



CITY OF MILES CITY

Finance Committee Meeting Agenda

July 30, 2025 at 5:30 PM

City Council Chambers and online at zoom.us

Zoom ID: 4062343462 | Passcode: 59301

CALL TO ORDER

1. REQUEST OF CITIZENS AND PUBLIC COMMENT

2. UNFINISHED BUSINESS

A. Review & Revise Business License Ordinances.

B. REVIEW AND RECOMMEND RESOLUTION NO. 4587 - A RESOLUTION ESTABLISHING MINIMUM BASE RENT FOR INDUSTRIAL SITE AND OTHER CITY LEASEHOLDS; AND ADDING AN ESCALATION CLAUSE FOR LONG-TERM LEASES; AND ADDING AN ADMINISTRATIVE PROCESSING FEE.

3. ADJOURNMENT

Public comment on any public matter that is not on the agenda of this meeting can be presented under Request of Citizens, provided it is within the jurisdiction of the City to address. Public comment will be entered into the minutes of this meeting. The Committee cannot take any action on a matter unless notice of the matter has been made on an agenda and an opportunity for public comment has been allowed on the matter. Public matter does not include contested cases and other adjudicative proceedings

Ordinances

Miles City, Montana

Section 2, Item A.

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ORDINANCE No. 360

AN ORDINANCE PROHIBITING THE LOCATING, BUILDING, CONSTRUCTING OR MAINTAINING OF MORGUES, DEAD-HOUSE, MORTUARIES OR MORTUARY CHAPELS IN ANY BLOCK WITHIN THE CORPORATE LIMITS OF MILES CITY, MONTANA, IN WHICH TWO-THIRDS OF THE BUILDINGS ARE DEVOTED TO EXCLUSIVE RESIDENCE PURPOSES, AND PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE, AND DECLARING AN EMERGENCY TO EXIST, AND THAT IT IS IMMEDIATELY NECESSARY THAT THIS ORDINANCE TAKE IMMEDIATE EFFECT AS AN EMERGENCY ORDINANCE

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

Section 1. No person shall, from and after the passage and approval of this Ordinance, within the corporate limits of the City of Miles City, Montana, locate, build, construct or maintain any morgue, dead house, mortuary or mortuary chapel in any block in which two thirds of the buildings are devoted to exclusive residence purposes.

Section 2. Any person violating any provision of this Ordinance shall be punished by a fine in a sum of not less than Twenty Five (\$25.00) Dollars and no more than three hundred (\$300.00) Dollars, or by imprisonment in the City Jail not to exceed ninety days, or by both such fine and imprisonment.

Section 3. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Section 4. That for the maintenance of the public peace, the protection of the property, promotion of the morals and the preservation of the health and happiness of the inhabitants of Miles City, Montana, it is immediately necessary that this Ordinance be passed; that by reason thereof an emergency is hereby declared to exist, and this Ordinance is specifically declared to be an emergency Ordinance, and shall take effect and be in full force immediately upon its passage and approval.

Ordinances

Miles City, Montana

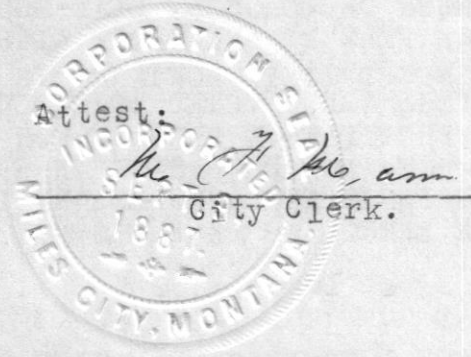
Section 2, Item A.

(X#01)

154

Passed and Approved this 9th day of April, A.D. 1923.

B. J. Brasen
Mayor



By _____ DEPUTY
Miles City, Montana.
North of the City Hall.
of the foregoing Ordinance No. _____ on Bulletin Board
I hereby certify that I posted as required by law a copy
City of Miles City }
County of Custer }
STATE OF MONTANA }

STATE OF MONTANA }
County of Custer }
City of Miles City }

I hereby certify that I posted as required by law a copy
of the foregoing Ordinance No. _____ on Bulletin Board
North of the City Hall. *W. J. Mcnam* City Clerk
Miles City, Montana.

