors)

DESCRIPTION OF THE TERRITORY TO BE ANNEXED TO THE CITY OF BILLINGS

Legal Description	Tax Code	Address of General Location	Use of Property	Legal Property Owners	Address	Phone
Sunnycove Fruit Farms, Section 31, Township 1 North, Range 25 East, Lot 8	D046541	62 nd Street West, Billings, MT 59106	Agriculture	Robert Wattenbarger	3312 4 th Avenue North, Billings, MT 59101	(619) 944-4549

ALL ITEMS BELOW SHALL BE COMPLETED BY STAFF

Date Submitted: 5/25/16

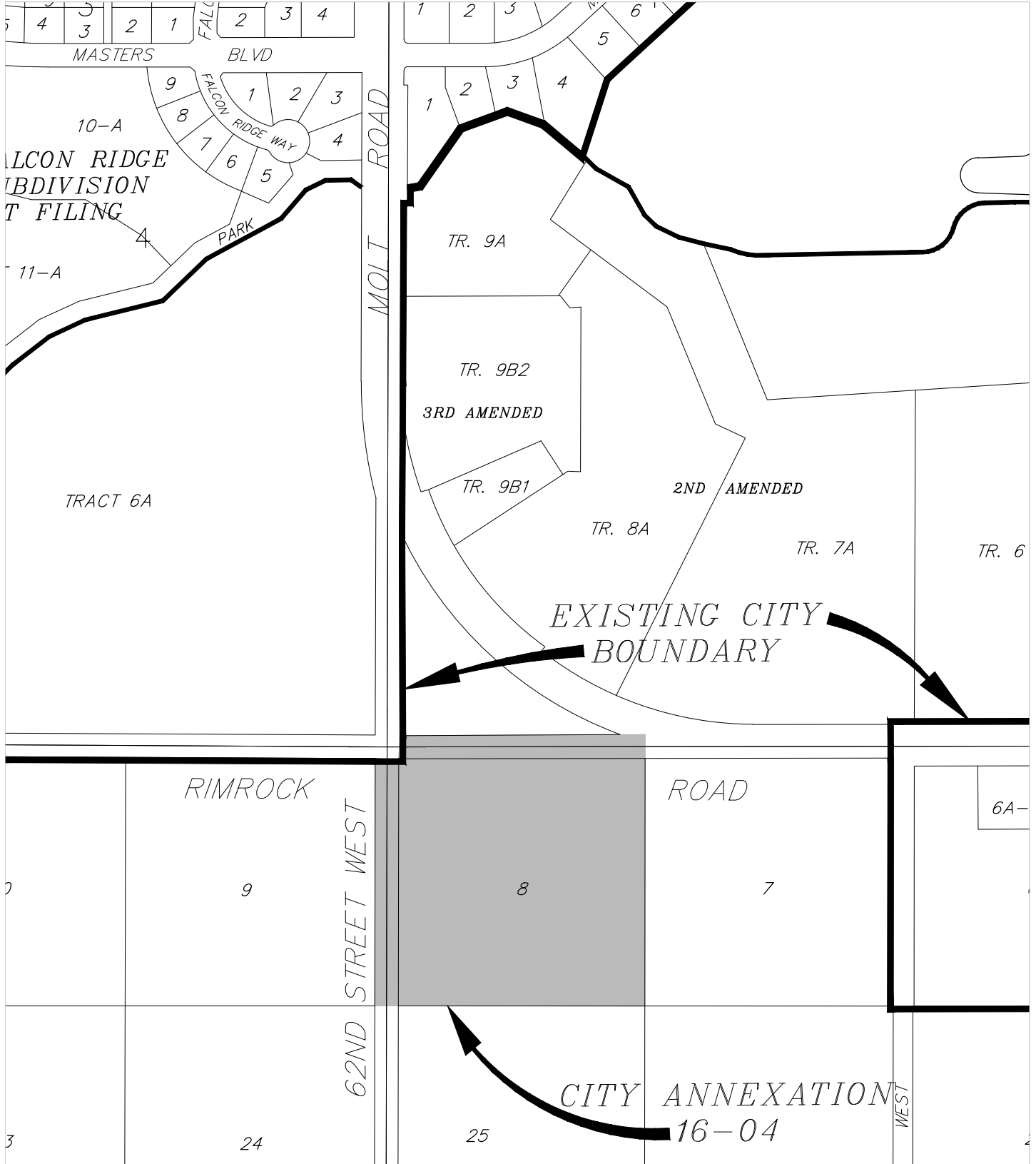
Received By: *[Signature]*

Petition Number: _____

Fee Paid: \$1,064.00 6/5/16

P2-16-00097

ANNEXATION 16-04 EXHIBIT "A"





REVISIONS				
NO.	DESCRIPTION	DATE	BY	CHECKED BY

PERFORMANCE
ENGINEERING & CONSULTING

2101 OVERLAND AVE
BILLINGS, MT 59102
OFFICE - 406-384-0282 www.performance-ec.com

PRELIMINARY
NOT FOR
CONSTRUCTION

NSM
DESIGNED BY
NSM
DRAWN BY
5/19/16
DATE
QUALITY ASSURANCE
SAA
CHECKED BY
5/19/16
DATE

TULE RIDGE DEVLEOPMENTS

TULE RIDGE
ZONING & ANNEXATION MAP

PROJECT NUMBER 2016-037
SHEET NUMBER 1 OF 1
DRAWING NUMBER

Regular City Council Meeting

Meeting Date: 07/25/2016

TITLE: Ward Ordinance Second Reading - Annexation #16-03

PRESENTED BY: Candi Millar, Planning & Community Services Department Director

Department: Planning & Community Services

PROBLEM/ISSUE STATEMENT

City election ward boundaries must be adjusted to conform to city limit amendments resulting from annexation of property into the City. The City Council approved the annexation of property owned by Yellowstone Meadows Partners, LLC (Annexation #16-03) on May 9, 2016. This requires a change in the boundaries of Ward IV. Two readings are required for this action. The first reading of the ordinance was conducted on July 11 along with a public hearing. The second reading is scheduled for this meeting.

ALTERNATIVES ANALYZED

City Council may approve or not approve the ordinance to amend the boundaries of Ward IV on second reading.

- Approving the ordinance will modify the boundaries of Ward IV to include the property owned by Yellowstone Meadows Partners, LLC.
- Not approving the ordinance will not modify the boundaries of Ward IV and create a problem where property inside the City Limits is not within one of the City Ward Boundaries.

FINANCIAL IMPACT

There is no budget/financial impact from this action.

RECOMMENDATION

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

APPROVED BY CITY ADMINISTRATOR

Attachments

Ward Ordinance

ORDINANCE NO. 16-_____

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

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

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

A tract of unplatted land situated in the NE1/4, NE1/4 of Section 31, T.1N., R.25E., P.M.M., Yellowstone County, Montana, more particularly described as: Beginning at the southeast corner of Trail Creek Drive of Yellowstone Meadows-Phase One, Recorded December 15, 1970, under Document No. 873104, on file and of record in the Records of Yellowstone County, said Point of Beginning being the southwest corner Right-Of-Way line of Trail Creek Drive and 54th Street West; thence in a southwesterly direction and along the west Right-Of-Way line of said 54th Street West for a distance of 426.00 feet; thence leaving said 54th Street West Right-Of-Way line and in a southwesterly direction and parallel to said Trail Creek Drive for a distance of 576.68 feet to a point; thence in a northeasterly direction and parallel to 54th Street West for a distance of 426.00 feet to a point on the south Right-Of-Way line of Trail Creek Drive; thence in a northeasterly direction and along said Right-Of-Way line of Trail Creek Drive for a distance of 576.68 feet to the Point of Beginning. Including all adjacent right-of-way of Trail Creek Drive. Containing 6.434 gross acres and 5.639 net acres more or less.

(#16-03) See Exhibit "A" Attached

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

ward, the streets, avenues and alleys by name and the ward by number, to the election administrator not more than ten (10) days after the effective date of this ordinance.

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

PASSED by the City Council on the first reading this 11th day of July, 2016.

PASSED by the City Council on the second reading this 25th day of July, 2016.

THE CITY OF BILLINGS:

Thomas W. Hanel, MAYOR

ATTEST:

BY: _____
CITY CLERK

(AN 16-03)

Regular City Council Meeting

Meeting Date: 07/25/2016

TITLE: Payment of Claims June 28, 2016

PRESENTED BY: Patrick M. Weber, Finance Director

Department: City Hall Administration

PROBLEM/ISSUE STATEMENT

Claims in the amount of \$2,187,981.06 have been audited and are presented for City Council payment approval. A complete listing of the claims dated June 28, 2016, is available in the Finance Department.

ALTERNATIVES ANALYZED

No other alternatives were analyzed.

FINANCIAL IMPACT

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.

RECOMMENDATION

Staff recommends that Council approve the Payment of Claims.

APPROVED BY CITY ADMINISTRATOR

Attachments

councilmemo_6.28.2016

Check Date	Check	Name	Amount	Account	Item Desc
06/28/2016	795148	Apple Creek Propagators	\$ 5,119.35	7750-51540-407249	Trees
06/28/2016	795149	Arrow Striping & Manufacturing Inc	\$ 1,800.00	2110-31320-402340	glass beads for painting
06/28/2016	795149	Arrow Striping & Manufacturing Inc	\$ 4,750.00	5610-71130-403660	Invoice #23545. Repaint Runway Centerline
06/28/2016	795158	Billings Depot Inc	\$ 5,648.67	6600-00000-143000	Rent
06/28/2016	795158	Billings Depot Inc	\$ 8,473.00	6700-00000-143000	Rent
06/28/2016	795161	Billings Tourism	\$ 866,516.00	7790-15760-407679	Distributed May, paid June 2016
06/28/2016	795164	Bruce Tall Construction and Design	\$ 4,975.00	8730-51990-403690	Concrete removal at Rose.
06/28/2016	795164	Bruce Tall Construction and Design	\$ 4,950.00	0100-51120-403690	Concrete removal at Harvest.
06/28/2016	795169	Business Tax Section	\$ 486.36	4240-51110-409370	Business tax for Safetech-Rose asbestos removal.
06/28/2016	795169	Business Tax Section	\$ 216.75	5020-74000-403660	Replace gate PW Water
06/28/2016	795169	Business Tax Section	\$ 1,273.86	2050-31310-409310	WO 15-03 2015 Street Maintenance - Overlay
06/28/2016	795169	Business Tax Section	\$ 80.61	4240-51110-409370	Business tax on Empire roofing.
06/28/2016	795169	Business Tax Section	\$ 18.29	0100-16110-409291	Cucancic Remodel
06/28/2016	795169	Business Tax Section	\$ 995.00	0100-14120-409291	Cucancic Remodel
06/28/2016	795169	Business Tax Section	\$ 1,821.13	5030-75910-409340	WO 16-07 Interstate 90 Water Main Crossing Project
06/28/2016	795169	Business Tax Section	\$ 270.70	6300-17530-407310	BOC Material Storage Building Roof Repair
06/28/2016	795177	Continental Gate Co	\$ 104.69	5020-73140-402450	Receiver for New Gate # 5
06/28/2016	795177	Continental Gate Co	\$ 35.17	5120-83140-402450	Receiver for New Gate # 5
06/28/2016	795177	Continental Gate Co	\$ 262.50	5020-73140-402450	Gate Openers
06/28/2016	795177	Continental Gate Co	\$ 87.50	5120-83140-402450	Gate Openers
06/28/2016	795177	Continental Gate Co	\$ 21,458.25	5020-74000-403660	Replace PW gate
06/28/2016	795180	County Water District Of Billings Heights	\$ 1,162.79	8720-51980-403420	Water charges for Walden.
06/28/2016	795180	County Water District Of Billings Heights	\$ 1,220.39	8720-51980-403420	Water charges for France's.
06/28/2016	795180	County Water District Of Billings Heights	\$ 479.36	8720-51980-403420	Water charges for Twin Oaks.
06/28/2016	795180	County Water District Of Billings Heights	\$ 683.71	0100-51120-403420	Water charges for Arrowhead.
06/28/2016	795180	County Water District Of Billings Heights	\$ 18.00	8720-51980-403420	Water charges for Rolling Hills.
06/28/2016	795180	County Water District Of Billings Heights	\$ 134.90	0100-51120-403420	Water charges for Clevenger.
06/28/2016	795180	County Water District Of Billings Heights	\$ 419.35	8720-51980-403420	Water charges for Luthern.
06/28/2016	795180	County Water District Of Billings Heights	\$ 392.17	0100-51120-403420	Water charges for Primrose.
06/28/2016	795180	County Water District Of Billings Heights	\$ 686.73	8720-51980-403420	Water charges for Uinta.
06/28/2016	795180	County Water District Of Billings Heights	\$ 18.00	0100-51120-403420	Water charges for Arrowhead.
06/28/2016	795180	County Water District Of Billings Heights	\$ 694.15	0100-51120-403420	Water charges for Hawthorn.
06/28/2016	795185	Data Imaging System, Inc.	\$ 4,223.72	2090-44510-403590	I16-026954 Data Imaging System, Inc
06/28/2016	795188	Dell Computer L P	\$ 12,304.92	2600-55180-402925	Dell PCs and Monitors
06/28/2016	795188	Dell Computer L P	\$ 1,302.65	6010-15500-402925	Dell OptiPlex 3040 (2) 24 inch monitors
06/28/2016	795190	Dick Anderson Construction Inc	\$ 4,890.43	4240-51110-409370	Damage repair work at Rose pool bathhouse.
06/28/2016	795191	Dixie Petro-Chem	\$ 3,092.00	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 300784
06/28/2016	795192	Downtown Billings BID, Inc.	\$ 100,834.60	7800-15750-407680	Paid May, distributed June 2016
06/28/2016	795193	DPS Company LLC	\$ 24,500.00	6500-15660-403990	BOC Material Storage Building Roof Repair
06/28/2016	795193	DPS Company LLC	\$ 2,299.30	6300-17530-407310	BOC Material Storage Building Roof Repair
06/28/2016	795194	Dustbusters	\$ 6,576.63	2110-31320-404530	dust suppressant for gravel roads

06/28/2016	795202	Empire Roofing Inc	\$	7,980.39	4240-51110-409370	Temporary membrane roof over damages
06/28/2016	795217	Hawkins Inc.	\$	599.40	0100-51260-402290	Chemicals for pools.
06/28/2016	795217	Hawkins Inc.	\$	1,872.21	0100-51260-402290	Chemicals for pools.
06/28/2016	795217	Hawkins Inc.	\$	184.00	0100-51120-403690	Door repairs.
06/28/2016	795218	HDR, Inc.	\$	35,464.56	5030-74910-409390	WO 15-10 WTP Chemical Building/Disinfection
06/28/2016	795221	High Point Networks LLC	\$	-	6200-19110-409480	(3) 30135 WS-C35 Appliance \$2698.00 each
06/28/2016	795221	High Point Networks LLC	\$	37,671.00	6200-19110-409480	(83) WS-AP3825i Dual radio 11ac indoor access point
06/28/2016	795221	High Point Networks LLC	\$	-	6200-19110-409480	(12) 31012 WS-AP3935i-Fcc Dual Ban Radio
06/28/2016	795221	High Point Networks LLC	\$	-	6200-19110-409480	(17) WS-AP3805I Extreme Networks Dual Radio
06/28/2016	795221	High Point Networks LLC	\$	-	6200-19110-409480	(3) WS-REG9P-NAM V9 Regulatory Domain Key
06/28/2016	795221	High Point Networks LLC	\$	-	6200-19110-409480	(1) NMS-ADV-25 NetSight Advanced License up to
06/28/2016	795221	High Point Networks LLC	\$	-	6200-19110-409480	(1) 97003-S20149 NetSight Advanced Annual Support
06/28/2016	795221	High Point Networks LLC	\$	-	6200-19110-409480	(1) PROSERVE-PKG High Point Networks
06/28/2016	795225	Iaff	\$	4,387.76	9000-00000-209920	Payroll Summary
06/28/2016	795226	Ingram Library Services Inc.	\$	(8.24)	2600-55190-403222	Credit 93250795
06/28/2016	795226	Ingram Library Services Inc.	\$	10.79	2600-55190-403227	93291498
06/28/2016	795226	Ingram Library Services Inc.	\$	82.90	2600-55190-403227	93306602
06/28/2016	795226	Ingram Library Services Inc.	\$	34.25	2600-55190-403333	93306602
06/28/2016	795226	Ingram Library Services Inc.	\$	11.98	2600-55190-403226	93306603
06/28/2016	795226	Ingram Library Services Inc.	\$	542.81	2600-55190-403226	93306604
06/28/2016	795226	Ingram Library Services Inc.	\$	23.40	2600-55190-403226	93306605
06/28/2016	795226	Ingram Library Services Inc.	\$	46.60	2600-55190-403227	93306605
06/28/2016	795226	Ingram Library Services Inc.	\$	8.87	2600-55150-402280	93306606
06/28/2016	795226	Ingram Library Services Inc.	\$	23.64	2600-55190-403222	93306607
06/28/2016	795226	Ingram Library Services Inc.	\$	11.79	2600-55190-403227	93306607
06/28/2016	795226	Ingram Library Services Inc.	\$	16.51	2600-55190-403227	93306608
06/28/2016	795226	Ingram Library Services Inc.	\$	19.20	2600-55190-403226	93306609
06/28/2016	795226	Ingram Library Services Inc.	\$	107.14	2600-55190-403227	93306609
06/28/2016	795226	Ingram Library Services Inc.	\$	211.55	2600-55190-403255	93306609
06/28/2016	795226	Ingram Library Services Inc.	\$	112.09	2600-55190-403333	93306609
06/28/2016	795226	Ingram Library Services Inc.	\$	63.48	2600-55190-403227	93306610
06/28/2016	795226	Ingram Library Services Inc.	\$	56.14	2600-55190-403226	93343945
06/28/2016	795226	Ingram Library Services Inc.	\$	16.52	2600-55190-403241	93343946
06/28/2016	795226	Ingram Library Services Inc.	\$	64.52	2600-55190-403226	93343947
06/28/2016	795226	Ingram Library Services Inc.	\$	279.68	2600-55190-403226	93343948
06/28/2016	795226	Ingram Library Services Inc.	\$	49.53	2600-55190-403227	93343948
06/28/2016	795226	Ingram Library Services Inc.	\$	9.60	2600-55190-403226	93343949
06/28/2016	795226	Ingram Library Services Inc.	\$	9.57	2600-55190-403226	93365477
06/28/2016	795226	Ingram Library Services Inc.	\$	16.51	2600-55190-403226	93365478
06/28/2016	795226	Ingram Library Services Inc.	\$	2.39	2600-55150-402280	93365479
06/28/2016	795226	Ingram Library Services Inc.	\$	10.77	2600-55190-403333	93383362
06/28/2016	795226	Ingram Library Services Inc.	\$	34.78	2600-55190-403227	93383363

06/28/2016	795226	Ingram Library Services Inc.	\$	31.18	2600-55190-403227	93383364
06/28/2016	795226	Ingram Library Services Inc.	\$	66.92	2600-55190-403226	93383365
06/28/2016	795226	Ingram Library Services Inc.	\$	31.25	2600-55190-403227	93383365
06/28/2016	795226	Ingram Library Services Inc.	\$	35.75	2600-55190-403222	93383366
06/28/2016	795226	Ingram Library Services Inc.	\$	340.98	2600-55190-403226	93383366
06/28/2016	795226	Ingram Library Services Inc.	\$	113.64	2600-55190-403227	93383366
06/28/2016	795226	Ingram Library Services Inc.	\$	151.06	2600-55190-403255	93383366
06/28/2016	795226	Ingram Library Services Inc.	\$	414.45	2600-55190-403333	93383366
06/28/2016	795226	Ingram Library Services Inc.	\$	47.14	2600-55190-403227	93383367
06/28/2016	795226	Ingram Library Services Inc.	\$	30.57	2600-55190-403226	93392688
06/28/2016	795226	Ingram Library Services Inc.	\$	22.95	2600-55190-403227	93392688
06/28/2016	795226	Ingram Library Services Inc.	\$	340.97	2600-55190-403333	93392688
06/28/2016	795227	Intermountain Traffic, LLC	\$	900.00	2110-31320-402430	chronomax with wiring harness, manual and ac/dc unit
06/28/2016	795227	Intermountain Traffic, LLC	\$	500.00	2110-31320-402430	flashers
06/28/2016	795227	Intermountain Traffic, LLC	\$	17,600.00	2110-31320-402430	trafficware P44 cabinet assy
06/28/2016	795227	Intermountain Traffic, LLC	\$	35,750.00	2110-31320-402430	P44 cabinet assy with controller for upgrades
06/28/2016	795227	Intermountain Traffic, LLC	\$	30,636.00	2110-31320-402430	Traffic ware controller, P44 cabinet assembly
06/28/2016	795227	Intermountain Traffic, LLC	\$	825.00	2110-31320-402430	Flasher, Nema, Discrete per attached quote
06/28/2016	795227	Intermountain Traffic, LLC	\$	35,750.00	2110-31320-402430	P44 cabinet and controller per attached quote
06/28/2016	795232	Kadrmass Lee & Jackson	\$	11,710.33	1990-15050-409310	WO 15-07 Orchard Lane; CO#1 01/25/2016
06/28/2016	795239	Kinkaid Civil Construction LLC	\$	180,291.83	5030-75910-409340	WO 16-07 Interstate 90 Water Main Crossing Project
06/28/2016	795241	Knife River (JTL Group Inc.)	\$	2,798.07	2110-31320-404710	asphalt
06/28/2016	795241	Knife River (JTL Group Inc.)	\$	1,400.31	2110-31320-404520	1 1/2" crushed base for gravel roads
06/28/2016	795241	Knife River (JTL Group Inc.)	\$	0.01	2110-31320-404520	underage
06/28/2016	795241	Knife River (JTL Group Inc.)	\$	126,112.54	2050-31310-409310	WO 15-03 2015 Street Maintenance - Overlay
06/28/2016	795242	Kois Brothers Equipment Co	\$	292.49	6010-00000-141000	106816 PO NUM 300213
06/28/2016	795242	Kois Brothers Equipment Co	\$	580.00	5410-31220-402320	106968
06/28/2016	795242	Kois Brothers Equipment Co	\$	162.16	5120-84000-402320	NONSTOCKING ITEMS-P.U.D.
06/28/2016	795242	Kois Brothers Equipment Co	\$	2,142.00	5410-31220-402320	106752
06/28/2016	795242	Kois Brothers Equipment Co	\$	166.22	5410-31220-402320	106752
06/28/2016	795242	Kois Brothers Equipment Co	\$	546.25	6010-00000-141000	106930 PO NUM 300213
06/28/2016	795242	Kois Brothers Equipment Co	\$	937.00	5410-31220-402320	106839
06/28/2016	795242	Kois Brothers Equipment Co	\$	531.00	5410-31220-402320	106861
06/28/2016	795242	Kois Brothers Equipment Co	\$	406.00	5410-31220-402320	106874
06/28/2016	795242	Kois Brothers Equipment Co	\$	36.61	5410-31220-402320	106874
06/28/2016	795250	Mailing Technical Services	\$	63.28	5210-15210-403110	parking - special inserts only
06/28/2016	795250	Mailing Technical Services	\$	1,347.90	0100-15120-403110	Finance
06/28/2016	795250	Mailing Technical Services	\$	4,172.73	6050-15150-403110	Postage Fund (weekly bills)
06/28/2016	795264	Montana CSED	\$	3,775.80	9000-00000-209926	Payroll Summary
06/28/2016	795265	Montana Dakota Utilities Co	\$	14.72	1500-21150-403410	062 907 9494 7
06/28/2016	795265	Montana Dakota Utilities Co	\$	429.48	1500-21710-403440	169 233 1000 3
06/28/2016	795265	Montana Dakota Utilities Co	\$	337.94	2600-55120-403440	219 924 4851 0

06/28/2016	795265	Montana Dakota Utilities Co	\$	205.50	5610-71130-403440	285 580 1000 6
06/28/2016	795265	Montana Dakota Utilities Co	\$	1,180.76	5120-84000-403440	293 780 1000 2
06/28/2016	795265	Montana Dakota Utilities Co	\$	2,361.52	5120-84000-403440	293 780 1000 2
06/28/2016	795265	Montana Dakota Utilities Co	\$	1,180.76	5120-84000-403440	293 780 1000 2
06/28/2016	795265	Montana Dakota Utilities Co	\$	10.20	5020-74000-403440	373 580 1000 9
06/28/2016	795265	Montana Dakota Utilities Co	\$	10.21	5020-74000-403440	373 580 1000 9
06/28/2016	795265	Montana Dakota Utilities Co	\$	32.37	0100-51270-403440	437 780 1000 9
06/28/2016	795265	Montana Dakota Utilities Co	\$	21.82	0100-51120-403410	501 473 1000 2
06/28/2016	795265	Montana Dakota Utilities Co	\$	14.72	1500-21150-403410	514 117 0478 9
06/28/2016	795265	Montana Dakota Utilities Co	\$	18.00	5020-74000-403440	541 380 1000 1
06/28/2016	795265	Montana Dakota Utilities Co	\$	32.76	6600-31100-403440	595 373 1000 1
06/28/2016	795265	Montana Dakota Utilities Co	\$	49.14	6700-31410-403440	595 373 1000 1
06/28/2016	795265	Montana Dakota Utilities Co	\$	2,358.10	5610-71120-403440	595 580 1000 1
06/28/2016	795265	Montana Dakota Utilities Co	\$	33.15	5120-85000-403440	596 733 1000 5
06/28/2016	795265	Montana Dakota Utilities Co	\$	322.13	5610-71170-403440	706 580 1000 7
06/28/2016	795265	Montana Dakota Utilities Co	\$	14.72	5210-15920-403440	717 353 1000 6
06/28/2016	795265	Montana Dakota Utilities Co	\$	22.34	5210-15950-403440	799 152 1209 0
06/28/2016	795265	Montana Dakota Utilities Co	\$	15.64	5610-71170-403440	806 580 1000 6
06/28/2016	795265	Montana Dakota Utilities Co	\$	57.56	1500-22210-403440	885 880 1000 4
06/28/2016	795265	Montana Dakota Utilities Co	\$	31.28	5020-74000-403440	921 580 1000 6
06/28/2016	795265	Montana Dakota Utilities Co	\$	611.14	6500-15670-403440	929 780 1000 4
06/28/2016	795265	Montana Dakota Utilities Co	\$	33.18	5120-85000-403440	955 043 1000 4
06/28/2016	795265	Montana Dakota Utilities Co	\$	322.67	5710-71430-403440	962 880 1000 0
06/28/2016	795265	Montana Dakota Utilities Co	\$	74.26	1500-22210-403440	533 653 1000 1
06/28/2016	795265	Montana Dakota Utilities Co	\$	32.71	5120-85000-403440	735 453 1000 2
06/28/2016	795265	Montana Dakota Utilities Co	\$	33.73	5610-71170-403440	283 116 0655 3. IP-12. June 2016
06/28/2016	795265	Montana Dakota Utilities Co	\$	27.06	5610-71170-403440	295 580 1000 4. Aero Interiors. June 2016
06/28/2016	795265	Montana Dakota Utilities Co	\$	37.05	5610-71170-403440	185 580 1000 7. TSA Building. June 2016
06/28/2016	795265	Montana Dakota Utilities Co	\$	66.02	5610-71190-403440	889 373 1000 6. Car Wash. June 2016
06/28/2016	795265	Montana Dakota Utilities Co	\$	112.20	5610-71190-403440	129 573 1000 1. Mud Wash. June 2016
06/28/2016	795265	Montana Dakota Utilities Co	\$	18.50	5610-71190-403440	229 573 1000 0. Detail Bay 1 Hertz. June 2016
06/28/2016	795265	Montana Dakota Utilities Co	\$	22.77	5610-71190-403440	629 573 1000 6. Detail Bay 2 National/Alamo.
06/28/2016	795265	Montana Dakota Utilities Co	\$	18.97	5610-71190-403440	329 573 1000 9. Detail Bay 3 Enterprise. June 2016
06/28/2016	795265	Montana Dakota Utilities Co	\$	24.21	5610-71190-403440	429 573 1000 8. Detail Bay 4 Avis/Budget. June 2016
06/28/2016	795265	Montana Dakota Utilities Co	\$	18.00	5610-71190-403440	529 573 1000 7. Detail Bay 5 Thrifty/Dollar. June 2016
06/28/2016	795265	Montana Dakota Utilities Co	\$	14.07	2910-66980-407275	FORECLOSURE PROGRAM - 619 Custer Act
06/28/2016	795271	Montana State Fireman's Assoc	\$	3,645.74	9000-00000-209924	Payroll Summary
06/28/2016	795274	Moulton Bellingham PC	\$	64.50	0100-16110-403560	Inv. 116357, EBURD-Board of Adjustments
06/28/2016	795274	Moulton Bellingham PC	\$	3,665.00	0100-16110-403560	Ivn. 116189, Watters et al.
06/28/2016	795277	MT Waterworks	\$	6,200.00	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 300786
06/28/2016	795277	MT Waterworks	\$	60.00	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 300782
06/28/2016	795277	MT Waterworks	\$	15.40	5020-00000-141000	SYSTEMS PO NUM 300782

