

**City of Missoula**  
**Administration and Finance Committee Agenda**

**Date:** August 21, 2019, 12:20 PM - 12:40 PM  
**Location:** City Council Chambers  
140 W. Pine Street, Missoula , MT  
**Members:** Stacie Anderson, Julie Armstrong, Mirtha Becerra, John DiBari, Heather Harp, Jordan Hess, Gwen Jones, Julie Merritt, Jesse Ramos, Bryan von Lossberg, Heidi West, Michelle Cares

If anyone attending this meeting needs special assistance, please provide 48 hours advance notice by calling the City Clerk Office at 406-552-6079.

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	<b>Pages</b>
<b>1. ADMINISTRATIVE BUSINESS</b>	
1.1 Roll Call	
1.2 Approval of the Minutes	1
<b>2. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA</b>	
<b>3. COMMITTEE BUSINESS</b>	
3.1 Resolution levying assessments for the Missoula Tourism Business Improvement District for fiscal year 2020	Marty Rehbein 3
<b>Recommended motion:</b> Adopt a resolution levying annual assessments on the hotels located in the Tourism Business Improvement District of the City of Missoula for fiscal year 2020 in the amount of \$2 per occupied room night in accordance with 7-12-1132 MCA.	
3.2 Resolution levying assessments for sidewalk and snow removal performed in 2018-2019	Marty Rehbein 13
<b>Recommended motion:</b> Adopt a resolution levying a special assessment and tax upon property for annual sidewalk/snow removal assessments to reimburse the city for removal of snow removal performed in 2018-2019 totalling \$2,717.00 pursuant to Sections 12.16.030 and 12.16.040 Missoula Municipal Code	

<b>3.3</b>	<b>Resolution levying assessments for the Downtown Business Improvement District for fiscal year 2020</b>	Marty Rehbein	16
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**Recommended motion:**

Adopt a resolution levying taxes on the lots, pieces and parcels of land located in the downtown business improvement district of the city of Missoula for fiscal year 2020 in the amount of \$(to be determined) in accordance with 7-12-1132 MCA.

<b>3.4</b>	<b>Resolution levying assessments for hazardous vegetation removal (weeds) for fiscal year 2020</b>	Marty Rehbein	18
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**Recommended motion:**

Adopt a resolution levying a special assessment and tax upon property for annual weed assessments to reimburse the city for hazardous vegetation and nuisance weed cut orders performed in 2018 in the total amount of \$1,434.00 pursuant to section 7-22-4101 Montana Code Annotated and section 8.40.040 Missoula Municipal Code

**4. ADJOURNMENT**

## **Missoula City Council Administration and Finance Committee Minutes**

**August 7, 2019**

**1:35 PM**

**City Council Chambers**

**140 W. Pine Street, Missoula , MT**

**Members present:** Stacie Anderson, Mirtha Becerra, John DiBari, Heather Harp, Jordan Hess, Gwen Jones, Julie Merritt, Bryan von Lossberg, Heidi West, Michelle Cares

**Members absent:** Julie Armstrong, Jesse Ramos

### **1. ADMINISTRATIVE BUSINESS**

#### **1.1 Roll Call**

The minutes were approved as submitted.

#### **1.2 Approval of the Minutes**

The minutes were approved as submitted.

### **2. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA**

### **3. COMMITTEE BUSINESS**

#### **3.1 Resolution levying street lighting district assessments for 2019**

City Clerk Marty Rehbein presented the agenda item.

Michelle Cares asked Mrs. Rehbein to clarify the lighting bill the city pays. Mrs. Rehbein clarified.

Bryan vonLossberg stated that additional questions surround the topic and the public hearing would be beneficial. Further discussion ensued.

Julie Merritt joined at 1:45pm.

Heidi West inquired about standardization and Mrs. Rehbein answered.

No public comment. Vote passed with no objections.

**Moved by:** Bryan von Lossberg

Set a public hearing on August 26, 2019 on a resolution of the Missoula City Council levying and assessing a special assessment and tax on the lots, pieces and parcels of land situated within all special lighting districts of the City of Missoula, Montana, in the amount of \$361,837.12 to defray the cost of street lighting in special lighting districts during the fiscal year 2020.

**AYES:** (9): Stacie Anderson, Mirtha Becerra, Heather Harp, Jordan Hess, Gwen Jones, Julie Merritt, Bryan von Lossberg, Heidi West, and Michelle Cares

ABSENT: (3): Julie Armstrong, John DiBari, and Jesse Ramos

**Vote results: Approved (9 to 0)**

**4. ADJOURNMENT**



**City of Missoula, Montana**  
**Item to be Referred to City Council Committee**

**Committee:** Administration and Finance

**Item:** Resolution levying assessments for the Missoula Tourism Business Improvement District for fiscal year 2020

**Date:** August 15, 2019

**Sponsor(s):** Marty Rehbein

**Prepared by:** same

**Ward(s) Affected:**

<input type="checkbox"/> Ward 1	<input type="checkbox"/> Ward 4
<input type="checkbox"/> Ward 2	<input type="checkbox"/> Ward 5
<input type="checkbox"/> Ward 3	<input type="checkbox"/> Ward 6
<input type="checkbox"/> All Wards	<input checked="" type="checkbox"/> N/A

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**Action Required:**  
Adopt resolution

**Recommended Motion(s):**

I move the City Council: Adopt a resolution levying annual assessments on the hotels located in the Tourism Business Improvement District of the City of Missoula for fiscal year 2020 in the amount of \$2 per occupied room night in accordance with 7-12-1132 MCA.

