

RESOLUTION NO. 98-17385

A RESOLUTION REFERRING ORDINANCE NO 98-5062 AN ORDINANCE AMENDING THE BILLINGS CITY CHARTER TO PROVIDE FOR A DEDICATED MILL LEVY FOR FIRE AND POLICE PURPOSES TO MAINTAIN THE LEVEL OF FISCAL YEAR 1998-1999 SERVICES BY INCREASING THE MILL LEVY OVER THE NEXT FOUR FISCAL YEARS, TO A VOTE OF THE PEOPLE AT AN ELECTION TO BE HELD ON NOVEMBER 3, 1998.

WHEREAS, the City Council of the City of Billings has adopted an ordinance amending the Billings City Charter to provide for a dedicated mill levy for Fire and Police purposes to maintain the level of fiscal year 1998-1999 services by increasing the mill levy over the next four (4) fiscal years; and,

WHEREAS, by law said ordinance must be submitted to a vote of the people; and,

WHEREAS, pursuant to Section 15-10-412(7), MCA, the City Council passed Resolution No. 98-17384, which contains findings concerning the financial need for the proposed tax increase.

WHEREAS, a majority of the electors voting on this question must approve said ordinance to amend the Billings City Charter; and,

WHEREAS, said ordinance should be referred to a vote of the people at the general election to be held on November 3, 1998.

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

1. REFERENCE: Ordinance No. 98-5062, being an ordinance amending the Billings Charter to provide for a dedicated mill levy for Fire and Police purposes to maintain the level of fiscal year 1998-1999 services by increasing the mill levy over the next four (4) fiscal years, is hereby referred to a vote of the people at the regular election to be held November 3, 1998. A full copy of said Ordinance No. 98-5062 is attached hereto, marked Exhibit "A", and by this reference is made a part hereof.

2. FORM OF BALLOT: The form of ballot shall be as provided by law.

3. CERTIFICATION: The City Clerk shall certify this resolution and Ordinance No. 98-5062 to the County Election Official as provided by law.

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

APPROVED AND PASSED by the City Council of the City of Billings this 10 day of August, 1998.



THE CITY OF BILLINGS:

BY: Charles F. Tooley
CHARLES F. TOOLEY MAYOR

ATTEST:

Marita Herold
MARITA HEROLD, CMC CITY CLERK

ORDINANCE NO. 98-5062

AN ORDINANCE OF THE CITY OF BILLINGS, AMENDING THE CITY CHARTER OF BILLINGS, MONTANA TO PROVIDE FOR A DEDICATED MILL LEVY FOR FIRE AND POLICE PURPOSES TO MAINTAIN THE LEVEL OF FISCAL YEAR 1998-1999 SERVICES BY INCREASING THE MILL LEVY OVER THE NEXT FOUR FISCAL YEARS, AND SUBMITTING THE PROPOSED AMENDMENT TO THE ELECTORS OF THE CITY AS PROVIDED BY LAW.

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

Section 1. AMENDMENT. Article I of the City Charter, Billings, Montana, shall be amended as follows:

ARTICLE I--Powers of the City

Section 1.01. Powers of the City. The city shall have all powers possible for a self-government city to have under the Constitution and laws of this state as fully and completely as though they were specifically enumerated in this charter.

Section 1.02. Mill Levy Limit. The council shall not levy more than 74 mills on real and personal property for all purposes, except as specifically authorized by this charter. The mill levy on real and personal property may be increased only by an affirmative vote of a simple majority of the votes cast in an election on this question.

Section 1.03. Mill Levy for Transit. In addition to the mill levy authorized by subsection 1.02 of Article I, the city council may levy not more than ten (10) mills for transit purposes only.

Section 1.04. Mill Levy for Library. In addition to the mill levies authorized by subsections 1.02 and 1.03 of Article I, the city council may levy not more than five (5) mills for the purpose of providing funds for the operation, maintenance and capital needs of the Parmlly Billings Library only.

Section 1.05. Mill Levy to Maintain Level of Fire and Police Services. In addition to the mill levies authorized by subsections 1.02, 1.03 and 1.04 of Article I, the city council may levy not to exceed the amount of mills set out hereafter for the purpose of providing funds to maintain the operation, maintenance and capital needs of the fire department and police department of the city. The increase shall be phased in over the next four fiscal years. The mill levies authorized by this subsection are intended to be permanent,

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are imposed solely to maintain the 1998-1999 level of service funded at \$15,443,284.00, and may only be imposed to pay the additional costs of these services which exceed \$15,443,284.00.

1999/2000 - 5 mills
2000/2001 - 10 mills
2001/2002 - 15 mills
2002/2003 - 20 mills

This Ordinance will be repealed and void if Ordinance Number 98-5063 (to maintain and increase current levels of service and funding) passes.

Section 1.056 Construction. The powers of the city under this charter shall be construed liberally in favor of the city, and the specific mention of particular powers in the charter shall not be construed as limiting in any way the general power stated in this article.

Section 2. REFERRAL TO ELECTORS. That this ordinance shall be referred to the electors of the City of Billings as soon as possible at a regular or primary election by resolution duly and regularly passed by the City Council.

Section 3. EFFECTIVE DATE. That pursuant to law this ordinance shall be effective 30 days after final approval but the amendments to the City Charter shall not be effective until approved by the electors as provided by law.

PASSED by the City Council on first reading this 28 day of July, 1998.

PASSED, ADOPTED and APPROVED on second reading this 10 day of August, 1998.

CITY OF BILLINGS



Charles F. Tralcy
 Mayor

ATTEST:

By Marita Herold
 City Clerk