

AGENDA

*The City of Hardin
406 N. Cheyenne Avenue
Hardin, MT 59034*

June 21, 2016

PUBLIC HEARING at 7:15 p.m. – Budget Amendments

MEETING CALLED TO ORDER AT 7:30 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL: Mayor: _____,
Alderspersons: Karen Molina_____, Clayton Greer_____, Kenny Kepp_____,
Harry Kautzman_____, Jeremy Krebs_____, Darren Zent_____.

MINUTES OF PREVIOUS MEETINGS:

Council Meeting June 7 Finance June 7
Sewer and Water June 7

PUBLIC COMMENT:

COMMUNICATIONS:

- o MDT Newsletter

MAYOR:

OLD BUSINESS:

NEW BUSINESS:

- o 4-H Chickens – Proctor
- o TRA Budget request
- o LBHD – Street closure, porta potties, etc.

STAFF REPORTS

- **Public Works:**
 - o Approach Deviation – Wilson
 - o Coal Board update – Landfill compactor & Terry Avenue
 - o Watson Drive water main extension
 - o Pine Ridge Roofing - \$12,500.00
- **Finance:**
 - o Audit response
- **Legal:**
- **Economic Development:**

COMMITTEE REPORTS:

- **Sewer & Water:** Kepp
- **Law Enforcement:** Zent
- **Streets & Alleys:** Kautzman
- **Parks & Playgrounds:** Krebs
- **Finance/Landfill:** Greer
 - o Claims

Resolution and Ordinances: Molina

SPECIAL COMMITTEES:

RESOLUTIONS & ORDINANCES:

- o Resolution NO. 2102 – Amending The Budget For The Fiscal Year 2015-2016.
- o Resolution NO. 2103 – Changing The Zoning Classification from R1 to C1.

ANNOUNCEMENTS:

- Budget Training June 28, 2016 in Billings.
- Fly – In June 25, 2016 from 7:00 p.m. to 10:00 p.m.
- 2016 Legislators’ Lunch July 14, 2016 from 11:30 a.m. to 1:00 p.m.
- Budget Meeting for FY 2016 -2017 Wednesday June 22, 2016 at 6:00 p.m. Continuing as needed.

Meeting adjourned at _____P.M.

*Additions to the Agenda can be voted on by Council to add to the Agenda for the next Council meeting.
Agenda items will need to be submitted by Thursday noon before a Tuesday Council meeting.*

**THE COMMON COUNCIL
CITY of HARDIN, MONTANA**

COUNCIL MEETING: The Regular Council Meeting for June 7, 2016 was called to order at 7:30 p.m. with Mayor Jack Lane presiding by reciting the Pledge of Allegiance.

The following Aldermen were present: Karen Molina, Harry Kautzman, Kenny Kepp, Jeremy Krebs, Darren Zent and Clayton Greer.

Also present: Finance Officer/City Clerk Michelle Dyckman, Public Works Superintendent Russell Dill, Accounting & Records Tech Angela Zimmer, City Attorney Jordan Knudsen and several members of the public.

MINUTES OF THE PREVIOUS MEETINGS: Kautzman made the motion to approve the minutes as written for the May 17, 2016 and May 24, 2016 Council and Special Council meetings. Motion seconded by Greer. On a voice vote the motion was unanimously approved.

PUBLIC COMMENT:

Cory Kenney asked that Public Comment be opened after discussion for the Welcome signs.

COMMUNICATIONS:

There is a budget training scheduled for June 28, 2016 in Billings and the 2016 MMIA Regional Training / District Meetings will be held August 25, 2016 in Billings.

MAYOR:

Mayor Lane reported that the bicycle racks were dedicated.

OLD BUSINESS:

Dill reported that there was no final decision on the handicap parking at BVHC. The request died for lack of motion.

NEW BUSINESS:

Delores Pease read a letter to council on behalf of the JailHouse Gallery. They are requesting support to waive business license fees for vendors of the Arts & Crafts Fair during Little Big Horn Days. Molina motioned to waive the business license fees. Krebs seconded. On a voice vote the motion was unanimously approved.