**Timeline:**

Referral to committee:	August 19, 2019
Committee discussion:	August 21, 2019
Council action (or sets hearing):	August 26, 2019
Public Hearing:	n/a
Deadline:	August 26, 2019

**Background and Alternatives Explored:**

As part of the City's consideration of the fiscal year 2020 budget, the TBID Board of Trustees has prepared and presented a work plan and budget for fiscal year (FY) 2020 to City Council. The City Council conducted a public hearing on the FY20 TBID work plan and budget on August 19, 2019 and approved it.

To fund the work plan and budget, the resolution levies a \$2 per occupied room night assessment on the hotels located and/or constructed within the TBID boundary (the City's incorporate limits) during fiscal year 2020 in accordance with 7-12-1132 (4) and 7-12-1133(c). A "hotel" has over (7) units and is defined in 50-51-102 (6) MCA is any property which meet the following criteria and are located within the boundaries of the district:

- (a) a building or structure kept, used, maintained as, advertised as, or held out to the public to be a hotel, motel, inn, motor court, tourist court, or public lodging house; and
- (b) a place where sleeping accommodations are furnished for a fee to transient guests, with or without meals.

As of the date of the resolution the current City of Missoula corporate limits are shown in Exhibit A and the current list of hotel/motel properties is shown in Exhibit B. Properties meeting the

definition of a “hotel” that are constructed and/or incorporated into the boundaries of the city limits after the effective date of this resolution (but not listed in Exhibits A or B) are subject to TBID assessments.

In accordance with section 7-12-1143 MCA, the annual work plan and budget includes funding for adequate liability coverage insuring the district, the Board, and the City of Missoula against legal liability for personal injury and property damage in an amount sufficient to cover the City of Missoula’s statutory liability limits as stated in Sect. 2-9-108(1), MCA.

**Financial Implications:**

There are no impacts to the City’s budget. Each hotel in the TBID collects the \$2 assessment for each room night sold, similar to the state bed tax. Quarterly, the hotels submit a report to the TBID’s accountant of the room nights sold. The accountant invoices the hotel. The hotel remits the fees they have collected during the quarter to the TBID.

**Links to external websites:**

[Tourism Business Improvement District website](#)

**Draft dated 8/12/2019  
RESOLUTION NUMBER**

**A resolution levying annual assessments on the hotels located in the Tourism Business Improvement District of the City of Missoula for fiscal year 2020 in the amount of \$2 per occupied room night in accordance with 7-12-1132 MCA.**

**WHEREAS**, pursuant to 7-12-1101, et seq., MCA, the City of Missoula is authorized to create tourism business improvement districts (BID); and

**WHEREAS**, on October 25, 2010, the Missoula City Council adopted resolution [7576](#) creating a tourism business improvement for a period of ten years; and

**WHEREAS**, on March 25, 2013, the Missoula City Council adopted resolution [7766](#) changing the assessment from \$1 to \$2 per occupied room night for properties in the district; and

**WHEREAS**, on May 13, 2019, the Missoula City council adopted resolution [8338](#) expanding the tourism business improvement district and renewing it for ten years; and

**WHEREAS**, the Mayor with the advice and consent of the City Council has appointed a Board of Trustees in accordance with 7-12-1121, MCA; and

**WHEREAS**, in accordance with 7-12-1132, MCA, the TBID Board has submitted a work plan and budget for fiscal year 2020; and

**WHEREAS**, pursuant to section 7-12-1143 MCA, the annual work plan and budget includes funding for adequate liability coverage insuring the district, the Board, and the City of Missoula against legal liability for personal injury and property damage in an amount sufficient to cover the City of Missoula's statutory liability limits as stated in Sect. 2-9-108(1), MCA.

**WHEREAS**, in accordance with 7-12-1132, the City Council has held a public hearing on the TBID work plan and budget for fiscal year 2020, and has approved it on August 19, 2019.

**NOW THEREFORE BE IT RESOLVED**, the City Council determines that benefits derived by each lot or parcel in the tourism business improvement district are proportional and in accordance with 7-12-1132 (4) and 7-12-1133 (c) assessments will be based on individual occupancy or daily use in the amount of \$2 per occupied room night; and

**NOW THEREFORE BE IT RESOLVED**, the City Council of the City of Missoula hereby levies and assesses a \$2 per occupied room night on the hotels located and/or constructed within the TBID boundary (the City's incorporate limits) during fiscal year 2020. A "hotel" has over (7) units and is defined in 50-51-102 (6) MCA is any property which meet the following criteria and are located within the boundaries of the district:

- (a) a building or structure kept, used, maintained as, advertised as, or held out to the public to be a hotel, motel, inn, motor court, tourist court, or public lodging house; and
- (b) a place where sleeping accommodations are furnished for a fee to transient guests, with or without meals.

As of the date of this resolution the current City of Missoula corporate limits are shown in Exhibit A and the current list of hotel/motel properties is shown in Exhibit B. Properties meeting the definition of a "hotel" that are constructed and/or incorporated into the boundaries of the city limits after the effective date of this resolution (but not listed in Exhibits A or B) are subject to TBID assessments.

**BE IT FURTHER RESOLVED**, that it is intended that hotel properties located outside of the corporate limits of the City of Missoula are not subject to assessments. However, the owner(s) of these properties

may voluntarily contribute donations to the District to assist the District with its mission and goals. These donations shall be reported, invoiced, billed, collected and deposited in a manner similar to regular assessments.

**BE IT FURTHER RESOLVED**, that in accordance with §7-1-4124 (7) MCA, the Missoula TBID is authorized to solicit and accept contributions, bequests, donations, or grants of money, property, services, or other advantages as long as they are not contrary to the public interest.