06/28/2016	795280	Napa Auto Parts	\$	4,879.00	5710-71440-402925	A/C Recovery Machine for Shop
06/28/2016	795280	Napa Auto Parts	\$	649.00	5710-71430-402450	Compressor for Bus Wash
06/28/2016	795280	Napa Auto Parts	\$	10.72	5410-31220-402320	729767
06/28/2016	795280	Napa Auto Parts	\$	100.38	1500-21120-402320	736669
06/28/2016	795280	Napa Auto Parts	\$	2.80	0100-51120-402320	736798
06/28/2016	795280	Napa Auto Parts	\$	42.90	2110-31320-402320	736840
06/28/2016	795280	Napa Auto Parts	\$	43.50	5410-31220-402320	736840
06/28/2016	795280	Napa Auto Parts	\$	50.18	1500-21120-402320	737040
06/28/2016	795280	Napa Auto Parts	\$	26.82	6010-15530-402650	737162
06/28/2016	795280	Napa Auto Parts	\$	204.30	0100-51120-402320	737237
06/28/2016	795280	Napa Auto Parts	\$	43.42	5410-31220-402320	737279
06/28/2016	795280	Napa Auto Parts	\$	106.79	0100-51120-402320	737313
06/28/2016	795280	Napa Auto Parts	\$	111.86	1500-21120-402320	737522
06/28/2016	795280	Napa Auto Parts	\$	42.90	2110-31320-402320	737522
06/28/2016	795280	Napa Auto Parts	\$	82.20	5410-31220-402320	737568
06/28/2016	795280	Napa Auto Parts	\$	(22.65)	0100-51120-402320	737599
06/28/2016	795280	Napa Auto Parts	\$	(42.90)	2110-31320-402320	737599
06/28/2016	795280	Napa Auto Parts	\$	20.04	1500-21120-402320	737696
06/28/2016	795280	Napa Auto Parts	\$	12.25	6010-15530-402650	737874
06/28/2016	795280	Napa Auto Parts	\$	25.50	6500-15660-402320	738165
06/28/2016	795280	Napa Auto Parts	\$	154.31	0100-51120-402320	738987
06/28/2016	795280	Napa Auto Parts	\$	341.81	1500-21120-402320	739567
06/28/2016	795280	Napa Auto Parts	\$	17.07	0100-51120-402320	739959
06/28/2016	795280	Napa Auto Parts	\$	178.07	1500-22260-402320	740235
06/28/2016	795280	Napa Auto Parts	\$	89.91	1500-22260-402320	740286
06/28/2016	795280	Napa Auto Parts	\$	105.68	1500-21120-402320	771000
06/28/2016	795280	Napa Auto Parts	\$	30.06	6010-00000-141000	737040 PO NUM 300830
06/28/2016	795280	Napa Auto Parts	\$	254.31	6010-00000-141000	737209 PO NUM 300830
06/28/2016	795280	Napa Auto Parts	\$	44.58	6010-00000-141000	737319 PO NUM 300830
06/28/2016	795280	Napa Auto Parts	\$	33.50	6010-00000-141000	737694 PO NUM 300830
06/28/2016	795281	Net Transcripts Inc	\$	2,799.93	1500-21500-403210	Invoice 0007914-IN, Transcription services
06/28/2016	795285	NorthWestern Energy	\$	3,054.91	1500-22210-403410	FIRE1: MONTHLY ELECTRIC SERVICE
06/28/2016	795285	NorthWestern Energy	\$	2,066.94	5210-15920-403410	0720834-1
06/28/2016	795285	NorthWestern Energy	\$	172.34	6070-22350-403410	0721580-9
06/28/2016	795285	NorthWestern Energy	\$	56.42	0100-51120-403410	0722237-5
06/28/2016	795285	NorthWestern Energy	\$	7.55	0100-51120-403410	0722247-4
06/28/2016	795285	NorthWestern Energy	\$	226.87	0100-51120-403410	0722251-6
06/28/2016	795285	NorthWestern Energy	\$	95.52	0100-51120-403410	0722255-7
06/28/2016	795285	NorthWestern Energy	\$	627.65	6700-31410-403410	1741314-7
06/28/2016	795285	NorthWestern Energy	\$	71.96	5710-71480-403410	1784756-7
06/28/2016	795285	NorthWestern Energy	\$	-	0100-51120-403410	0723027-9
06/28/2016	795285	NorthWestern Energy	\$	7.67	0100-51120-403410	0723644-1

06/28/2016	795285	NorthWestern Energy	\$	7.55	0100-51120-403410	0723645-8
06/28/2016	795285	NorthWestern Energy	\$	35.41	0100-51120-403410	0789437-1
06/28/2016	795285	NorthWestern Energy	\$	102.57	8720-51980-403410	1059093-3
06/28/2016	795285	NorthWestern Energy	\$	1,026.53	5210-15920-403410	1594282-4
06/28/2016	795285	NorthWestern Energy	\$	418.43	6600-31100-403410	1741314-7
06/28/2016	795285	NorthWestern Energy	\$	55.94	0100-51120-403410	0723056-8
06/28/2016	795285	NorthWestern Energy	\$	23.64	0100-51120-403410	0723057-6
06/28/2016	795285	NorthWestern Energy	\$	28.92	0100-51120-403410	0723058-4
06/28/2016	795285	NorthWestern Energy	\$	9.40	0100-51120-403410	0723090-7
06/28/2016	795285	NorthWestern Energy	\$	7.55	0100-51120-403410	0723162-4
06/28/2016	795285	NorthWestern Energy	\$	583.65	0100-51120-403410	0723170-7
06/28/2016	795285	NorthWestern Energy	\$	92.54	0100-51120-403410	0723048-5
06/28/2016	795285	NorthWestern Energy	\$	143.93	0100-51120-403410	0723050-1
06/28/2016	795285	NorthWestern Energy	\$	1.42	0100-51120-403410	0723051-9
06/28/2016	795285	NorthWestern Energy	\$	25.77	0100-51120-403410	0723052-7
06/28/2016	795285	NorthWestern Energy	\$	373.16	0100-51120-403410	0723054-3
06/28/2016	795285	NorthWestern Energy	\$	17.04	0100-51120-403410	0723055-0
06/28/2016	795285	NorthWestern Energy	\$	117.95	0100-51120-403410	0723035-2
06/28/2016	795285	NorthWestern Energy	\$	9.24	0100-51120-403410	0723036-0
06/28/2016	795285	NorthWestern Energy	\$	195.36	0100-51120-403410	0723037-8
06/28/2016	795285	NorthWestern Energy	\$	7.28	0100-51120-403410	0723038-6
06/28/2016	795285	NorthWestern Energy	\$	49.91	0100-51120-403410	0723042-8
06/28/2016	795285	NorthWestern Energy	\$	580.76	0100-51120-403410	0723044-4
06/28/2016	795285	NorthWestern Energy	\$	59.16	0100-51120-403410	0722266-4
06/28/2016	795285	NorthWestern Energy	\$	3.85	0100-51120-403410	0722268-0
06/28/2016	795285	NorthWestern Energy	\$	17.51	0100-51120-403410	0722269-8
06/28/2016	795285	NorthWestern Energy	\$	12.34	0100-51120-403410	0722292-0
06/28/2016	795285	NorthWestern Energy	\$	51.92	0100-51120-403410	0722293-8
06/28/2016	795285	NorthWestern Energy	\$	14.99	0100-51120-403410	0722905-7
06/28/2016	795285	NorthWestern Energy	\$	372.21	0100-51120-403410	0722257-3
06/28/2016	795285	NorthWestern Energy	\$	239.48	0100-51120-403410	0722260-7
06/28/2016	795285	NorthWestern Energy	\$	14.78	0100-51120-403410	0722261-5
06/28/2016	795285	NorthWestern Energy	\$	11.78	0100-51120-403410	0722262-3
06/28/2016	795285	NorthWestern Energy	\$	25.79	0100-51120-403410	0722263-1
06/28/2016	795285	NorthWestern Energy	\$	48.59	0100-51120-403410	0722265-6
06/28/2016	795285	NorthWestern Energy	\$	1,567.76	0100-51270-403410	Electrical charges for office.
06/28/2016	795285	NorthWestern Energy	\$	7,512.17	6500-15670-403410	0100507-3
06/28/2016	795285	NorthWestern Energy	\$	1,284.15	5210-15910-403410	1569636-2
06/28/2016	795285	NorthWestern Energy	\$	318.34	1500-21150-403410	1984155-0
06/28/2016	795285	NorthWestern Energy	\$	5,386.04	5020-74000-403410	3116 17th St W
06/28/2016	795285	NorthWestern Energy	\$	5,386.05	5020-74000-403410	3116 17th St W
06/28/2016	795285	NorthWestern Energy	\$	4,688.06	5020-73140-403410	2251 Belknap

06/28/2016	795285	NorthWestern Energy	\$ 25,002.97	5020-74000-403410	2251 Belknap
06/28/2016	795285	NorthWestern Energy	\$ 93,761.12	5020-74000-403410	2251 Belknap
06/28/2016	795285	NorthWestern Energy	\$ 1,562.68	5120-83140-403410	2251 Belknap
06/28/2016	795285	NorthWestern Energy	\$ 59.70	5610-71130-403410	3085107-5. Employee Parking. June 2016
06/28/2016	795285	NorthWestern Energy	\$ 2,249.17	5610-71130-403410	0100483-7. Runway Lights. June 2016
06/28/2016	795285	NorthWestern Energy	\$ 1,596.34	5610-71130-403410	0100484-5. ARFF Facility. June 2016
06/28/2016	795285	NorthWestern Energy	\$ 1,844.42	5610-71190-403410	1993430-6. Car Wash. June 2016
06/28/2016	795285	NorthWestern Energy	\$ 425.57	5610-71190-403410	2001846-1. Mud Wash. June 2016
06/28/2016	795285	NorthWestern Energy	\$ 283.52	5610-71190-403410	2001848-7. Detail Bay 1 Hertz. June 2016
06/28/2016	795285	NorthWestern Energy	\$ 319.74	5610-71190-403410	2001855-2. Detail Bay 2 National/Alamo. June 2016
06/28/2016	795285	NorthWestern Energy	\$ 177.63	5610-71190-403410	2001862-8. Detail Bay 3 Enterprise. June 2016
06/28/2016	795285	NorthWestern Energy	\$ 191.17	5610-71190-403410	2001865-1. Detail Bay 4 Avis/Budget. June 2016
06/28/2016	795285	NorthWestern Energy	\$ 157.71	5610-71190-403410	2001867-7. Detail Bay 5 Thrifty/Dollar. June 2016
06/28/2016	795285	NorthWestern Energy	\$ 57.46	5610-71170-403410	1138926-9. Aero Interiors. June 2016
06/28/2016	795285	NorthWestern Energy	\$ 771.20	5610-71170-403410	1669567-8. TSA Building. June 2016
06/28/2016	795285	NorthWestern Energy	\$ 62.75	5610-71130-403410	0719616-5. ARFF Facility Lights. June 2016
06/28/2016	795285	NorthWestern Energy	\$ 348.54	5610-71170-403410	0712792-1. IP-7. June 2016
06/28/2016	795285	NorthWestern Energy	\$ 16.18	5610-71170-403410	0712799-6. IP-8. June 2016
06/28/2016	795285	NorthWestern Energy	\$ 1,500.67	5610-71170-403410	0712800-2, IP-9. June 2016
06/28/2016	795285	NorthWestern Energy	\$ 79.52	5610-71170-403410	0712817-6. IP-House. June 2016
06/28/2016	795289	Peterson Office Furniture	\$ 200.00	2090-44510-402120	I16-026968 Peterson Office Furniture
06/28/2016	795289	Peterson Office Furniture	\$ 4,419.46	0100-16110-409291	Inv. 202228, Jackie's Office Furniture
06/28/2016	795289	Peterson Office Furniture	\$ 979.66	1500-21200-402610	Chair for detectives.
06/28/2016	795289	Peterson Office Furniture	\$ 3,568.28	0100-16110-409291	Inv. for Karen and Linda's Office Furniture
06/28/2016	795297	Rimrock Tire Inc	\$ (374.96)	2110-31320-402320	Credit on account
06/28/2016	795297	Rimrock Tire Inc	\$ (321.36)	6700-31410-402320	Credit on account
06/28/2016	795297	Rimrock Tire Inc	\$ 132.04	2110-31320-402320	5-GS99537
06/28/2016	795297	Rimrock Tire Inc	\$ 28.95	2110-31320-402320	5-GS99575
06/28/2016	795297	Rimrock Tire Inc	\$ 2,041.00	1500-22260-402320	5-GS99640
06/28/2016	795297	Rimrock Tire Inc	\$ 556.78	1500-22260-402320	5-GS99708
06/28/2016	795297	Rimrock Tire Inc	\$ 549.56	1500-21120-402320	5-GS99732
06/28/2016	795297	Rimrock Tire Inc	\$ 556.35	1500-21120-402320	5-GS99750
06/28/2016	795297	Rimrock Tire Inc	\$ 690.00	2110-31320-402320	5-99285
06/28/2016	795297	Rimrock Tire Inc	\$ 831.52	2110-31320-402320	5-99522
06/28/2016	795297	Rimrock Tire Inc	\$ 17.95	2110-31320-402320	5-99582
06/28/2016	795297	Rimrock Tire Inc	\$ 28.95	2110-31320-402320	5-99623
06/28/2016	795297	Rimrock Tire Inc	\$ 49.92	6500-15660-402320	5-99646
06/28/2016	795297	Rimrock Tire Inc	\$ 76.23	2110-31320-402320	5-99706
06/28/2016	795297	Rimrock Tire Inc	\$ 2,086.79	2110-31320-402390	dismount and mount new tires on unit 1170
06/28/2016	795301	Safetech, Inc	\$ 48,149.64	4240-51110-409370	Asbestos removal at Rose Pool - fire. Tax withholding.
06/28/2016	795304	Seon Design Incorporated	\$ 2,331.00	5710-71440-402320	AUTO &TRUCK MAINT.ITEMS
06/28/2016	795304	Seon Design Incorporated	\$ 2,331.00	5710-71440-402320	AUTO &TRUCK MAINT.ITEMS

06/28/2016	795304	Seon Design Incorporated	\$	415.00	5710-71440-402320	AUTO &TRUCK MAINT.ITEMS
06/28/2016	795304	Seon Design Incorporated	\$	376.00	5710-71440-402320	AUTO &TRUCK MAINT.ITEMS
06/28/2016	795315	Sunset Excavation	\$	1,675.00	5050-75150-403671	4226 Arden
06/28/2016	795315	Sunset Excavation	\$	3,975.00	5050-75150-403671	689 Bazaar Exchange
06/28/2016	795317	Sysco Montana, Inc.	\$	514.77	0100-51260-402230	Food for concessions.
06/28/2016	795317	Sysco Montana, Inc.	\$	56.70	0100-51260-402230	Food for concessions.
06/28/2016	795317	Sysco Montana, Inc.	\$	838.13	0100-51260-402230	Food for concessions.
06/28/2016	795317	Sysco Montana, Inc.	\$	643.09	0100-51260-402230	Food for concessions.
06/28/2016	795317	Sysco Montana, Inc.	\$	356.50	0100-51260-402230	Food for concessions.
06/28/2016	795317	Sysco Montana, Inc.	\$	48.25	0100-51260-402230	Food for concessions.
06/28/2016	795317	Sysco Montana, Inc.	\$	96.50	0100-51260-402230	Food for concessions.
06/28/2016	795321	Tire-Rama	\$	576.19	5410-31230-402390	Tire repairs for Landfill equipment
06/28/2016	795321	Tire-Rama	\$	428.00	5410-31230-402390	Tire repairs for Landfill equipment
06/28/2016	795321	Tire-Rama	\$	830.00	5410-31220-402390	Tire repairs for the garbage trucks
06/28/2016	795321	Tire-Rama	\$	3,071.75	5410-31220-402390	Recapped tires for the garbage trucks
06/28/2016	795324	Torgerson's LLC	\$	126.00	5020-75000-402320	53348
06/28/2016	795324	Torgerson's LLC	\$	71.20	5020-75000-402320	53440
06/28/2016	795324	Torgerson's LLC	\$	3,060.33	0100-51120-402320	6243
06/28/2016	795325	Town & Country Supply Association	\$	66.92	6500-15670-402310	Invoice #217694 fuel for the generator.
06/28/2016	795325	Town & Country Supply Association	\$	18,948.97	6010-00000-141000	218007 PO NUM 300809
06/28/2016	795325	Town & Country Supply Association	\$	302.73	1500-22260-402310	217693: FIRE 6 - DIESEL DELIVERED 6/15/2016
06/28/2016	795325	Town & Country Supply Association	\$	509.86	1500-22260-402310	217693: FIRE 5 - DIESEL DELIVERED 6/15/2016
06/28/2016	795325	Town & Country Supply Association	\$	398.33	1500-22260-402310	217693: FIRE 3 - DIESEL DELIVERED 6/15/2016
06/28/2016	795325	Town & Country Supply Association	\$	318.66	1500-22260-402310	217693: FIRE 1 - DIESEL DELIVERED 6/15/2016
06/28/2016	795325	Town & Country Supply Association	\$	440.64	1500-22260-402310	217693: FIRE 1 - UNLEADED DELIVERED 6/15/2016
06/28/2016	795325	Town & Country Supply Association	\$	(0.01)	1500-22260-402310	217693: DECIMAL PT CORRECTION
06/28/2016	795325	Town & Country Supply Association	\$	16,501.60	5610-71180-402313	Invoice #218129. QTA Car Rental Fuel
06/28/2016	795325	Town & Country Supply Association	\$	15,394.50	6010-00000-141000	218012 PO NUM 300810
06/28/2016	795325	Town & Country Supply Association	\$	5,726.88	6010-00000-141000	217828 PO NUM 300811
06/28/2016	795325	Town & Country Supply Association	\$	6,658.66	6010-00000-141000	217941 PO NUM 300811
06/28/2016	795325	Town & Country Supply Association	\$	450.69	0100-51420-402310	T&C 207gal unleaded 217929 06092016
06/28/2016	795326	Tractor & Equipment Co.	\$	592.84	5410-31230-402320	Parts for Landfill equipment
06/28/2016	795326	Tractor & Equipment Co.	\$	55.30	2110-31320-402320	nuts/bolts for unit1205
06/28/2016	795326	Tractor & Equipment Co.	\$	527.28	5410-31230-402320	BLW00167615
06/28/2016	795326	Tractor & Equipment Co.	\$	1,256.65	2110-31320-402320	BLW00168101
06/28/2016	795326	Tractor & Equipment Co.	\$	647.24	5410-31230-402320	Parts for Landfill equipment
06/28/2016	795326	Tractor & Equipment Co.	\$	783.00	5410-31230-402320	Parts for Landfill Equipment
06/28/2016	795326	Tractor & Equipment Co.	\$	245.70	5410-31230-402320	Parts for Landfill equipment
06/28/2016	795326	Tractor & Equipment Co.	\$	0.23	5410-31230-402320	Part for unit #0242 at the Landfill
06/28/2016	795328	Underground Solutions Inc	\$	63,135.00	5020-00000-141000	SYSTEMS PO NUM 300783
06/28/2016	795330	United Rentals	\$	(309.82)	5020-74000-405333	credit for boom see invoice 136332236001
06/28/2016	795330	United Rentals	\$	2,916.58	5020-74000-405333	Boom Rental

06/28/2016	795336	Verizon Wireless	\$	200.07	1500-21700-403450	Animal Shelter MDT
06/28/2016	795336	Verizon Wireless	\$	674.35	7170-21660-403450	CCSIU Cell/PTT
06/28/2016	795336	Verizon Wireless	\$	40.01	7170-21660-403450	CCSIU Air Card
06/28/2016	795336	Verizon Wireless	\$	80.02	7170-21660-403450	CCSIU RAVEN
06/28/2016	795336	Verizon Wireless	\$	80.02	0100-43210-403450	Code Enforcement Air Cards
06/28/2016	795336	Verizon Wireless	\$	(6.45)	2200-22330-402410	Fire HAZMAT MDT 406-670-1284
06/28/2016	795336	Verizon Wireless	\$	(116.04)	1500-22210-403450	Fire MDT
06/28/2016	795336	Verizon Wireless	\$	40.01	6200-19110-403450	ITD
06/28/2016	795336	Verizon Wireless	\$	80.02	2600-55170-403450	Library Outreach Air Cards
06/28/2016	795336	Verizon Wireless	\$	3,965.01	1500-21110-403450	Police MDT Toughbooks
06/28/2016	795336	Verizon Wireless	\$	470.28	5710-71470-403160	MET Transit Tablets
06/28/2016	795336	Verizon Wireless	\$	40.01	1500-21110-403450	Police ICAC 406-690-7347
06/28/2016	795336	Verizon Wireless	\$	40.01	1500-21110-403450	Police MiFi 406-633-0820
06/28/2016	795336	Verizon Wireless	\$	40.01	1500-21110-403450	Police US Marshall Toughbooks
06/28/2016	795336	Verizon Wireless	\$	40.01	0100-51120-403450	PRPL-PARKS PMD Air Card 406-794-6977
06/28/2016	795336	Verizon Wireless	\$	288.07	5020-75000-403450	PW-Distribution Collection Tablets 60%/40%
06/28/2016	795336	Verizon Wireless	\$	192.05	5120-85000-403450	PW-Distribution Collection Tablets 60%/40%
06/28/2016	795336	Verizon Wireless	\$	140.06	6700-31410-403450	PW Engineering
06/28/2016	795336	Verizon Wireless	\$	70.03	2110-31320-403450	PW-Streets 406-697-0361 iPad 406-633-1991 iPad
06/28/2016	795336	Verizon Wireless	\$	18.02	5020-75000-403450	PWBELKNAP-AIR 60% 40% 60%
06/28/2016	795336	Verizon Wireless	\$	12.00	5120-85000-403450	PWBELKNAP-AIR 60% 40% 60%
06/28/2016	795336	Verizon Wireless	\$	240.06	7170-21660-403450	CCSIU MDT
06/28/2016	795336	Verizon Wireless	\$	192.04	5020-75000-403450	PW-DIS-COLL CITYWORKS 60%/40%
06/28/2016	795336	Verizon Wireless	\$	128.04	5120-85000-403450	PW-DIS-COLL CITYWORKS 60%/40%
06/28/2016	795336	Verizon Wireless	\$	80.02	1500-21110-403450	POLICE IPAD
06/28/2016	795336	Verizon Wireless	\$	240.06	2110-31320-403450	PW-STREETS CITY WORKS 2110-31320-403450
06/28/2016	795336	Verizon Wireless	\$	40.01	5210-15210-403450	PARKING 406-690-5822 5210-15210-403450
06/28/2016	795336	Verizon Wireless	\$	280.07	5020-73120-403450	PWBLNP COMM-METER CityWorks/Neptune
06/28/2016	795336	Verizon Wireless	\$	40.01	2510-21870-403450	POLICE-Forensics Tim West 406-794-4826
06/28/2016	795336	Verizon Wireless	\$	(6.45)	2200-22330-402410	FIRE HAZMAT LAPTOP
06/28/2016	795336	Verizon Wireless	\$	92.98	0100-51290-403450	PRPL RECREATION
06/28/2016	795338	Verizon Wireless	\$	535.82	5610-71100-403450	Airport
06/28/2016	795338	Verizon Wireless	\$	759.66	1500-21700-403450	Animal Shelter
06/28/2016	795338	Verizon Wireless	\$	186.80	7170-21660-403450	CCSIU
06/28/2016	795338	Verizon Wireless	\$	118.54	0100-16110-403450	City Attorney
06/28/2016	795338	Verizon Wireless	\$	53.44	1500-22250-403450	Comm Center 911
06/28/2016	795338	Verizon Wireless	\$	70.81	6500-15650-403450	Facilities BOC Plus 70% of 406-672-3027
06/28/2016	795338	Verizon Wireless	\$	91.44	6500-15670-403450	Facilities City Hall Plus 30% of 406-672-3027
06/28/2016	795338	Verizon Wireless	\$	79.29	0100-15120-403450	Finance Pat Weber
06/28/2016	795338	Verizon Wireless	\$	1,012.33	1500-22210-403450	Fire Department
06/28/2016	795338	Verizon Wireless	\$	(19.65)	0100-17500-403450	Human Resources
06/28/2016	795338	Verizon Wireless	\$	13.22	6200-19110-403450	ITD

06/28/2016	795338	Verizon Wireless	\$	13.51	2600-55170-403450	Library Outreach
06/28/2016	795338	Verizon Wireless	\$	441.18	2600-55120-403450	Library
06/28/2016	795338	Verizon Wireless	\$	42.95	0100-11000-403450	Mayor
06/28/2016	795338	Verizon Wireless	\$	60.06	6010-15500-403450	Motor Pool
06/28/2016	795338	Verizon Wireless	\$	192.41	0100-12200-403450	Muni Court Drug Court
06/28/2016	795338	Verizon Wireless	\$	89.66	0100-12120-403450	Municipal Court Judge
06/28/2016	795338	Verizon Wireless	\$	13.22	2400-43010-403450	Planning
06/28/2016	795338	Verizon Wireless	\$	3,490.94	1500-21110-403450	Police
06/28/2016	795338	Verizon Wireless	\$	126.88	2510-21870-403450	Police Forensic 406-794-6880 406-698-7323
06/28/2016	795338	Verizon Wireless	\$	615.38	1500-21110-403450	Police Resource Officers
06/28/2016	795338	Verizon Wireless	\$	28.44	2490-21960-403450	Police Dom Violence 406-698-1391
06/28/2016	795338	Verizon Wireless	\$	120.46	5210-15210-403450	PRKING ENFORCEMENT
06/28/2016	795338	Verizon Wireless	\$	160.84	0100-51100-403450	PRPL Admin
06/28/2016	795338	Verizon Wireless	\$	382.68	0100-51210-403450	PRPL Recreation
06/28/2016	795338	Verizon Wireless	\$	90.26	0100-51400-403450	PRPL CEMETERY
06/28/2016	795338	Verizon Wireless	\$	44.08	0100-51120-403450	PRPL Park Shops PMD
06/28/2016	795338	Verizon Wireless	\$	1,022.88	0100-51120-403450	Parks
06/28/2016	795338	Verizon Wireless	\$	218.47	0100-51210-403450	PRPL REC SEASONAL
06/28/2016	795338	Verizon Wireless	\$	62.10	6600-31100-403450	Public Works Admin
06/28/2016	795338	Verizon Wireless	\$	237.00	2090-44510-403450	PW Building
06/28/2016	795338	Verizon Wireless	\$	257.34	6700-31410-403450	PW Engineering
06/28/2016	795338	Verizon Wireless	\$	114.67	5410-31210-403450	Solid Waste
06/28/2016	795338	Verizon Wireless	\$	342.06	2110-31320-403450	Streets
06/28/2016	795338	Verizon Wireless	\$	236.70	5410-31230-403450	Solid Waste On Call
06/28/2016	795338	Verizon Wireless	\$	441.91	5020-75000-403450	PUD Distribution & Collection
06/28/2016	795338	Verizon Wireless	\$	294.61	5120-85000-403450	PUD Distribution & Collection
06/28/2016	795338	Verizon Wireless	\$	805.04	5020-74000-403450	Water Treatment PWBelknap-WT
06/28/2016	795338	Verizon Wireless	\$	443.38	5020-73120-403450	PWBLKNP MTRSHOP
06/28/2016	795338	Verizon Wireless	\$	70.00	5020-73110-403450	PUD Belknap Office
06/28/2016	795338	Verizon Wireless	\$	46.67	5120-83110-403450	PUD Belknap Office
06/28/2016	795338	Verizon Wireless	\$	58.38	5020-73140-403450	PWBLKNP STORES
06/28/2016	795338	Verizon Wireless	\$	19.46	5120-83140-403450	PWBLKNP STORES
06/28/2016	795338	Verizon Wireless	\$	935.81	5120-84000-403450	Wastewater Treatment Plant
06/28/2016	795338	Verizon Wireless	\$	23.29	6060-19310-403450	TeleComm Manager
06/28/2016	795338	Verizon Wireless	\$	93.42	5710-71420-403160	On Call MET
06/28/2016	795338	Verizon Wireless	\$	92.51	5710-71410-403450	Transit MET
06/28/2016	795338	Verizon Wireless	\$	97.03	0100-43210-403450	Code Enforcement
06/28/2016	795338	Verizon Wireless	\$	54.14	5020-77000-403450	PWBLNP-ENVIRONMENTAL
06/28/2016	795338	Verizon Wireless	\$	54.14	5120-87000-403450	PWBLNP-ENVIRONMENTAL
06/28/2016	795338	Verizon Wireless	\$	1,188.72	0100-51120-403450	Parks Seasonal
06/28/2016	795338	Verizon Wireless	\$	229.77	5020-74000-403450	PWVLKNP ELECTRICIANS
06/28/2016	795338	Verizon Wireless	\$	229.78	5120-84300-403450	PWVLKNP ELECTRICIANS

06/28/2016	795343	Western Heritage Center	\$	3,066.00	8730-51990-409370	Consultant services for Yellowstone Kelly Gravesite.
06/28/2016	795345	Wilbur Ellis Co	\$	2,414.00	8730-51990-403650	Fertilizer
06/28/2016	795345	Wilbur Ellis Co	\$	2,840.00	8730-51990-403650	Fertilizer
06/28/2016	795345	Wilbur Ellis Co	\$	2,840.00	8730-51990-403650	Fertilizer
06/28/2016	795345	Wilbur Ellis Co	\$	2,840.00	8730-51990-403650	Fertilizer
06/28/2016	795345	Wilbur Ellis Co	\$	1,420.00	8730-51990-403650	Fertilizer
06/28/2016	795345	Wilbur Ellis Co	\$	1,420.00	8730-51990-403650	Fertilizer
06/28/2016	795345	Wilbur Ellis Co	\$	2,840.00	8730-51990-403650	Fertilizer
06/28/2016	795345	Wilbur Ellis Co	\$	2,840.00	8730-51990-403650	Fertilizer
06/28/2016	795345	Wilbur Ellis Co	\$	1,420.00	8730-51990-403650	Fertilizer
06/28/2016	795345	Wilbur Ellis Co	\$	2,840.00	8730-51990-403650	Fertilizer
06/28/2016	795345	Wilbur Ellis Co	\$	2,840.00	8730-51990-403650	Fertilizer

Regular City Council Meeting

Meeting Date: 07/25/2016

TITLE: Public Hearing and Adoption of Animal Control Ordinance Allowing Dogs in Parks

Department: City Hall Administration

PROBLEM/ISSUE STATEMENT

The Animal Control Board and Parks Board have conducted several meetings to review the existing ordinance prohibiting dogs in parks. Both boards were unanimous in the decision to recommend to the Mayor and City Council that dogs and cats be allowed in developed City parks while on leash. Staff introduced the topic to the City Council at its April 18, 2016 work session and Council directed staff to produce an ordinance amending the City Code and schedule it for public hearing and first reading. The proposed code changes include the following:

- Definition of public lands
- Dogs and cats allowed within City parks and public lands, with limitations and exceptions
- Restrained by a ≤ 6 ft. leash and under physical control of handler
 - Service animals exempt from leash requirement
 - Not allowed within certain developed park areas for safety and health reasons
- Remove animal feces and owner must possess necessary equipment

ALTERNATIVES ANALYZED

- The City Council may approve or disapprove the proposed ordinance. Approving it would allow for dogs and cats in City parks. Disapproving it would bring no change to the existing ordinance which prohibits dogs and cats in City parks.