4/9/23. By _____ DEPUTY

ORDINANCE NO. 207.

An ordinance to amend sections 17 and 19 of Article III entitled "Licenses" of chapter 6 entitled "Taxation ^{and} ~~Revenues~~" of the Revised Ordinances of the City of Miles City of 1902 and to amend ordinance No. 191, passed the 12th day of August 1909. ~~Be~~ it ordained by the City Council of the City of Miles City:

Sec. 1. That sections 17 and 19 of Article III entitled "Licenses" of chapter 6 entitled "Taxation ^{and} ~~Revenues~~" of the Revised Ordinances of the City of Miles City be and the same ^{are} ~~is~~ hereby amended so as to read as follows:

Sec. 17. Every person, firm or company dealing in goods, wares or merchandise, and every butcher or person dealing in meats shall pay a license as follows:

First Class: Those doing a business of ten thousand Dollars (\$10,000.00) or more per month shall pay a license of Fifteen Dollars (\$15) per quarter;

Second Class: Those doing a business of Five Thousand Dollars (\$5,000.00) and less than Ten Thousand Dollars (\$10,000.00) per month shall pay a license of Ten Dollars (\$10) per quarter;

Third Class: Those doing a business of Three Thousand Dollars (\$3,000.00) and less than Five Thousand Dollars (\$5,000.00) per month shall pay a license of Seven and 50/100 Dollars (\$7.50) per quarter;

Fourth Class: Those doing a business of less than Three Thousand Dollars (\$3,000.00) and more than One Thousand Dollars (\$1,000.00) per month shall pay a license of Five Dollars (\$5.00) per quarter;

Fifth Class: Those doing a business of less than One Thousand Dollars (\$1,000.00) per month shall pay a license of Two Dollars (\$2.00) per quarter.

Section 19. Every person who carries on a steam laundry business must pay a license of Seven and 50/100 Dollars (\$7.50) per quarter.

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

This ordinance shall be in full force and effect from and after its passage and approval.

Passed this 28th day of April A. D. 1910,

Approved this 28th day of April A. D. 1910.

[Signature]
Mayor.

Attest.

[Signature]
City Clerk.

STATE OF MONTANA,)
COUNTY OF CUSTER,) SS.
CITY OF MILES CITY.)

I hereby certify that I am the duly appointed and qualified City Clerk of the City of Miles City, Montana, and that on the 28th day of April 1910, I posted as required by law a copy of the foregoing ordinance No. 207 at the Court House on Main Street, at the building on the South West corner of Main Street, at the livery stable of W.F. Rable on seventh Street, on the fence in the rear of Fosters Drug store on seventh Street, and on the fence just South of the Opera House on sixth Street.

[Signature]
City Clerk.

STATE OF MONTANA,)
COUNTY OF CUSTER) ss.
CITY OF MILES CITY)

Section 2, Item A.

I hereby certify that I am the duly appointed and qualified City Clerk of the City of Miles City, Montana, and that on the 29th day of th March 1910 I posted as required by law a copy of the foregoing ordinance No. 206 at the Court House on Main Street, at the building on the South west corner of Ninth and Main Street, at the livery stable of W.F. Rabel on Seventh Street, on the fence in the rear of Fosters Drug store on Seventh Street, and on the fence just south of the Opera House on ^{sixth} ~~seventh~~ Street.

J. E. Farnum
City Clerk.

Ordinance No. 206

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An Ordinance forbidding certain unwholesome occupations.

Be it ordained by the City Council of the City of Miles City:

Section 1. No person shall pursue or carry on within the limits of this city, any business or occupation that is dangerous or detrimental to life or health.


Section 11. No person shall sell, expose for sale or offer to sell or deliver for human food, within the limits of this city, any blown, tainted, diseased or bad meat, poultry, fish or game, or the flesh of any calf less than four weeks old when slaughtered, or the meat of any animal killed when in an over-heated or feverish condition, or any unsound, decayed or unwholesome fruits, vegetables or other market produce. Members of the Board of Health, and the Chief of Police and Inspector, shall be permitted to enter any market, store or other place where meat, game, fish, fruit or vegetables are sold or kept for sale, for the purpose of inspecting the same.