**BE IT FURTHER RESOLVED**, that TBID and/or its authorized agent shall invoice and collect TBID assessments on behalf of the TBID on a quarterly basis. Assessments and collections shall be subject to the collection policy approved by Tourism Business District Board of Directors. Revenues collected shall be deposited into a fund designated for the TBID.

**PASSED AND ADOPTED** this 26<sup>th</sup> day of August, 2019.

ATTEST:

APPROVED:

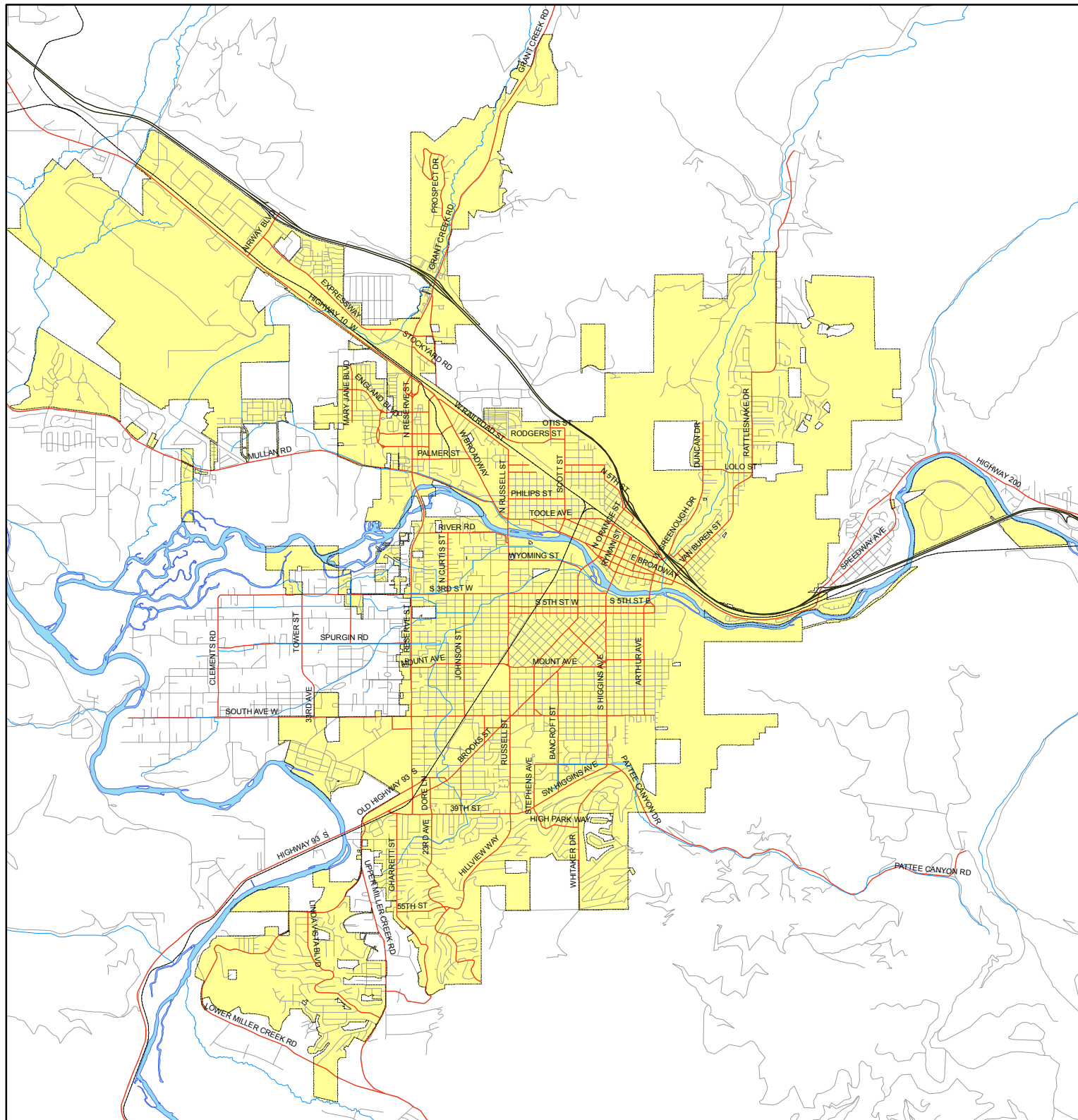
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Martha L. Rehbein, CMC  
City Clerk

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John Engen  
Mayor



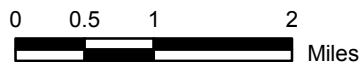


# CITY OF MISSOULA, MONTANA - CITY LIMITS MAP

City Limits as of:  
December 26, 2018



**34.8 Square Miles**  
**22,273 Acres**  
**970,210,769 Square Feet**



Printing Date: Wednesday, December 26, 2018  
File: CityMap\_8.5x11\_PDF.mxd  
Prepared By: GIS Services