Dill reported that the Shop roof at City Hall needs to be replaced due to a leak. He received estimates for the replacement of the roof. Kepp motioned for approval to accept the \$25,000.00 estimate from Pine Ridge Roofing. Krebs seconded. On a voice vote the motion was unanimously approved.

STAFF REPORTS:

Public Works:

Dill requested for Council to approve the final payment for the Heimat Park Restroom Project. Kepp motioned to approve the final payment of \$7700.00 to Morgan Contractor. Greer seconded. On a voice vote the motion was unanimously approved.

Dill reported that the intake screens on the water tank need to be cleaned every three years. He has received two estimates, one from LiquiVision Technology for \$2945.00 a day and Midco for \$2799.00 a day. It is estimated to be a three day process. He requested for Council approval to hire Midco. They would also inspect the concrete tank and check cathodic protection in the steel tank. Kepp motioned for the approval for Midco to do the work. Zent seconded. On a voice vote the motion was unanimously approved.

Dill reported that meters will be purchased for \$43,908.00. Kepp motioned for approval. Krebs seconded. On a voice vote the motion was unanimously approved.

Dill reported that he received two bids for the Welcome Signs. Kautzman motioned to accept the bid for the Welcome Signs from Billings Sign Service for \$22,757.00. Kepp seconded. On a voice vote the motion was unanimously approved.

Dill requested to order 26 - 300 gallon garbage cans from Kois Brothers. Kepp motioned for approval of the order. Krebs seconded. On a voice vote the motion was unanimously approved.

Dill reported that Hardin was not approved for the MLIAC grant. Dill noted that the letter provided recommendations, including resubmitting for the grant. Kepp motioned to accept the recommendations. Krebs seconded. On a voice vote the motion was unanimously approved.

Finance:

Dyckman reported on Unclaimed Property. She requested permission to submit it to the State. Kepp motioned for approval for the list to be submitted to the State. Zent seconded. On a voice vote the motion was unanimously approved.

Dyckman reviewed the Update on New Overtime Rules for State and Local Governments that become effective December 1, 2016.

Dyckman provided information regarding the Proposed Budget Amendments. Council set the Budget Meetings for Wednesday, June 15th and Thursday, June 16th, 2016.

Legal:

Knudsen reported that he has been in meetings regarding cases the City is faced with.

Mayor Lane reported that Hannah Knudsen of Knudsen & Knudsen, PLLC has been sworn in.

Economic Development:

Mayor Lane reported that Love's is doing site preparation. Dill noted that inspections are being done by the State.

COMMITTEE REPORTS:

Sewer & Water:

Kepp reported that the recommendation of Council is to allow Mr. Krebs to give the City the additional 5' and for the City to pay the lighting district fees for Lot 5A and Lot 5B. Knudsen, Dill, and Krebs will meet to write an agreement. The lighting fees will be taken out of the Sewer fund. Kepp motioned to approve the recommendation contingent on the meeting. Greer seconded. On a voice vote motion was approved. (5/0) Krebs recuse.

Law Enforcement:

Streets & Alleys:

Kautzman reported that the City has been doing street patching and blading alleys.

Parks & Playgrounds:

Krebs noted that the Heimat Park bathrooms look great. Child seat swings were ordered, one was stolen.

Finance/Landfill:

Greer reported that the recommendation of Council is to approve a Court Clerk I part - time employee position with a starting salary of \$12.24 per hour. Molina questioned if vacation and sick time had been considered in the 624 hours and asked if Council should approve the 624 hours only. Molina motioned for approval to hire a Court Clerk I part - time employee at \$12.24 per hour for 624 hours per year. Kautzman seconded. On a voice vote the motion was unanimously approved.

It was reported that the County is closing its' dump sites on July 1st.

Greer made a motion to approve the claims:

	CLAIM No.	Monthly Total
May, 2016	20507 - 20517	
	20519 - 20581	
	20607, 20608	\$ 52,862.09
June, 2016	20582 - 20606	
	20609, 20610	\$ 72,508.00
Claims & JV Total (Expenditures)		\$ 125,370.09
May, 2016 Payroll		\$ 127,020.60
TOTAL Submitted		\$ 252,390.69

Kepp seconded. On a voice vote the motion was unanimously approved.