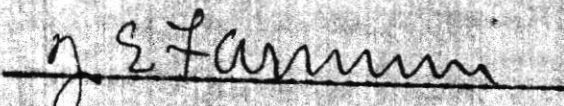
Section 111. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 1V. This ordinance shall be in full force and effect from and after its passage and approval.

Passed, March 24 1910.

Approved, March 24, 1910.


Mayor.


City Clerk.

ORDINANCE NO. 1355

AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE CODE OF ORDINANCES OF THE CITY OF MILES CITY ESTABLISHING REVISED LICENSE/PERMIT FEES.

WHEREAS, the City of Miles City has determined that the existing license/permit fees in the City of Miles City require revision;

THEREFORE, BE IT ORDAINED, by the City Council of the City of Miles City, Montana, as follows:

Section 1. Section 6-29, 6-37, 6-248, 6-249, & 6-294 of the Code of Ordinances of the City of Miles City are hereby revised to read as follows:

“Sec. 6-29. – Payment of Fees; Refunds

(1) All license fees are payable in advance. Nothing in this article shall be construed so as to entitle a licensee to a refund of any portion of the license fee in the event of the discontinuance of the licensed business or the suspension or revocation of the license prior to the expiration of the period for which the fee has been paid. The license fee for conducting business under the provisions of this article shall be \$85 per annum.

“Sec. 6-37. – Penalty for violation of article.

(1) Any person who violates the provisions of this article shall be deemed guilty of a ~~misdemeanor and, upon conviction thereof, shall be punishable by a fine of \$500.00 or by imprisonment for a term not to exceed six months, or both for operating without a license.~~ municipal infraction and shall have imposed a civil penalty of not more than three hundred dollars (\$300.00) for a first infraction, and not more than five hundred dollars (\$500) for any repeat infraction.

(2) City licenses that are not renewed by September 1st annually shall incur a late fee of twice the license fee required in each provision of this article.

(3) Each day of failure to comply with the provisions of this division ~~shall~~ may constitute a separate offense.

“Sec. 6-246. - Definition.

Home occupation means an income-producing activity within a home where there is no sign or display or other visible indication that would indicate from the exterior that the residence is being used in whole or in part for any other purpose than that of a dwelling, and which does not require the employment of any person outside the immediate family. Businesses which do not meet the foregoing criteria shall be required to

obtain a proper zoning designation in order to carry on business at their home location.

“Sec. 6-248. – Permit Generally.

Applications for a home occupation permit shall be submitted to the city council on forms provided by the office of the city clerk, and the following procedure is hereby adopted:

- (1) The city council shall conditionally approve or disapprove a citizen's request based on all of the following four criteria:
 - a. Community customs.
 - b. Type of occupation and equipment needed.
 - c. Traffic generation.
 - d. Impact on the neighborhood.
- (2) The City Council must be petitioned at a regularly scheduled meeting by the petitioner for a home occupation prior to the establishment of a home occupation.
- (3) Fifty-one percent of the resident property owners within 250 feet must sign a petition stating that they approve of the planned home occupation activity before a permit will be considered by the City Council.
- (4) Permittees whose home occupation creates a greater demand than a normal residence on the City’s water and sewer system, as determined by the Utilities Department, will upon issuance of this permit, pay the minimum commercial rate for sewer and water.

“Sec. 6-249. – Permit Fee.

The application and processing fee shall be \$85.00 per annum so long as the business continues to operate.

“Sec. 6-294. – License fee; separate license required for each type of business.

- (1) The license fee for the privilege of conducting the business of a pawnbroker or secondhand junk dealer under the provisions of this article shall be \$50.00 per annum.
- (2) Each of the three businesses specified in this article requires a separate city license.

Section 2. This Ordinance shall become effective thirty (30) days after its final passage.

Said Ordinance read and put on its passage this 10th day of May, 2022.