**Exhibit B--List of TBID properties as of 8/12/2019**

<b>GEOCODE</b>	<b>HOTEL</b>	<b>TAX ID #</b>	<b>OWNER</b>	<b>LEGAL DESCRIPTION</b>
04220022230010000	Bel Air Motel	0000856207	BEL AIRE MOTEL	CP HIGGINS, S22, T13 N, R19 W, BLOCK E, Lot 11 - 17
04220005303020000	Best Western Grant Creek Inn	0003196702	GRANT CREEK INN LLC	TOWNE CENTER, S05, T13 N, R19 W
04220032321040000	Brooks Street Motor Inn	0001658203	LARSEN INVESTMENTS LLC	NORMAN ADDITION, S32, T13 N, R19 W, BLOCK 69, LOTS 10 & 11 & POR OF LOT 12 & FRAC OF LOTS 15 TO 17 & VAC CHARLOTT ST
04220032321150000	Brooks Street Motor Inn	0000160501	LARSEN INVESTMENTS LLC	CARLINE ADDITION, S32, T13 N, R19 W, BLOCK 69, FRAC OF LOTS 30 & 31 & VAC ALLEY ADJ
04220032333010000	Brooks Street Motor Inn	0006000671	LARSEN INVESTMENTS	CARLINE ADDITION, S32, T13 N, R19 W, BLOCK 64, Lot 15 - 24
04220032333050000	Brooks Street Motor Inn	0005832565	LARSEN INVESTMENTS LLC	CARLINE ADDITION, S32, T13 N, R19 W, BLOCK 64, Lot 25 - 27
04220032333150000	Brooks Street Motor Inn	0006000684	LARSEN INVESTMENTS LLC	CARLINE ADDITION, S32, T13 N, R19 W, BLOCK 64, Lot 28 - 30
04220032333180000	Brooks Street Motor Inn	0001213209	LARSEN INVESTMENTS	CARLINE ADDITION, S32, T13 N, R19 W, 31-38 & 5-6, BLK 64 & FRAC LOTS 1-4 & 6-8, ALL OF 9, BLK 69 & PT VAC ALLEY & PT VAC MC DONALD ST
04220032333370000	Brooks Street Motor Inn	0001213805	LARSEN INVESTMENTS LLC	CARLINE ADDITION, S32, T13 N, R19 W, BLOCK 64, Lot 7 - 14
04220032348130000	Brooks Street Motor Inn	0003778808	LARSEN INVESTMENTS LLC	CARLINE ADDITION, S32, T13 N, R19 W, BLOCK 59, Lot 31 - 34
04220022413010000	Campus Inn	0001773204	CAMPUS INN	MCWHIRK ADDITION, S22, T13 N, R19 W, BLOCK 17 & 18, Lot B, & C & E & PT OF VAC JACKSON ST
04220021217080000	Citi Lodge Value Stay Motel	0000779404	SUBRAYAN ALEX M	MCCORMICK ADDITION # 2, S21, T13 N, R19 W, BLOCK 5, FRAC LTS 13 THRU 24
04220022230030000	City Center Motel	0000336702	CCM LLC	CP HIGGINS, S22, T13 N, R19 W, BLOCK E, Lot 20, & E20' Of Lot 19

<b>GEOCODE</b>	<b>HOTEL</b>	<b>TAX ID #</b>	<b>OWNER</b>	<b>LEGAL DESCRIPTION</b>
04220005202010000	C'Mon Inn	0003384907	MISSCO LLC	COMMERCE CENTER, S05, T13 N, R19 W, Lot 1, 36024 SQUARE FEET
04220005202020000	C'Mon Inn	0003385005	MISSCO LLC	COMMERCE CENTER, S05, T13 N, R19 W, Lot 2
04220022406240000	Comfort Inn	0003282306	CLARK FORK HOTEL INVESTORS LLC	S22, T13 N, R19 W, C.O.S. 4403, PARCEL 1 & 2
04220006101160000	Courtyard by Marriot	2012090400	PASEO INVESTMENTS D LLC	SUMMIT HOTEL ADDITION, S06, T13 N, R19 W, Lot 1, ACRES 2.22
04220022407010000	Doubletree Hotel	0002334073	EDGEWATER PARTNERS LLC	S22, T13 N, R19 W, C.O.S. 6565, PARCEL TRACT 1, ACRES 5.59
04220022411010000	Doubletree Hotel-- Parking Lot	0002334155	EDGEWATER PARTNERS LLC	S22, T13 N, R19 W, C.O.S. 6565, PARCEL TRACT 2, ACRES 1.18
04220005301040000	Econo Lodge (Formerly Best Inn)	0005816627	MOTEL PARTNERS I LIMITED PARTNERSHIP	S05, T13 N, R19 W, ACRES 1.668, TR A2 IN W1/2 SW1/4
04220031430200000	FairBridge Inn & Suites	0005854056	RMH8 LLC AN IDAHO LIMITED LIABILITY COMPANY	RUSSELL BRYAN # 2, S31, T13 N, R19 W, Lot 2
04220031430260000	FairBridge Inn & Suites	0005854069	RMH8 LLC AN IDAHO LIMITED LIABILITY COMPANY	RUSSELL BRYAN # 2, S31, T13 N, R19 W, Lot 3
04220005301130000	Hampton Inn	0005844191	WARREN MISSOULA LLC	NORTHGATE BUSINESS CENTER, S05, T13 N, R19 W, Lot 4
04220008203140000	Hilton Garden Inn	0005830532	WESTERN HOSPITALITY GROUP LP	MISSOULA HILTON, S08, T13 N, R19 W, Lot 1, 284808 SQUARE FEET
04220007101110000	Holiday Inn Express	0004584494	GRANT CREEK LLC	STAYBRIDGE, S07, T13 N, R19 W, Lot 1, 35864 SQUARE FEET
04220007101120000	Holiday Inn Express Additional	0004584494	GRANT CREEK LLC	STAYBRIDGE, S07, T13 N, R19 W, Lot 2, 39792 SQUARE FEET