Resolutions & Ordinances:

Kautzman motioned for approval of Resolution NO. 2098 - Allow use of Automated Clearing House (ACH) and Establishing a Fee of \$1.00 for each account. Molina seconded. On a voice vote the motion was unanimously approved.

Kautzman motioned for approval of Resolution NO. 2099 - Allow to Charge a \$20.00 Fee for each and every Automated Clearing House (ACH) Transaction that is Declined or Unaccepted for any Reason. Molina seconded. On a voice vote the motion was unanimously approved.

Krebs motioned for approval of Resolution NO. 2100 - Establishing Wage for Non-Union City Employees for Fiscal Year 2015/2106 and Fiscal Year 2016/2017. Greer seconded. On a voice vote the motion was unanimously approved.

Kautzman motioned for approval of Resolution NO. 2101 - Ordering the Installment, Construction, Reconstruction or Replacement of Curbs, Gutters, Sidewalks, Drive Approaches, and Appurtenant Facilities at 702 North Chateau Avenue, Hardin MT. Krebs seconded. On a voice vote the motion was unanimously approved.

Dill reported that Mr. Jim Wilson is requesting a 5' approach deviation to the sidewalk at his home.

ANNOUNCEMENTS:

Budget Meetings are scheduled for Wednesday, June 15 and Thursday, June 16, 2016 at 6 p.m. in Council Chambers, continuing as needed.

Public Hearing for the Budget Amendments is scheduled for Tuesday, June 21, 2016 at 7:15 p.m.

City – County Planning Board Hearing is scheduled for Monday, June 13, 2016 at 7:00 p.m.

Coal Board meets Thursday, June 16, 2016.

Kepp motioned to adjourn the meeting. The meeting adjourned at 8:41 p.m.

Jack Lane, Mayor

ATTEST:

Michelle Dyckman, City Clerk

City of Hardin

Finance Meeting

June 7, 2016

The Finance Meeting began at 6:30 p.m. In attendance were Mayor Jack Lane and Committee members Clayton Greer, Harry Kautzman, and Karen Molina. Council member Kenny Kepp, was also present. City Staff members present were Public Works Superintendent Russell Dill, Finance Officer/City Clerk Michelle Dyckman, Accounting/Records Tech Angela Zimmer, and City Attorney Jordan Knudsen, and several members of the public.

Greer reported that Mayor Lane received a report from City Court requesting a part - time employee. Kautzman asked if the City needed to provide health insurance and Dyckman noted not for a part - time employee. Mayor Lane reported that they need someone to fill in during the Court Clerks' vacation. Greer noted that the consensus from the Committee was to recommend approving a Court Clerk I part - time employee with a starting salary of \$12.24 an hour.

The meeting adjourned about 6:39 p.m.

Clayton Greer, Finance Committee Chairman

ATTEST:

Angela Zimmer, Accounting/Records Tech I

City of Hardin

Water and Sewer Meeting

June 7, 2016

The Water and Sewer Meeting began at 7:00 p.m. In attendance were Mayor Jack Lane and Committee members Kenny Kepp, Clayton Greer, and Harry Kautzman. Council members Karen Molina, Darren Zent, and Jeremy Krebs were also present. City Staff members present were Public Works Superintendent Russell Dill, Finance Officer/City Clerk Michelle Dyckman, Accounting/Records Tech Angela Zimmer, and City Attorney Jordan Knudsen, and several members of the public.

The committee discussed the Frank Krebs easement. Dill explained the document showing the survey that was done by Walt Egged. The sewer line on the North end is in the easement by 5.5'. The sewer line on the South end is outside of the easement by 1.4'. He noted that Mr. Krebs is willing to give the City an additional 5' x 120' in exchange for no fees for the lighting districts for Lot 5A and Lot 5B.

Krebs noted that the 4' easement was added in 1984 and also that Wemple and Kern sued the City in 1984. He said that he is willing to work with the City concerning the easement on 7th street. He reported that in 1984 \$5280.00 had been offered for the 7800 square foot easement. Dyckman had talked to a realtor and currently residential lots are valued at about \$1.50 - \$1.75 per square foot.