John Hollowell, Mayor

ATTEST:

Mary Rowe, City Clerk

FINALLY PASSED AND ADOPTED this 24th day of May,
2022.

John Hollowell, Mayor

ATTEST:

Mary Rowe, City Clerk

RESOLUTION NO. 4587

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A RESOLUTION ESTABLISHING MINIMUM BASE RENT FOR INDUSTRIAL SITE AND OTHER CITY LEASEHOLDS; ~~AND~~ ADDING AN ESCALATION CLAUSE FOR LONG-TERM LEASES; AND ADDING AN ADMINISTRATIVE PROCESSING FEE

WHEREAS, the City of Miles City owns various lands, facilities and improvements;

AND WHEREAS, the City leases these lands, facilities and improvements for the benefit of the general community, to provide for appropriate area for the location of industrial businesses and similar entities, to manage special use properties, and to generate appropriate public revenues therefrom;

AND WHEREAS, the City Council of the City of Miles City, pursuant to its lease policies, shall from time to time establish minimum base rent for certain leaseholds within the Industrial Site, and other leaseholds owned by the City, and the City Council desires to do so at this time, along with an Escalation Clause for long-term leases that provides for rental amounts to increase periodically over time to account for changing market conditions.

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

1. Lease Rates for City Owned Leaseholds; New and Renewed Lease Agreements.

Industrial Site lease agreements entered into during and subsequent to FY 2024-2025 shall utilize the following minimal rentals:

- a) Tracts with Highway 10 & 12 frontage: \$0.051 per square foot per year
- b) Tracts with paved road frontage: \$0.032 per square foot per year
- c) Tracts with gravel road frontage: \$0.026 per square foot per year

Rates above these minimal base rates may be charged based on the cost of City services or City-owned improvements provided as part of the lease.

Rates for leases of City owned property outside of the Industrial Site will be evaluated on a case by case basis.

2. Lease Rates for City Owned Leaseholds; Existing Lease Agreements with Remaining Effective Terms.

Lease agreements established prior to the effective date of this resolution that have remaining effective terms shall be subject to the following provisions:

- a) Lease agreements with set rental rates lower than those established by Section 1 above shall be subject to annual rental rates as outlined by Section 1 for FY 2024-2025.

- b) Lease agreements with set rental rates lower than those established by Section 1 above shall be subject to the higher annual rental rates as outlined by the effective lease agreement.
- c) Lessees/tenants that are current on their annual rental payments as of the effective date of this resolution shall be deemed to remain current on said payments for the current fiscal year, and the increase in rental amounts provided by this resolution shall become effective July 1, 2025.
- d) Lessees/tenants that are not current on their annual rental payments as of the effective date of this resolution shall be subject to annual rental rates as outlined by Section 1 for the current fiscal year. Said rental amounts past due are subject to any late fees, penalties, and enforcement provisions of the effective lease agreement.

3. Escalation Clause for Long-Term Leases.

Lease agreements entered into during and subsequent to FY 2024-2025 with combined terms of greater than five (5) years, inclusive of the initial lease term and any options to renew for additional terms, shall be subject to an “Escalation Clause”. This Escalation Clause provides for such long-term lease agreements to include rental amounts that increase periodically over time, such as once every five (5) years to account for changing market conditions, including inflation and property value increases. Said increases will be determined by the City Council and its Finance Committee when lease agreements are developed and entered into.

4. Administrative Processing Fees.

In addition to the above, the City hereby establishes an administrative processing fee to defray the City processing costs when any lessee/tenant or prospective lessee/tenant proposes changes to a lease agreement, enter into a new lease agreement, renewals, amendments, assignments, and other lease-related actions required by the City. The process shall be \$500, to be paid in advance of the City processing the request(s).

4.5. Effective Date. This Resolution supersedes and replaces Resolution No. 4124 and shall become effective _____, 2024.

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, AT A DULY CALLED MEETING THIS ____ DAY OF _____, 2024.

ATTEST:
ATTEST:

Dwayne Andrews, Mayor

Mary Rowe, City Clerk

DRAFT