<b>GEOCODE</b>	<b>HOTEL</b>	<b>TAX ID #</b>	<b>OWNER</b>	<b>LEGAL DESCRIPTION</b>
04220022207010000	Holiday Inn Missoula Downtown	0000025606	EL DORADO HOSPITALITY LLC	MISSOULA ORIGINAL TOWNSITE, S22, T13 N, R19 W, BLOCK 6, Lot 17 - 22, 146503 SQUARE FEET, & BLOCK 9 Lots 1-22
04220022207110000	Holiday Inn Missoula Downtown	2011083104	EL DORADO HOSPITALITY LLC	MISSOULA ORIGINAL TOWNSITE, S22, T13 N, R19 W, BLOCK 6, Lot 16A, 3425 SQUARE FEET, OF LOTS 12 -16
04220022207090000	Holiday Inn Missoula Downtown	2011083103	EL DORADO HOSPITALITY LLC	MISSOULA ORIGINAL TOWNSITE, S22, T13 N, R19 W, BLOCK 6, Lot 15A, 3425 SQUARE FEET, OF LOTS 12 -16
04220022207070000	Holiday Inn Missoula Downtown	2011083102	EL DORADO HOSPITALITY LLC	MISSOULA ORIGINAL TOWNSITE, S22, T13 N, R19 W, BLOCK 6, Lot 14A, 3425 SQUARE FEET, OF LOTS 12 -16
04220022207050000	Holiday Inn Missoula Downtown	2011083101	EL DORADO HOSPITALITY LLC	MISSOULA ORIGINAL TOWNSITE, S22, T13 N, R19 W, BLOCK 6, Lot 13A, 6850 SQUARE FEET, OF LOTS 12 -16
04220005301010000	La Quinta Inn	0001776537	MALBCO HOLDINGS LLC	PHILLIPS ADDITION # 1 - BLK 1 LOT 1, S05, T13 N, R19 W, Lot 1-B-1, 5664 SQUARE FEET, OF LOTS 1A1 AND 1B1
04220005202040000	Motel 6	0003385207	BCW LLC	COMMERCE CENTER - PHASE II, S05, T13 N, R19 W, Lot 4A
04220022412020000	Motel 6	0000954502	LAXMI HOSPITALITY LLC	MCWHIRK ADDITION, S22, T13 N, R19 W, BLOCK W, Lot 13 - 16, 19166 SQUARE FEET, & S10' OF 17 COS 5947
04220022412070000	Motel 6	0001111800	LAXMI HOSPITALITY LLC	MCWHIRK ADD, S22, T13 N, R19 W, BLOCK 00W, Lot 005, MCWHIRK MC WHIRK-LOTS 5 THRU 7 BLK W
04220022414030000	Motel 6	0004289599	BUDGET INN	MCWHIRK ADDITION, S22, T13 N, R19 W, BLOCK 19, Lot 4A
04220022414050000	Motel 6	0004289497	BUDGET INN	MCWHIRK ADDITION, S22, T13 N, R19 W, BLOCK 19, Lot 5A
04220022414040000	Motel 6	0000580005	BUDGET INN	MCWHIRK ADDITION, S22, T13 N, R19 W, BLOCK 19, Lot 6 - 10, AMENDED & 1/2 VAC JACKSON STREET ADJ

GEOCODE	HOTEL	TAX ID #	OWNER	LEGAL DESCRIPTION
04220021131010000	Mountain Valley Inn	0002458003	WIRTH FAMILY HOLDINGS LLC	WJ MCCORMICKS ADDITION, S21, T13 N, R19 W, BLOCK 17, Lot 13 - 19
04220005202030000	My Place	0003385101	RRR MISSOULA LLC	COMMERCE CENTER - PHASE III, S05, T13 N, R19 W, Lot 2A, ACRES 1.57, OF LOTS 1 & 2
04220005301170000	Quality Inn	0001787803	SUBRAYAN INVESTMENTS LLC	SUMMIT HOTEL ADDITION, S05, T13 N, R19 W, Lot 2, ACRES 0.99
04220021128010000	Red Lion Inn	0001864500	RASM PROPERTIES LLC	WJ MCCORMICKS ADDITION, S21, T13 N, R19 W, BLOCK 49, Lot 1 - 20, POR OF VACA BLANCHE ST & ADJ ALLEY
04220022218010000	Residence Inn at the Mercantile	0000025404	MERCANTILE INVESTORS LLC	MISSOULA ORIGINAL TOWNSITE, S22, T13 N, R19 W, BLOCK 2, Lot 11 - 21, COS 3443 PARCEL A
04220005301090000	Ruby's Inn	0005844173	ERCK INCORPORATED	RUBY ERCK ADDITION, S05, T13 N, R19 W, Lot 3A, ACRES 1.95, NORTHGATE BUISNESS CENTER-LOT 3
04220032311370000	Sleep Inn	0003295903	GRANITE PEAK HOSPITALITY INC	DORE LANE ADDITION, S32, T13 N, R19 W, Lot 1
04220021219070000	Sleepy Inn Motel	0002138404	SUBRAYAN ALEX M	MCCORMICK ADDITION # 2, S21, T13 N, R19 W, BLOCK 9, Lot 11 - 18, E 8' OF 19
04220007101020000	Staybridge Suites	0005844913	ENCE PROPERTIES dba STAYBRIDGE SUITES	STAYBRIDGE, S07, T13 N, R19 W, Lot 3, 96039 SQUARE FEET
04219901102040000	Stone Creek Lodge	0003474903	CENTER FIELD PROPERTIES LLC	MISSOULA DEVELOPMENT PARK - PHASE 2, S01, T13 N, R20 W, BLOCK 9, Lot 3A & 4A, 153974 SQUARE FEET
04219901102050000	Stone Creek Lodge	0003475001	CENTER FIELD PROPERTIES LLC	MISSOULA DEVELOPMENT PARK PH2 002, S01, T13 N, R20 W, BLOCK 009, Lot 4A, 36369 SQUARE FEET, LOTS 3A & 4A
04220005301150000	Super 8 Motel	0005844208	PUNJAB LLC	NORTHGATE BUSINESS CENTER, S05, T13 N, R19 W, Lot 5