Knudsen asked about amending the lighting district and carving the property out of it. Greer noted that if the City did that, then everyone would want that.

The Committee will recommend to Council to allow Mr. Krebs to give the City the additional 5' and ask lighting district fees for Lot 5A and Lot 5B to be paid from the City Sewer Fund.

The meeting adjourned about 7:25 p.m.

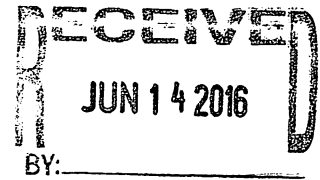
Kenny Kepp, Water and Sewer Committee Chairman

ATTEST:

Angela Zimmer, Accounting/Records Tech I

Clerk

From:
Sent: Tuesday, June 14, 2016 11:04 AM
To: Clerk
Subject: Chickens



Good morning,

I am writing this letter to ask for your approval for two to three chickens. We live at 612 N. Choteau and the chickens would be used by my daughter for a 4-H project. Thank you for your time and consideration.

Thank you,
Jamie Proctor

Sent from my iPhone

Audit Report

June 21, 2016 meeting

A draft of the Audit has been received and is under review before being submitted to the State. Two of the findings from the previous year have been resolved for this audit. However, the finding for the FIREMEN'S DISABILITY AND PENSION – FIDUCIARY FUND is repeated.

The Auditor recommends that the City make contributions to the Fund to bring it into compliance. In the past, Council has decided to incrementally do what we can over time. If Council wishes to continue this approach, the recommended response is:

The City is committed to assessing an annual levy and continuing contributions to this Fund as evidenced by the increase of revenues in excess of expenditures totaling \$2,632 in 2012, \$8,176 in 2013, \$12,062 in 2014, and \$14,626 in 2015.

City of Hardin

Submitted for Approval

June 21, 2016

	CLAIM No.		Monthly Total
May, 2016	20518		
	20613 - 20618, 20629	\$	27,271.09
June, 2016	20611 - 20628		
	20630 - 20641	\$	435,857.63
Claims & JV Total (Expenditures)		\$	463,128.72
Transfer funds	20642	\$	47,687.50
TOTAL Submitted		\$	510,816.22

Claims or Expenditures over \$5,000

per Resolution #2064

Vendor	Claim #	Purpose	Amount
DANA KEPNER COMPANY INC	20620	Radio Meters	8,316.00
BILLINGS SIGN SERVICE INC	20622	Welcome signs-down payment	11,630.50
TWO RIVERS TRADE PORT AUTHORITY	20625	Quarterly funding	7,750.00
PINE RIDGE ROOFING LLC	20628	Roofing - down payment	12,500.00
BIG HORN COUNTY	20633	Law Enforcement	225,000.00
US BANK - SPA LOCKBOX	20634	Water Revenue Bond	7,985.00
US BANK - SPA LOCKBOX	20635	Sewer Revenue Bond	67,350.00
US BANK - SPA LOCKBOX	20636	Sewer Revenue Bond	9,963.75
US BANK - SPA LOCKBOX	20637	Sewer Revenue Bond	21,185.00
US BANK - SPA LOCKBOX	20638	Landfill Revenue Bond	47,178.75

EXEMPT from Resolution 2064:

<i>NORTHWESTERN ENERGY</i>	<i>20613</i>	<i>Electricity</i>	<i>16,624.79</i>
<i>US BANK NATIONAL ASSOC</i>	<i>20642</i>	<i>TIFD taxes to US Bank</i>	<i>47,687.50</i>

Approved Previously:

at June 7, 2016 meeting:

<i>MORGAN CONTRACTORS LLC</i>	<i>20611</i>	<i>Heimat Park</i>	<i>7,623.00</i>
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Claims by Vendor Report
For the Accounting Period: May, 2016

