

RESOLUTION 17-10614

A RESOLUTION DECLARING IT TO BE THE INTENTION OF THE CITY COUNCIL TO CREATE A TOURISM BUSINESS IMPROVEMENT DISTRICT FOR THE PURPOSE OF PROMOTING TOURISM, CONVENTIONS, TRADE SHOWS AND TRAVEL TO THE CITY OF BILLINGS, MONTANA

BE IT RESOLVED by the City Council of the City of Billings (the "City"), Montana, as follows:

**Section 1.** Proposed Tourism Business Improvement District (T.B.I.D.): Intention To Create Tourism Business Improvement District. The T.B.I.D. proposes that the purposes for which the assessments collected shall be used are the statutory purposes set forth in Business Improvement District Law, Montana Code Annotated 2007, 7-12-1101 through 7-12-1144 as amended, for the funding of all uses and projects for tourism promotion within Billings as specified in the Billings Tourism Business Improvement District budget.

**Section 2.** Number of District. The District, if the same shall be created and established, shall be known and designated as the Tourism Business Improvement District No. 0002 of the City of Billings, Montana.

**Section 3.** Boundaries of District. The limits and boundaries of the District are the limits and boundaries of the City of Billings and are depicted on a map attached as "Exhibit A" hereto (which is hereby incorporated herein and made a part hereof) which boundaries are designated and confirmed as the boundaries of the District. A listing of each of the properties in the District is shown on "Exhibit B" hereto.

**Section 4.** Benefited Property. The District and territory included within the limits and boundaries described in Section 3 and as shown on Exhibit "A" are hereby declared to be the Tourism Business Improvement District and the territory which will benefit and be benefited by and will be assessed for the costs of the Tourism Business Improvement District as described in Section 1.

**Section 5.** General Character of the Services to be performed. The services to be performed shall be the funding of all uses and projects for tourism promotion within Billings as specified in the Billings Tourism Business Improvement District budget. It includes the marketing of convention and trade shows that benefit local tourism and lodging businesses in Billings; the marketing of Billings to the travel industry in order to benefit local tourism and the lodging businesses located within the Billings Tourism Business Improvement District; and the marketing of Billings to recruit major sporting events in order to promote local tourism and to benefit the lodging businesses within the Billings Tourism Business Improvement District.

**Section 6.** Assessment Methods: Property To Be Assessed. All hotels, defined as any structure, or any portion of any structure, which is occupied or intended or designed for occupancy by transients for dwelling, lodging, or sleeping purposes, and includes any hotel, inn, motel, or other similar structure or portion thereof, which meet this criteria and are within the District are to be assessed for the costs of operating the Tourism Business Improvement District.

**Section 7.** Assessable Area. All Hotels, as defined in Section 6, that are within the District will be assessed for their proportionate share of the costs of maintaining the activities of the Tourism Business Improvement District as prescribed in Section 7-12-1133 subsection (c), M.C.A. The assessments to fund the work plan for each fiscal year are to be collected from all hotels with 6 or more rooms within the boundaries of the district who

shall be subject to an assessment of two dollars (\$2) per occupied room night as prescribed in Section 7-12-1133, subsection (c), M.C.A., except that stays by persons who are otherwise exempt from paying a transient occupancy tax, also known as a lodging facility use tax, as provided in 15-65-101 through 15-65-136 MCA, shall be exempt from the assessment. The assessments may be modified annually by City Council resolution or adoption of the City budget.

**Section 8.** Payment of Assessments. The assessments for the costs of maintaining the services provided by the Tourism Business Improvement District shall be payable, as prescribed in Section 7-12-1133 subsection (c), M.C.A.

**Section 9.** Duration of District. The duration of the T.B. I. D. shall be for a period of 10 years as prescribed in Section 7-12-1141, M.C.A. Upon receipt of a petition signed by the owners of more than 50% of the area of the property included in the district, the governing body shall dis-establish the district at the end of any fiscal year.

**Section 10.** Public Hearing; Protests. At any time within fifteen (15) days from and after the date of the first publication of the notice of the passage and approval of this resolution, any owner of real property within the proposed District subject to assessment and taxation for the cost and expense of maintaining the Tourism Business Improvement District may make and file with the City Clerk until 5:00 p.m., M.D.S.T., on the expiration date of said 15-day period from April 13, 2017 through April 28, 2017 written protest against the proposed Tourism Business Improvement District, and this Council will at a regular meeting after the expiration of the fifteen (15) days in which such protests in writing can be made and filed, proceed to hear all such protests so made and filed; which said regular meeting will be held on Monday, May 8, 2017 at 6:30 p.m., in the Council Chambers, located on the Second Floor of the City Hall at 220 North 27th Street, in Billings, Montana.