<b>GEOCODE</b>	<b>HOTEL</b>	<b>TAX ID #</b>	<b>OWNER</b>	<b>LEGAL DESCRIPTION</b>
04220031430100000	Super 8 Motel	0000344963	S&G 3901 LLC	NP 93 ADDITION, S31, T13 N, R19 W, PARCELS A & B POR TRACTS 3 & 4 2.543AC
04220017201030000	Broadway Inn and Conference Center	0000306207	TRIPLE M PROPERTY MANAGEMENT LLC	S17, T13 N, R19 W, C.O.S. 5628, PARCEL A, IN SE4
04220022406020000	Thunderbird Motel	0001952300	THUNDERBIRD MOTEL	S22, T13 N, R19 W, C.O.S. 4621, PARCEL 2, NE4 SE4 25,447 SQ FT
04220008202110000	TownePlace Suites	0003809306	JK MISSOULA LLC	NORTH RESERVE BUSINESS CENTER, S08, T13 N, R19 W, Lot 6B, 95170 SQUARE FEET, PHASE 3B
04220005302030000	Travelers Inn	0005831970	TETON ACCEPTANCE LLC	ROWDY'S CABIN TRAVELERS INN MOTEL ADDITION, S05, T13 N, R19 W, Lot B
04219901102140000	Wingate Inn	0003475905	MISSOULA VENTURES LLC	MISSOULA DEVELOPMENT PARK - PHASE 2, S01, T13 N, R20 W, BLOCK 11, Lot 1



**City of Missoula, Montana**  
**Item to be Referred to City Council Committee**

**Committee:** Administration and Finance

**Item:** Resolution levying assessments for sidewalk and snow removal performed in 2018-2019

**Date:** August 15, 2019

**Sponsor(s):** Marty Rehbein

**Prepared by:** same

**Ward(s) Affected:**

<input type="checkbox"/> Ward 1	<input type="checkbox"/> Ward 4
<input type="checkbox"/> Ward 2	<input type="checkbox"/> Ward 5
<input type="checkbox"/> Ward 3	<input type="checkbox"/> Ward 6
<input type="checkbox"/> All Wards	<input checked="" type="checkbox"/> N/A

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**Action Required:**  
Adopt resolution

**Recommended Motion(s):**

I move the City Council: Adopt a resolution levying a special assessment and tax upon property for annual sidewalk/snow removal assessments to reimburse the city for removal of snow removal performed in 2018-2019 totalling \$2,717.00 pursuant to Sections 12.16.030 and 12.16.040 Missoula Municipal Code

**Timeline:**

Referral to committee:	August 19, 2019
Committee discussion:	August 21, 2019
Council action (or sets hearing):	N/A
Public Hearing:	N/A
Deadline:	August 26, 2019

**Background and Alternatives Explored:**

By law, property owners are responsible to clear snow and ice from their walks. This past winter, the City received a number of complaints about snow and ice on sidewalks located in the public right-of-way. When City Staff receive a complaint, they inspect the property in question, and if they find the complaint is valid, they leave notice at the property to clear the walk. If the property is a vacant lot, the inspector contacts the property owner. If the snow and ice isn't removed in the time outlined in the notice, a City contractor is dispatched to clear the walk, and City Staff send the property owner an invoice. If the property owner doesn't pay the invoice, city ordinance and state law allow the city council to collect the debt through a property tax assessment.

During the past year, several properties didn't pay the invoices for sidewalk snow removal. They are listed in Exhibit A. The total value of assessments is \$2,717.00. The sidewalks were cleared in 2018-2019. Staff recommends the City Council approve the resolution levying an assessment

**Financial Implications:**

If the expenses are not levied and assessed, the City will not recoup the expenses it incurred to clear the walk.

**Return to:** City Clerk  
435 Ryman  
Missoula, MT 59802

**Draft dated 8/13/2019  
RESOLUTION NUMBER**

**A resolution levying a special assessment and tax upon property for annual sidewalk/snow removal assessments to reimburse the city for removal of snow removal performed in 2018-2019 in the total amount of \$2,717.00 pursuant to sections 12.16.030 and 12.16.040 Missoula Municipal Code.**

**WHEREAS**, Montana state law subsection 7-14-4105(3) Montana Code Annotated (MCA) provides that a municipal city council has the power to regulate the use of sidewalks and require the owners of the adjoining premises to keep the same free from snow or other obstructions, and,

**WHEREAS**, the City Council of the City of Missoula, Montana adopted Sections 12.16.030 through 12.16.040 Missoula Municipal Code (MMC) providing for the removal of snow and ice from sidewalks by city crews once a property owner has been duly notified and has failed to clear ice and snow from public sidewalks located within the public right-of-way adjoining their premises/property; and,

**WHEREAS**, upon determining that a violation existed pursuant to 12.16.030 MMC, City staff left notice at the property, or in the case of a vacant lot, called the property owner, to notify them of the violation and gave them a specified period of time to clear ice and snow from sidewalks located on their property and in the public right-of-way; and,

**WHEREAS**, property owners listed in Exhibit A failed to clear ice and snow from their walk in the time specified, and City crews cleared the sidewalk; and,

**WHEREAS**, in accordance with 12.16.040 MMC City Staff sent invoices for the cost of snow and ice removal to the property owners listed in Exhibit A; and

**WHEREAS**, the invoices have not been paid by the property owner, and in accordance with 12.16.040 MMC may be assessed by levying an assessment on the premises, and,

**WHEREAS**, the County of Missoula bills the lots, pieces and parcels of land subject to assessment under this resolution on behalf of the City.

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

That to defray the cost and expense of removing ice and snow from sidewalks on the properties listed in Exhibit A, there is hereby assessed a special assessment and tax in the respective amounts set forth for the assessment. A description of each lot, piece or parcel of land, the name of the owner thereof and the amount assessed against the same are listed in Exhibit A.