Vendor	Claim #	Amount
HAWKINS, INC	CL 20518	4,972.77
NORTHWESTERN ENERGY	CL 20613	16,624.79
BILLINGS ALARM CO INC	CL 20614	28.00
MELVILLE READY MIX	CL 20615	3,882.00
SCL HEALTH SYSTEM HOSPITAL PAYMENTS	CL 20616	180.00
VERIZON WIRELESS	CL 20617	676.02
UTILITIES UNDERGROUND LOC. CTR.	CL 20618	67.51
MORRISON MAIERLE SYSTEMS CORP	CL 20629	840.00
US BANK NATIONAL ASSOC	CL 20642	47,687.50
		74,958.59

Claims by Vendor Report
For the Accounting Period: June, 2016

Vendor	Claim #	Amount
MORGAN CONTRACTORS LLC	CL 20611	7,623.00
MONTANA DEPARTMENT OF REVENUE	CL 20612	77.00
ECOLAB INC	CL 20619	49.16
DANA KEPNER COMPANY INC	CL 20620	8,316.00
MONTANA MAGISTRATES ASSOCIATES	CL 20621	200.00
BILLINGS SIGN SERVICE INC	CL 20622	11,630.50
BLACK MOUNTAIN SOFTWARE INC	CL 20623	750.00
STAMP FULFILLMENT SERVICES	CL 20624	875.40
TWO RIVERS TRADE PORT AUTHORITY	CL 20625	7,750.00
WESTERN EMULSIONS INC	CL 20626	1,011.95
SCL HEALTH SYSTEM HOSPITAL PAYMENTS	CL 20627	150.00
PINE RIDGE ROOFING LLC	CL 20628	12,500.00
STAHLY ENGINEERING & ASSOCIATES INC	CL 20630	1,047.50
MUNICIPAL CAPITAL MARKETS GROUP INC	CL 20631	750.00
HARDIN VOL. FIRE DEPT.	CL 20632	2,250.00
BIG HORN COUNTY	CL 20633	225,000.00
US BANK - SPA LOCKBOX	CL 20634	7,985.00
US BANK - SPA LOCKBOX	CL 20635	67,350.00
US BANK - SPA LOCKBOX	CL 20636	9,963.75
US BANK - SPA LOCKBOX	CL 20637	21,185.00
US BANK - SPA LOCKBOX	CL 20638	47,178.75
STAHLY ENGINEERING & ASSOCIATES INC	CL 20639	1,830.11
MT DEPARTMENT OF REVENUE	CL 20640	261.10
* CASH	CL 20641	123.41

435,857.63

RESOLUTION NO. 2102

A RESOLUTION OF THE CITY OF HARDIN, MONTANA AMENDING THE BUDGET FOR THE FISCAL YEAR 2015-2016.

WHEREAS, the City Council (hereinafter "Council") of the City of Hardin, Montana (hereinafter "City") has previously adopted Resolution 2081, which approved the budget for the City of Hardin for Fiscal year 2015-2016;

WHEREAS, the City Finance Officer of the City has regularly and lawfully submitted to the Council certain budget amendments for Fiscal Year 2015-2016; and

WHEREAS, the proper notice was published and stating that said Council was considering the amendments to the adopted budget for said Fiscal Year, and that said budget amendments have been placed on file and are open to the inspection in the office of the City Finance Officer; and that said Council held a public hearing on the proposed amendments on June 21, 2016.

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

That the amendments to the Budget for Fiscal Year 2015-2016, as detailed in the amendments attached hereto as EXHIBIT A, be, and the same hereby finally determined, approved, and adopted.

PASSED AND ADOPTED by the City Council of the City of Hardin, Montana, and APPROVED this _____ day of June, 2016.