FINANCIAL IMPACT

The proposed costs for the implementation would be approximately \$30,000 in one-time costs for signage and “mutt-mitt” dispensers and annual costs projected around \$12,000 for replacement pet waste bags

RECOMMENDATION

The Animal Control Board, the Parks and Recreation Board and City staff recommend that the City Council conduct a public hearing and approve first reading of the ordinance amending the Animal Ordinance to allow dogs and cats in City parks while on leash.

APPROVED BY CITY ADMINISTRATOR

Attachments

DOGS IN PARKS ORDINANCE FIRST READING BB version

ORDINANCE NO. 16-_____

AN ORDINANCE OF THE CITY OF BILLINGS, MONTANA, PROVIDING THAT THE BILLINGS, MONTANA, CITY CODE BE AMENDED BY REVISING SECTIONS 4-401, 4-405 and 4-407 PERMITTING DOGS AND CATS ON LEASH WITHIN CITY PARKS AND OTHER DESIGNATED PUBLIC LANDS SUBJECT TO RESTRICTIONS AND REGULATIONS.

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

Section 1. That Section 4-401 of the Billings, Montana City Code be amended so that such section shall read as follows:

Sec. 4-401. - Definitions.

Terms and words, as used in this article, shall have the following meanings unless the context otherwise indicates:

Animal means to include all livestock, fowl, and any domestic pet, both male and female.

Animal control officer means any one or more of the employees of the city designated by the city administrator or his designee as animal control officer.

Animal shelter means the place operated or contracted by the city for the purpose of impounding and caring for dogs, cats or other small animals, or livestock.

At large means off the premises of the owner or other property where permission has been granted and not under the control of the owner or any other person either by leash, cord, chain, or other physical means of control; obedience trained dogs under complete verbal control of the owner or trainer shall not be allowed to separate from their owner or trainer by more than six (6) feet except on private property with owner permission or on public property as referenced in section 4-407.

Bite means any abrasion, scratch, puncture, laceration, bruise, tear, or piercing of the skin inflicted by the teeth of an animal.

Bodily injury means physical pain, illness, or any impairment of physical condition.

City administrator means the City of Billings city administrator or his/her designee.

Dangerous animal means any animal that in the absence of intentional provocation:

- (1) Inflicts serious bodily injury to a person on public or private property; or
- (2) Is involved in a continuous sustained attack upon a person, not allowing the victim any means of escape, regardless of the extent of injury or defensive action required; or
- (3) Is previously convicted of potentially dangerous animal and while on or off the owner's and/or keepers property chases or approaches a person in a menacing fashion or apparent attitude of attack by charging, growling, snapping, raising hackles, harassing, chasing, attempting to bite or stalking; or inflicts bodily injury to a person or small animal;

- (4) Inflicts injury to a person on public or private property, which injury results in the death of the person.
- (5) Is brought into the city and has been previously convicted of dangerous animal or a similar violation by any court of competent jurisdiction. The person owning, keeping or harboring such animal shall be ordered to appear in city municipal court to show just cause why euthanasia should not be ordered of the animal. The municipal court judge, after making a determination that the animal is a dangerous animal and in violation of this section, shall order the euthanasia of the animal or that the owner be required to comply with regulations as set forth in section 4-405.5.
- (6) These definitions do not apply to animals used in military or law enforcement work while they are actually performing in that capacity.

Dwelling unit means any building or portion thereof providing complete, independent, and permanent living facilities for one family as referred to in section 23-201 and MCA 70-24-103.

Foster home means a home or facility where a recognized tax exempt agency or organization, for the purpose of re-homing animals, may place an animal(s) temporarily for the purpose of finding a new permanent home.

Keeper means any person/organization that enters into a verbal or written agreement with the animal's owner and is responsible for the keeping, feeding or harboring of an animal(s).

Neutered/spayed means rendered permanently incapable of reproduction.

Owner means the person(s) claiming ownership, and responsible for the keeping, feeding, harboring and care of an animal.

Persons means two (2) or more people.

Potentially dangerous animal means any animal that in the absence of intentional provocation:

- (1) While off the owner's and/or keeper's property, chases or approaches a person in a menacing fashion or apparent attitude of attack by charging, growling, snapping, raising hackles, harassing, chasing, attempting to bite, stalking, or inflicts bodily injury to a person or small animal; or
- (2) While on the owner's and/or keeper's property causes bodily injury to a person; or
- (3) While off the owner's and/or keeper's property kills a domestic animal, excluding birds, rodents and reptiles.
- (4) These definitions do not apply to animals used in military or law enforcement work while they are actually performing in that capacity.

Public Lands means tracts of land set aside for public use and enjoyment that are owned, Managed or leased by the City of Billings to include City Parks, Rights-of-Ways, Conservation Areas, Cemeteries, Golf Courses and Trails.

Registration authority means the agency or department of the city or any designated representative thereof charged with administering the issuance and/or revocation of permits and registrations under the provisions of this chapter.

Serious bodily injury means bodily injury which creates a substantial risk of death or which causes serious permanent disfigurement or protracted loss or impairment of the function or process of any bodily member or organ.

Service animal means in addition to a search and rescue dog, police dog, law enforcement or military canine, as defined in MCA 45-8-209, all other animals that are "individually trained to provide assistance to an individual with a disability" in a public setting, as defined in MCA 49-4-214.

Small animal includes any dog, cat, rabbit, chicken, or domesticated small animal, both male and female.

Small animal permit means a permit that allows the premises to be inspected and approved by the animal control officer, or by the health department, at a prearranged appointment established with the owner.

Vaccination means the inoculation of a dog or cat with anti-rabies vaccine administered by a licensed veterinarian in compliance with regulations established by the state.

Section 2: That Section 4-405(b)(6) of the Billings, Montana City Code be amended so that such subsection shall read as follows:

Sec. 4-405. - Potentially dangerous animal.

- (a) Any owner and/or person who keeps, feeds, harbors or allows to stay about the premises occupied or controlled by him/her within the city any animals exhibiting potentially dangerous behavior is guilty of maintaining a public nuisance and is guilty of misdemeanor. An animal is presumed to be a potentially dangerous animal if it has demonstrated any of the behaviors set forth in section 4-401. Such presumption is rebuttable. Upon conviction of maintaining a public nuisance with a particular potentially dangerous animal, euthanasia of the animal may be ordered by the court. The court shall order euthanasia of an animal involved in a fatal attack on a person.
- (b) If euthanasia of the animal is not ordered by the court the owner or keeper convicted of having a potentially dangerous animal shall within seven (7) days of conviction, register the animal as such with the animal control division. Potentially dangerous registrations will require renewal annually for the life of the animal unless within the first year of registration the owner and animal attends and provides proof of attendance and completion of a certified animal behavior modification class to the animal control officer and the owner/keeper is not convicted of any animal violations or violates any court requirements. Potentially dangerous animal owners/keepers may be required by the court to comply with and show the animal control division sufficient evidence that any or all of the following requirements are met within thirty (30) days following registration:
 - (1) A securely enclosed fence that is adequate to contain the animal to be restrained. The fence shall be securely fastened to posts firmly set in the ground. The fence shall be properly maintained to keep the animal confined. The enclosure must also provide protection from the elements for the animal. No registered animal may be kept on a porch, patio, or in any part of a house or structure that would allow the animal to exit such building on its own volition except into the required secured area. In addition, no such animal may be kept in a house or structure when the windows are open or where screen windows or screen doors are the only obstacle preventing the animal from exiting the structure.

- (2) The animal is to be restrained by a secure leash or other secure restraint and under the physical control of a person capable of restricting the animal's movement when not in the securely enclosed fence of the owner or keepers property.
 - (3) The owner or keeper shall display commercially manufactured signs on his/her premises warning that there is a potentially dangerous animal on the property. These signs shall be visible and capable of being read from the public way and from any normal means of entry to the premises. In addition, the owner or keeper shall conspicuously display a sign with a warning symbol that will inform children of the presence of a potentially dangerous animal.
 - (4) The owner or keeper shall, at his/her own expense, have the potentially dangerous animal registration number provided by the animal control division tattooed upon the inner side of the right ear by a licensed veterinarian, or have the animal micro-chipped, and the chip number registered with the animal control division.
 - (5) The owner or keeper of an animal convicted of having a potentially dangerous animal shall notify the animal control division within twenty-four (24) hours of a change of address or death of the animal, immediate notification shall be required if the animal is loose.
 - (6) The owner or keeper of an animal convicted of having a dangerous or potentially dangerous animal under Sections 4-405 or 4-405.5 shall not bring such animal(s) into any City park or City Dog park. Further, the owner or keeper shall not sell, transfer or give away the animal, without notification to the animal control division. The new owner shall be responsible for compliance with required potentially dangerous restrictions.
 - (7) The court may order additional restrictions as they pertain to the conviction such as muzzling when off owner's property, enclosed secure kennel, behavior training, and any other restrictions or requirements to insure the safety of the citizens of the city and the potentially dangerous animal.
- (c) The animal control officer is empowered to make whatever inquiry is deemed necessary to ensure compliance with the above provisions. Inspections shall be conducted by the animal control officer for each year that registration is required. Should it be found that the owner or keeper is in noncompliance with any of the provisions, the animal shall be immediately confiscated, impounded, and the owner and/or keeper shall be ordered to appear in court to show cause why euthanasia of the animal should not be ordered.
- (d) Any animal convicted of a second or subsequent violation under this section may be classified as a dangerous animal and subject to regulations set forth in section 4-405.5.

Section 3: That section 4-407 of the Billings, Montana City Code be amended so that such section shall read as follows:

Sec. 4-407. - Small animals in city parks or public lands.

~~No small animals, whether restrained or unrestrained, shall be permitted in the city parks except for service animals when being used for that purpose and service animals being used in police work.~~ Small animals, limited to dogs and cats, shall be allowed within city parks and other designated public lands subject to the following restrictions and regulations.

- (a) Dogs and cats in city parks or on public lands shall be restrained by a secure leash or other secure restraint not more than 8 feet in length and under physical control of a person capable of restricting the animal's movement.
- (b) Service animals are exempt from the restraint requirement in subsection (a) when being used for that purpose and when service animals are being used in police work.
- (c) The owner or handler of any dog or cat shall ~~is to~~ remove fecal matter deposited by their animals within a city park, on public land or on public sidewalks, trails or easements before the owner leaves the immediate area where the fecal matter was deposited.
- (d) The owner or handler must have in their possession the equipment necessary to remove their dog's or cat's fecal matter.
- (e) Due to heavy use by the public in addition to health and safety concerns, there are several park or public areas where dogs and cats are not allowed:
 - I. ~~Within 25 feet of an~~ In established playgrounds with play equipment
 - II. ~~Within 25 feet of~~ In established spray grounds or swimming pools
 - III. On established athletic fields
 - IV. On tennis courts
 - V. On basketball courts
 - VI. Within established community gardens or formal garden areas
 - VII. On City owned golf courses
 - VIII. Within all park buildings
 - IX. At organized events including but not limited to outdoor concerts, markets, shows, programs, exhibits, assemblies, festivals, carnivals, fairs, etc.
- (f) In the City owned cemeteries, dogs and cats are allowed provided they are restrained in accordance ~~to~~ with subsection (a) and are restricted to the roadways within the cemetery.
- (g) ~~This prohibition does not prohibit small animals in posted areas of parks or public lands that are specifically designated by council resolution for use by small animals in accordance with posted regulations. Areas in parks or public lands may be designated as a dog park by the city council through resolution. The City Administrator may allow dogs off leash in designated areas of one or more City parks. Dogs may be present without a leash within dog parks in accordance with posted regulations. Dogs located in these dog park areas are not subject to the leash restriction contained in section 4-406. Small animals in the city parks are deemed a nuisance and may be impounded; provided, that a~~ A permit for organized dog related events ~~obedience training or obedience shows~~ may be granted for use in designated areas of designated dog parks on designated days. A park use permit shall be obtained from the Parks, Recreation and Public Lands department. ~~Also a~~ The permit shall be obtained from the animal control division at the discretion of the animal control supervisor for that particular event. The permit shall be in writing and shall designate the dog park area within the park, the dates and duration. A fee as prescribed by council resolution shall be collected for each permit for each event. The city administrator, by administrative order, may regulate or restrict animals from being on certain public lands during designated

public events. Such restrictions shall be clearly posted at the designated event. Failure to comply with the terms of such restrictions shall constitute a municipal infraction, and subject the animal owner to civil penalties as specified in section 18-1304.

- (h) Any owner or keeper convicted of having a dangerous or potentially dangerous animal under sections 4-405 or 4-405.5 of this Code shall not bring or be allowed or permitted to bring such animal (s) into any City park or City Dog park.

Section 3. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of these ordinances are declared to be severable.

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

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

APPROVED on first reading this ____ day of _____, 2016.

ADOPTED and APPROVED on second reading this ____ day of _____, 2016.

Regular City Council Meeting

Meeting Date: 07/25/2016

TITLE: Resolution transferring \$50000 Council Contingency to Park Maintenance District 1 to construct a High Sierra Park dog park shelter

PRESENTED BY: Bruce McCandless, Assistant City Administrator

Department: City Hall Administration

PROBLEM/ISSUE STATEMENT

At the June 27, 2016 meeting, Councilmember Cimmino sponsored an initiative to use \$50,000 of Fiscal Year (FY) 2016 Council Contingency funds to construct a shelter at the High Sierra Dog Park. The initiative passed 6-3. Open Meetings and Public Participation laws require that a final decision be made after proper notice and opportunity for public comments, so the item is returning to Council for final action at the July 11 Council meeting. The City Council tabled action until the July 25 meeting.

ALTERNATIVES ANALYZED

The City Council may:

- Approve the resolution that transfers \$50,000 to PMD 1 to construct a shelter at the High Sierra Dog Park, or;
- Modify and approve the resolution, or;
- Disapprove the resolution.

FINANCIAL IMPACT

The Council annually budgets \$65,000 to take advantage of opportunities or to meet emergency needs. The FY 16 account balance is \$63,617 as of June 30, 2016. In May, the PRPL Department estimated that constructing a dog park shelter that meets ADA requirements will cost \$48,000 - \$60,000. The attached resolution directs staff to transfer \$50,000 of FY 16 Council Contingency, an account within the General Fund, to the Park Maintenance District 1 (PMD 1) Fund to construct the dog park shelter. The funds will be spent in FY 17 and the higher PMD 1 spending authority will be submitted to Council with other first quarter FY 17 budget amendments.

RECOMMENDATION

Staff recommends that the City Council adopt the attached resolution that transfers \$50,000 of FY 16 Council Contingency funds to the Park Maintenance District 1 Fund to construct a shelter at the High Sierra Dog Park.

APPROVED BY CITY ADMINISTRATOR

Attachments

Resolution

RESOLUTION NO. 16-

A RESOLUTION BY THE BILLINGS MONTANA CITY COUNCIL,
APPROVING THE TRANSFER OF \$50,000 COUNCIL
CONTINGENCY FUNDS TO PARK MAINTENANCE DISTRICT #1
TO CONSTRUCT A SHELTER AT THE HIGH SIERRA DOG PARK

WHEREAS, the \$65,000 City Council Contingency account is a means for the City Council to take advantage of opportunities or to remedy problems that could not be anticipated when the fiscal year began; and

WHEREAS, the High Sierra Dog Park is one of the most used park facilities in the City of Billings; and

WHEREAS, the Dog Park has few amenities for the comfort of pets and pet owners; and

WHEREAS, the City's Parks, Recreation and Public Lands Department believes that a weather/sun shelter at the Dog Park is a needed amenity and has estimated a shelter's cost to be \$48,000 - \$60,000; and

WHEREAS, the FY 2016 Council Contingency account has a \$63,617 balance as of June 30, 2016.

NOW, THEREFORE BE IT RESOLVED BY THE BILLINGS CITY COUNCIL THAT \$50,000 of Council Contingency funding shall be transferred to the Park Maintenance District 1 Fund for constructing a shelter at the High Sierra Dog Park.

ADOPTED by the Billings City Council on July 25, 2016.

Thomas W. Hanel, Mayor

Attest:

Denise Bohlman, City Clerk

Regular City Council Meeting

Meeting Date: 07/25/2016

TITLE: Zone Change 947 - 505 & 521 S Billings Blvd - Public Hearing

PRESENTED BY: Nicole Cromwell

Department: Planning & Community Services

PROBLEM/ISSUE STATEMENT

This is a zone change request from Residential 6,000 (R-60) to Controlled Industrial (CI) on the south 2 acres of the north 4 acres of Lot 5 in the SW1/4 of Section 9, Township 1 South, Range 26 East, a 2-acre parcel of land generally located at 505 and 521 S Billings Blvd. A pre-application neighborhood meeting was held on May 24, 2016 at 430 S Billings Blvd. The Zoning Commission conducted a public hearing on July 5, 2016, and is forwarding a recommendation of approval and adoption of the findings of the 10 criteria on a 4 to 0 vote.

Zone Change applications are reviewed using statutory criteria referenced in the Alternatives Analyzed section of this memo. Zone Changes require approval through an ordinance. Zone Changes allow the change from one type of zoning district to another types of zoning – e.g. residential single family to residential multi-family or residential to commercial. A Zone Change cannot have conditions of approval and if approved, permits the owner to use the land for any purpose allowed within the zoning district.

ALTERNATIVES ANALYZED

City Council may:

- Approve the zone change and adopt the findings of the 10 criteria as recommended by the Zoning Commission;
- Deny the zone change and adopt different findings of the 10 criteria;
- Allow the applicant to withdraw the zone change; or
- Delay action on the zone change request for up to 30 days.

The Planning Division reviewed the zone change and the 10 criteria for the application and recommended approval to the Zoning Commission. The Zoning Commission concurred. The zoning is compatible with the existing zoning to the north and west. The proposed special review use, a wrecking yard, will need to be approved prior to the expansion on to this property. The special review will have several conditions of approval to mitigate the potential impacts on the surrounding neighbors to the south and east. The zone change will not alter the character of the adjacent neighborhood because of site development requirements and no access will be allowed to Newman Lane. The proposed zoning is mostly compatible with the surrounding zoning and neighborhood character.

Prior to making a decision on the zone change request the City Council shall consider the following:

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

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

- *Predictable land use decisions that are consistent with neighborhood character and land use patterns. (Land Use Element Goal, page 6)*

The proposed zoning would allow the expansion of the existing 11 acre wrecking facility directly north of the subject property. The existing land use, 2 single family dwellings, under-utilizes the 2-acre site. Re-development under the existing zoning could allow up to 12 new dwelling units, although this is unlikely given the shape of the lots, the access to a principal arterial street and the surrounding commercial development. The zoning district is compatible with the neighborhood character and land use patterns. Adjacent residential zones will be protected through the special review process for the proposed use.

- The Infill Policy encourages development of vacant and undervalued property within the city limits with emphasis on efficient use of existing city infrastructure and services.

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

The new zoning requires minimum setbacks, open and landscaped areas and building separations. The new zoning, as do all zoning districts, provides adequate building separations and density limits to provide security from fire and other dangers.

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

Public health and public safety will be promoted by the proposed zoning. Re-development of the vacant land in the City will promote the public health and safety as well as the general welfare by improving the appearance of the area, reducing the number of driveway openings on the arterial street and adding value to the tax increment district. The adjacent residential neighborhood will be protected through the conditions of special review approval for the proposed use.

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

Transportation: The proposed zoning will have little impact on the surrounding transportation systems. The City Engineering Division will work closely with the owner to ensure any impacts are minimized.

Water and Sewer: The City will provide water and sewer to the property if requested. There will be no additional impact to the system from the proposed zoning.

Schools and Parks: Schools and parks should be unaffected by the proposed zone change.

Fire and Police: The subject property is served by city public safety services. The Police Department had no concerns with the zone change and the Fire Department will be involved in any development plan and building permit(s).

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?*

The new zoning will have an effect on vehicle and pedestrian traffic. Removing 2 drive approaches from S Billings Blvd will improve the safety of the multi-use trail on the east side of the street. Construction and demolition on the site may disrupt traffic patterns for short periods

of time.

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

The new zoning does promote compatibility with urban growth. The proposed zoning will allow commercial activity on an underutilized property as an infill project.

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 a the proposed use.

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

The property is currently developed with 2 older single family dwellings at a density of 1 dwelling unit per acre. The existing homes can remain but the proposed development plan is to demolish the dwellings if the zoning and special review are approved.

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

The proposed zoning will permit commercial and industrial uses similar to surrounding uses to the north and west. Existing residential neighborhoods to the south and east will be protected through the application of conditions during the special review.

FINANCIAL IMPACT

If the zone change and special review are approved, the property will be re-developed for an expansion of Hanser's vehicle wrecking yard. The City will assess fees based on the new zoning and property value will increase based on the new development. The existing wrecking yard to the north pays about \$2,593/acre in property taxes. The current property tax on the subject property is about \$750/acre.

BACKGROUND

The subject property is a 2 acre property directly south of the existing Hanser's "pick-a-part" vehicle wrecking yard. The current zoning is R-60 and was previously approved for this zoning by the county in May, 1974. The zoning remained the same when it was annexed to the City in the 1980s. Property north of the subject property was changed from R-96 to R-60 and then to RMF in the mid 1970s and early 1980s. In 2004, Hanser's purchased these tracts of land and subsequently requested zone changes and special review approval to convert the property from vacant land to a vehicle wrecking facility. Hanser's completed these requests and expansion from 2004 until 2010. The current facility on the east side of S Billings Blvd. is approximately 11 acres in area. Hanser's also operates an approximately 7 acre wrecking yard, office and towing service on the west side of S Billings Blvd. directly across the street from the subject property.

The proposed zoning is CI, for the purpose of expanding the existing Hanser's wrecking yard, located immediately north of the subject property. The vehicle storage yard is primarily used as a "pick-a-part" yard where customers may come into the yard and take parts off vehicles themselves. Prior to storage in the yard, all vehicles are drained of fluids and any hazardous materials. Vehicles are not stacked and rows of vehicles are spaced apart for easy and safe access by staff and customers. The 11 acres north of the subject property has been converted from residential

zoning to CI zoning and special reviews were approved to allow this use.

The property has frontage on S Billings Blvd., a principal arterial street, on the west and frontage along Newman Lane on the east. Newman Lane is a local residential street. No access is proposed from this property to Newman Lane. Access to the subject property will be through the existing wrecking facility to the north. The two existing dwellings on the site will be demolished for the development. S Billings Blvd. currently carries about 10,000 vehicle trips per day north of King Avenue East. South of the subject property is Newman Elementary School and west across S Billings Blvd is Amend Park, a regional soccer complex. Improvements to S Billings Blvd over the past 10 years have added traffic volume capacity including a center turn lane. There is no on-street parking along this section of roadway. The existing street improvements include a 10-foot wide multi-use path on the east side of the street in addition to a curb walk on the west side. There are two existing curb cuts to the subject property. These will be removed and the boulevard will be restored when the development of the property occurs.

Zoning surrounding the property is mixed from CI to the north and west to R-70 and R-60 to the south. Normally, the uses allowed in a CI zone, would be incompatible with the existing zoning and development in the residential zones. The proposed use, a "pick-a-part" wrecking facility storage yard, will have less impact than many other allowed uses in the CI zone. The existing storage yard has been a benign use of the property and has little impact on the surrounding neighbors since it was first development more than 10 years ago. The wrecking yard will need a license from the State of Montana as well as the zoning approval of the City Council. The proposed zone change and special review use are supported by the Southwest Corridor Task Force.

STAKEHOLDERS

The Zoning Commission conducted a public hearing on July 5, 2016, and received the staff recommendation and testimony from the applicants, Ralph Hanser and Scott Hanser, and the agent, Bill Morgan from Sanderson Stewart. The Zoning Commission received a written letter opposed to the zone change. The letter was not signed and was submitted from the current tenant at 505 S Billings Boulevard. No other testimony was received.

Ralph Hanser stated the property was recently purchased but the development of the area for the expansion of the wrecking yard will come in the future when the need for additional area occurs. Mr. Hanser stated they have been in contact with the renter at 505 S Billings Blvd and working on cleaning up and improving the lot. He stated Hanser's has been in business for 51 years, employs between 80 and 90 full time employees, provides full benefits to all employees, and has an annual payroll of just about 5 million dollars. He stated there are 4 business lines at Hanser's and the expansion of the wrecking yard is the salvage business line. He stated Hanser's brings in about 60% of their annual revenue from outside the City and those dollars are put to use in the local economy through payroll and purchasing. He stated they run the salvage operation in a very clean manner and will continue to do so in the future. He stated the inventory in the salvage yard is sold throughout the United States and some parts are sold globally.

Bill Morgan stated the entire salvage yard site is governed by a state-issued Storm Water Pollution Prevention Permit that requires continuous monitoring of the site, the collection basins and control of any runoff from the site. He stated all the vehicles are drained of fluids on the main Hanser's property on the west side of S Billings Blvd before they are placed on the salvage lot on the east side. He stated the 2 driveway crossings will be removed and will improve pedestrian and bicyclist safety on the multi-use path on this side of S Billings Blvd. In response

to a question from Commission member Larson, Mr. Morgan stated the new area will be graded so the south side of the property more closely matches the adjacent residential properties. He stated the existing drainage catch basin is about 16 feet below the surface so the new grading is doable.

Scott Hanser stated he runs the salvage business line and is very conscious of the neighborhood concerns with the storage yard operations. He stated that all debris is removed daily from the storage yard, and before vehicles are placed in storage, all trash or loose items are removed. He stated the yard is always clean. He stated there are about 400 vehicle models on the road today and keeping 1 vehicle of each model available for parts does take a lot of area. He stated the current 11.5-acre facility still has room for additional vehicles, but the purchase and development of this area is planned for the future when it is needed. He stated Hanser's always takes care of the property and the community in the area. In response to a question from Commission member Ulvestad, Mr. Hanser stated the expansion area will probably serve their needs for the next 15 to 20 years. Mr. Hanser stated as vehicles are exhausted of parts they are rotated out to a steel storage facility Hanser's owns on Hillcrest Road. He stated when the price of steel increases, those stored vehicles are taken to Pacific Steel for shredding and recycling.

The public hearing was closed and Chairman Dan Wagner called for a motion. Commission member Larson moved to recommend approval and adoption of the findings of the 10 criteria for the zone change. The motion was seconded by Commission member Mariska. The motion was approved on a unanimous voice vote (4-0).

CONSISTENCY WITH ADOPTED POLICIES OR PLANS

The Consistency with Adopted Policies or Plans is discussed in the Alternatives Analyzed section above.

RECOMMENDATION

The Zoning Commission recommends approval and adoption of the findings of the 10 criteria for Zone Change 947 on a 4-0 vote.