**BE IT FURTHER RESOLVED** that the assessments as shown on Exhibit A, are now due and payable to the County Treasurer of Missoula, Montana, and will be delinquent on November 30, 2019, at 5:00 p.m.

**PASSED AND ADOPTED** this 26<sup>th</sup> day of August, 2019.

**ATTEST:**

**APPROVED:**

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Martha L. Rehbein, CMC  
City Clerk

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John Engen  
Mayor

(SEAL)



Exhibit A-- Fiscal Year 2020 Sidewalk Snow Removal Assessments

TAX ID	GEOCODE	PROPERTY OWNER	PROPERTY ADDRESS	LEGAL DESCRIPTION	ASSESSMENT	VIO NUMBER	Invoiced
1684902	04-2200-22-2-36-07-0000	STERTZ PETER/MARION	317 W SPRUCE ST	CP HIGGINS, S22, T13 N, R19 W, BLOCK 13, Lot 5	\$ 72.00	2018-MSS-VIO-00252	12.19.2018
1025206	04-2200-22-3-13-07-0000	REIFEL DANA B TRUSTEE	605 GERALD AVE	MONTANA ADDITION, S22, T13 N, R19 W, BLOCK 11, Lot 1 - 2, N70' OF 1 & N70' E20' OF 2	\$ 110.00	2018-MSS-VIO-00271	12.12.2018
5831425	04-2200-22-1-14-11-0000	FLOYD F A	930 MONROE	TOWN COMPANY ADDITION, S22, T13 N, R19 W, BLOCK 115, Lot B, AMENDED	\$ 225.00	2018-MSS-VIO-00303	1.3.2019
380801	04-2200-32-4-20-42-0000	CORS MARY ANN	1805 34TH ST	BELLEVUE ADDITION # 2, S32, T13 N, R19 W, BLOCK 1, W 70' OF LOT 1, E 20' OF 2	\$ 210.00	2018-MSS-VIO-00308	1.10.2019
158259	04-2200-32-4-26-40-0000	MCGUIRE DANIEL	1800 34TH ST	CARLINE ADDITION, S32, T13 N, R19 W, BLOCK 73, Lot 36 - 38	\$ 210.00	2018-MSS-VIO-00310	1.13.2019
472801	04-2200-27-3-05-01-0000	LAPSYS BRANDON	500 SOUTH AVE E	MOUNT SENTINEL # 4, S27, T13 N, R19 W, BLOCK 2, LOTS 21 & 22	\$ 330.00	2019-MSS-VIO-00022	1.15.2019
1435109	04-2200-14-2-20-01-0000	HOBBS ROGER C	2215 RAYMOND AVE	PARK ADDITION, S14, T13 N, R19 W, BLOCK 13, Lot 1 - 6, & S12 FT OF 7 & 18 & ALL OF 19 TO 24 & ALLEY ADJ	\$ 390.00	2019-MSS-VIO-00043	1.29.2019
34609	04-2200-28-4-12-11-0000	WEST KENT LLC	645 W KENT AVE	HOMEVALE ADDITION, S28, T13 N, R19 W, BLOCK 12, N2 OF LOTS 11 & 12	\$ 450.00	2019-MSS-VIO-00126	3.19.2019
1406808	04-2200-22-2-51-05-0000	MEYER JIM/CYNDI	601 WOODY ST	CP HIGGINS, S22, T13 N, R19 W, BLOCK 3, Lot 17 - 20, S30' OF ALL	\$ 510.00	2019-MSS-VIO-00136	3.19.2019
2251209	04-2200-22-3-14-08-0000	JENKINS JAMES/LOUISE	604 GERALD AVE	MONTANA ADDITION, S22, T13 N, R19 W, BLOCK 12, Lot 9 - 10, N 43 1/3' X 76' OF ALL	\$ 210.00	2019-MSS-VIO-00151	3.29.2019
TOTAL ASSESSMENTS SNOW					\$ 2,717.00		



**City of Missoula, Montana**  
**Item to be Referred to City Council Committee**

**Committee:** Administration and Finance

**Item:** Resolution levying assessments for the Downtown Business Improvement District for fiscal year 2020

**Date:** August 15, 2019

**Sponsor(s):** Marty Rehbein

**Prepared by:** same

**Ward(s) Affected:**

<input checked="" type="checkbox"/> Ward 1	<input type="checkbox"/> Ward 4
<input type="checkbox"/> Ward 2	<input type="checkbox"/> Ward 5
<input type="checkbox"/> Ward 3	<input type="checkbox"/> Ward 6
<input type="checkbox"/> All Wards	<input type="checkbox"/> N/A

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**Action Required:**  
Adopt resolution

**Recommended Motion(s):**

I move the City Council: Adopt a resolution levying taxes on the lots, pieces and parcels of land located in the downtown business improvement district of the city of Missoula for fiscal year 2020 in the amount of \$(to be determined) in accordance with 7-12-1132 MCA.

**Timeline:**

Referral to committee:	August 19, 2019
Committee discussion:	August 21, 2019
Council action (or sets hearing):	n/a
Public Hearing:	n/a
Deadline:	August 26, 2019

**Background and Alternatives Explored:**

In 2005, the City Council created Downtown Business Improvement District in response to a petition submitted by downtown property owners requesting that the district be created. In spring 2010, the City Council extended the BID for an additional 10 years in response to a petition from property owners in the district. The BID Board of Trustees submits an annual work plan and budget for the City Council's consideration. State law required the City Council hold a public hearing on the BID's proposed work plan and budget to hear any objections from property owners. The City Council is holding the public hearing in conjunction with the city's budget public hearing on August 19<sup>th</sup>.