YEA VOTES _____

NEA VOTES _____

CITY OF HARDIN

BY: _____
Mayor

ATTEST: _____
City Clerk

2015 - 2016 BUDGET AMENDMENTS

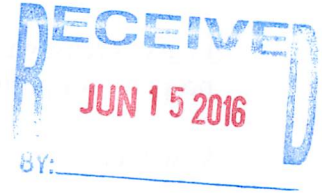
	Coding	Revenue	Expenditure	Increase (Decrease)	Reason
GENERAL FUND					
Building Permits	1000.323011	5,000.00		Increase	Additional Revenues
Court Costs (Community Service)	1000.341030	1,400.00		Increase	New program
Special Item-Other Financing Source	1000.384000	123,018.00		Increase	Insurance reimbursement- roofing
STREET MAINTENANCE					
Special Item-Other Financing Source	2501.384000	11,000.00		Increase	Insurance reimbursement- roofing
TIFD - DEBT SERVICE					
Real Property Taxes	3110.311010	(1,585,641.00)		Decrease	Reclassify
Personal Property Taxes	3110.311020	(600.00)		Decrease	Reclassify
TIFD Real Estate Taxes	3110.314110	1,585,641.00		Increase	Reclassify
TIFD Personal Property Taxes	3110.314120	600.00		Increase	Reclassify
Gain(Loss) in Fair Value of Investments	3110.371020	20,000.00		Increase	Bondholders option
SID #121					
Principal Assessment	3512.363020	23,700.00		Increase	Partial pay-off
FIRE DEPARTMENT - ASSETS					
Interfund Operating Transfer	4025.383000	(50,000.00)		Decrease	Reallocated to SCBAs
WATER					
Water Install/Reconnect Charges	5210.343026	3,500.00		Increase	Increased revenues
Misc. Water Revenue inc Penalty	5210.343027	3,500.00		Increase	Increased revenues
Special Item-Other Financing Source	5210.384000	20,500.00		Increase	Insurance reimbursement- roofing
SEWER					
Misc Sewer Revenue inc Penalty	5310.343036	1,000.00		Increase	Increased revenues
Special Item-Other Financing Source	5310.384000	2,500.00		Increase	Insurance reimbursement- roofing
LANDFILL					
Disposal Charges	5417.343042	30,000.00		Decrease	Decreased revenues
Investment Earnings	5417.371010	2,500.00		Increase	Increased revenues
Gain(Loss) in Fair Value of Investments	5417.371020	6,400.00		Increase	Increased revenues
GENERAL FUND					
Community Service	1000.410366.140		500.00	Increase	Community Service
Fire - SCBAs	1000.420460.940		50,000.00	Increase	SCBAs
Storm Drainage Maintenance	1000.430246.220		4,500.00	Increase	Culvert & bands
Storm Drainage Maintenance	1000.430246.350		5,000.00	Increase	Stahly & Pace
Storm Drainage Maintenance	1000.430246.510		750.00	Increase	Insurance deductible
Parks	1000.460433.360		10,000.00	Increase	Roofing (Insurance)
Transfers out	1000.521000.820		(50,000.00)	Decrease	re-allocate Fire Truck to SCBAs

2015 - 2016 BUDGET AMENDMENTS

	Coding	Revenue	Expenditure	Increase (Decrease)	Reason
PERS (Retirement)					
Other Personal Services (non-cash)	2370.510300.190		10,000.00	Increase	End of Year accrual for OPEB
LIGHTING DISTRICT #1					
Personnel	2401.430100.100		750.00	Increase	District consolidation expenditures
Street Lighting	2401.430100.341		1,000.00	Increase	Lighting costs
CTEP					
Heimat Park sidewalk	2956.430260.950		23,000.00	Increase	Budgeted for FY15, done in FY16
TIFD-Debt Service					
Revenue Bond Interest	3110.490200.620		21,000.00	Increase	Additional interest due to default
WATER					
Machinery & Equipment (M&E)	5210.430550.940		(50,000.00)	Decrease	Reallocate to CIP
Construction in Progress (CIP)	5210.430550.950		50,000.00	Increase	Reallocate from M&E
SOLID WASTE					
Personnel	5410.430810.100		900.00	Increase	Increased allocation to Solid Waste
Employer Contributions	5410.430810.140		900.00	Increase	Increased allocation to Solid Waste
Other Personal Services (non-cash)	5410.430810.190		6,000.00	Increase	End of Year accrual for OPEB
Personnel	5410.430830.100		7,600.00	Increase	Added route
Employer Contributions (Health)	5410.430830.144		5,000.00	Increase	Added route
LANDFILL					
Other Personal Services (non-cash)	5417.430810.190		6,000.00	Increase	End of Year accrual for OPEB
Repair & Maintenance Services	5417.430840.360		60,000.00	Increase	Equipment repairs
Rentals	5417.430840.530		31,000.00	Increase	Equipment rentals
		204,018.00	193,900.00		