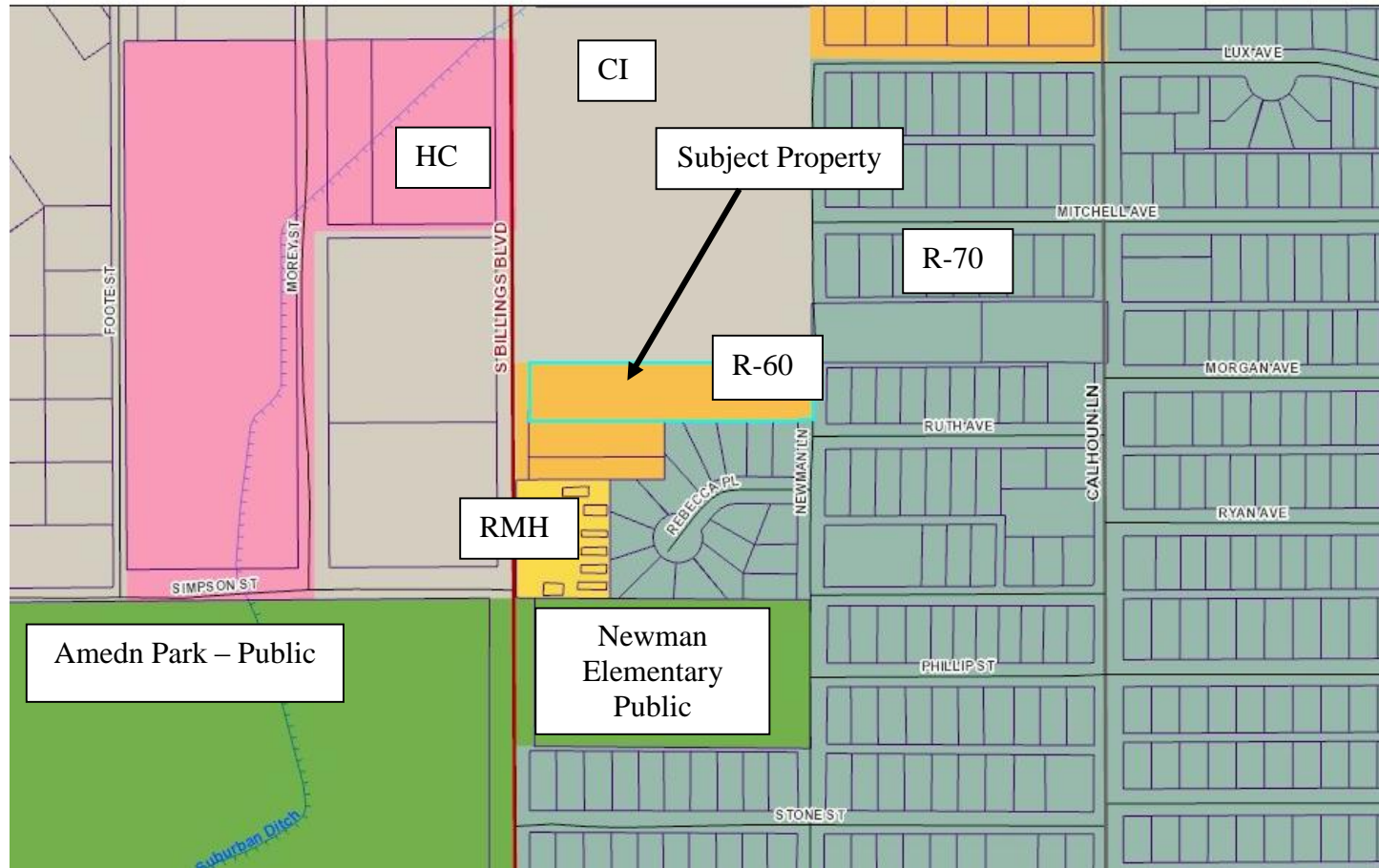
APPROVED BY CITY ADMINISTRATOR

Attachments

Zoning Map And Site photos
Pre application information and Applicant Letter
Letter from tenant at 505 S Billings Blvd
Ordinance

Surrounding Zoning
Zone Change #947 – 505 and 521 S Billings Blvd

ZC 947 505 S Billings Blvd



ZC 947 505 S Billings Blvd



Subject Property

ZC 947 505 S Billings Blvd





Subject Property from S Billings Blvd



View north along S Billings Blvd



View south along S Billings Blvd



View southwest across S Billings Blvd



View west across S Billings Blvd



View east along north property line of subject property



View east along south property line of subejct property

Applicant letter and pre-application meeting notes
Zone Change #947 – 505 and 521 S Billings Blvd

Hanser's Properties LP
ZONE CHANGE APPLICATION FROM RESIDENTIAL 6000
TO CONTROLLED INDUSTRIAL

Statement of Proposal

The owner, Hanser's Limited Partnership, is seeking a zone change for the property. The property is located at 505 and 521 South Billings Boulevard, and is approximately two acres in size.

The existing zoning is Residential 6000 and the applicant is requesting a zone change to Controlled Industrial in order to match the adjacent property they own to the north. The applicant's intent is to expand their existing auto storage facility into these two acres. A concurrent Special Review is also being undertaken to allow the salvage and storage operation use. The existing residential houses on the site will be removed (probably in a few years), and the site will be improved with one to two feet of gravel. The site's elevation will blend with the adjacent residential houses to the south, and similar screening and landscaping will be constructed along all property frontages. Most importantly, storm water run-off from the constructed site will be contained on-site, and storm water will be cleaned and monitored through a State-approved Stormwater Pollution Prevention Plan (SWPPP).

Accompanying Responses to Questions in Zoning Application Form

1A. In what ways is your proposal consistent with the goals and policies of the adopted Growth Policy?

LAND USE ELEMENT

Goal 1. Predictable land use decisions that are consistent with neighborhood character and land use patterns.

The adjacent properties include a mix of zoning and uses. Directly to the north and west, the properties are zoned Controlled Industrial. Properties to the south and east are zoned Residential 6000 and 7000. The proposed zoning and use would be consistent with the adjacent Controlled Industrial zoned properties adjacent to South Billings Boulevard.

Goal 4. Contiguous development focused in and around existing population centers separated by open space.

The development would be an expansion of an existing and long-standing business base consisting of towing and recovery, truck and car repair, used and rebuilt automatic transmissions, and a salvage company which provides auto parts to Billings and the surrounding population. The proposed

zoning would allow for a contiguous development in an existing and well established population center southwest of the Billings Central Business District. The overall Hanser's business consists of about 24 acres of development, and the proposed two acres of expansion would equate to an 8% increase in land area. All surrounding properties are within the City of Billings and most have been developed already, and the proposed use will be sensitive and compatible with the character of the adjacent neighborhoods and properties. There is an existing elementary school to the south (Newman Elementary) and a regional soccer field (Amend Park) to the southwest. These provide good open space areas for the neighborhoods and community. In addition, South Billings Boulevard offers quick and convenient access to Interstate 90 via a modern interchange. City infrastructure surrounds the property and development will make use of city resources in a cost effective manner.

ECONOMIC DEVELOPMENT GOALS

Goal 1. Coordinated economic development efforts that target business recruitment, retention, and expansion.

Hanser's is a 51 year old company multi-divisional company specializing in automotive repair, automatic transmission rebuild and wholesale distribution, and salvage dismantling for late model used cars and pickups. Parts are sold both locally and across the United States, and they are a part of a towing/recovery network that spreads across southeastern Montana from Livingston, Big Timber, Columbus, Lewistown, Billings, and Hardin. Within this towing recovery network, Hanser's has an emergency spill and hazmat response team that works closely with the local fire departments, large trucking companies, law enforcement, and other hazardous spill response teams.

In 2015, the Hanser's payroll was \$4.8 million for an average of 98 fulltime equivalent employees throughout all of its divisions. The fulltime equivalent employee earns an average of \$55,000 a year, and the employee benefits include health insurance, life insurance, dental and vision insurance, 401K, personal time off (PTO), and holiday pay.

Because Hanser's does business outside the area, over 50% of the money generated from its operations comes from other states. This outside money is then regenerated into the economic base of the community through payroll and purchases.

The zone change and special use permit approval will allow for retention and expansion of an existing business in Billings. It will also strengthen the area economy by bringing in outside money which will be "turned over" many times via payroll, medical, purchases and sustaining living wage jobs.

GOAL 2 : Increase the median income of households and individuals.

Hanser's has a continued employee training program in all of its divisions. This continual investment in employees helps increase median income of households and individuals. In the transmission department, Hanser's belong to AAA, ATRA and ATSG. In the salvage department, they belong to URG8000 and ARA Gold Seal. In the wrecker department, the company belongs to the Towing & Recovery Association of America, the Montana Tow Truck Association, and other organizations that enhance the towing industry. Hanser's also partners with the Billings College of Technology to help with training of potential mechanics. This partnership helps reduce dependency on other education or social programs in the community.

Hanser's spends \$1,000 to \$5,000 per employee each year to keep up-to-date with the latest technology in their specific divisions. For example, wrecker operators maintain current Hazardous Waste Operator and Emergency Responder (HAZWOPER) certification, hold a commercial driver's license (CDL) with all endorsements in double, triple, and hazardous material transport, maintain certification in traffic incident management including flagging certification, and are certified by the Montana Disaster and Emergency Response Services (DES). Hanser's houses classes annually for forklift training, flagging certification/re-certification, HAZWOPER certification, and confined spaced entry training. Operators are also Wreck Master certified in towing and recovery. All of this training and support for employees helps improve the quality of life for all residents.

NATURAL RESOURCES ELEMENT

GOAL 6: Protection of groundwater, surface water, riparian areas, air quality, and productive agricultural land.

As previously stated, the existing Hanser's facility is under full compliance with the Montana Department of Environmental Quality (DEQ) General Permit through its Stormwater Pollution Prevention Plan (SWPPP). Maintaining and protecting the public health through the SWPPP is critical for the continued protection of surface and subsurface water. The SWPPP (which has been attached to this application) is developed and maintained by the establishment of control measures that keep pollutants from being discharged from the site.

Before any salvaged vehicle is stored on the site, all fluids from each vehicle is safely drained and disposed at the on-site automotive parts dismantling center. In addition to removing all fluids, there are prescribed control measures that provide further protection from petroleum products, antifreeze and sediment reaching any stormwater outfall. The two acres being proposed for a zone change will contain Oil-Water Separators (OWS) and Absorbent Booms to collect any residual pollutants of concern. The existing salvage yard and the one being proposed will be designed to slope towards storm drain inlets that are connected to the Oil-Water Separators. As stated in the SWPPP, every Oil-Water Separator and Absorbent booms are inspected by trained and dedicated staff every 7 days and after a storm event, and all necessary repairs or cleaning is performed. Good Housekeeping

practices like these are followed on the entire Hanser's site, and are important features that will protect groundwater, surface water, and related natural resource and public health elements.

1B. Explain your need for the intended zone change and why the property cannot be used under the existing zoning. Explain how the new zoning will fit in with the existing zoning and land uses in the immediate area.

Hanser's was started in 1963 as a two-bay service station. Today, it has over 60,000 square feet of automotive repair and salvage supported building space on approximately 24 acres of land. The success of Hanser's has always been by steady and measured growth. This has allowed the company to grow and respond to customer's demands, thereby creating a sustainable business. The proposed two acres of land lies directly south of the existing 12 acre pick-a-part and salvage operation. The existing zoning of the land is Residential 6000 and it fronts on South Billings Boulevard, an important arterial connecting many commercial and industrial properties to I-90. The new zoning will fit with the existing zoning because it will match the Controlled Industrial zoning to the north and west. More importantly, the development of the property under this zoning and property ownership will be mindful of being a good neighbor by the following actions:

- Sight obscuring screening fences will be constructed along all property frontages. Special attention will be given to the south portion of the lot where there are adjacent residences living on Rebecca Place, and along Newman Lane where there are long established neighborhood residences.
- As a result of the Neighborhood Meeting held on May 24th, there will be a gap of about 2 to 4 foot between the backyard fences along Rebecca Street and the new sight obscuring fence for Hanser's. Along this transitional area, Hanser's will place heavy duty weed fabric and crushed landscape rock, and will maintain this area against weeds and debris. In addition, a security gate will be installed at each end of the fence along the residential property to secure the gap area from unwanted activity.
- The property will be designed so that there is not as much fill and gravel placed on the site. This will provide for better transitional grades with the adjacent residential properties.
- The property inside the fences will be graded to drain to internal storm inlets, which will be tied into Oil-Water Separators and Absorbent Booms. As outlined in the section above, the site will be monitored and tested under a State-issued Stormwater Pollution Prevention Plan (SWPPP) permit.

MEETING MINUTES

PROJECT: Hanser's Zone Change and Special Review			
Project No: 16032			
Meeting Location: Hanser's Automotive, 430 S Billings Blvd		Meeting Date: 5/24/16 4:00 to 6:00 PM	
Meeting Subject: Neighborhood Meeting		Prepared by: Bill Morgan	
Attending:	Ralph Hanser (H)	Scott Hanser (H)	Jim Johnson (H)
Chad Hasler (H)	Bill Morgan (SS)	Leon Pattyn	Alma Cabillan
	Morris Nielsen	Tom Ruschewicz	Barbara Prewitt
Date of Issue: 5/25/16			

Minutes:

Ralph Hanser and Bill Morgan moderated the meeting, which was held in an open house style;

- Ralph gave a summary of the Hanser Business, including the steady growth and expansion of the existing 12 acre facility on South Billings Boulevard, and how this proposed 2 acre expansion would fit in well and serve the community.
- Bill gave a summary of the proposed project elements, which included the following:
 - The property to be expanded upon is just south of the current facility and is approximately two (2) acres in size.
 - The existing buildings on the site will be removed (within a 2 to 5 year period of time) and the area cleaned up.
 - A new building may be constructed in the future to help support the pick-a-part and salvage operation.
 - The site will be improved with one to two feet of gravel, and will taper to the south to blend with the adjacent residential houses.

- Similar screening fences will be constructed along Newman Lane and adjacent to residences to the south.
- All storm water run-off will be contained on-site.
- Similar to the existing facility, no access will be from Newman Lane. All access will be from South Billings Boulevard and the existing site.
- The property will also need a concurrent Special Review to allow the salvage and storage operation use.
- Tentative meeting dates for the Zoning commission and City Council were discussed.
- Ralph reiterated how important it was to hear about the neighbor's concerns so that issues could be discussed and addressed up front.
- Questions from the homeowners included a request for more information on how all storm drainage was to be retained on site. Jim and Chad of Hanser's discussed how the existing site is designed to keep all stormwater on site, and that the site has a Stormwater Pollution Prevention Plan (SWPPP) with the Department of Environmental Quality (DEQ). Residents toured the existing facility to see the features of the stormwater system.
- Another question neighbors to the south living on Rebecca Place had to do with the location and height of the screening fence. General discussion ensued regarding a plan to have about 2 to 3 feet between the site's fence and the fencing along the back of the lots, and that this space could be constructed with a sturdy weed fabric and gravel (all maintained by Hanser's). In addition, in order to provide for good security, a locked gate would be constructed between these two parallel fences in order to keep people from walking in this area.
- There were also some questions and discussions regarding if it was possible to help ease existing drainage ponding along Newman Lane. Pending City approval, it was discussed how Hanser's could help by partnering with City to build some storm inlets on Newman Lane near the Mitchell Street intersection. The inlets would help get water off of the Newman Lane grade, which would then help ease the potholes and deterioration of the gravel driving surface. There is existing storm drain pipe in this vicinity that the inlets could tie into.
- No specific other specific concerns with the proposed Zone Change and Special Review were expressed by the homeowners in attendance.

The meeting was adjourned at approximately 6:00 pm

**Southwest Corridor Task Force
P.O. Box 80441
Billings MT 59108
406 670-4395**

June 5, 2016

Zoning Commission and City Council

Re: Proposed Zone Change and Special Review for Hanser's

Dear Zoning Commission and City Council:

It is our pleasure to write a letter of support for the submitted Zone change and Special Review applications for Hanser's on South Billings Boulevard. The Southwest Corridor Task Force heard a presentation by Hanser's at our May 26, 2016 meeting and is fully supportive of the proposed two acre expansion. We understand that a Zone Change from Residential 6000 to Controlled Industrial is necessary and that a concurrent Special Review will allow Hanser's to expand their automotive salvage and storage operation.

Throughout the years, Hanser's has been a responsible neighbor and has; provided support for many working families in the task force area. We offer our full support to these two planning actions in front of you.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Ruschkewicz", written over a horizontal line.

Tom Ruschkewicz
Chairman

REGARDING PROJECT # 16-00107
16-0107-01

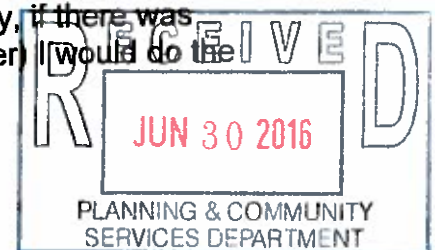
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To whom it may concern;

First off, I'm opposed to this zoning change being approved and the wrecking yard being approved for the following reasons. I know I have little to no chance of fighting this, but I still have to let it be known how I feel, so thank you for taking the time to at least consider my viewpoint.

I wasn't notified of the neighborhood meeting, which is ironic, because aside from Hansers, I will be affected more than anyone else involved if this zoning change and wrecking yard is approved. I live in the house currently located at 505 S Billings Blvd. which according to the map from the zoning commission done up by Sanderson Stewart is labeled "existing building to be removed". I've resided there for 10 years, so I know exactly what it's like to have Hansers as a "neighbor", even more so than the majority of property owners that were invited to the neighborhood meeting, because their houses weren't even built yet. And I was there before Hansers bought the property next to mine at 439 at an auction, which I attended. At that time, I was unaware of any zoning change requests until after they were approved. I'm sure my landlord, who owned this lot and the 2 houses concerned, received the neighborhood meeting notice because she told me after the zoning change went through that they had a public hearing on it. She said Hansers also considered bringing their car crusher down here, but decided against it due to excess noise. (Concerning noise, see below.) The public meeting notice was never conveyed to me, which I know is perfectly legal, although in my mind, really questionable considering I'm the one that lives on the premises. And it's evidently that way again; she sold the property to Hansers who is now my "landlord". Again, I had no mention from Hansers about this zone change and wrecking yard proposal, however, after 10 years of seeing the way Hansers operates, I wasn't all that surprised. I knew if they ever got this property, they'd level the place. They are a wrecking company, not a real estate company; it's just the way it is.

The reason Hansers got this current property is due to last year when the neighbors at 521 S. Billings Blvd. decided to turn to a life of crime/drugs, and did a lot of damage to the house. When I first moved in to 505, the tenants in 521 were actually part of the neighborhood watch; there was a neighborhood watch sign on the property. My landlord Shirley Lester said she was going to repair the damage, although it was going to cost a lot of money. Evidently her plans changed, and she advised me she decided to sell to Hansers. That deal went through, and Hansers is now my landlord. Shirley told me that one of the conditions of the deal she had with Mr. Hanser was that he not evict me, because I had been a great tenant, her words. She also told me he agreed to not evict me, at least for a year, so that's all I know about that part. Although I am a renter, I treated the place as though it was my own house. There was no grass in the front or back yard, I bought the grass seed with my own money and planted it. I never asked to be reimbursed for that. Generally, if there was something that went wrong (plumbing, house repair, whatever) I would do the



work myself if it was something I was able to do and send Shirley the receipts to just deduct it from the rent. There's actually a long list of things I didn't get reimbursed for, I never asked. I bought a new screen door and installed it. I replaced the sink and faucet assembly in the bathroom. I added lighting to the living room. I replaced the outdoor water spigot. I repaired the fence (several times). I replaced the drywall in the garage. I added a garden space, which wasn't there. I fixed the vent stack that was attached to the water heater. I replaced the drywall in the utility room. I fixed more than a few plumbing issues. The septic tank had a blue milk crate over the top of it. I built a decorative footbridge specifically to replace that. I've added flowers in multiple areas and a lilac bush to enhance the look. There is only one water spigot, and it's all the way in the back, so I have to run 100 feet of hose to the front. I had planned on putting in underground sprinkler, or at least another water spigot up front. I added an efficient programmable thermostat to replace the old mercury one. The point I'm making is the majority of that was my own money, Shirley isn't even aware of some of those, I didn't feel it was necessary to bother her, as I was making improvements to the property, which is *usually* a good thing. But when I think of Hansers bulldozing this house and putting gravel over the top of all of this, well, try and put yourself in my shoes: What would you do? How would you feel? I even added a water pond, and to my amazement, I actually had ducks swimming in it! This is only a 2-foot wide pond, but they'd get in it and swim. They even decided to use the back yard as a nesting ground. So not only the parent ducks, but the baby ducks would also get in and swim around. They had been coming for the last 3 years, until this year, which I knew would happen, because Hansers moved their big trucks back there.

Concerning the zoning issue, it's getting worse every day already being next to Hansers, personally, I've always felt they should move the entire operation out of city limits, mostly due to the amount of noise they generate, not to mention the toxic chemicals they handle. They have every conceivable truck and vehicle there is from cement haulers to huge wreckers, and everything in between. Now obviously, they're going to make a certain amount of noise, there's nothing that can really be done about that (other than moving out of city). But recently, there has been an increase in unnecessary noise, specifically engine compression brakes. Starting last summer, all of a sudden, at all times of day/night the drivers have decided to start their compression brakes right about where Newman school is located. You can hear it way before it gets to the house, but when they are directly in front of the house, the entire area shakes and it's just unbelievable. It almost seemed like they were doing it on purpose. The weird part is not all the drivers do it. And I'm not a trucker, so I don't know why they'd need it in front of my house in a 35 mph area (not to mention school zone) but from the research I've done on the matter, it seems like engine brakes would be more suited to hills/highways and situations where you needed to slow down fast. My thoughts are the truck drivers that are using the brakes are probably going WAY faster than they should be for the speed limit and have no choice but to use the brakes. The part I really don't understand is they have their own people living onsite at

439, not just in the house (that, by the way, is labeled "existing house to remain") but also in RVs/campers, so it seems like they wouldn't want to wake them up either. I've seen that big red wrecker come in pulling an RV as quiet as a mouse, and yet, other times, it's empty, but so loud, it's just amazing. So obviously, it is controllable.

But it doesn't stop there. Once they turn into the Hansers property, some of the drivers (or maybe just one) like to use their air horn to say, "Hi, I'm here!" (as if nobody's already aware of that from the brakes.) Last year, I actually heard one of the drivers use the horn to do the "shave and a haircut two bits" thing. That's SEVEN honks of the air horn. And, of course, whomever they're honking at has to honk back. Now, I can appreciate goofing off and having fun, but look at it from the point of view of the neighbors surrounding the business. That's not just one event; it's a constant thing, it's noise pollution to the highest degree. When you combine that with the way too loud car stereos that shake the house when they go by, it's not what I'd call being polite and respecting your neighbors. And the other thing specific to Hansers is their employees. The majority are "motorheads", so naturally they all have cars/trucks/motorcycles with huge engines and exhaust cutouts, which they advertise every time they come to work and leave work. It used to be easy to tell when it was quitting time, because all of a sudden, you'd hear a car/truck from Hansers spinning it's tires in their parking lot before it launched down the road. Now, true, every business probably has employees that do that sort of thing, but when it's noticeable to the surrounding neighbors, and every day, it seems like the managers should at least give a talk about acting professional and representing a business. I know I'm not impressed.

Since Hansers bought the property at 439, there have been at least 4 yard foreman, or whatever he calls them, night watch, that have lived on the premises. I've experienced them all. One of the things the first guy did was put up his choice (or maybe Hansers, I don't know) political candidate sign in front of his house, but close enough to my side to make it appear that the whole block wanted his candidate. The thing is, though, he also put it on the boulevard, which as far as I know, is a no-no, at least according to the ordinance. The second guy had a loud bike that he'd start up at midnight and ride around the various Hansers properties to check if they were secure. You can hear this in the ENTIRE neighborhood, I know, because one of the property owners on Rebecca Place that will be affected by this zone change came over and we talked about it. (At that time, he wanted to find out if it was ok to come across the property to get his kids jungle gym to his back yard. If this wrecking yard/zone change goes through, Hansers will put up their usual 10 foot steel fence, and that's going to kill that option for access. But anyway, I told him sure, Shirley wouldn't have a problem with it at all. But that's the difference between neighbors and Hansers; neighbors ask first, Hansers just goes ahead and does it, regardless of whose property it is.) I guess that 439 is zoned commercial, so it's legal for them to mow the lawn after 8pm, and erect their steel fence with welders and hammers

around 10pm, and whatever else kind of noise they want to make. But if the adjoining property is residential, how is that supposed to work? There should at least be a buffer zone, or something. And, yes, you *could* change the residential to commercial, as Hansers wants to do, but that's not going to change the noise issue, it's just going to move it closer to the next residential area, which in this case is not just two houses, but nine, if I count correctly.

The other foremen just walked across the street to check the security of the properties, so they didn't make any noise, but still, even if they'd used a car, that would've been fine, compared to a loud bike. Last year, the new foreman at 439 decided it was ok to come on Shirley's property (the back field) and race his motorbike. And another guy living there also took some wood. At one time, there was an arrangement with Shirley and Hansers that Hansers would cut the weeds in the lot. So I assume that's the thinking that these guys had, however, for some reason, Hansers decided to stop cutting the weeds, so they were pretty much trespassing. And since the weeds weren't cut, riding that bike in a dry field is just asking for a fire. For the first time since I'd been here, someone also broke into the back shed, they cut the lock, and left the bolt cutters they used to do it, along with an axe. At the time, I assumed it was someone just looking to break in, but I do wonder now if it was one of these Hansers guys assuming it was ok to just break a lock. Whoever it was did NOT have permission.

Regarding the weed control, Hansers also uses a lot of weed spray, which is fine; the weeds need to be controlled somehow. However, one time they sprayed the back area, but also inadvertently sprayed my neighbor's garden, which I'm sure is just another case of not paying attention, but the pumpkins my neighbor had didn't last too long. The current "occupant(s)" aren't much better. There is a dog over there that barks at nothing all hours of the day/night. And if I go in my back yard, the dog starts up then, too. And speaking of dog, the handyman has a dog that just wanders the neighborhood. Even though he's working onsite at 521, the dog comes over to my area and runs around, and craps in my yard. I've lived here 10 years, and never had that happen. Which is amazing, because the people that live down the street at the RV park are constantly walking their dogs past the house. But, of course, they have their dogs on leashes.

Another thing Hansers is known for is using bobcats to do EVERYTHING. If there's something they can use one for, they do. If they can avoid getting off of it, they do. I don't have a bulldozer or snowplow; I have to do everything by hand. So when I shovel the driveway (which is quite long and large) it is manual, hard physical labor. Well, Hansers likes to drive their bobcat down the bike path/sidewalk to clear the snow. That's great, that's actually being nice to the neighborhood. However, when they come past my driveway, the scoop overflows the snow and it dumps right on top of the area I just got done shoveling. Now they could get off the cat and take care of that with a shovel, or use the cat to push the snow aside, but they don't. And this isn't a small amount

of snow, I have to actually go back out and shovel it out of the way, or I'm not getting out of the driveway.

The most recent bobcat episode was when they decided to haul out the dumpster that was located in my yard against my storage shed. It's been there since I moved in. The original neighbors that owned 439 came over to ask me if they could come get the dumpster because it still belongs to BFI. I told them, "Sure, no problem." Well, they held the auction for the house and never came for it. So it's been sitting there for 10 years. I put the pond directly in front of it. Well, whomever the guy is that Hansers has doing all their handyman work came in with a bobcat to pull it out. At first, he didn't notice I had a pond there, they were going to just drive over the pond and yank the dumpster out. But there was another guy with him that must have noticed the pond, and evidently they decided to come at it from the side. Which is fine, except he backs up and hits the tree branches, which fall off, and then drives directly over my little green wire fence, which he apparently didn't even see. So it's all mangled up. They moved the dumpster next door to 521. I wasn't expecting any issues from that, but guess what, now I have a city garbage truck coming at 0530 am in the morning to pick it up!! This is right next to my bedroom, whether I want to wake up or not, it's happening. And evidently this is going to be a continual thing, I had it happen again this week at about 0630. Besides that, they are using the driveway to 521 to get to the back field, the area they want to make the wrecking yard, so I have a non-stop supply of bobcats, diesel trucks, lawnmowers, whatever will fit going past my bedroom window. So actually they're ALREADY acting like the zone change was approved. I feel like I'm in this tiny little house surrounded by an industrial complex. I'm curious why they don't go through their gravel yard at 439, which is evidently zoned for that to get back to where they need to be, since there's already an opening in the fence there.

When they first got this property, Hansers did something with the septic system, I'm not exactly sure what, nobody told me anything, I just noticed my footbridge, bbq, and picnic table were scattered around the yard, they didn't bother to put anything back the way they found it. If I did that on ANY job, I'd be getting calls from the boss wondering why. It's just called common courtesy. If this is how they act as wrecker drivers or whatever they do, I would not be inclined to use them. They don't come across to me as professional. The handy guy Jim or JJ, I can't recall his name told me they're fixing the house next door to rent out, although there's a lot of damage, and Hanser might keep it around for 6-7 years. But according to the zoning map, it is also labeled for removal. So I guess I'm wondering how a house can be labeled for removal but still have tenants in it. If the zoning is approved, he could decide to level the place as soon as possible. Or if he just all of a sudden decides not to be a landlord. I'm sure that's all perfectly legal, but it sure doesn't seem right, at least not for the tenants, where they could be told at any moment to get out. The other thing is I pay ALL utilities here including water. Right now, I water the lawns and the flowers to keep them healthy. This isn't getting any cheaper, especially considering how much hotter

it's getting. In fact, another improvement I did (without reimbursement) was to add rain gutters on the backside to collect water in rain barrels to help defray the watering cost. I also planted a garden. Well, if the ultimate plan for this place is to put gravel on top of it, it makes me wonder why I should keep paying my own money to keep grass alive that is just going to get buried. And if I don't know how long I'm going to be allowed to live here, I guess I shouldn't be planting a garden. I don't have the answers, as I said previously, what would YOU do in this situation?

