

RESOLUTION NO. 04-18159

A RESOLUTION REFERRING ORDINANCE NO. 04-5288, AN ORDINANCE AMENDING THE BILLINGS CITY CHARTER TO PROVIDE FOR A PERMANENT MILL LEVY TO FUND FIRE, POLICE AND RELATED PUBLIC SAFETY EXPENSES, TO A VOTE OF THE PEOPLE AT AN ELECTION TO BE HELD ON NOVEMBER 2, 2004.

WHEREAS, the Billings City Council adopted Ordinance 04-5288 amending the Billings City Charter to provide for a permanent mill levy to fund fire, police and related public safety expenses; and,

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

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

WHEREAS, the ordinance should be referred to a vote of the people at the general election to be held on November 2, 2004.

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

1. REFERENCE: Ordinance Number 04-5288, being an Ordinance amending the Billings City Charter to provide for a permanent mill levy to fund fire, police and related public safety expenses, is hereby referred to a vote of the people at the regular election to be held November 2, 2004. A full copy of Ordinance Number 04-5288 is attached hereto, marked Exhibit "A", and by this reference is made a part hereof.

2. FORM OF BALLOT: The form of the ballot shall be as provided by law and similar to the following:

For the purpose of funding the operation, maintenance and capital needs of the Fire Department, Police Department, and related public safety expenses, the

Billings City Council amended the City Charter in Ordinance 04-5288 . Shall the City be authorized to levy millage sufficient to raise the following amounts: \$2,600,000 in FY 2005 (approximately 20 mills); \$1,400,000 per year in FY 2006, FY 2007, FY 2008; and in FY 2009 (approximately 10 mills). The property tax impact on a home valued at \$100,000 is approximately \$45.28 for FY 2005 and \$22.64 per year for the next 4 fiscal years. The impact on a home valued at \$200,000 is approximately \$90.55 for FY 2005 and \$45.28 for the next four (4) fiscal years.

**O** **FOR** amending the City Charter to add a mill levy for Police, Fire and related public safety expenses as provided in Ordinance 04-5288.

**O** **AGAINST** amending the City Charter to add a mill levy for Police, Fire and related public safety expenses as provided in Ordinance 04-5288.

3. **CERTIFICATION:** The City Clerk shall certify this resolution and Ordinance

Number 04-5288 to the Yellowstone County Election Official as provided by law.

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

APPROVED AND PASSED by the Billings City Council this 12<sup>th</sup>. day of July, 2004.

THE CITY OF BILLINGS

BY: \_\_\_\_\_  
Charles F. Tooley, Mayor

ATTEST:

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Marita Herold, CMC/AAE City Clerk

EXHIBIT A

ORDINANCE NO. 04-5288

AN ORDINANCE OF THE CITY OF BILLINGS PROVIDING THAT THE BILLINGS CITY CHARTER BE AMENDED TO ADD SECTION 1.05.1; PROVIDING FOR A PERMANENT MILL LEVY TO FUND FIRE, POLICE AND RELATED PUBLIC SAFETY EXPENSES, 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:

*Section 1.* That Article I of the Billings, Montana City Charter be amended to add Section 1.05.1 so that such section shall read as follows:

“Section 1.05.1 Mill Levy to Fund Fire, Police and Related Public Safety Expenses.

For the purpose of funding the operation, maintenance and capital needs of the fire department, police department, and related public safety expenses, the City Council shall raise the following amounts of money by levying the required number of mills:

2005/2006	\$2,600,000	approximately 20 mills
2006/2007	\$1,400,000	approximately 10 mills
2007/2008	\$1,400,000	approximately 10 mills
2008/2009	\$1,400,000	approximately 10 mills
2009/2010	\$1,400,000	approximately 10 mills

The foregoing mill levies are cumulative, permanent, and in addition to any other mill levies authorized by Charter or law.”

*Section 2. REFERRAL TO ELECTORS.* 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.* This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law, 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<sup>th</sup>. day of June, 2004.

PASSED, ADOPTED and APPROVED on second reading this 12<sup>th</sup>. day of July, 2004.

CITY OF BILLINGS

By \_\_\_\_\_  
Charles F. Tooley, Mayor

ATTEST:

By \_\_\_\_\_  
Marita Herold, CMC/AAE      City Clerk