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**HARDIN-BIG HORN CITY-COUNTY
PLANNING BOARD
P.O. BOX 305
HARDIN, MONTANA 59034**



June 15, 2016

Mayor and Common Council
City of Hardin
406 N. Cheyenne Avenue
Hardin, MT 59034

RE: ZONE CHANGE FOR 103 E. 5TH STREET AND 117 E. 5TH STREET IN CITY
OF HARDIN FROM R1 SINGLE-FAMILY RESIDENTIAL TO C1 BUSINESS
DISTRICT

Dear Mayor and Common Council:

At its regular monthly meeting, this Board—acting as the City-County Zoning Commission--held a duly advertised public hearing June 13th, 2016, on the application from Northwestern Energy and the City of Hardin to change the zoning as described above.

As required by State statute (MCA 76-2-304), this Commission considered the following aspects of the proposed use, i.e., whether it:

- a. is designed in accordance with the comprehensive plan;
- b. is designed to lessen congestion in the streets;
- c. will secure safety from fire, panic and other dangers;
- d. will promote health and the general welfare;
- e. will provide adequate light and air;
- f. will prevent the overcrowding of land;
- g. will avoid undue concentration of population:
- h. will facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements;

- i. gives reasonable consideration to the character of the district;
- j . gives reasonable consideration to the peculiar suitability of the property for particular uses;
- k. will conserve the value of buildings; and
- l. will encourage the most appropriate use of land throughout the municipality.

The Zoning Commission recommends approval with no conditions.

Sincerely,

Jim Eshleman
Chair

RESOLUTION NO. 2103

A RESOLUTION OF THE CITY OF HARDIN, MONTANA CHANGING THE ZONING CLASSIFICATION OF PROPERTY LOCATED WITHIN THE CITY LIMITS UPON APPLICATION OF THE PROPERTY OWNER.

WHEREAS, the City Council (hereinafter "Council") of the City of Hardin, Montana (hereinafter "City") has created a city-county planning board which acts as the zoning commission under City Code 11-1-9-1, and which makes recommendations to the Council in the administration of the zoning ordinances within the City and the one-mile extraterritorial zoning jurisdiction are around the City, not including the reservation; and

WHEREAS, the City has the authority by Montana Code Annotated § 76-2-301 et seq. (2015) to regulate and zone properties within the city limits of the City, and within the one-mile extraterritorial zoning jurisdiction around the City; and

WHEREAS, the city has established a procedure for zoning district changes and amendments under City Code 11-1-9-2; and

WHEREAS, Northwestern Energy, as owner, has petitioned the City to amend the zoning of the properties located at 103 East 5th Street and 117 East 5th Street from R-1 Single Family Residential classification to C1 Business District classification; and

WHEREAS, pursuant to City Code 11-1-4 (B), the City desires that all non-conforming uses shall be eventually eliminated; and

WHEREAS, the city-county planning board has held a public meeting allowing protest to the proposed zoning classification change on June 13, 2016 pursuant to Montana Code Annotated § 76-2-305 (2015); and

WHEREAS, the city-county planning board has recommended a change to the zoning classification in the above-mentioned properties from R1 to C1 after considering all of the criteria and guidelines set forth in Montana Code Annotated § 76-2-305 (2015).

WHEREAS, the City agrees with the recommendation of the city county planning board and believes that such a classification change will eliminate a non-conforming use of the above-mentioned properties, and create a conforming use of the properties.

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

That upon the recommendation of the city-county planning board, the above-mentioned properties will be re-classified as C1 Business District, and that all related maps and other documents will be amended accordingly.

The Council further resolves that employees of the City shall have the authority to make any actions necessary to effectively execute this resolution for the resolution to have full effect.

PASSED AND ADOPTED by the City Council of the City of Hardin, Montana, and APPROVED this _____ day of June, 2016.

YEA VOTES _____

NEA VOTES _____

CITY OF HARDIN

BY: _____
Mayor

ATTEST: _____
City Clerk