Regarding the septic system, aside from them not putting stuff back, I did feel a little better that they pumped the septic and replaced the cap, because it showed me that at least they were acting like they wanted to keep the house for rental. But then I noticed on May 13th, 2016 a person next door (521 S Bil Blvd., the other house that's going to be leveled) taking pictures of the property and walking around the area. At first I assumed it might be a property manager, although Hansers always uses their own people for everything, whether they're qualified or not. The car in the driveway said Sanderson Stewart on it, which I never heard of, so I researched it, and found out they do BIG projects, and that started to concern me, because it just reinforced my original thoughts of Hansers leveling this whole lot if they ever got the chance. I guess my fears were well founded. I just wonder how much more land Hansers really needs, especially for stacking cars. Are they going to keep pushing the limits until they are right next to Newman school? Amend park? The entire block? They've got a yard already outside of town, if I'm not mistaken, why are they moving it INTO town?? From what I understand of controlled industrial, I don't see a good future for this neighborhood. Speaking of "urban renewal", I'd rather see green grass and flowers than yet another huge steel fence and gravel wrecking yard. Especially since South Billings Blvd is a major thoroughfare these days. Something I really don't understand is the lot next to Hansers that is currently occupied by Mountain Supply sat empty for YEARS. Why didn't Hansers try to get that property? It seems logical; there was NOTHING on it. Instead of knocking down 2 perfectly good houses, they could have just moved right in on that lot, not to mention, it borders their current storage yard.

It's this massive amount of issues that convinced me Hansers should just move outside the city limits, which would solve ALL these problems. I know that's not going to happen, and I'm sure the zoning change is going to go ahead no matter what, because money ALWAYS wins, and Hansers has that, for sure. But that doesn't mean the little guys getting pushed around shouldn't have at least a say in what affects their own future.

What all this comes down to is Hansers seems to be wanting to keep the houses to rent, for an undetermined period of time (could be a month, could be 10 years) but at the same time, get the zoning changed to industrial so they can start on their wrecking yard, and then at some point just kick out the residents and level

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the front. It seems to me that legally, if he wants a wrecking yard, he should just do that, not have it both ways.

CONCERNED CITIZEN
505. SOUTH BILLINGS BLVD.
BILLINGS MT 59101



renter of subject
property

C/O 4TH FLOOR
CITY PLANNING DIVISION
2825 3RD AVE. NORTH
BILLINGS MT 59101

ORDINANCE NO. 16-_____

AN ORDINANCE AMENDING THE ZONE CLASSIFICATION FOR
the South 2 acres of the North 4 acres of Lot 5 in the SW1/4 of
Section 9, Township 1 South, Range 26 East, generally
located at 505 and 521 S Billings Blvd

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

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

2. DESCRIPTION That the South 2 acres of the North 4 acres of Lot 5 in the SW1/4 of Section 9, Township 1 South, Range 26 East, generally located at 505 and 521 S Billings Blvd is presently zoned **Residential 6,000 (R-60)** and is shown on the official zoning maps within these zones.

3. ZONE AMENDMENT. The official zoning map is hereby amended and the zoning for **the above described parcel** is hereby changed from **Residential 6,000 (R-60) to Controlled Industrial (CI)** and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining to **Controlled Industrial (CI)** as set out in the Billings, Montana City Code.

4. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

5. EFFECTIVE DATE. This ordinance shall be effective from and after final passage and as provided by law.

PASSED by the City Council on first reading July 25, 2016

PASSED, ADOPTED AND APPROVED on second reading August 8, 2016.

CITY OF BILLINGS:

BY: _____
Thomas W. Hanel, Mayor

ATTEST:

BY: Denise Bohlman, City Clerk
Zone Change #947 – 505 & 521 S Billings Blvd

Regular City Council Meeting

Meeting Date: 07/25/2016

TITLE: Special Review 944- 505 & 521 S Billings Blvd - Public Hearing

PRESENTED BY: Nicole Cromwell

Department: Planning & Community Services

PROBLEM/ISSUE STATEMENT

This is a special review request to locate a motor vehicle wrecking yard on the south 2 acres of the north 4 acres of Lot 5 in the SW1/4 of Section 9, Township 1 South, Range 26 East, a 2-acre parcel of land generally located at 505 and 521 S Billings Blvd. The proposed zoning of the parcel is CI. (See Zone Change 947) The Zoning Commission conducted a public hearing on July 5, 2016, and is forwarding a recommendation of conditional approval and adoption of the findings of the 3 review criteria on a 4-0 vote.

Special Review applications are reviewed using City Code criteria referenced in the Alternatives Analyzed section of this memo. Special Reviews do not require an ordinance for approval, are not zone changes on property; rather, are tied to specific uses that are allowed in a given zoning district but are subject to a review by the City prior to the use being allowed. Special Reviews, unlike zone changes, may be conditioned to mitigate possible impacts from the use on the subject property or surrounding properties.

ALTERNATIVES ANALYZED

City Council may:

- Approve the request
- Conditionally approve the request
- Deny the request
- Allow the applicant to withdraw the request
- Delay action on the request for up to 30 days

The Planning Division reviewed the request and recommended conditional approval based on the findings of the 3 review criteria. The Zoning Commission concurred with this recommendation. Before a recommendation of approval or conditional approval may be made, each special review request must demonstrate conformance with three primary criteria: 1) the application complies with all parts of the Unified Zoning Regulations, 2) the application is consistent with the objectives and purposes of the Unified Zoning Regulations, the 2008 Growth Policy including any neighborhood plans, and 3) is compatible with surrounding land uses and is otherwise screened and separated from adjacent land to minimize adverse impacts.

This application conforms to the first criteria because the proposed use will be in a zoning district where vehicle wrecking facilities may be allowed by special review approval. The application is consistent with the objectives and purposes of the Unified Zoning Regulations and the site plan appears to meet all of the requirements of those regulations. The application is consistent with the adopted Growth Policy and Infill Policy to encourage development or

re-development of property with compatible uses in existing neighborhoods where city infrastructure already exists and can readily serve the property. The City and County have also adopted the South Billings Boulevard Urban Renewal Master Plan as part of the tax increment district for this area. The master plan emphasizes the need to preserve existing stable neighborhoods, take advantage of commercial expansion opportunities and completion of missing City infrastructure including water, sewer, paved streets and pedestrian facilities. The proposed re-zoning and special review use is compatible with the goals of this master plan. The proposed use may have some adverse impact to the immediate vicinity and the Planning staff is recommending several conditions of approval to ensure these potential impacts are minimized.

The Zoning Commission recommends the following conditions of approval:

1. The special review approval shall be limited to the South 2 acres of the North 4 acres of Lot 5 in the SW1/4 of Section 9, Township 1 South, Range 26 East (unplatted) generally located at 505 and 521 South Billings Boulevard.
2. Development of the site shall be as shown on the submitted site plan and consist of screening fencing, landscaping and no vehicle access to either S Billings Boulevard or Newman Lane. Modifications to the site that show additional area greater than 10% of the proposed area will require additional special review approval.
3. The area between the screening fence along the south property line and the adjacent residential neighborhoods shall have a heavy duty weed fabric barrier covered with crushed landscape rock. The owner shall maintain this area in a weed and debris free condition. Security gates between the owner's fence and the adjacent residential fences at each end (east and west) of this gap area will be installed to secure against un-authorized access.
4. All outdoor lighting of the salvage yard area shall be equipped with full cut-off shields so that the lighting does not spill onto surrounding properties. Outdoor lighting within 50 feet of the south property line and the east property line will be a maximum height of 15 feet above grade in addition to the full cut-off shield requirement.
5. All inoperable vehicles shall be stored within the fenced area and shall not be stacked in such a way that they are visible above the fence line.
6. Business hours shall be limited to between 7:00 am and 7:00 pm.
7. A state Motor Vehicle Wrecking License shall be obtained within 12 months of the approval of this special review. A copy of the license shall be provided to the Planning Division. There will be special restrictions placed on the state licensure during the written document period of the state application process, which can take up to 120 days, specifying that there shall be no crushing of vehicles. The vehicles in the yard shall be hauled to a licensed wrecking yard when no longer needed.
8. All storm water shall be retained on-site, and not discharged into the City's storm drain line, unless otherwise approved by the City of Billings.
9. These conditions of special review approval shall run with the land described in this authorization and shall apply to all current and subsequent owners, operators, managers, lease holders, heirs and assigns.
10. The proposed development shall comply with all other limitations of Section 27-613 of the Unified Zoning Regulations concerning special review uses, and all other City of Billings, regulations and ordinances that apply.

FINANCIAL IMPACT

If the special review is approved, the property will be re-develop and assessed at a higher market rate. This will raise the City's tax base and benefit the SBBURA Tax Increment Finance District.

BACKGROUND

This is a special review request to allow the expansion of Hanser's vehicle wrecking facility to the south of its existing location. The property is zoned R-60 and a companion application to change the zoning to CI is pending. Approval of the zone change is required for the special review to be effective. Vehicle wrecking facilities require special review approval prior to development in CI zoning. Wrecking yards and ancillary uses can have a detrimental impact on the surrounding neighborhood and are heavily regulated by the state and the City to ensure those potential impacts are mitigated. Hanser's currently operates an 11-acre storage yard directly north of the subject property. This storage yard is used primarily for a "pick-a-part" operation where customers can pay a lower price for used parts if they remove those parts themselves. Consequently, this storage yard does not contain stacked vehicles and all fluids and potential hazardous materials are removed from the vehicles before they are placed in the yard. The facility hours are limited and it is not open 24 hours per day.

There are 2 existing single family homes on the 2 acre site. The proposal will require demolition and removal of these homes. The expansion area will only have access through the existing yard so the 2 drive approaches on S Billings Blvd. will be closed and the boulevard restored. The applicant has agreed to a special treatment of the area adjacent to the residential subdivision to the south. The sight obscuring fence along this property line will be set in so a gap will exist between the residential fences and the wrecking yard fence. In between the fences, the applicant will install a heavy duty weed fabric and crushed landscaped rock. The owner will maintain this area in a weed-free condition and install security gates at each end of the landscaped gap to prevent un-authorized access.

The interior of the site will be graded to drain to the center of the lot and all storm water will go through an oil/water separator system. A state permit for storm water pollution prevention will be obtained along with the required Wrecking Facility license. The state license has separate conditions of approval and a yearly inspection is required for license renewal.

STAKEHOLDERS

The Zoning Commission conducted a public hearing on July 5, 2016, and received the staff recommendation, testimony from the applicants, Ralph Hanser and Scott Hanser, and the agent, Bill Morgan from Sanderson Stewart. The Commission also received a written letter of opposition from an un-named tenant at 505 S Billings Blvd. There was no other testimony received.

The testimony concerning the special review request and the zone change (ZC 947) was received at the same time. Please refer to the testimony in the Stakeholder section of Zone Change 947.

Commission Member Larson made a motion to recommend conditional approval and adoption of the findings of the 3 criteria for the special review. The motion was seconded by Commission Member Ulvestad. The motion was approved on a unanimous voice vote (4-0).

CONSISTENCY WITH ADOPTED POLICIES OR PLANS

Consistency with Adopted Policies and Plans is discussed in the Alternatives Analyzed section above.

RECOMMENDATION

The Zoning Commission is recommending conditional approval and adoption of the findings of the 3 review criteria for Special Review 944 on a 4-0 vote.

APPROVED BY CITY ADMINISTRATOR

Attachments

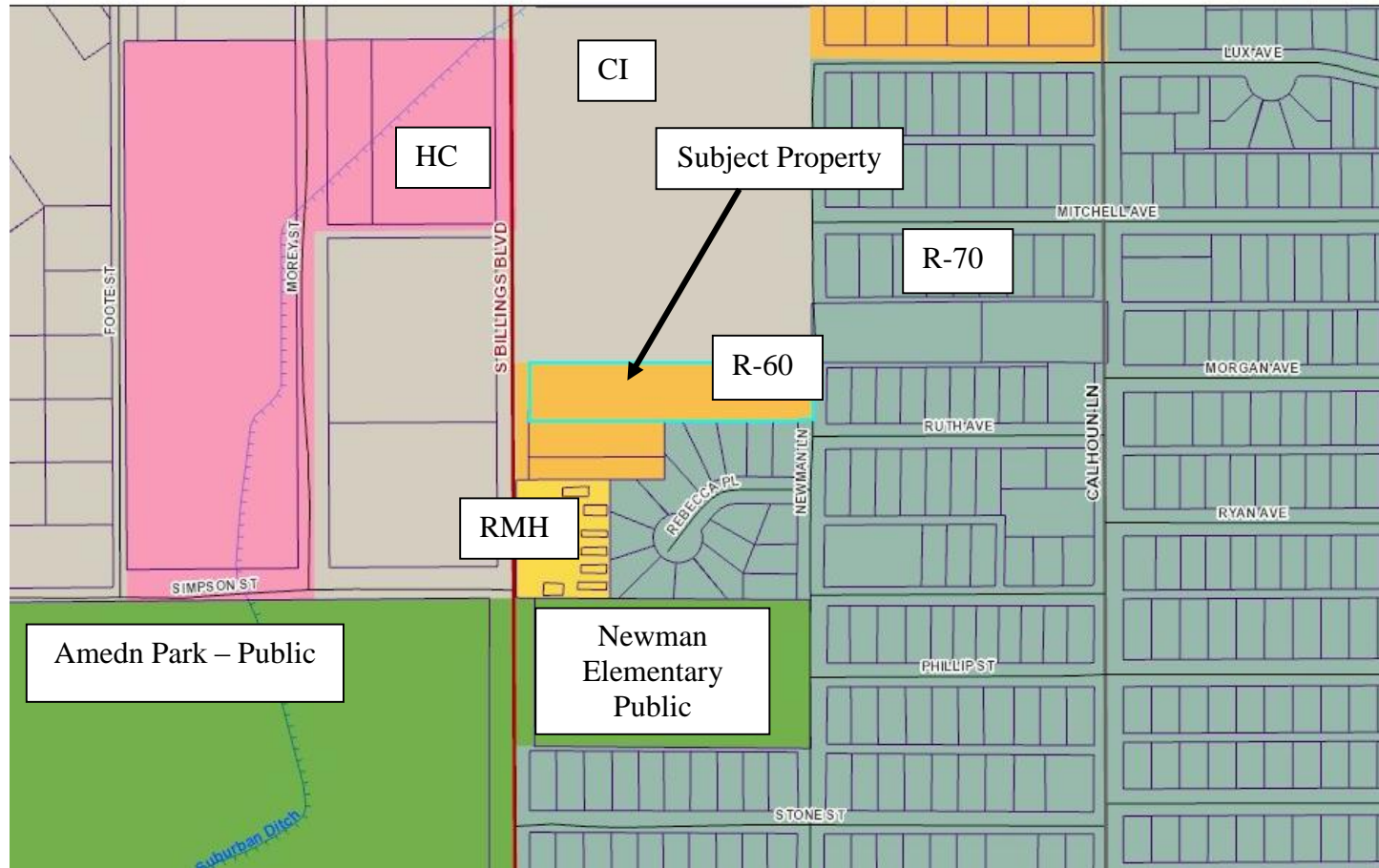
Zoning Map and Site Photos

Applicant Letter and Site Plan

Letter from un-named tenant at 505 S Billings Blvd

Surrounding Zoning
Zone Change #947 – 505 and 521 S Billings Blvd

ZC 947 505 S Billings Blvd



ZC 947 505 S Billings Blvd



Subject Property

ZC 947 505 S Billings Blvd





Subject Property from S Billings Blvd



View north along S Billings Blvd



View south along S Billings Blvd



View southwest across S Billings Blvd



View west across S Billings Blvd

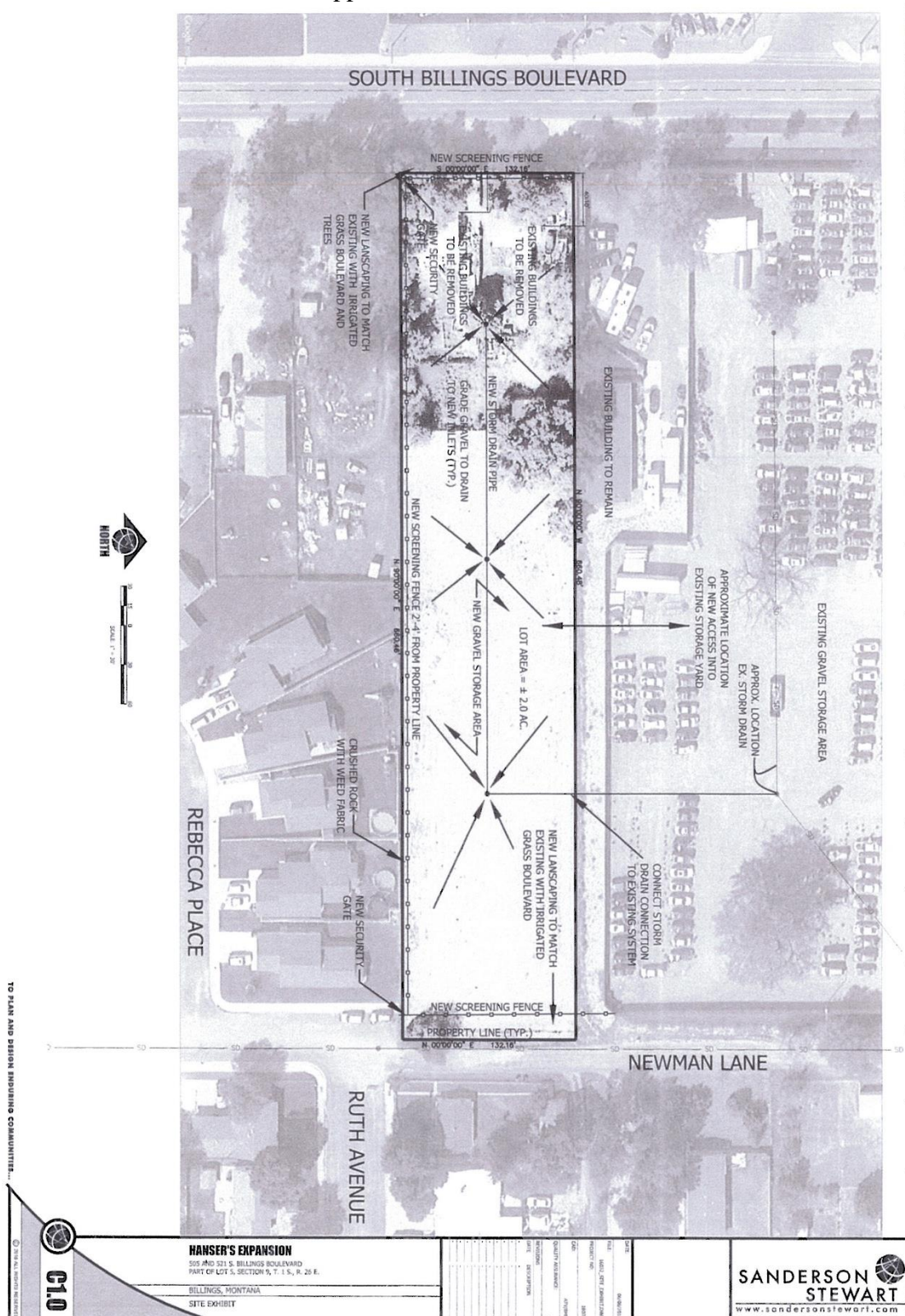


View east along north property line of subject property



View east along south property line of subejct property

Special Review 944 Applicant Letter and Site Plan



Hanser's Properties LP
SPECIAL REVIEW APPLICATION TO ALLOW AUTO SALVAGE AND STORAGE
OPERATION

Accompanying Responses to Questions in Special Review Application Form

1A. In what ways is your proposal consistent with the goals and policies of the adopted Growth Policy?

LAND USE ELEMENT

Goal 1. Predictable land use decisions that are consistent with neighborhood character and land use patterns.

The adjacent properties include a mix of zoning and uses. Directly to the north and west, the properties are zoned Controlled Industrial. Properties to the south and east are zoned Residential 6000 and 7000. The proposed zoning and use would be consistent with the adjacent Controlled Industrial zoned properties adjacent to South Billings Boulevard.

Goal 4. Contiguous development focused in and around existing population centers separated by open space.

The development would be an expansion of an existing and long-standing business base consisting of towing and recovery, truck and car repair, used and rebuilt automatic transmissions, and a salvage company which provides auto parts to Billings and the surrounding population. The proposed zoning would allow for a contiguous development in an existing and well established population center southwest of the Billings Central Business District. The overall Hanser's business consists of about 24 acres of development, and the proposed two acres of expansion would equate to an 8% increase in land area. All surrounding properties are within the City of Billings and most have been developed already, and the proposed use will be sensitive and compatible with the character of the adjacent neighborhoods and properties. There is an existing elementary school to the south (Newman Elementary) and a regional soccer field (Amend Park) to the southwest. These provide good open space areas for the neighborhoods and community. In addition, South Billings Boulevard offers quick and convenient access to Interstate 90 via a modern interchange. City infrastructure surrounds the property and development will make use of city resources in a cost effective manner.

ECONOMIC DEVELOPMENT GOALS

Goal 1. Coordinated economic development efforts that target business recruitment, retention, and expansion.

Hanser's is a 51 year old company multi-divisional company specializing in automotive repair, automatic transmission rebuild and wholesale distribution, and salvage dismantling for late model used cars and pickups. Parts are sold both locally and across the United States, and they are a part of a towing/recovery network that spreads across southeastern Montana from Livingston, Big Timber, Columbus, Lewistown, Billings, and Hardin. Within this towing recovery network, Hanser's has an emergency spill and hazmat response team that works closely with the local fire departments, large trucking companies, law enforcement, and other hazardous spill response teams.

In 2015, the Hanser's payroll was \$4.8 million for an average of 98 fulltime equivalent employees throughout all of its divisions. The fulltime equivalent employee earns an average of \$55,000 a year, and the employee benefits include health insurance, life insurance, dental and vision insurance, 401K, personal time off (PTO), and holiday pay.

Because Hanser's does business outside the area, over 50% of the money generated from its operations comes from other states. This outside money is then regenerated into the economic base of the community through payroll and purchases.

The zone change and special use permit approval will allow for retention and expansion of an existing business in Billings. It will also strengthen the area economy by bringing in outside money which will be "turned over" many times via payroll, medical, purchases and sustaining living wage jobs.

GOAL 2 : Increase the median income of households and individuals.

Hanser's has a continued employee training program in all of its divisions. This continual investment in employees helps increase median income of households and individuals. In the transmission department, Hanser's belong to AAA, ATRA and ATSG. In the salvage department, they belong to URG8000 and ARA Gold Seal. In the wrecker department, the company belongs to the Towing & Recovery Association of America, the Montana Tow Truck Association, and other organizations that enhance the towing industry. Hanser's also partners with the Billings College of Technology to help with training of potential mechanics. This partnership helps reduce dependency on other education or social programs in the community.

Hanser's spends \$1,000 to \$5,000 per employee each year to keep up-to-date with the latest technology in their specific divisions. For example, wrecker operators maintain current Hazardous Waste Operator and Emergency Responder (HAZWOPER) certification, hold a commercial driver's

license (CDL) with all endorsements in double, triple, and hazardous material transport, maintain certification in traffic incident management including flagging certification, and are certified by the Montana Disaster and Emergency Response Services (DES). Hanser's houses classes annually for forklift training, flagging certification/re-certification, HAZWOPER certification, and confined spaced entry training. Operators are also Wreck Master certified in towing and recovery. All of this training and support for employees helps improve the quality of life for all residents.

NATURAL RESOURCES ELEMENT

GOAL 6: Protection of groundwater, surface water, riparian areas, air quality, and productive agricultural land.

As previously stated, the existing Hanser's facility is under full compliance with the Montana Department of Environmental Quality (DEQ) General Permit through its Stormwater Pollution Prevention Plan (SWPPP). Maintaining and protecting the public health through the SWPPP is critical for the continued protection of surface and subsurface water. The SWPPP (which has been attached to this application) is developed and maintained by the establishment of control measures that keep pollutants from being discharged from the site.

Before any salvaged vehicle is stored on the site, all fluids from each vehicle is safely drained and disposed at the on-site automotive parts dismantling center. In addition to removing all fluids, there are prescribed control measures that provide further protection from petroleum products, antifreeze and sediment reaching any stormwater outfall. The two acres being proposed for a zone change will contain Oil-Water Separators (OWS) and Absorbent Booms to collect any residual pollutants of concern. The existing salvage yard and the one being proposed will be designed to slope towards storm drain inlets that are connected to the Oil-Water Separators. As stated in the SWPPP, every Oil-Water Separator and Absorbent booms are inspected by trained and dedicated staff every 7 days and after a storm event, and all necessary repairs or cleaning is performed. Good Housekeeping practices like these are followed on the entire Hanser's site, and are important features that will protect groundwater, surface water, and related natural resource and public health elements.

1B. Why is there a need for the intended use of the property at this location?

Hanser's was started in 1963 as a two-bay service station. Today, it has over 60,000 square feet of automotive repair and salvage supported building space on approximately 24 acres of land. The success of Hanser's has always been by steady and measured growth. This has allowed the company to grow and respond to customer's demands, thereby creating a sustainable business. The proposed two acres of land lies directly south of the existing 12 acre pick-a-part and salvage operation. The existing zoning of the land is Residential 6000 and it fronts on South Billings Boulevard, an important arterial connecting many commercial and industrial properties to I-90. The intended use

of the property will fit with the surrounding use because it will match the Controlled Industrial zoning to the north and west. The intended use of the property will allow a modest expansion of an existing and well-established business in Billings.

1C. How will the public interest be served if this application is approved?

Hanser's has been a long-standing business partner in the Billings Community for 51 years. It has been able to stay in a central location on South Billings Boulevard due to past expansions similar to this one. The overall public interest is served when businesses can provide for steady growth, while still providing family wage jobs and benefits.

More importantly, the development of the property under this zoning and use approved by special review will be mindful of being a good neighbor by the following actions:

- Sight obscuring screening fences will be constructed along all property frontages. Special attention will be given to the south portion of the lot where there are adjacent residences living on Rebecca Place, and along Newman Lane where there are long established neighborhood residences.
- As a result of the Neighborhood Meeting held on May 24th, there will be a gap of about 2 to 4 foot between the backyard fences along Rebecca Street and the new sight obscuring fence for Hanser's. Along this transitional area, Hanser's will place heavy duty weed fabric and crushed landscape rock, and will maintain this area against weeds and debris. In addition, a security gate will be installed at each end of the fence along the residential property to secure the gap area from unwanted activity.
- The property will be designed so that there is not as much fill and gravel placed on the site. This will provide for better transitional grades with the adjacent residential properties.
- The property inside the fences will be graded to drain to internal storm inlets, which will be tied into Oil-Water Separators and Absorbent Booms. As outlined in the section above, the site will be monitored and tested under a State-issued Stormwater Pollution Prevention Plan (SWMPP) permit.

1D. Statement of Proposal

The owner, Hanser's Limited Partnership, is seeking a Special Review for the property to allow for an expansion of their existing auto salvage and storage operation. The property is located at 505 and 521 South Billings Boulevard, just south of their current operation, and is approximately two acres in size.

The existing zoning is Residential 6000 and the applicant is requesting a concurrent zone change to Controlled Industrial in order to match the adjacent property they own to the north. The applicant's

intent is to expand their existing auto storage facility into these two acres. The Special Review is being undertaken to allow the salvage and storage operation use. The existing residential houses on the site will be removed (probably in a few years), and the site will be improved with one to two feet of gravel. The site's elevation will blend with the adjacent residential houses to the south, and similar screening and landscaping will be constructed along all property frontages. Most importantly, storm water run-off from the constructed site will be contained on-site, and storm water will be cleaned and monitored through a State-approved Stormwater Pollution Prevention Plan (SWPPP).

REGARDING PROJECT # 16-00107
16-0107-01

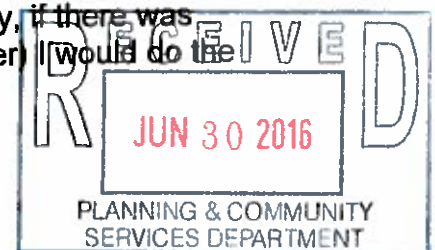
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To whom it may concern;

First off, I'm opposed to this zoning change being approved and the wrecking yard being approved for the following reasons. I know I have little to no chance of fighting this, but I still have to let it be known how I feel, so thank you for taking the time to at least consider my viewpoint.

I wasn't notified of the neighborhood meeting, which is ironic, because aside from Hansers, I will be affected more than anyone else involved if this zoning change and wrecking yard is approved. I live in the house currently located at 505 S Billings Blvd. which according to the map from the zoning commission done up by Sanderson Stewart is labeled "existing building to be removed". I've resided there for 10 years, so I know exactly what it's like to have Hansers as a "neighbor", even more so than the majority of property owners that were invited to the neighborhood meeting, because their houses weren't even built yet. And I was there before Hansers bought the property next to mine at 439 at an auction, which I attended. At that time, I was unaware of any zoning change requests until after they were approved. I'm sure my landlord, who owned this lot and the 2 houses concerned, received the neighborhood meeting notice because she told me after the zoning change went through that they had a public hearing on it. She said Hansers also considered bringing their car crusher down here, but decided against it due to excess noise. (Concerning noise, see below.) The public meeting notice was never conveyed to me, which I know is perfectly legal, although in my mind, really questionable considering I'm the one that lives on the premises. And it's evidently that way again; she sold the property to Hansers who is now my "landlord". Again, I had no mention from Hansers about this zone change and wrecking yard proposal, however, after 10 years of seeing the way Hansers operates, I wasn't all that surprised. I knew if they ever got this property, they'd level the place. They are a wrecking company, not a real estate company; it's just the way it is.