The next step in the process is to levy the taxes on the district properties to defray the costs identified in the work plan and budget. If the City Council adopts the resolution to levy the final assessments, property owners will see the assessment on their property tax bills in November and May.

**Financial Implications:**

Staff are awaiting individual parcel information from the Montana Department of Revenue in order to calculate BID assessments. We'll present an updated spreadsheet as soon as assessments are calculated.



**City of Missoula, Montana**  
**Item to be Referred to City Council Committee**

**Committee:** Administration and Finance

**Item:** Resolution levying assessments for hazardous vegetation removal (weeds) for fiscal year 2020

**Date:** August 15, 2019

**Sponsor(s):** Marty Rehbein

**Prepared by:** same

**Ward(s) Affected:**

<input type="checkbox"/> Ward 1	<input type="checkbox"/> Ward 4
<input type="checkbox"/> Ward 2	<input type="checkbox"/> Ward 5
<input type="checkbox"/> Ward 3	<input type="checkbox"/> Ward 6
<input type="checkbox"/> All Wards	<input checked="" type="checkbox"/> N/A

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**Action Required:**  
Adopt resolution

**Recommended Motion(s):**

I move the City Council: Adopt a resolution levying a special assessment and tax upon property for annual weed assessments to reimburse the city for hazardous vegetation and nuisance weed cut orders performed in 2018 in the total amount of \$1,434.00 pursuant to section 7-22-4101 Montana Code Annotated and section 8.40.040 Missoula Municipal Code

**Timeline:**

Referral to committee:	August 19, 2019
Committee discussion:	August 21, 2019
Council action (or sets hearing):	August 26, 2019
Public Hearing:	n/a
Deadline:	August 26, 2019

**Background and Alternatives Explored:**

Each year, the City receives many hazardous vegetation and nuisance weed complaints. Development Services (DS) inspects the property in question, and if they find the vegetation violates city ordinance, they send notice to the property owner to cut the vegetation. If the vegetation isn't cut in the time outlined in the notice, the City's contractor cuts the weeds and DS sends the property owner an invoice. If the property owner hasn't paid the invoice, state law and the city ordinance allow the city council to collect the debt through a property tax levy.

During the past year, several properties didn't pay the invoices for vegetation removal by the city's contractor totaling \$1,43400. The vegetation was cut in 2018.

**Financial Implications:**

The city will not be reimbursed for the expense of cutting the weeds, and there will be a shortfall in the weed program budget.

City Clerk  
435 Ryman  
Missoula, MT 59802

**Draft dated 8/13/2019**  
**RESOLUTION NUMBER**

**A resolution levying a special assessment and tax upon property for annual weed assessments to reimburse the city for hazardous vegetation and nuisance weed cut orders performed in 2018 in the total amount of \$1,434.00 pursuant to section 7-22-4101 Montana Code Annotated and section 8.40.040 Missoula Municipal Code.**

**WHEREAS**, the City Council of the City of Missoula, Montana adopted Section 8.40.040 Missoula Municipal Code providing for a hazardous vegetation removal fee once a property owner has been duly notified and has failed to exterminate or otherwise abate that hazardous vegetation; and,

**WHEREAS**, City Development Service staff gave notice to the property owners listed in Exhibit A, who neglected to exterminate or remove the hazardous vegetation on their property within the time required in the letter; and,

**WHEREAS**, Development Services arranged for private contractors to cut and remove the weeds from the properties as listed in Exhibit A; and,

**WHEREAS**, Section 7-22-4101 M.C.A. grants a City Council power to levy a special tax against the property for the cost of extermination or removal if the property owner or owners neglect to exterminate or remove the nuisance weeds from the property; and,

**WHEREAS**, the County of Missoula bills the lots, pieces and parcels of land subject to assessment under this resolution on behalf of the City.

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

That to defray the cost and expense of cutting weeds on the property listed in Exhibit A, there is hereby assessed a special assessment and tax in the respective amounts set forth for the assessment. A description of each lot, piece or parcel of land, the name of the owner thereof and the amount assessed against the same are listed in Exhibit A.

**BE IT FURTHER RESOLVED** that the assessments as shown on Exhibit A, are now due and payable to the County Treasurer of Missoula, Montana, and will be delinquent on November 30, 2019, at 5:00 p.m.

**PASSED AND ADOPTED** this 29<sup>th</sup> day of August, 2019.

**ATTEST:**

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Martha L. Rehbein  
City Clerk

**APPROVED:**

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John Engen  
Mayor

Exhibit A--Fiscal Year 2020 Hazardous Vegetation Assessments

TAX ID	GEOCODE	PROPERTY OWNER	PROPERTY ADDRESS	LEGAL DESCRIPTION	ASSESSMENT	VIO NUMBER	Invoiced
2315657	04-2200-33-4-15-01-0000	DEUTCH PHILIP/ROBERTA	101 NORTHVIEW DR	FAR VIEWS HOMESITES ADDITION # 06A, S33, T13 N, R19 W, BLOCK 2, Lot PT OF 15	\$ 629.00	2018-MSS-VIO-00201	9.5.2018
2014309	04-2200-29-3-18-01-0000	SCHMAUTZ BERNICE	KEMP / SUSSEX	CARLINE ADDITION, S29, T13 N, R19 W, BLOCK 26, Lot 17 - 26	\$ 805.00	2018-MSS-VIO-00182	11.9.2018
TOTAL ASSESSMENTS VEG					\$ 1,434.00		

NOTES

These two properties were invoiced in fall of 2018 after august assessments and remain unpaid. We have only had 2 new violations thus far this season - and they are still within a 30 day payment window for invoicing.