

### City Council Regular

Date: 10/09/2023  
Title: Public Hearing SID 2925 Allocation of Assessments  
Presented by: Andy Zoeller, Finance Director  
Department: Finance  
Presentation: Yes  
Legal Review: No  
Project Number: 612925

---

### RECOMMENDATION

Staff recommends that the City Council conduct a public hearing and pass the proposed resolution to assess property owners for sidewalk construction costs for SID 2925 (work order 22-07).

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

The improvements constituting the Muldowney Lane Improvements will be the reconstruction of and improvements to Muldowney Lane from the Midland Road/South Frontage Road intersections south to Elysian Road, including two-way left turn lanes, sidewalk on the west side, 10-foot wide multi-use trail on the east side, curb and gutter, storm drain, irrigation, streetlights, and a signalized intersection at the Elysian Road/Muldowney Lane intersection located mid-way between the South Frontage Road and Elysian Road, within the City of Billings. SID No. 2925 (work order 22-07) has been completed by the Finance Department and is ready to spread on the 2023 tax roll.

### ALTERNATIVES

City Council may:

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

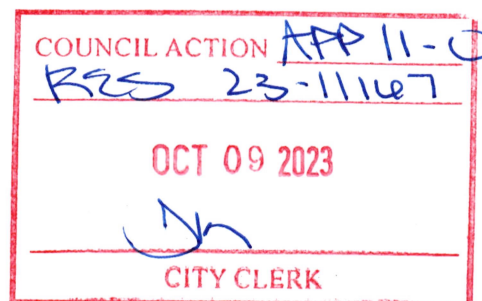
### FISCAL EFFECTS

The total cost spread to the district is \$606,950. Assessments range from \$15,877 to \$114,956 spread over a 12 year period, at an interest rate of 6.47%. The amount assessed per property is stated in the resolution.

---

### Attachments

Resolution SID 2925



## RESOLUTION 23-

### A RESOLUTION LEVYING A SPECIAL ASSESSMENT TAX UPON ALL BENEFITED PROPERTY IN A SPECIAL IMPROVEMENT DISTRICT OR PROJECT KNOWN AS 2925, IN THE CITY OF BILLINGS, MONTANA

WHEREAS, the City created a special improvement district or project known as 2925 and;

WHEREAS, it is necessary to levy a special assessment tax upon each benefited property in the district or project area to defray the cost and expenses of said district or project; and

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

1: LEVY AND ASSESSMENT. That for the purpose of defraying the cost and expense of making improvements in a special improvement district or project known as 2925 of the City of Billings, Montana, there is hereby levied and assessed upon each lot or parcel of land described below, owned by persons respectively indicated, a special assessment tax payable in semi-annual installments with interest. Each lot and parcel assessed and the owner thereof is hereinafter described:

Tax Code /Owner Name /Legal Description	Assessment Amount	Interest Rate	Years Assessed
A28393 ROCKY MOUNTAIN OIL, LLC KELLY SUBD, S18, T01 S, R26 E, BLOCK 1, Lot 1	\$50,618.03	6.470	12
A30784 RUSH, BRUCE HOLIDAY BUSINESS PARK SUB, S17, T01 S, R26 E, BLOCK 1, Lot 1	\$20,518.35	6.470	12
A35455 SLH INDUSTRIAL LLC ZEILER SUB (15), S18, T01 S, R26 E, BLOCK 1, Lot 1	\$66,950.48	6.470	12
C09246 RUSH, BRUCE WEIL SUBD, S17, T01 S, R26 E, BLOCK 4, Lot 1	\$27,349.17	6.470	12

C13283A	\$27,415.43	6.470	12
MCCALL PROPERTIES LLC			
MCCALL BUSINESS BUILDING, S18, T01 S, R26 E, UNIT 100, 26.392% COMMON AREA			
C13283B	\$16,867.00	6.470	12
MCCALL PROPERTIES LLC			
MCCALL BUSINESS BUILDING, S18, T01 S, R26 E, UNIT 200, 28.037% COMMON AREA			
C13283C	\$15,877.37	6.470	12
BRITTANY'S DREAM LLC			
MCCALL BUSINESS BUILDING, S18, T01 S, R26 E, UNIT 300, 45.571% COMMON AREA			
C13294	\$16,513.54	6.470	12
ORIGER LAND LLC			
TITAN SUBD, S18, T01 S, R26 E, BLOCK 3, Lot 1, (02)			
D01897	\$24,953.61	6.470	12
APPLE FRITTER LLC			
S17, T01 S, R26 E, C.O.S. 1191, PARCEL 1A, AMD TR 1			
D01898	\$47,654.40	6.470	12
O E D LLC			
S17, T01 S, R26 E, C.O.S. 1191, PARCEL 1B1, AMEND TR 1B			
D01899	\$78,893.21	6.470	12
BHCC II INC			
S17, T01 S, R26 E, C.O.S. 1191, PARCEL 2B1, AMND 11.942 AC (2000)			
D01901	\$114,956.05	6.470	12
KHAN ORGANIZATION, LLC			
S17, T01 S, R26 E, C.O.S. 1191 AMD, PARCEL 3A & 4A, 2ND AMD 106722 SQ FT			
D01911	\$98,383.35	6.470	12
SLH INDUSTRIAL LLC			
ZEILER SUB (15), S18, T01 S, R26 E, BLOCK 1, Lot 2			