The reason Hansers got this current property is due to last year when the neighbors at 521 S. Billings Blvd. decided to turn to a life of crime/drugs, and did a lot of damage to the house. When I first moved in to 505, the tenants in 521 were actually part of the neighborhood watch; there was a neighborhood watch sign on the property. My landlord Shirley Lester said she was going to repair the damage, although it was going to cost a lot of money. Evidently her plans changed, and she advised me she decided to sell to Hansers. That deal went through, and Hansers is now my landlord. Shirley told me that one of the conditions of the deal she had with Mr. Hanser was that he not evict me, because I had been a great tenant, her words. She also told me he agreed to not evict me, at least for a year, so that's all I know about that part. Although I am a renter, I treated the place as though it was my own house. There was no grass in the front or back yard, I bought the grass seed with my own money and planted it. I never asked to be reimbursed for that. Generally, if there was something that went wrong (plumbing, house repair, whatever) I would do the



work myself if it was something I was able to do and send Shirley the receipts to just deduct it from the rent. There's actually a long list of things I didn't get reimbursed for, I never asked. I bought a new screen door and installed it. I replaced the sink and faucet assembly in the bathroom. I added lighting to the living room. I replaced the outdoor water spigot. I repaired the fence (several times). I replaced the drywall in the garage. I added a garden space, which wasn't there. I fixed the vent stack that was attached to the water heater. I replaced the drywall in the utility room. I fixed more than a few plumbing issues. The septic tank had a blue milk crate over the top of it. I built a decorative footbridge specifically to replace that. I've added flowers in multiple areas and a lilac bush to enhance the look. There is only one water spigot, and it's all the way in the back, so I have to run 100 feet of hose to the front. I had planned on putting in underground sprinkler, or at least another water spigot up front. I added an efficient programmable thermostat to replace the old mercury one. The point I'm making is the majority of that was my own money, Shirley isn't even aware of some of those, I didn't feel it was necessary to bother her, as I was making improvements to the property, which is *usually* a good thing. But when I think of Hansers bulldozing this house and putting gravel over the top of all of this, well, try and put yourself in my shoes: What would you do? How would you feel? I even added a water pond, and to my amazement, I actually had ducks swimming in it! This is only a 2-foot wide pond, but they'd get in it and swim. They even decided to use the back yard as a nesting ground. So not only the parent ducks, but the baby ducks would also get in and swim around. They had been coming for the last 3 years, until this year, which I knew would happen, because Hansers moved their big trucks back there.

Concerning the zoning issue, it's getting worse every day already being next to Hansers, personally, I've always felt they should move the entire operation out of city limits, mostly due to the amount of noise they generate, not to mention the toxic chemicals they handle. They have every conceivable truck and vehicle there is from cement haulers to huge wreckers, and everything in between. Now obviously, they're going to make a certain amount of noise, there's nothing that can really be done about that (other than moving out of city). But recently, there has been an increase in unnecessary noise, specifically engine compression brakes. Starting last summer, all of a sudden, at all times of day/night the drivers have decided to start their compression brakes right about where Newman school is located. You can hear it way before it gets to the house, but when they are directly in front of the house, the entire area shakes and it's just unbelievable. It almost seemed like they were doing it on purpose. The weird part is not all the drivers do it. And I'm not a trucker, so I don't know why they'd need it in front of my house in a 35 mph area (not to mention school zone) but from the research I've done on the matter, it seems like engine brakes would be more suited to hills/highways and situations where you needed to slow down fast. My thoughts are the truck drivers that are using the brakes are probably going WAY faster than they should be for the speed limit and have no choice but to use the brakes. The part I really don't understand is they have their own people living onsite at

439, not just in the house (that, by the way, is labeled "existing house to remain") but also in RVs/campers, so it seems like they wouldn't want to wake them up either. I've seen that big red wrecker come in pulling an RV as quiet as a mouse, and yet, other times, it's empty, but so loud, it's just amazing. So obviously, it is controllable.

But it doesn't stop there. Once they turn into the Hansers property, some of the drivers (or maybe just one) like to use their air horn to say, "Hi, I'm here!" (as if nobody's already aware of that from the brakes.) Last year, I actually heard one of the drivers use the horn to do the "shave and a haircut two bits" thing. That's SEVEN honks of the air horn. And, of course, whomever they're honking at has to honk back. Now, I can appreciate goofing off and having fun, but look at it from the point of view of the neighbors surrounding the business. That's not just one event; it's a constant thing, it's noise pollution to the highest degree. When you combine that with the way too loud car stereos that shake the house when they go by, it's not what I'd call being polite and respecting your neighbors. And the other thing specific to Hansers is their employees. The majority are "motorheads", so naturally they all have cars/trucks/motorcycles with huge engines and exhaust cutouts, which they advertise every time they come to work and leave work. It used to be easy to tell when it was quitting time, because all of a sudden, you'd hear a car/truck from Hansers spinning it's tires in their parking lot before it launched down the road. Now, true, every business probably has employees that do that sort of thing, but when it's noticeable to the surrounding neighbors, and every day, it seems like the managers should at least give a talk about acting professional and representing a business. I know I'm not impressed.

Since Hansers bought the property at 439, there have been at least 4 yard foreman, or whatever he calls them, night watch, that have lived on the premises. I've experienced them all. One of the things the first guy did was put up his choice (or maybe Hansers, I don't know) political candidate sign in front of his house, but close enough to my side to make it appear that the whole block wanted his candidate. The thing is, though, he also put it on the boulevard, which as far as I know, is a no-no, at least according to the ordinance. The second guy had a loud bike that he'd start up at midnight and ride around the various Hansers properties to check if they were secure. You can hear this in the ENTIRE neighborhood, I know, because one of the property owners on Rebecca Place that will be affected by this zone change came over and we talked about it. (At that time, he wanted to find out if it was ok to come across the property to get his kids jungle gym to his back yard. If this wrecking yard/zone change goes through, Hansers will put up their usual 10 foot steel fence, and that's going to kill that option for access. But anyway, I told him sure, Shirley wouldn't have a problem with it at all. But that's the difference between neighbors and Hansers; neighbors ask first, Hansers just goes ahead and does it, regardless of whose property it is.) I guess that 439 is zoned commercial, so it's legal for them to mow the lawn after 8pm, and erect their steel fence with welders and hammers

around 10pm, and whatever else kind of noise they want to make. But if the adjoining property is residential, how is that supposed to work? There should at least be a buffer zone, or something. And, yes, you *could* change the residential to commercial, as Hansers wants to do, but that's not going to change the noise issue, it's just going to move it closer to the next residential area, which in this case is not just two houses, but nine, if I count correctly.

The other foremen just walked across the street to check the security of the properties, so they didn't make any noise, but still, even if they'd used a car, that would've been fine, compared to a loud bike. Last year, the new foreman at 439 decided it was ok to come on Shirley's property (the back field) and race his motorbike. And another guy living there also took some wood. At one time, there was an arrangement with Shirley and Hansers that Hansers would cut the weeds in the lot. So I assume that's the thinking that these guys had, however, for some reason, Hansers decided to stop cutting the weeds, so they were pretty much trespassing. And since the weeds weren't cut, riding that bike in a dry field is just asking for a fire. For the first time since I'd been here, someone also broke into the back shed, they cut the lock, and left the bolt cutters they used to do it, along with an axe. At the time, I assumed it was someone just looking to break in, but I do wonder now if it was one of these Hansers guys assuming it was ok to just break a lock. Whoever it was did NOT have permission.

Regarding the weed control, Hansers also uses a lot of weed spray, which is fine; the weeds need to be controlled somehow. However, one time they sprayed the back area, but also inadvertently sprayed my neighbor's garden, which I'm sure is just another case of not paying attention, but the pumpkins my neighbor had didn't last too long. The current "occupant(s)" aren't much better. There is a dog over there that barks at nothing all hours of the day/night. And if I go in my back yard, the dog starts up then, too. And speaking of dog, the handyman has a dog that just wanders the neighborhood. Even though he's working onsite at 521, the dog comes over to my area and runs around, and craps in my yard. I've lived here 10 years, and never had that happen. Which is amazing, because the people that live down the street at the RV park are constantly walking their dogs past the house. But, of course, they have their dogs on leashes.

Another thing Hansers is known for is using bobcats to do EVERYTHING. If there's something they can use one for, they do. If they can avoid getting off of it, they do. I don't have a bulldozer or snowplow; I have to do everything by hand. So when I shovel the driveway (which is quite long and large) it is manual, hard physical labor. Well, Hansers likes to drive their bobcat down the bike path/sidewalk to clear the snow. That's great, that's actually being nice to the neighborhood. However, when they come past my driveway, the scoop overflows the snow and it dumps right on top of the area I just got done shoveling. Now they could get off the cat and take care of that with a shovel, or use the cat to push the snow aside, but they don't. And this isn't a small amount

of snow, I have to actually go back out and shovel it out of the way, or I'm not getting out of the driveway.

The most recent bobcat episode was when they decided to haul out the dumpster that was located in my yard against my storage shed. It's been there since I moved in. The original neighbors that owned 439 came over to ask me if they could come get the dumpster because it still belongs to BFI. I told them, "Sure, no problem." Well, they held the auction for the house and never came for it. So it's been sitting there for 10 years. I put the pond directly in front of it. Well, whomever the guy is that Hansers has doing all their handyman work came in with a bobcat to pull it out. At first, he didn't notice I had a pond there, they were going to just drive over the pond and yank the dumpster out. But there was another guy with him that must have noticed the pond, and evidently they decided to come at it from the side. Which is fine, except he backs up and hits the tree branches, which fall off, and then drives directly over my little green wire fence, which he apparently didn't even see. So it's all mangled up. They moved the dumpster next door to 521. I wasn't expecting any issues from that, but guess what, now I have a city garbage truck coming at 0530 am in the morning to pick it up!! This is right next to my bedroom, whether I want to wake up or not, it's happening. And evidently this is going to be a continual thing, I had it happen again this week at about 0630. Besides that, they are using the driveway to 521 to get to the back field, the area they want to make the wrecking yard, so I have a non-stop supply of bobcats, diesel trucks, lawnmowers, whatever will fit going past my bedroom window. So actually they're ALREADY acting like the zone change was approved. I feel like I'm in this tiny little house surrounded by an industrial complex. I'm curious why they don't go through their gravel yard at 439, which is evidently zoned for that to get back to where they need to be, since there's already an opening in the fence there.

When they first got this property, Hansers did something with the septic system, I'm not exactly sure what, nobody told me anything, I just noticed my footbridge, bbq, and picnic table were scattered around the yard, they didn't bother to put anything back the way they found it. If I did that on ANY job, I'd be getting calls from the boss wondering why. It's just called common courtesy. If this is how they act as wrecker drivers or whatever they do, I would not be inclined to use them. They don't come across to me as professional. The handy guy Jim or JJ, I can't recall his name told me they're fixing the house next door to rent out, although there's a lot of damage, and Hanser might keep it around for 6-7 years. But according to the zoning map, it is also labeled for removal. So I guess I'm wondering how a house can be labeled for removal but still have tenants in it. If the zoning is approved, he could decide to level the place as soon as possible. Or if he just all of a sudden decides not to be a landlord. I'm sure that's all perfectly legal, but it sure doesn't seem right, at least not for the tenants, where they could be told at any moment to get out. The other thing is I pay ALL utilities here including water. Right now, I water the lawns and the flowers to keep them healthy. This isn't getting any cheaper, especially considering how much hotter

it's getting. In fact, another improvement I did (without reimbursement) was to add rain gutters on the backside to collect water in rain barrels to help defray the watering cost. I also planted a garden. Well, if the ultimate plan for this place is to put gravel on top of it, it makes me wonder why I should keep paying my own money to keep grass alive that is just going to get buried. And if I don't know how long I'm going to be allowed to live here, I guess I shouldn't be planting a garden. I don't have the answers, as I said previously, what would YOU do in this situation?

Regarding the septic system, aside from them not putting stuff back, I did feel a little better that they pumped the septic and replaced the cap, because it showed me that at least they were acting like they wanted to keep the house for rental. But then I noticed on May 13th, 2016 a person next door (521 S Bil Blvd., the other house that's going to be leveled) taking pictures of the property and walking around the area. At first I assumed it might be a property manager, although Hansers always uses their own people for everything, whether they're qualified or not. The car in the driveway said Sanderson Stewart on it, which I never heard of, so I researched it, and found out they do BIG projects, and that started to concern me, because it just reinforced my original thoughts of Hansers leveling this whole lot if they ever got the chance. I guess my fears were well founded. I just wonder how much more land Hansers really needs, especially for stacking cars. Are they going to keep pushing the limits until they are right next to Newman school? Amend park? The entire block? They've got a yard already outside of town, if I'm not mistaken, why are they moving it INTO town?? From what I understand of controlled industrial, I don't see a good future for this neighborhood. Speaking of "urban renewal", I'd rather see green grass and flowers than yet another huge steel fence and gravel wrecking yard. Especially since South Billings Blvd is a major thoroughfare these days. Something I really don't understand is the lot next to Hansers that is currently occupied by Mountain Supply sat empty for YEARS. Why didn't Hansers try to get that property? It seems logical; there was NOTHING on it. Instead of knocking down 2 perfectly good houses, they could have just moved right in on that lot, not to mention, it borders their current storage yard.

It's this massive amount of issues that convinced me Hansers should just move outside the city limits, which would solve ALL these problems. I know that's not going to happen, and I'm sure the zoning change is going to go ahead no matter what, because money ALWAYS wins, and Hansers has that, for sure. But that doesn't mean the little guys getting pushed around shouldn't have at least a say in what affects their own future.

What all this comes down to is Hansers seems to be wanting to keep the houses to rent, for an undetermined period of time (could be a month, could be 10 years) but at the same time, get the zoning changed to industrial so they can start on their wrecking yard, and then at some point just kick out the residents and level

7

the front. It seems to me that legally, if he wants a wrecking yard, he should just do that, not have it both ways.

CONCERNED CITIZEN
505. SOUTH BILLINGS BLVD.
BILLINGS MT 59101



renter of subject
Property

c/o 4TH FLOOR
CITY PLANNING DIVISION
2825 3RD AVE. NORTH
BILLINGS MT 59101

Regular City Council Meeting

Meeting Date: 07/25/2016

TITLE: Resolution of Intent to Adopt the 2016 City of Billings Growth Policy

PRESENTED BY: Candi Millar, Planning & Community Services Department Director

Department: Planning & Community Services

PROBLEM/ISSUE STATEMENT

The Yellowstone County Board of Planning held a public hearing on the proposed City of Billings Growth Policy on June 28, 2016, and is forwarding a resolution recommending the City Council adopt the Policy. The Growth Policy provides guidance to decision-making bodies of the City of Billings on matters on land use and infrastructure investment. It is not a regulatory document; however, it does provide information on the public preference on how Billings grows and where it grows in the next 20 years.

State law specifies that a jurisdiction should review an existing growth policy at least once every five years and revise the policy if necessary (76-1-601 (3)(f)(iii), MCA). The current policy, which incorporates both the City and County, was adopted in 2008. Updating the 2008 City of Billings/Yellowstone County Growth Policy was identified as a priority in the 2014 City Council Strategic Plan. The City Council recognized at that time that a policy was needed to achieve its goal of “comprehensive, cost-effective, and orderly growth.” Staff was directed to “prepare a comprehensive growth policy focused on existing service gaps in the City growth areas.” This action by City Council both initiated the process of preparing a growth policy for the City of Billings and provided a framework for the purpose of the document. State law also lists required elements that a growth policy must include (76-1-601 (2), MCA). If the City Council finds that the Growth Policy is in the best interest of the public the attached resolution of intent is written to adopt the Policy without revisions.

This item was tabled on 7/11/2016 and is being brought back for action per Council request.

ALTERNATIVES ANALYZED

City Council may: approve the Resolution of Intent to adopt the Growth Policy; adopt the Policy with revisions; or reject the Growth Policy (76-1-604 (1), MCA). If the Council approves the Resolution of Intent, a Resolution to Adopt will be brought back to the Council for its action on July 25. If the City Council adopts the Policy with revisions, a Resolution to Adopt as Revised will be brought back to the Council for its action on July 25. If the City Council rejects the 2016 City of Billings Growth Policy, the existing 2008 Yellowstone County & City of Billings Growth Policy will remain in effect.

FINANCIAL IMPACT

Adoption of the Billings Growth Policy will have no direct financial impact to the City. However, the Policy demonstrates that the Infill and Adjacent Parcels growth pattern is most cost effective. It should be noted that maintenance and replacement costs were not factored into the scenario planning. It stands to reason that infill development will require replacement and repair of existing infrastructure sooner than newer development in the north and west scenarios. This repair and replacement of existing infrastructure will be necessary regardless of the growth area as the majority of the City population still lives in areas served by existing infrastructure and relies on this infrastructure. Adoption of the Billings Growth Policy should provide guidance to the City in making financial decisions that are cost effective and efficient in delivering City services.

BACKGROUND

Updating the 2008 City of Billings/Yellowstone County Growth Policy was identified as a priority in the 2014 City Council Strategic Plan. The City Council recognized at that time that a policy was needed to achieve its goal of “comprehensive, cost-effective, and orderly growth.” Staff was directed to “prepare a comprehensive growth policy focused on existing service gaps in the City growth areas.” To achieve this directive, two questions needed to be answered:

1. **How will we grow?** The responses identified what services would be needed to provide a desired growth outcome and where the “*service gaps*” are and will be in the next 20 years.
2. **Where will we grow?** Answers to this question established where the “*City growth areas*” actually are.

These were the questions posed to the public to begin the planning process in October, 2014. More than 1,200 comments were received from 35 initial public meetings. As the comments were examined, certain core values began to emerge that fell together into seven categories. The aggregated values expressed clear community goals that shared many common associations. The seven goals are: Essential Investments, Place Makers, Community Fabric, Strong Neighborhoods, Home Base, Mobility and Access, and Prosperity.

The public comments were also the basis for three other important elements of this Policy: objectives, toolboxes, and performance measurements. Goal objectives are targeted outcomes that provide definition to what the goal can achieve or how the goal can be achieved. Toolboxes suggest ways, means, and methodologies to accomplish the goal, and performance measurements are recommended metrics for determining if the goal is being achieved.

Referring back to the Council’s Strategic Plan goal of “comprehensive, cost-effective, orderly growth”, the planning process also evaluated seven different growth scenarios to estimate the relative cost and revenue of various growth patterns in three separate growth areas identified through the public input process: North (around the proposed Inner Belt Loop), West (west of Shiloh Road) and Infill (existing parcels within the City limits and adjacent properties). The scenarios were developed to accommodate approximately 50,000 more residents. The costs to provide selected services and facilities the public preferred were calculated for high, low, and mixed residential density (Preferred) scenarios in the North and West growth areas. The residential density used for the infill scenario was based on existing zoning. The revenue estimates were developed by extrapolating the average annual tax and assessment revenue from existing residential housing developments of comparable densities.

The scenario planning results were looked at three ways:

1. Total cost of selected services and facilities and total revenue from housing unit per scenario
2. Total cost of selected services and facilities/total anticipated annual revenue (Return on

Investment)

3. Total anticipated annual revenue from residential development per acre

The chart below shows the order of ranking for the seven scenarios.

Scenario Ranking	North Preferred	North High Density	North Low Density	West Preferred	West High Density	West Low Density	Infill and Adj. Parcels
Total Costs (1 = lowest costs)	3	1	5	6	4	7	2
Return on Investment	6	7	3	4	5	1	2
Total Revenue per Acre	4	7	3	5	6	2	1

The scenario planning data and the values expressed by the public support a general consensus that development of infill parcels and properties adjoining the existing City limits is second lowest in total costs, second highest in return on investment and is the highest in total revenue per acre. Also substantiated by public comment and the scenario planning data is that a mix of residential densities is preferred. There are clear revenue advantages to the low density scenarios in terms of return on investments and total revenue per acre, mostly because the revenue generated by higher valued houses on larger lots is greater than any other scenario. However, the costs for developing the low density scenario are significant. The infill scenario returns the highest total revenue per acre largely because of the concentrated value on smaller lots, provides a mix of housing, and is less costly to develop.

The primary purpose of the planning process is to formulate a *Growth Policy* for the selected time horizon, or 20 years. In the end, the *Policy* is derived from the comments, goals, objectives and data. The Growth Policy stands as a framework to evaluate future public and private development and investment. The *Policy* is further supported by a *Growth Policy Statement* (vision) and suggested *Growth Guidelines* that can be referred to when making decisions for land use applications and infrastructure projects.

STAKEHOLDERS

During the planning process, the Planning Division staff held over 50 meeting with civic organizations, task forces, City departments, individual businesses, steering committee, Planning Board and governing bodies, and presented information on current conditions and demographic trends. At these meetings, participants were asked to complete the comment card and respond to the questions: How should the City grow? Where should the City grow? After parsing individual comments into distinct ideas, it was determined that staff received over 1,200 separate comments. These comments were categorized into seven broad categories that represented general goals based on the values expressed in the comments. Another series of meetings were held with some of the groups previously contacted to determine if the goals reflected the comments received. From this second round of meetings, another goal category, PROSPERITY, was added. Throughout the process, a total of four meetings were held for the general public. These meetings were held at the Billings Library.

The Yellowstone County Board of Planning held a public hearing at its regular meeting on June 28, 2016. The Yellowstone County Board of Planning held a public hearing at its regular meeting on June 28, 2016. Eleven people attended and two spoke. Connie Wardell, a member of the Growth Policy Steering Committee, praised the public involvement and the planning

process indicating it was the “best she ever participated in”. She also had suggested changes to the wording of several guidelines which were recorded and adopted in the final guidelines recommended to the City Council by the Planning Board. Steve Lackman, a County resident with property on Central and 48th, asked about future extension of infrastructure and the potential for annexing his property. He was told that the Growth Policy supported extension of infrastructure if it could be done so in a fiscally constrained manner and did not preclude his property from being annexed within the 20-year planning horizon. The Planning Board voted to recommend approval of the Growth Policy after closing the public hearing. The recommendation included revisions to the guidelines proposed at the public hearing.

CONSISTENCY WITH ADOPTED POLICIES OR PLANS

The 2016 City of Billings Growth Policy, if adopted, will supersede all previous adopted Growth Policies and will henceforth be used as a guide for decision-makers to consult on matters of land use and infrastructure. As written, this Growth Policy is consistent with state statute authorizing the preparation and adoption of a growth policy (76-1-601, et al, MCA).

RECOMMENDATION

The Yellowstone County Board of Planning recommends the City Council approve the Resolution of Intent to Adopt the proposed City of Billings Growth Policy.

APPROVED BY CITY ADMINISTRATOR

Attachments

DRAFT Growth Policy
GP Resolution of Intent



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APPENDICES

Public outreach

Growth Scenario Planning

DRAFT

Chapter 1 – The Planning Process

3. The Planning Process

Community planning is a continuous process. Community values change, conditions change, and policies change requiring a community plan to be re-evaluated periodically. Montana law recommends re-examining a growth policy every five years and determining, based on a list of conditions “what will lead to a revision of the growth policy.”¹ This policy, as the policy it replaces, recommends that the growth policy be revised when the following occurs:

1. Change
2. Change
3. Change

Since the 2008 City/County Growth Policy was adopted a lot has changed in Billings as the following comparison of metrics between 2010 and 2014 demonstrates:

CHART XX. COMPARISON OF GROWTH METRICS 2010 AND 2014

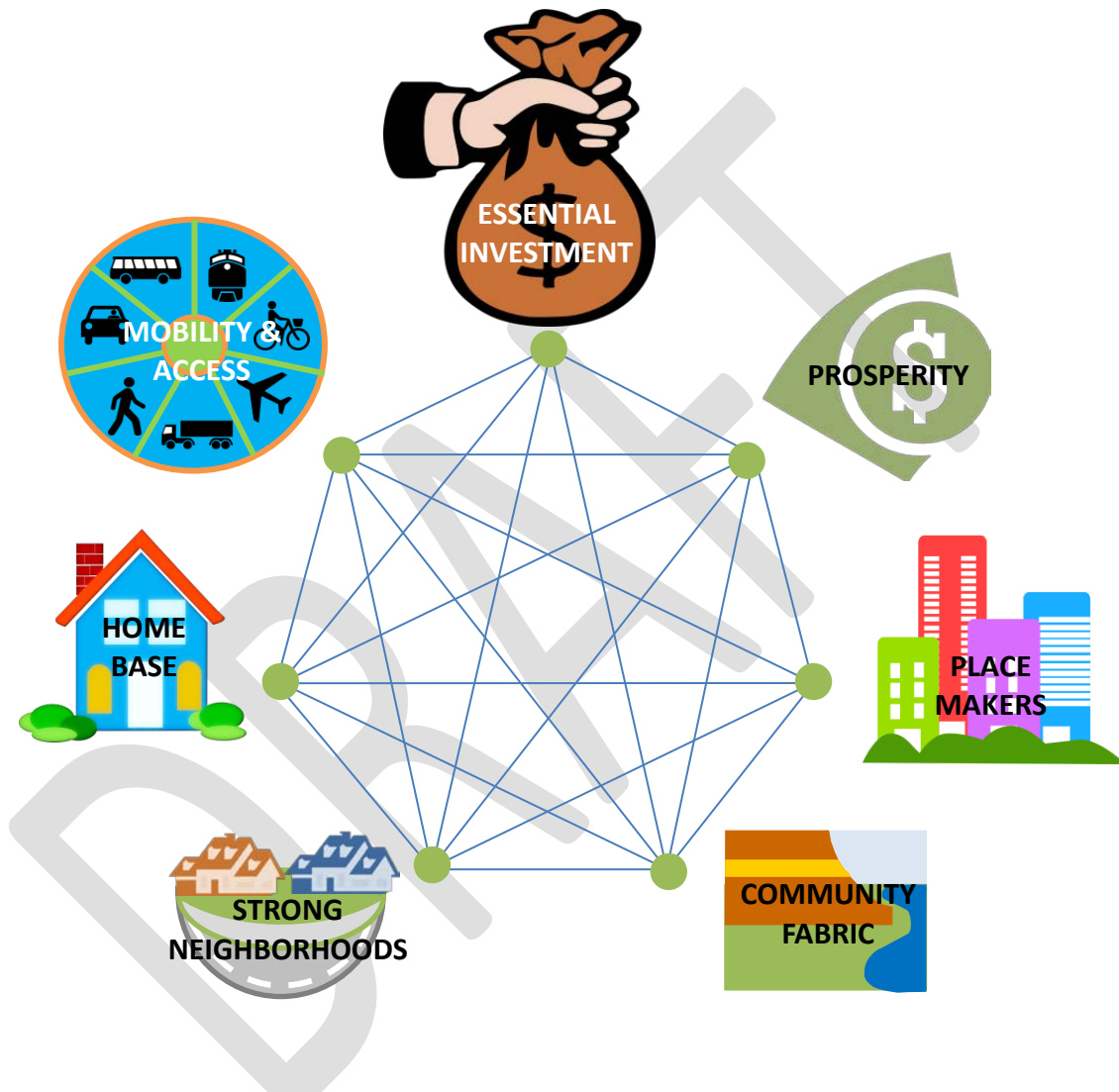
	2010	2014
Population	104,170	106,979
Median Age	37.5	37.1
Housing Units	46,317	46,674
Median Household Income	\$46,433	\$49,265
City Area	41.9 sq. mi	42.9 sq. mi
Street Miles	532.7	565.7

Updating the 2008 City of Billings/Yellowstone County Growth Policy was identified as a priority in the 2014 City Council Strategic Plan. The City Council recognized at that time that a policy was needed to achieve its goal of “comprehensive, cost-effective, and orderly growth.” Staff was directed to “prepare a comprehensive growth policy focused on existing service gaps in the City growth areas.” To achieve this directive, two questions needed to be answered:

¹ 76-1-601 (3)(f)(ii), MCA

As the comments were examined, certain core values began to emerge that fell together into seven categories. The aggregated values expressed clear community goals that shared many common associations. For instance the value of outdoor spaces under the Community Fabric goal is also an essential value in Strong Neighborhoods and Place Makers.

FIGURE XX. COMMUNITY GOALS AND THEIR INTERRELATIONSHIP



The public comments were also the basis for three other important elements of this Policy: objectives, toolboxes and performance measurements. Goal objectives are targeted outcomes that provide definition to what the goal can achieve or how the goal can be achieved. Toolboxes suggest ways, means, and methodologies to accomplish the goal, and performance measurements are recommended metrics for determining if the goal is being achieved.