**Section 11.** Notice of Passage of Resolution of Intention. The City Clerk is hereby authorized and directed to publish or cause to be published a copy of a Notice of the passage of this Resolution in the Billings Times, a newspaper of general circulation in the County on Thursday, April 13, 2017 and Thursday, April 20, 2017, in the form and manner prescribed by law, and to mail or cause to be mailed a copy of said Notice to every person, firm, corporation, or the agent of such person, firm, or corporation having real property as described in Section 6 within the proposed district listed in his or her name upon the last completed assessment roll for State, County, and school district taxes, at his last-known address, on or before the same day such notice is first published.

**Section 12.** Effective Date. This resolution shall become effective upon adoption.

**APPROVED** by the City Council of the City of Billings, Montana, this 10<sup>th</sup> day of April, 2017.



THE CITY OF BILLINGS:

BY:  Thomas W. Hanel

Thomas W. Hanel, Mayor

ATTEST:

BY:  Denise R. Bohlman, City Clerk

Denise R. Bohlman, City Clerk

EXHIBIT A

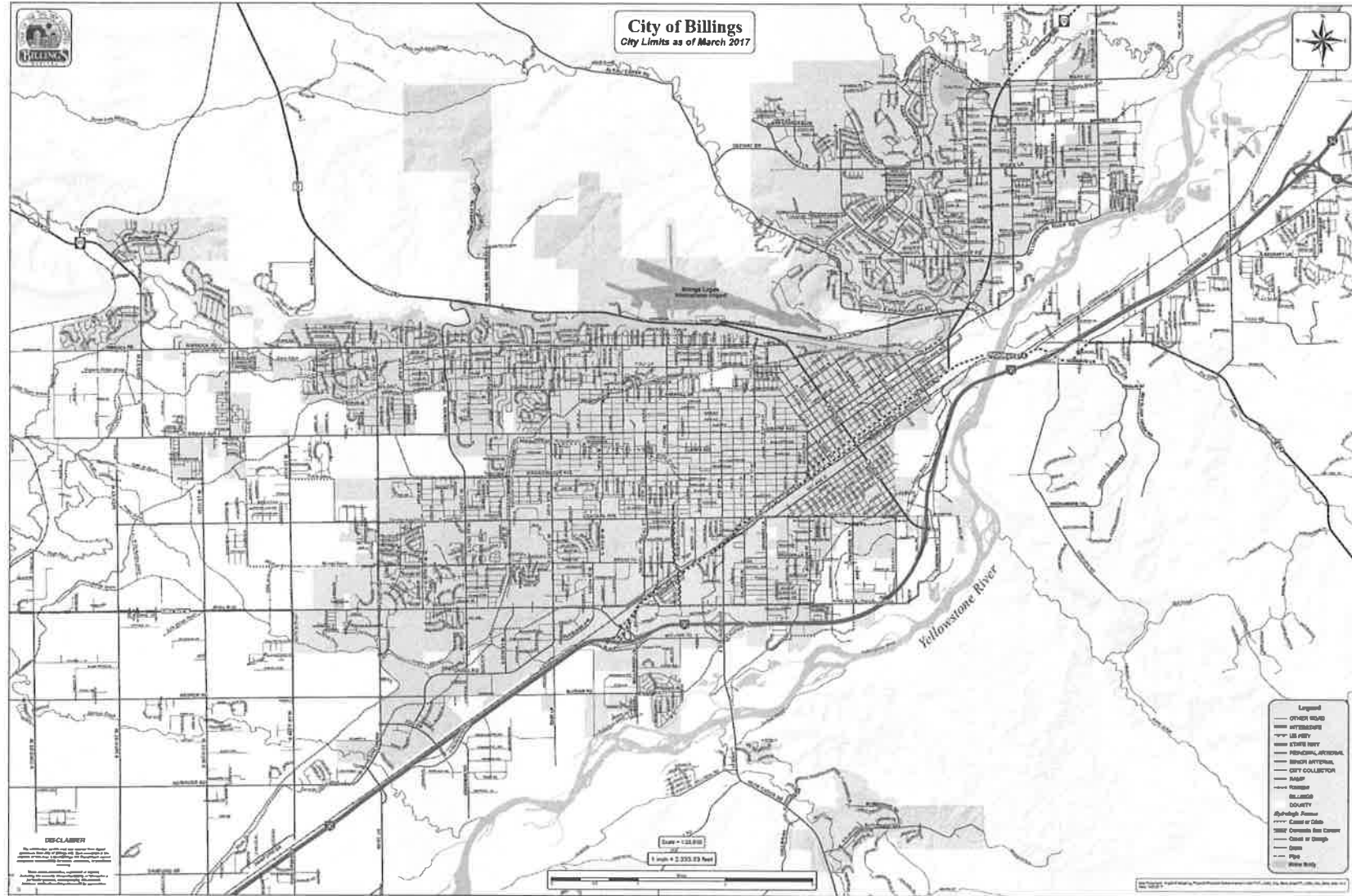


EXHIBIT B

OWNERSHIP LIST

Property	Contact/Voting Member	# of Rooms	Tax Code	FEIN	Sq Ft of Footpr	Property Address	City/State/Zip	Phone	Ownership Group	Mailing Address	City/State/Zip	Ownership Email
Baymont Inn & Suites	Nasima Khan	60	A27802	45-302165	67,832	2030 Overland Avenue	Billings, MT 59102	652-5200	Khan Organization LLC	2030 Overland Ave	Billings, MT 59102	Khan@kdiamondhotels.com
Best Western Clock Tower Inn	Steve Wahrlich	127	A00618	81-0296997	63,000	2511 1st Avenue North	Billings, MT 59101	259-5511	Clocktower Inn LLC	2511 First Avenue North	Billings, MT 59101	sw@bwclocktowerinn.com
Best Western Kelly Inn	Joyce Bratland	89	A28977	26-2210919	139,392	4915 Southgate Drive	Billings, MT 59101	256-9400	Kelly Midwest Ventures LLP	3211 West Sencore Dr	Sioux Falls, SD 57107	Bschmidt@kellyinns.com
Big 5 Motel	Jphn Newman	34	A00048	81-0502624	28,000	2601 4th Avenue North	Billings, MT 59101	245-6646	Contract Buying Services Inc c/o Wayne Shawver	5484 Forest Hills Dr	Billings MT 59101	
Big Horn Resort	Richard Todd	108	A30687	75-3159950	486,957	1801 Majestic Lane	Billings, MT 59102	839-9300	Billings Ventures LLP	1801 Majestic Lane	Billings, MT 59102	mbrosovich@bresnan.net