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

3: NOTICE AND HEARING. On Monday, October 9, 2023 at 5:30 p.m., or as soon thereafter as the matter could be considered on the agenda in the Council Chambers of the City Hall, Billings, Montana, the City Council heard objections to the adoption of this resolution. The City Clerk published notice of the public hearing twice, at least six (6) days separating each publication in a newspaper or general paid circulation with a periodicals mailing permit. The final publication was made at least 10 days prior to the hearing as provided in section 7-12-4177, MCA.

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

PASSED AND APPROVED this 9<sup>th</sup> day of October, 2023.

CITY OF BILLINGS:

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

ATTEST:

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

## RESOLUTION 23-11167

### A RESOLUTION LEVYING A SPECIAL ASSESSMENT TAX UPON ALL BENEFITED PROPERTY IN A SPECIAL IMPROVEMENT DISTRICT OR PROJECT KNOWN AS 2925, IN THE CITY OF BILLINGS, MONTANA

WHEREAS, the City created a special improvement district or project known as 2925 and;

WHEREAS, it is necessary to levy a special assessment tax upon each benefited property in the district or project area to defray the cost and expenses of said district or project; and

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

1: LEVY AND ASSESSMENT. That for the purpose of defraying the cost and expense of making improvements in a special improvement district or project known as 2925 of the City of Billings, Montana, there is hereby levied and assessed upon each lot or parcel of land described below, owned by persons respectively indicated, a special assessment tax payable in semi-annual installments with interest. Each lot and parcel assessed and the owner thereof is hereinafter described:

Tax Code /Owner Name /Legal Description	Assessment Amount	Interest Rate	Years Assessed
A28393 ROCKY MOUNTAIN OIL, LLC KELLY SUBD, S18, T01 S, R26 E, BLOCK 1, Lot 1	\$50,618.03	6.470	12
A30784 RUSH, BRUCE HOLIDAY BUSINESS PARK SUB, S17, T01 S, R26 E, BLOCK 1, Lot 1	\$20,518.35	6.470	12
A35455 SLH INDUSTRIAL LLC ZEILER SUB (15), S18, T01 S, R26 E, BLOCK 1, Lot 1	\$66,950.48	6.470	12
C09246 RUSH, BRUCE WEIL SUBD, S17, T01 S, R26 E, BLOCK 4, Lot 1	\$27,349.17	6.470	12

C13283A	\$27,415.43	6.470	12
MCCALL PROPERTIES LLC			
MCCALL BUSINESS BUILDING, S18, T01 S, R26 E, UNIT 100, 26.392% COMMON AREA			
C13283B	\$16,867.00	6.470	12
MCCALL PROPERTIES LLC			
MCCALL BUSINESS BUILDING, S18, T01 S, R26 E, UNIT 200, 28.037% COMMON AREA			
C13283C	\$15,877.37	6.470	12
BRITTANY'S DREAM LLC			
MCCALL BUSINESS BUILDING, S18, T01 S, R26 E, UNIT 300, 45.571% COMMON AREA			
C13294	\$16,513.54	6.470	12
ORIGER LAND LLC			
TITAN SUBD, S18, T01 S, R26 E, BLOCK 3, Lot 1, (02)			
D01897	\$24,953.61	6.470	12
APPLE FRITTER LLC			
S17, T01 S, R26 E, C.O.S. 1191, PARCEL 1A, AMD TR 1			
D01898	\$47,654.40	6.470	12
O E D LLC			
S17, T01 S, R26 E, C.O.S. 1191, PARCEL 1B1, AMEND TR 1B			
D01899	\$78,893.21	6.470	12
BHCC II INC			
S17, T01 S, R26 E, C.O.S. 1191, PARCEL 2B1, AMND 11.942 AC (2000)			
D01901	\$114,956.05	6.470	12
KHAN ORGANIZATION, LLC			
S17, T01 S, R26 E, C.O.S. 1191 AMD, PARCEL 3A & 4A, 2ND AMD 106722 SQ FT			
D01911	\$98,383.35	6.470	12
SLH INDUSTRIAL LLC			
ZEILER SUB (15), S18, T01 S, R26 E, BLOCK 1, Lot 2			

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

3: NOTICE AND HEARING. On Monday, October 9, 2023 at 5:30 p.m., or as soon thereafter as the matter could be considered on the agenda in the Council Chambers of the City Hall, Billings, Montana, the City Council heard objections to the adoption of this resolution. The City Clerk published notice of the public hearing twice, at least six (6) days separating each publication in a newspaper or general paid circulation with a periodicals mailing permit. The final publication was made at least 10 days prior to the hearing as provided in section 7-12-4177, MCA.

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

PASSED AND APPROVED this 9<sup>th</sup> day of October, 2023.



CITY OF BILLINGS:

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

ATTEST:

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