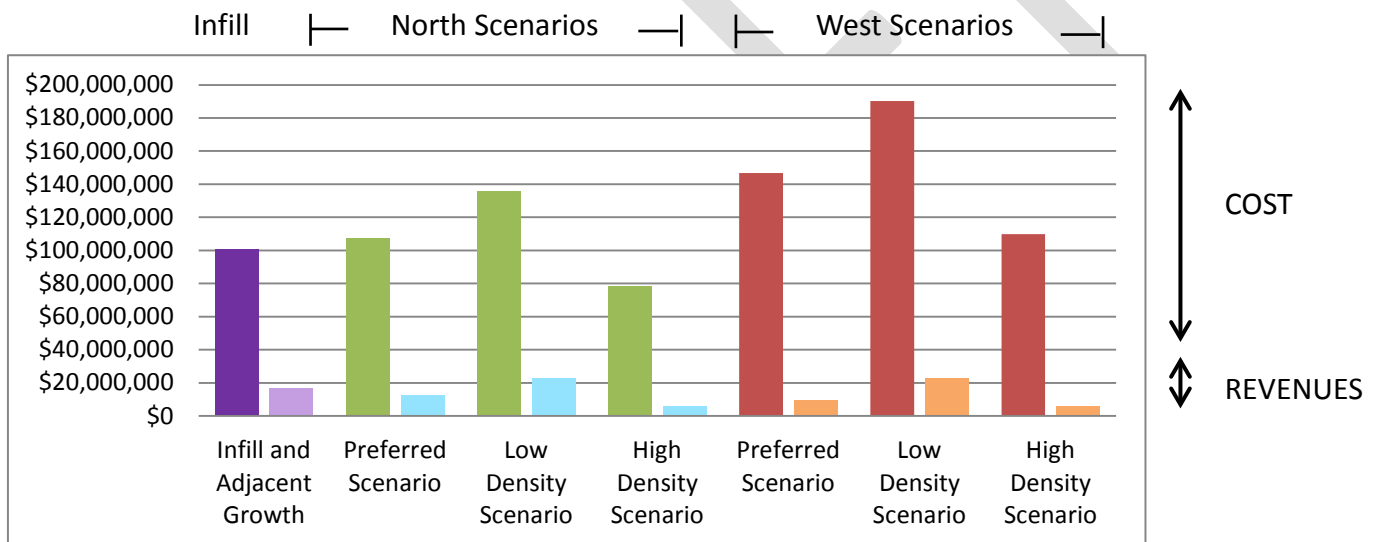
Referring back to the Council’s Strategic Plan goal of “comprehensive, cost-effective, orderly growth”, the planning process also evaluated seven different growth scenarios to estimate the relative cost and revenue of various growth patterns in three separate growth areas: North (around the proposed Inner

Belt Loop), West (west of Shiloh Road) and Infill (existing parcels within the City limits and adjacent properties). The scenarios were developed to accommodate approximately 50,000 more residents.² The costs to provide selected services and facilities the public preferred were calculated for high, low, and mixed residential density scenarios in the North and West growth areas. The residential density used for the infill scenario was based on existing zoning. The revenue estimates were developed by extrapolating the average tax and assessment revenue from existing residential housing developments of comparable densities.

The scenario planning results were looked at three ways:

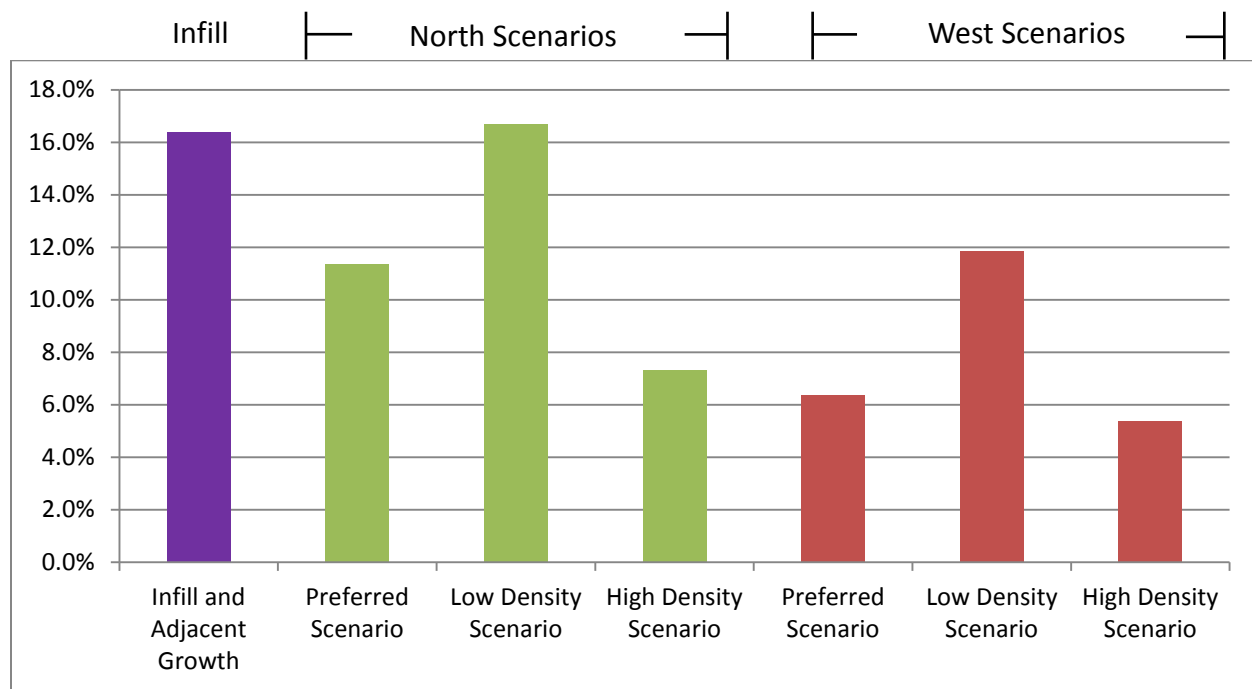
1. Total cost of selected services and facilities and total revenue from housing unit per scenario
2. Total cost of selected services and facilities/total anticipated annual revenue (Return on Investment)
3. Total anticipated annual revenue from residential development/acre

CHART XX. SCENARIO COSTS AND REVENUES



² Between 2010 and 2014, Billings grew from 104,170 to 106,979 using the 2010 Census population estimate and the more recent 2010-2014 American Community Survey estimate. This equates to a 0.7 percent annual growth rate. At this rate, Billings would add only 15,626 people in 20 years. At a more aggressive growth rate of 2.0 percent, Billings would add 50,000 people in 20 years. Two percent annual growth rate was used as an extreme case so as not to underestimate the impacts of growth.

CHART XX. RETURN ON INVESTMENT



The scenario planning data and the values expressed by the public support a general consensus that development of infill parcels and properties adjoining the existing City limits is preferred. Also substantiated by public comment and the scenario planning data, is that a mix of residential densities is also preferred. There are clear revenue advantages to the low density scenarios in terms of return on investments and total revenue per acre, mostly because the revenue generated by higher valued houses on larger lots is greater than any other scenario. However, the infill scenario returns the highest total revenue per acre largely because of the concentrated value on smaller lots and provides a mix of housing. The Policy demonstrates that the Infill and Adjacent Parcels growth pattern is most cost effective. It should be noted that maintenance and replacement costs were not factored into the scenario planning. It stands to reason that infill development will require replacement and repair of existing infrastructure sooner than newer development in the north and west scenarios. This repair and replacement of existing infrastructure will be necessary regardless of the growth area as the majority of the City population still live in areas served by existing infrastructure and rely on this infrastructure.

The primary purpose of the planning process is to formulate a *Growth Policy* for the selected time horizon, or 20 years. In the end, the *Policy* is derived from the comments, goals, objectives and data. The Growth Policy stands as a framework to evaluate future public and private development and investment. The *Policy* is further supported by a *Growth Policy Statement* (vision) and suggested *Growth Guidelines* that can be referred to when making decisions for land use applications and infrastructure projects.

Chapter 2 – Growth Policy Statement and Guidelines

Chapter 4. City of Billings Growth Policy Statement and Guidelines

The Growth Policy Statement and Guidelines provide elected officials and other decision-makers an understanding of the public's vision for future growth and development, and recommendations on how to achieve that vision within the City of Billings in the next 20 years. As stated in state statute, *"a growth policy is not a regulatory document and does not confer any authority to regulate that is not otherwise specifically authorized by law or regulations adopted pursuant to the law,"* MCA 76-1-605(2) (a). It does, however, provide guidance when developing future regulations, policies, and projects. Most specifically, subdivision and zoning regulations are required to *"be made in accordance with the growth policy,"* MCA 76-1-605(1) (c) and MCA 76-2-304(1) (a). State law also provides for the governing bodies *"to be guided by and give consideration"* to the growth policy on other matters including public infrastructure, utilities, and structures, MCA 76-1-605(1).

The Growth Policy Statement may be considered a vision of where and how the City will grow in the next 20 years. The Growth Guidelines describe more specifically what people value and desire as outcomes or objectives and these are categorized under seven headings that define general goals.

City of Billings Growth Policy Statement

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.

Growth Guidelines

Essential Investments (relating public and private expenditures to public values)

- The safety of all users and the connectivity of the transportation system are important criteria to consider in roadway designs and transportation plans
- Public transit and commercial air service are critical to ensure access to and around the City
- Planning and construction of interconnected sidewalks and trails are important to the economy and livability of Billings
- Developed parks that provide recreation, special amenities (community gardens, dog parks, viewing areas), and active living opportunities are desirable for an attractive and healthy community
- Natural landscapes are important because they define the uniqueness of Billings and help protect the environment
- Landscaping of public rights-of-way and entryways makes Billings more visually appealing to residents and visitors

- Public safety and emergency service response are critical to the well-being of Billings' residents, businesses, and visitors
- Infill development and development near existing City infrastructure is most cost effective
- Accessible, friendly and cost-effective government are important public values
- The history and heritage of Billings are cornerstones of our community
- Neighborhoods that are safe and attractive and provide essential services are much desired
- Infrastructure and service investments in areas of the City that stabilize or improve property values are desirable
- It is important to factor in maintenance costs when programming public spaces and infrastructure
- Integrated, long range water planning for acquisition and treatment options is vital
- Regulatory compliant water and wastewater treatment plants that provide sufficient capacity will help sustain community growth
- A supportive school system that inspires, motivates, and prepares students for meaningful employment is important for ensuring a high quality, competitive community

Place Making (Enhance, maintain, preserve, and improve existing public places)

- A multi-use community recreation facility is desirable
- Enhancement and maintenance of public spaces and buildings through City stewardship is integral to a vibrant community
- Park master plans and transportation plans are important to facilitate the preservation and improved public access to the Yellowstone River and the Rims
- Public and private partnerships are valuable for creating enhanced entryways into Billings
- The preservation of prime agricultural farmland through public programs and/or public/private partnerships will help sustain agriculture and locally grown food
- The history and heritage of Billings are cornerstones of our community
- Natural landscapes are important because they define the uniqueness of Billings and help protect the environment and beautify neighborhoods
- Encouraging the installation of art in public spaces enhances the places and showcases the talents and diversity of the community

Community Fabric (attractive, aesthetically pleasing, uniquely Billings)

- Developed landscape areas in commercial areas encourage more pedestrian activity and vibrant commercial activity
- Attractive streetscapes provide a pleasant and calming travel experience in urban and suburban neighborhoods
- Outdoor public spaces provide casual and relaxing gathering areas for people
- Planning and construction of interconnected sidewalks and trails are important to the livability of Billings

- Developed parks that provide recreation, special amenities, and active living opportunities are desirable for an attractive and healthy community
- Natural landscapes and parks are important because they define the uniqueness of Billings and help protect the environment
- Landscaping of public rights-of-way and entryways makes Billings more visually appealing to residents and visitors

Strong Neighborhoods (livable, safe, sociable and resilient neighborhoods)

- Zoning regulations that allow a mixture of housing types support diverse neighborhoods
- Walkable neighborhoods that permit convenient destinations such as neighborhood services, open space, parks, schools and public gathering spaces foster health, good will and social interaction
- Safe and livable neighborhoods can be achieved through subdivision design that focuses on complete streets, pedestrian-scale street lights, street trees and walkable access to public spaces
- Neighborhoods that are safe and attractive and provide essential services are much desired
- Zoning and subdivision regulations that utilize Crime Prevention Through Environmental Design (CPTED) strategies result in safer neighborhoods
- Implementation of the Infill Policy is important to encourage development of underutilized properties
- Public safety and emergency service response are critical to the well-being of Billings' residents and businesses

Home Base (healthy, safe and diverse housing options)

- A mix of housing types that meet the needs of a diverse population is important
- Implementation of the Infill Policy is important to encourage development of underutilized properties
- The Housing Needs Assessment is an important tool to ensure Billings recognizes and meets the demands of future development
- Common to all types of housing choices is the desire to live in surroundings that are affordable, healthy and safe
- Planning and construction of interconnected sidewalks and trails are important to the economy and livability of Billings
- Public safety and emergency service response are critical to the well-being of Billings' residents
- Homes that are safe and sound support a healthy community
- Accessory Dwellings provide an important type of affordable housing options
- Energy efficient housing can reduce energy consumption

Mobility and Access (transportation choices in places where goods and services are accessible to all)

- Connecting people to places with transportation choices is vital to the well-being of Billings' residents, businesses and visitors
- Safe and accessible transportation systems benefit everyone's quality of life
- Transit routes to popular destinations and extended route hours are much desired
- Development oriented to transit routes will provide more transportation choices and is preferred
- "Safe Routes to Schools" promotes physical health and reduces vehicle trips, earning parents more time and less costs for transportation
- Planning and construction of interconnected sidewalks and trails are important to the economy and livability of Billings
- On-street bike facilities promote predictability for all users
- Expanded air service ensures that Billings remains a competitive and an accessible destination
- Technology can reduce congestion and facilitate emergency vehicle travel at railroad crossings

Prosperity (promoting equal opportunity and economic advancement)

- Equitable City taxes and assessments are important to Billings' taxpayers
- A diversity of available jobs can ensure a strong Billings' economy
- Successful businesses that balance living wages with economic growth benefit the community
- Community investments that attract and retain a strong, skilled and diverse workforce also attracts businesses
- Retaining and supporting existing businesses helps sustain a healthy economy
- Continued workforce training benefits the community and helps attract and retain businesses

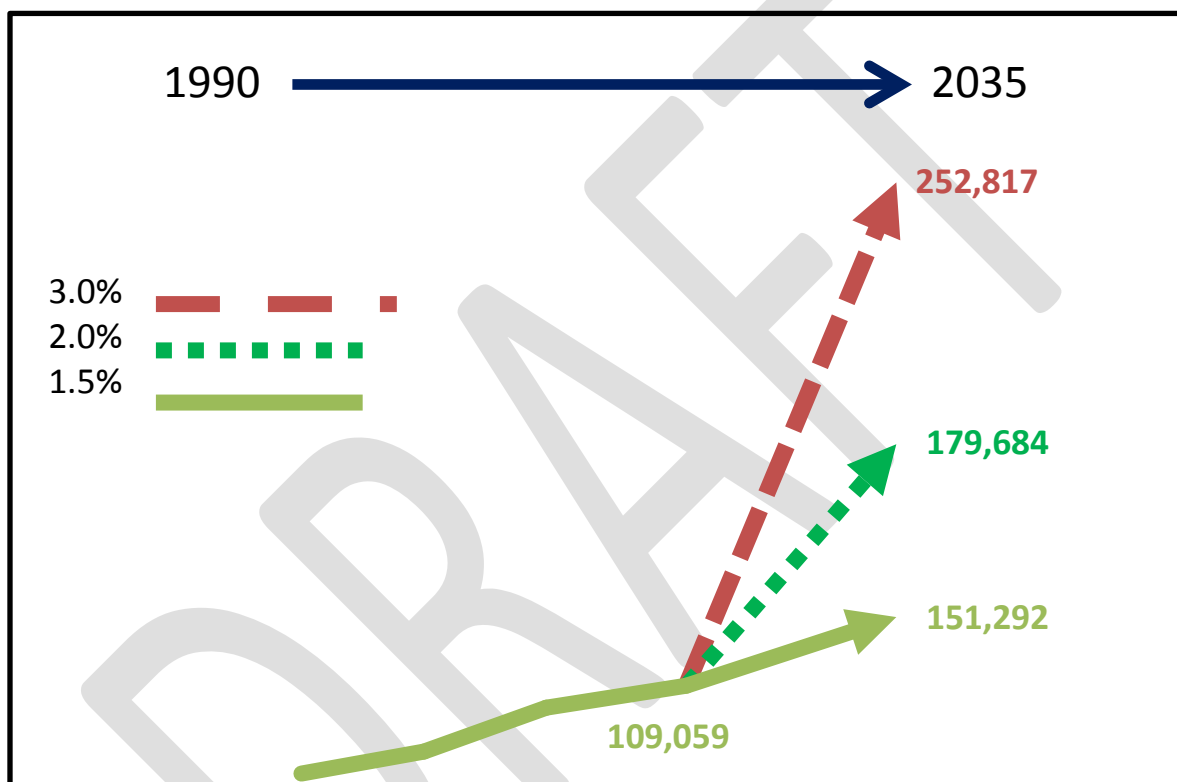
CHAPTER 3 – Billings – Then, Now, and Beyond...

5. Billings – Then, Now, and Beyond

Demographics

Early in the public comment phase of the planning process, the public was shown a graph with 3 potential growth rates (Figure 1): One was based on past trends; two were examples of what a slight increase in the growth rate could mean in terms of population increase. None was meant as a projection.

FIGURE XX. POPULATION INCREASE BASED ON SAMPLE GROWTH RATES



The best population data comes from the Decennial Census compiled by the US Census Bureau. Population data for Billings from the last thirteen decades is shown in Table xx. The 2015 estimate is also provided by the Bureau of Census, from the Annual Estimates of Resident Population, 2015 Population Estimates. The average annual growth rate since 1990 is 1.5%.

TABLE XX. CITY OF BILLINGS POPULATION CHANGE OVER THIRTEEN DECADES

Decade	City of Billings	Avg. Annual Growth Rate
1890	836	
1900	3,221	28.5%
1910	10,031	21.1%
1920	15,100	5.1%
1930	16,380	0.8%
1940	23,261	4.2%
1950	31,834	3.7%
1960	52,851	6.6%
1970	61,581	1.7%
1980	66,798	0.8%
1990	81,151	2.1%
2000	89,847	1.1%
2010	104,170	1.6%
2015	110,263	1.2%

The population of Billings is getting increasing older, with the majority of population between the ages of 25 and 65, as shown in Table xx. The average age increased from 2000 to 2010 by almost a year. Since 1980, it has increased nearly 8 years.

TABLE XX. POPULATION AGE BY DECADE, 1980 – 2010

Age	1980		1990		2000		2010	
	Total Population	Percent of Total	Total Population	Percent of Total	Total Population	Percent of Total	Total Population	Percent of Total
Under 5	4,907	7.35%	6,021	7.42%	5,882	6.55%	7,293	7.00%
5 to 9	4,673	7.00%	5,804	7.15%	5,985	6.66%	6,457	6.20%
10 to 14	4,635	6.94%	5,848	7.21%	6,063	6.75%	6,070	5.83%
15 to 19	6,032	9.03%	5,501	9.78%	6,290	7.00%	6,325	6.07%
20 to 24	7,377	11.04%	5,345	6.59%	6,483	7.22%	7,654	7.35%
25 to 34	11,801	17.67%	14,096	17.37%	11,869	13.21%	15,318	14.70%
35 to 44	7,071	10.59%	12,433	15.32%	13,882	15.45%	12,025	11.54%
45 to 54	6,664	9.98%	8,145	10.04%	12,284	13.67%	14,799	14.21%
55 to 64	6,401	9.58%	6,973	8.59%	7,770	8.65%	12,623	12.12%
65 to 74	4,424	6.62%	6,319	7.79%	6,464	7.19%	7,508	7.21%
75+	2,813	4.21%	4,666	5.75%	6,875	7.65%	8,098	7.77%
Total	66,798	100%	81,151	71.55%	89,847	100%	104,170	100.00%
Median Age	29.3		33.7		36.8		37.5	

Population Projections

Historic trends are often used to make predictions on future growth rates, but how far back should you go? Considering the last four decades, a reasonable estimate would be 1.5 percent per year. At this

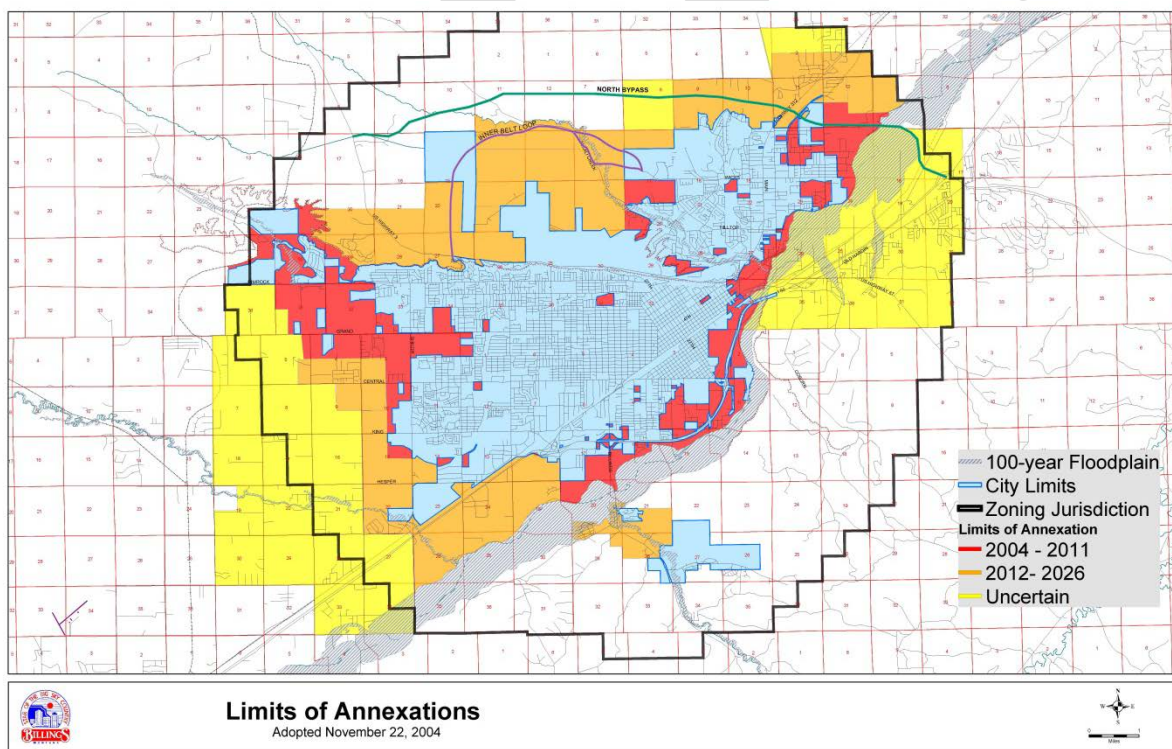
rate, Billings would add approximately 42,233 people by 2035. However, trends are not necessarily destiny. Many events will happen that will likely change the predictions: another Bakken oil play, another recession, recruitment of a major employer, loss of a major employer. Population projections based on trends should be used with caution, but given the stability of our economy, the quality of our schools, and the continuing improvement to our quality of life, a 1.5 percent annual increase is not unreasonable prediction.

Land Use

Current Planning

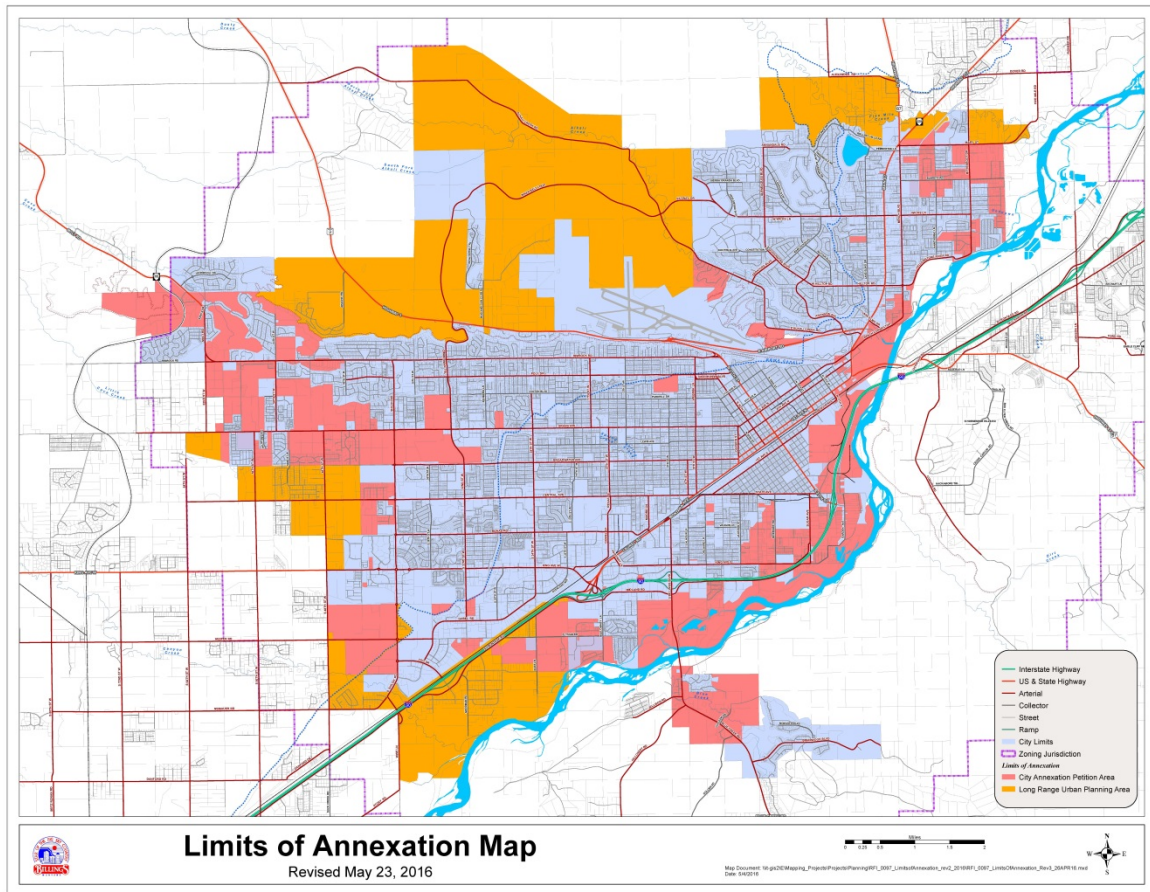
The City of Billings has added 1.0 square miles since 2014 and is currently at 42.9 square miles. It is still the largest city in Montana. Roughly one-third of the city is zoned for commercial use, 12 percent for industrial use, and the remainder as residential. As property is annexed, it is zoned according to the City zoning designation closest to what it was zoned in the County. Most of annexations have been residential. However, property owners that intend to develop soon after annexation rezone their property to suit at the same time as annexation. The City's Annexation Policy has done much to manage

MAP XX. LIMITS OF ANNEXATION, 2004



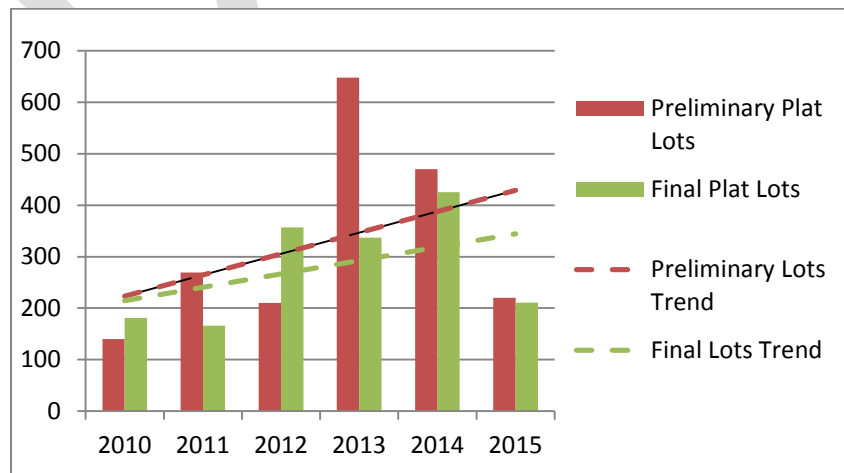
the expansion of the City since its adoption in 2004. The maps below show the change in city limits and limits of annexation from 2004 to 2016.

MAP XX. LIMITS OF ANNEXATION, 2016



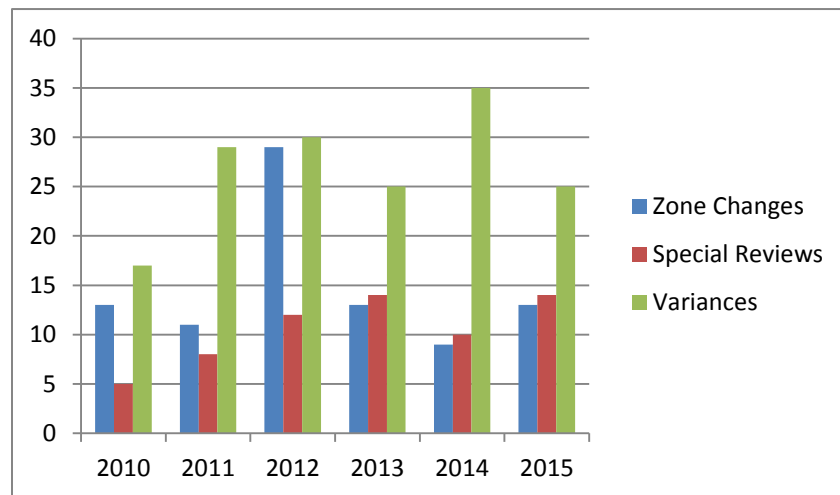
Commensurate with growth are changes in zoning, Special Reviews, Variances and subdivision activity. The number of lots created through subdivision steadily increased since 2010, but fell off sharply in 2015 as the chart below shows. A total of 1,677 lots were created since 2010.

CHART XX. LOTS CREATED BY SUBDIVISION 2010 – 2015



With the exception of 2012, when there were 29 zone changes, the zoning activity remained fairly consistent. Chart xx shows the number of Zone Changes, Special Reviews, and Variances processed in the City between 2010 and 2015.

CHART XX. CITY ZONING ACTIVITY 2010 – 2015



Housing

In 2010, Billings had an estimated 46,317 housing units. The number of units has increased significantly since then. The City Building Division issued permits for almost 3,000 new units, including 2,006 single family units and 258 duplex units. Building permits were also issued for 465 multi-family structures containing at least 3 units apiece but many of them were 4 to 10 unit structures so the estimate of total units built is probably low.