Boothill Inn & Suites	Shell Mann	69	A29251	81-0534567	60,984	242 East Airport Road	Billings, MT 59105	245-2000	Bottrill Family Investments LLP	P O Box 80284	Billings, MT 59108	shellmann@boothillinn.com
Bourbon Street Hotel Tower III	LuAnne Pekovich	24	A00721	81-0518121	10,454	3420 First Avenue North	Billings, MT 59101		Greg and Becky Pekovich	3550 Masterson Cir	Billings, MT 59106	gpekovich@yahoo.com
Bourbon Street Hotel Towers I & II	LuAnne Pekovich	51	A00729	81-0518121	30,750	3314 1st Avenue North	Billings, MT 59101	259-4551	Greg Pekovich	3550 Masterson Cir	Billings, MT 59106	gpekovich@yahoo.com
C Mon Inn	Justin Manning	80	A27800	81-0490658	138,521	2020 Overland Avenue	Billings, MT 59102	655-1100	Billco Investments LLCT Inc	P O Box 12697	Grand Forks ND 58208	
Carlin Hotel	Susan Smith	8	A00806	81-0519836	6,500	2501 Montana Avenue	Billings, MT 59101	255-9570	Computers Unlimited	2407 Montana Avenue	Billings, MT 59101	
Cherry Tree Inn	Douglas G. Kirby	65	A07125	81-0330181	27,878	823 North Broadway	Billings, MT 59101	252-5603	Kirby Development Co Inc c/o Douglas Kirby	823 North 28th St	Billings, MT 59101	Cherrykirby@aol.com
Comfort Suites	Phenny Bowers	60	A28409A		89,646	4908 Southgate Drive	Billings, MT 59101	969-2300	Khan Organization LLC	4908 Southgate Drive	Billings, MT 59101	Khan@kdiamondhotels.com
Country Inn & Suites	Michelle Breitwiser	67	A27760	36-4445264	84,506	231 Main Street	Billings, MT 59101	245-9995	Billings Hospitality LLC	705 9th Street N	Sartel MN 56377	gamask@hotmail.com
Days Inn	Robbie Schneider	63	A24755	81-0466696	84,835	843 Parkway Lane	Billings, MT 59101	252-4007	Billings Hotel Investors LLC	4965 Jaiden Ln	Missoula, MT 59803	larry@lamberthotels.com
Double Tree Inn by Hilton	LaReil Baldwin	282	A00804	20-5135486	41,818	27 North 27th Street	Billings, MT 59101	252-7400	Makenna Hotel Investment LLC c/o Randy Meyer	201 5th Ave South, Ste 200	Edmonds, WA 98020	
Dude Rancher Lodge	Todd Graves	57	A07370	75-3177568	28,000	415 North 29th Street	Billings, MT 59101	259-5561	Virginia Karlsen c/o Gordon Graves	P O Box 160433	Big Sky, MT 59716	Virginia@duderancherlodge.com
Econo Lodge	Shawna Smith	86	C07320	26-2210919	85,813	5425 Midland Road	Billings, MT 59101	252-2700	Big Sky Hotels LLC c/o Stephen Cranston	1345 Mallowney Lane	Billings, MT 59101	Khan@kdiamondhotels.com