The greater Billings area housing market continues to be strong in 2016 but is showing signs of adjustment. Pending sales in March, 2016 were 447 compared to pending sales in 2015 which were 396. In 2006, before the recession, pending sales were 320. Other signs of a strong market include closed sales, up 7 percent, inventory 20 percent and interest rates down -2 percent.³ There are, however, some negative aspects of the market that need to be recognized.

Activity in the Bakken Oil Field in North Dakota and Montana has slowed considerably due to a significant decrease in oil prices. In April 2015, the drilling rig count in North Dakota was 88. In 2016 the rig count dropped to 27 and no rigs were drilling in Montana in 2016. The regional coal industry has also been negatively affected recently. Montana coal production is down by one third from 2015⁴ and Arch Coal has declared bankruptcy and laid off workers, and Colstrip coal-fired generators are being threatened by out-of-state clean energy interests.⁵ The effect on the local real estate market does not

³ Howard Sumner, Howard Sumner Real Estate, Market Update at a Glance, March 2016.

⁴ Billings Gazette, Montana Coal Production Down a Third, June 9, 2016

⁵ Billings Gazette, Washington Plans for Colstrip's Closure, but Stops Short of Ordering It, Mar 9, 2016

appear to be significant at this time but may result in fewer families and individuals associated with the oil and coal industries moving to Billings and purchasing homes.

A problem identified in the 2012 Analysis of Impediments to Fair Housing Choice, concerns social equity and possible discriminatory housing practices.⁶ The study reported Billings as having a dual housing market; one for Whites and Asians and one for American Indians, Hispanics and African Americans. The concentration of minorities in some neighborhoods which coincides with areas of low income is characteristic of discrimination which *distorts* a free housing market. A free housing market may be distorted by practices such as racial steering, mortgage lending discrimination, discriminatory advertising, discriminatory rental policies, mortgage and insurance redlining or discriminatory appraisals.

Another problem facing the Billings' housing market is affordability for our most vulnerable populations:⁷

- Small family households (two to four members) with incomes from zero to 80% of the Area Median Income (AMI).
- Households with members aged at least 75 years with incomes from 30% to 80% AMI.

The following text is excerpted from the FY2015 – 2019 Consolidated Plan:

“The greatest housing need in Billings is the development and renovation of affordable housing for both owners and renters with incomes from zero to 80% AMI. Local housing options are limited due to cost burden, low vacancy rates and increased competition for available units.

According to the American Community Survey data, population growth appears to be keeping pace with the number of available housing units in Billings, However, more recent data point to a higher number of people experiencing homelessness and a considerably tight rental market with a vacancy rate of less than two percent. The largest qualifying income category for Community Development programs is the 50% to 80% category at 7,330 households. Excluding total households and households with incomes over 80%, the next largest cohort includes households with incomes between 50% and 80% AMEI (6,315). Small family households are the largest cohorts in all income categories (4,633) followed by those aged at least 75 years (3,387).

Most in demand are smaller affordable rental units, as the Housing Authority of Billings has identified over 1,200 households on the waiting list for rental units with one bedroom. The development of smaller rental units would meet the needs of the Millennials, who prefer to rent small units. It would

⁶ Billings, Montana, Analysis of Impediments to Fair Housing Choice, 2012, Planning/Communications, River Forest, Illinois, April 2013. Commissioned by the City of Billings Community Development Division

⁷ FY2015 – 2019 City of Billings Five Year Consolidated Plan, Community Development Division, April 27, 2015. For reference, the 2015 HOME income limits for a two person household at 80% AMI is \$41,100 and for a four person household the limit is \$51,350.

also support the needs of elderly, who may prefer to rent or purchase maintenance-assisted condominiums.”

Transportation

According to the 2015 statistics maintained by the City Public Works Department, Billings has 544.4 miles of streets and 124.2 miles of alleys. This is a 3.5 percent increase in total street and alley miles since 2008. In Billings, streets are classified by their function in the overall context of the highway transportation system. The functional classification system is established by the following hierarchy:

Freeways – serve high speed, long distance travel movements and provide limited access to adjacent lands. Interstate 90 is the only freeway designated route in Billings.

Principal Arterials – intended to serve higher volumes of traffic, particularly through-traffic at higher speeds. Examples of this classification include Shiloh Road, 24th Street West, N 27th Street, Main Street, Rimrock Road, Zimmerman Trail, Grand Avenue and King Avenue West, just to name a few major arterials. Minor arterials include King Avenue East, State Street, North 30th, Aronson and Poly Drives.

Collectors – represent the intermediate class and collect traffic from the local street system and link travel to the arterial roadway system. Examples of collectors include Lake Elmo Drive, Parkhill Drive, Calhoun Boulevard, 19th Street West and 29th Street West.

Local Roads and Streets – these roadways carry locally generated traffic at relatively low speeds. Local streets provide connectivity through neighborhoods and are generally designed to discourage cut-through traffic.

A map showing the classification of the Billings street network is available on the City’s website: <http://ci.billings.mt.us/DocumentCenter/View/26253>. A full description of the functional classifications and the City street network is provided in the 2014 Billings Urban Area, Long Range Transportation Plan.⁸

The City approves a Capital Improvement Plan each year for capital projects in excess of \$25,000 that are planned for a six fiscal year time frame. The plan identifies the project, years in which the expenditures will be made, the cost of the project per year, and the funding source(s). The last five CIPs list the following projects and the primary funding sources for road improvements and reconstruction. The table below shows the amounts in each funding source that were listed in the year the CIP was approved by City Council.

⁸ 2014 Billings Urban Area Long Range Transportation Plan, prepared for City of Billings/Yellowstone County Metropolitan Planning Area by Kittelson & Associates, Inc. and DOWL HKM, Inc., August 2014.

CHART XX. FUNDING SOURCES FOR TRANSPORTATION PROJECTS LISTED IN THE CIP.

Funding Source	FY2012	FY2013	FY2014	FY2015	FY2016
Storm Drain Bonds	\$0	\$9,000,000	\$4,000,000	\$10,253,750	\$0
Safe Routes to School	\$0	\$25,000	\$0	\$0	\$0
Community Development Block Grants	\$0	\$25,000	\$0	\$0	\$0
Sidewalk Bonds	\$0	\$200,000	\$200,000	\$200,000	\$400,000
Gas Tax	\$570,436	\$3,650,000	\$3,375,000	\$3,537,000	\$2,867,000
Storm Drain	(\$2,290,000)	\$2,202,500	\$817,250	\$2,802,500	\$1,325,000
Public Works Bond Utility Repair	0	\$5,000	\$5,000	\$0	\$0
Street Maintenance Fees	\$0	\$0	\$0	\$0	\$0
Special Improvement Bonds	\$1,200,000	\$1,000,000	\$800,000	\$1,000,000	\$800,000
Street Lights	\$0	\$5,000	\$5,000	\$0	\$0
Developer Contributions	\$0	\$0	\$0	\$59,800	\$0
State & Federal	\$0	\$0	\$7,400,000	\$0	\$0
Tax Increment Financing	\$0	\$330,000	\$2,300,000	\$2,200,000	\$3,300,000
Community Transportation Enhancement Program (federal)	\$170,564	\$0	\$415,000	\$0	\$0
BSEDA	\$0	\$0	\$120,000	\$0	\$0
Arterial Fees	\$400,000	\$2,250,000	\$4,500,000	\$3,050,200	\$0
Unfunded		\$0	\$0	\$0	\$4,120,000
Total	\$60,000	\$9,692,500	\$23,937,250	\$23,103,250	\$12,812,000

Billings enjoys more than 37 miles of paved, off-street multi-use trails. The trail network includes trails through parks, such as Swords Park trail; trails within road rights-of-way, such as Zimmerman Trail and Shiloh Road, and trails within other City right-of-way, such as the Kiwanis trail. These trails function both for commuters and recreationist. Eleven miles of soft surface trails through Riverfront, Two Moon, and Phipps Parks and around Lake Elmo provide recreational opportunities to pedestrians and bicyclist alike. There are also over 17 miles of on-street bicycle facilities such as bike lanes and sharrows around the City that are used primarily by commuters.

Trail usage has steadily increased over the last 5 years. Based on annual trail counts, the number of users has almost doubled from 2008 to 2012. The City is now maintaining annual trail counts at fixed and random locations to document trail usage. The City produces a number of planning documents that report on the state of pedestrian and bicycle facilities that are updated periodically:

CHART XX – BICYCLE AND PEDESTRIAN PLANNING DOCUMENTS UPDATE SCHEDULES

Planning Document	Last Update	Scheduled Update
Billings Area Bikeway and Trail Master Plan	2011	2016
Complete Streets Progress Report	2013	2016
Long Range Transportation Plan	2014	2018

In 2011, the City Council adopted the first Complete Streets Policy. Contributors to the first Complete Streets Policy included member of the Healthy by Design Built Environment Workgroup; BikeNet (now TrailNet), Downtown Billings Alliance, Montana Department of Transportation, MET Transit, City Engineering Division, City/County Planning Division and Big Sky Economic Development Authority. The 2011 Policy was repealed and a new policy was adopted by City Council on May 23, 2016. The 2016 Complete Streets Policy “intends to promote and encourage the development of a multi modal transportation system that will provide access to all users where practicable.” The policy provides definitions and outlines implementation procedures that provide a framework for planning and designing the City’s transportation network.

MET Transit, the City’s public transit provider, currently operates with 17 routes and has two primary transfer centers. MET operates 41 fleet vehicles all containing wheelchair lifts or ramps and two-slot bicycle racks. In 2016, MET intends to modify its current routes by eliminating some routes (2, 4, 6, and 8) and changing other routes and hours of service. The changes will add or enhance service to the new two middle schools as well as increase evening service to the Heights.

Public Utilities

Schools

Natural Resources

Chapter 5 – Community Goals

Goal



ESSENTIAL INVESTMENTS – prioritize public and private investment in areas, policies, programs and projects that achieve the community vision as described in the Growth Policy Statement:

“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.”

Essential Investments are where and how the public and private sectors should spend their time and resources. These policies, programs or projects are considered extremely important to achieve the community vision. For budgeting public funds, the objectives should be considered priorities. These objectives may also guide private investments in our community.

Objectives

Locations for investments

- Infill and contiguous County properties
- Downtown
- Urban Renewal Districts
- Interstate Interchanges
- Major Arterials
- Inner Belt Loop
- West End

Public Services

- Public safety
- Schools
- Planning
- Parks and Recreation
- Snow removal
- Street maintenance
- Trail maintenance

Infrastructure

- Integrated water systems

Regulation

- Animal control
- Traffic control
- Architectural control
- Growth management
- Water conservation
- Energy conservation
- Preservation of sensitive natural environments

Businesses

- Neighborhood commercial and public services
- Improved air service
- Recycling programs
- Local businesses
- Local foods

Amenities

- Dog Parks
- Recreation Center/Sports Facility

- Waste water treatment
- Communications
- Street lights

- Branch Libraries
- Convention Center
- Museums

Toolbox



- ❖ Priority based budgeting
- ❖ Fees and assessments
- ❖ Municipal and tax increment finance bonds
- ❖ Grants
- ❖ Mill levies
- ❖ Local option tax
- ❖ City Charter amendments
- ❖ Public/private partnerships
- ❖ Special districts
- ❖ Regulatory changes

Performance Indicators

- Annual tax increment growth in Urban Renewal Districts
- Annual change in the area added to the City
- Number of neighborhood and park master plans prepared annually
- Miles of streets and trails maintained annually
- Quality of waste water discharge at the treatment plant measured annually
- Annual number of vehicle crashes
- Annual change in the average dwelling units per acre within the City limits
- Acres of land zoned for neighborhood commercial services measured annually
- Number of annual business licenses (Business Determination Tax) issued and renewed
- Number of dog parks developed annually

PHOTO

Goal



PLACE MAKERS – Enhance existing public places, create new ones, preserve natural and historic places, and maintain our agricultural landscape to define the community for its residents and improve the quality of life for everyone who lives or visits.

The Billings area should continue to make places that we all enjoy by preserving and improving public space as well as the natural and historic landscape to bring the community together where people are comfortable and share activities. These places are ones that you go back to, share with visitors and recall when someone asks you to describe your community.

Objectives

Enhanced public spaces

- Parks
- Public property
- Interstate interchanges
- Street corridors

Public Services

- Recreation center/sports facility
- Branch libraries

Protection and Preservation

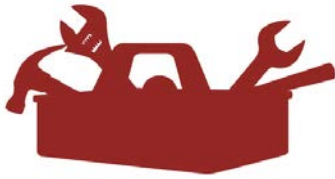
- Historic preservation controls
- Integrated landscape and storm water controls
- Preservation of viewsheds
- Preservation of natural areas
- Preservation of historic places

Amenities

- Yellowstone River access
- Rimrock views and access
- Preserved agricultural lands
- Museums

PHOTO

Toolbox



- ❖ Landscaping regulations
- ❖ Site development regulations
- ❖ Zoning regulations
- ❖ Subdivision regulations
- ❖ Agricultural land acquisition program
- ❖ Farm to table program to supply local food
- ❖ Public/private partnerships to develop community facilities
- ❖ City-wide Public Arts Committee program
- ❖ Develop City-owned spaces downtown
- ❖ Local/State coordination for community entryway right-of-way improvements
- ❖ Billings Area Bikeway and Trail Master Plan updates
- ❖ City-Wide Parks Master Plan
- ❖ Rims to Valley Bike/Ped Feasibility Study implementation
- ❖ Highway 3 Corridor Study implementation
- ❖ Prepare and implement park master plans
- ❖ Funding Sources
 - County-Wide Library Levy
 - Transportation Planning Program
 - County-Wide Planning Levy
 - City-wide and Downtown Park District
 - Business Improvement District
 - Tax Increment Finance District

Performance Indicators

- Number of acres of agricultural land preserved every 5 years
- Number of street trees planted in the public right of way annually
- Number of park master plans adopted and implemented (funded) every 5 years
- Number of public art installations added city-wide annually
- Miles of trails added annually
- Gallons of storm water retained annually using landscaping (use project design calculations)
- Number of community events held in public spaces community-wide annually
- Access, trail, historic place improvements along Highway 3 built every 5 years
- Two branch libraries opened
- Recreation Center opened
- Annual number of visitors to City parks

Goal



COMMUNITY FABRIC - is what makes the City of Billings unique, attractive, a desirable place to live and aesthetically pleasing to residents and visitors.

Community fabric can make Billings a draw to others looking for a place to call home.

A Strong community promotes the City's appeal to residents, businesses and visitors. Elements of community fabric include access to outdoor activities, enjoyment of urban greenspace and participation in a rich cultural heritage.

Objectives

Attractive entryways

- Require trees and landscaping
- City Beautification
- New zoning code
- Design standards

Neighborhood parks

- Require developers to build parks
- Variety of parks
- Small neighborhood parks
- More natural areas

Green space in commercial areas

- More places to enjoy trees
- More Green Space in commercial development
- Green space and landscaping in Downtown
- New zoning code
- More attractive freeway frontage

Vibrant Downtown

- Pocket parks downtown
- Shopping and Dining Choices
- Green Buildings
- Fun centers / Science centers
- Museums
- Walking mall in downtown

Outdoor public spaces

- Downtown Square
- Dog parks
- Community Gardens
- River Access

Recreation/cultural opportunities

- Marathon loop
- Bike Trails
- Make use of river frontage
- Paths between neighborhoods
- Walkable paths through the city

Preserve Our History

- Protect Rims
- Protect River
- Historic buildings

Toolbox



- ❖ Landscape/Zoning regulations
- ❖ Infill policy implementation
- ❖ Updated Engineering Site Development code
- ❖ Connectivity of streets and pedestrian facilities
- ❖ Integrated storm water management
- ❖ Cultural Partner Funding
- ❖ City forestry program
- ❖ Prepare city wide park program
- ❖ Local Historic Districts
- ❖ Grassroots community groups

Performance Indicators

- Park acreage increase
- Reduced Urban Heat Islands
- More walkable public and commercial areas
- Commercial, cultural and recreational options in the downtown core
- More miles of trails
- Walkable conveniences near residential development
- Aesthetically pleasing streetscapes
- Increased outdoor green spaces downtown

PHOTO

Goal



STRONG NEIGHBORHOODS – Create and enhance strong neighborhoods that are clean and safe with streets and public places that provide convenient access for our most vulnerable citizens – our children and grandparents. A strong neighborhood is a place where we will be comfortable no matter our age, income or heritage and provides gathering spaces to encourage everyday interaction between residents.

Billings is a city of neighborhoods. A neighborhood can be as small as 1 block of houses between 2 intersections or as large as a 400 homes in a distinctive subdivision. How our neighborhoods are designed and built sets a course for its livability, safety, sociability and resilience.

Objectives

Safe, accessible and comfortable places for people to walk and gather

- Neighborhood green space, play spaces and parks
- Neighborhood events
- Street trees
- Complete sidewalks
- Street and pedestrian lighting
- Neighborhood Watch programs

Access to everyday conveniences within walking distance

- Complete neighborhoods
- Small neighborhood businesses for services

Housing choices for all ages and families

- Mixed housing types

Interconnected network of sidewalks and trails that are safe at all times

- Complete sidewalks
- Billings Bikeway and Trail Master Plan
- Pedestrian lighting

Connect Neighborhoods

- Public transit
- Billings Bikeway and Trail Master Plan
- Sidewalks and trails

Attractive and safe neighborhood streets

- Low-speed design
- On-street parking
- Street trees

Toolbox



- ❖ Complete Streets Policy
- ❖ Zoning regulations
- ❖ Site design standards
- ❖ Subdivision regulations
- ❖ Landscape regulations
- ❖ General Obligation Bonds
- ❖ Neighborhood Grant Program
- ❖ Special Improvement Districts (city-wide)
- ❖ Neighborhood Task Forces
- ❖ Grassroot organizations

Performance Indicators

- Crime rate
- Carbon emissions monitoring
- Community Health Impact Assessment
- Conflicts/crashes between vehicles and bicycles and pedestrians
- Happiness quotient ☺
- Vehicle crashes
- Housing + Transportation Index TM
- WalkScore TM

PHOTO

Goal



HOME BASE – Enable a home environment for all residents that is healthy, safe and affordable, and offers a choice of housing options.

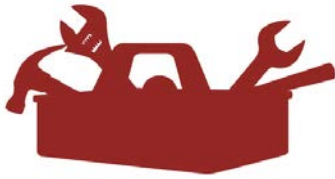
Residents of Billings prefer a choice of housing that is healthy, safe, and affordable. The resident's age and household diversity create needs that are no longer served by only the traditional single family home. For many residents, lifestyle dictates the type of housing preferred. Busy households without children or households with aging residents may opt for smaller, more compact homes, even apartments. Larger households with children might prefer single family homes on small to large lots. Common to all types of housing choices is the desire to live in surroundings that are affordable, healthy and safe.

Objectives

- Housing Options
- Affordability
- Safety
- Convenience
- Healthy
- Energy Efficient

PHOTO

Toolbox



- ❖ Housing Needs Assessment
- ❖ Subdivision regulations
- ❖ Accessory Dwelling Units
- ❖ Affordable housing incentives/requirements
- ❖ Infill Policy
- ❖ Public/private partnerships
- ❖ Urban fringe subdivision standards
- ❖ Neighborhood Planner/Coordinator
- ❖ Housing rehabilitation program
- ❖ First Time Home Buyer program
- ❖ Land Bank
- ❖ Foreclosure and acquisition program
- ❖ Affordable housing project

Performance Indicators

- Number of new residential building permits by Neighborhood Task Force area
- Housing + Transportation Index TM
- Crime rate
- Number of Nuisance Code violations by Neighborhood Task Force area

PHOTO

Goal



MOBILITY AND ACCESS - The transportation system is designed to be safer and more efficient for all users.

A transportation network allows people to make transportation mode choices that work best for them and helps reduce traffic congestion, protect air quality and promote public health. Mobility and access means projects, policies and programs that ensure transportation choices in places where goods and services are accessible to residents.

Objectives

Connectivity

- People to places
- North, South, East and West
- Vehicles, bicycles and pedestrians
- Neighborhoods and Subdivisions
- Essential services
- Bus routes
- Transportation options
- Public safety
- Safe Routes to School

Accessible

- Essential services
- Public transportation
- Disabled residents
- Safety

Safety

- Predictability of all users
- Bike Lanes
- Separated multi-use facilities
- Boulevard sidewalks
- Safe Routes to School
- Speed control/traffic calming

Transit and Air

- More routes
- Extended hours
- Technology (mobile apps for bus tracking)
- Airport shuttle
- Routes with destination hubs (commercial, medical, recreational)
- Economically stable
- Smaller/energy efficient fleet
- Expand air service

Rail and Freight

- Pedestrian/Bicycle bridge
- Safe railroad crossings (both vehicle and pedestrian)
- Re-establish passenger rail in Billings (southern route)
- Traffic flow

Toolbox



- ❖ Complete Streets Policy
- ❖ Complete Streets Progress Report
- ❖ Long Range Transportation Plan
- ❖ Transportation Planning Studies
- ❖ Billings Bikeway and Trail Master Plan
- ❖ Transportation Demand Management (TDM) Strategies
- ❖ Federal, State and Local Grants
- ❖ Permanent local non-motorized funding
- ❖ Targeted traffic enforcement
- ❖ Data
- ❖ Zoning Regulations
- ❖ Subdivision Regulations
- ❖ Site development requirements
- ❖ Inter-agency cooperation (planning/projects)
- ❖ Private/public partnerships
- ❖ Connected Node Ratio
- ❖ MET mill levy

Performance Indicators

- Crash rates
- Ridership/modal splits
- Travel times
- Community health indicators
- ISO rating
- Air quality
- WalkScore[™]
- Housing + Transportation Index[™]
- Livability index

PHOTO

Goal



PROSPERITY – enable “a diverse, welcoming community where people prosper and business succeeds.”

VISION STATEMENT, CITY OF BILLINGS FY 2015-2019 CITY COUNCIL STRATEGIC PLAN

As Billings grows, its population becomes more diverse in terms of age, race, ethnicity, and culture. Every individual has the right to enjoy a quality of life that is free from discrimination and provides equal opportunity for social and economic advancement. As the Vision Statement in the Council’s Strategic Plan states, Billings strives to welcome this diversity and create a community that encourages individual and commercial success. Government’s role is to ensure charges, fees, taxes and assessments are equitable and reasonably related to the services it provides. Both the public and private sector can contribute to the prosperity of the City by attracting and retaining businesses that pay living wages.

Objectives

City Taxes and Assessments

- Affordable
- Equitable

Job Creation

- Professional jobs
- Competent workforce
- Living wages
- Business development

Tax and Assessment Reform

- Local Taxing Authority
- Equalization (revenue neutral)

PHOTO

Toolbox



- ❖ Impact Fees
- ❖ Tax Incentives
- ❖ Workforce training and recruitment
- ❖ Resort Tax
- ❖ Local Option Tax
- ❖ Tiered assessments (based on location)

Performance Indicators

- Annual net job growth
- Annual change in average wages with and without benefits
- Annual change in median home prices
- Annual change in median household income
- Annual amount of tax revenue received from local authority tax

PHOTO

DRAFT

APPENDICES

RESOLUTION NO. 16 - _____

RESOLUTION OF INTENT TO ADOPT THE 2016 CITY OF BILLINGS GROWTH POLICY.

WHEREAS, pursuant to Section 76-3-601, et. seq. of the Montana Code Annotated, the governing body may adopt by resolution a Growth Policy for all or part of the jurisdictional area of the Yellowstone County Board of Planning. The 2016 City of Billings Growth Policy applies only to the City of Billings which lies completely within the Planning Board's jurisdiction;

WHEREAS, the Growth Policy contains those elements listed in subsection (3) §76-1-601, MCA;

WHEREAS, on the 28th day of June, 2016, a public hearing was held by the Yellowstone County Board of Planning for the purpose of receiving public comments on the proposed Growth Policy;

WHEREAS, The Yellowstone County Board of Planning by Resolution 16-02, recommends the adoption of the proposed Growth Policy;

NOW, THEREFORE, BE IT HEREBY RESOLVED,

It is the intent of the Billings City Council, to adopt the 2016 City of Billings Growth Policy. The City Council hereby gives notice by Resolution of Intent that it will act on the Resolution to Adopt on July 25, 2016. By approving this Resolution of Intent, the City of Billings City Council acknowledges the Growth Statement and Guidelines for the City of Billings, Montana:

City of Billings Growth Policy Statement

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.

Growth Guidelines

Essential Investments (relating public and private expenditures to public values)

- The safety of all users and the connectivity of the transportation system are important criteria to consider in roadway designs and transportation plans
- Public transit and commercial air service are critical to ensure access to and around the City
- Planning and construction of safe and affordable interconnected sidewalks and trails are important to the economy and livability of Billings.
- Developed parks that provide recreation, special amenities (community gardens, dog parks, viewing areas), and active living opportunities are desirable for an attractive and healthy community
- Natural landscapes are important because they define the uniqueness of Billings and help protect the environment

- Landscaping of public rights-of-way and entryways makes Billings more visually appealing to residents and visitors
- Public health and safety and emergency service response are critical to the well-being of Billings' residents, businesses, and visitors
- Infill development and development near existing City infrastructure is most cost effective
- Accessible, friendly and cost-effective government are important public values
- The history and heritage of Billings are cornerstones of our community
- Neighborhoods that are safe and attractive and provide essential services are much desired
- Infrastructure and service investments that stabilize or improve property values, secure future utility costs, consider maintenance costs, and improve our environmental quality far into the future (i.e. energy efficient) are desirable
- It is important to factor in maintenance costs when programming public spaces and infrastructure
- Integrated, long range water planning that better utilizes existing resources and treatment options, and when necessary acquires new ones, is vital.
- Regulatory compliant water and wastewater treatment plants that provide sufficient capacity will help sustain community growth
- A supportive school system that inspires, motivates, and prepares students for meaningful employment is important for ensuring a high quality, competitive community
- A cost/benefit study is important to make cost effective land use decisions

Place Making (Enhance, maintain, preserve, and improve existing public places)

- A multi-use community recreation facility is desirable
- Enhancement and maintenance of public spaces and buildings through City stewardship is integral to a vibrant community
- Park master plans and transportation plans are important to facilitate the preservation and improved public access to the Yellowstone River and the Rims
- Public and private partnerships are valuable for creating enhanced entryways into Billings
- Locally grown foods help sustain agriculture, provide healthy options, and support local businesses
- The history and heritage of Billings are cornerstones of our community
- Natural landscapes are important because they define the uniqueness of Billings and help protect the environment and beautify neighborhoods
- Encouraging the installation of art in public spaces enhances the places and showcases the talents and diversity of the community
- Enhancing public buildings and spaces to be more efficient in their uses of energy, money, and space is important to having a vibrant and livable City

Community Fabric (attractive, aesthetically pleasing, uniquely Billings)

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

- Attractive streetscapes provide a pleasant and calming travel experience in urban and suburban neighborhoods
- Outdoor public spaces provide casual and relaxing gathering areas for people
- Planning and construction of interconnected sidewalks and trails are important to the livability of Billings
- Developed parks that provide recreation, special amenities, and active living opportunities are desirable for an attractive and healthy community
- Natural landscapes and parks are important because they define the uniqueness of Billings and help protect the environment
- Cost-effective landscaping of public rights-of-way and entryways makes Billings more visually appealing to residents and visitors

Strong Neighborhoods (livable, safe, sociable and resilient neighborhoods)

- 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, good will and social interaction
- Safe and livable neighborhoods can be achieved through subdivision design that focuses on complete streets, pedestrian-scale street lights, street trees and walkable access to public spaces
- Neighborhoods that are safe and attractive and provide essential services are much desired
- Zoning and subdivision regulations that utilize Crime Prevention Through Environmental Design (CPTED) strategies result in safer neighborhoods
- Implementation of the Infill Policy is important to encourage development of underutilized properties
- Public safety and emergency service response are critical to the well-being of Billings' residents and businesses

Home Base (healthy, safe and diverse housing options)

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

Mobility and Access (transportation choices in places where goods and services are accessible to all)

- Connecting people to places with transportation choices is vital to the well-being of Billings' residents, businesses and visitors
- Safe and accessible transportation systems benefit everyone's quality of life
- Affordable public transit is much desired
- Development oriented to transit routes will provide more transportation choices and is preferred
- "Safe Routes to Schools" promotes physical health and reduces vehicle trips, earning parents more time and less costs for transportation
- Planning and construction of interconnected sidewalks and trails are important to the economy and livability of Billings
- On-street bike facilities promote predictability for all users
- Expanded air service ensures that Billings remains a competitive and an accessible destination
- Technology can reduce congestion and facilitate emergency vehicle travel at railroad crossings

Prosperity (promoting equal opportunity and economic advancement)

- Predictable, reasonable City taxes and assessments are important to Billings' taxpayers
- A diversity of available jobs can ensure a strong Billings' economy
- Successful businesses that provide local jobs benefit the community
- Community investments that attract and retain a strong, skilled and diverse workforce also attracts businesses
- Retaining and supporting existing businesses helps sustain a healthy economy
- Continued workforce training benefits the community and helps attract and retain businesses
- Strategically placed industrial parks will encourage a more diverse city economy, and will better help manage effluent and emission from industrial processes

APPROVED AND PASSED by the City Council of the City of Billings this 25th day of July, 2016.

THE CITY OF BILLINGS:

BY: _____
THOMAS W. HANEL, MAYOR

ATTEST:

BY: _____
DENISE BOHLMAN, CITY CLERK