Extended Stay America - Billings Westend	Troy Mginis	104	A29258	20-1627433	117,176	4950 Southgate Drive	Billings, MT 59101	245-3980	BRE/ESA Portfolio LLC	PO Box 49550	Charlotte, NC 28277-9550	
Fairfield Inn	Beth Cantrell	63	A27801	47-2107328	81,457	2020 Overland Avenue	Billings, MT 59102	652-5330	F I Midwest Inn of Billings Inc c/o TMI Hospitality	PO Box 9118	Fargo, ND 58106	
Hampton Inn	Joe Studlner	122	A29257A	81-0528484	169,486	5110 Southgate Drive	Billings, MT 59101	248-4949	Billings Lodging Investors, c/o Ruby Erck	14 Carriage Way	Missoula, MT 59802	stacy.lind@erckhotels.com
Hampton Inn & Suites	Stacy Lind	101	A30691	20-5390823	134,800	9550 Ember Lane	Billings, MT 59102	656-7511	Broso Valley Lodging Investors c/o Dustin Williams	8214 O'Reilly Drive	Holena, MT 59602	stacy.lind@erckhotels.com
Heights Inn Motel	Sam Quiglyw	33	A04929	81-0512438	127,631	1206 Main Street	Billings, MT 59101	252-8451	CMYL Inc	5060 Maple Ridge Drive	Billings, MT 59106	
Hilltop Inn	Ivah Collins	57	I00802	81-0498965	38,500	1116 North 28th Street	Billings, MT 59101	245-5000	Hilltop Inn Limited Partnership	1116 North 28th	Billings, MT 59101	
Hilton Garden Inn-Billings	Tina Wiser	128	A31178	20-2396255	142,441	2465 Grant Road	Billings, MT 59102	670-5338	JWT Hospitality Group c/o Kevin Walsh	2546 Grant Road	Billings, MT 59102	
Holiday Inn Express & Suites	Keri Wilson	66	A30690			3431 Ember Lane	Billings, MT 59102	869-5133	Billings Hospitality Inc	PO Box 15	Aberdeen, SD 57402	
Home 2 Suites by Hilton	Boone Jones		A07225		57,289	2611 7th Ave N	Billings, MT 59101	252-2255	7th Avenue Hospitality, LLC	2811 7th Avenue N	Billings, MT 59101	
Homewood Suites	Stacy Lind	110	A30689A		76,622	3420 Ember Lane	Billings, MT 59102	656-0525	Ember Lane Lodging Investors LLC	8214 O'Reilly Drive	Holena, MT 59602	stacy.lind@erckhotels.com
Howard Johnson Billings	Nasima Khan	116	D01901	27-1372178	106,722	1345 Mallowney Lane	Billings, MT 59101	252-2584	Khan Organization LLC	P. O. Box 7246	Gillette, WY 82717	Khan@kdiamondhotels.com
Kelly Inn	Shinead Field	80	A28394	26-2210919	160,199	5610 South Frontage Road	Billings, MT 59101	248-9800	Kelly Midwest Ventures LLP	3211 West Sencore Dr	Sioux Falls, SD 57107	Bschmidt@kellyinns.com
La Quinta Inn & Suites	Gail Linnell	85	A28396A		141,875	5620 S Frontage Rd	Billings, MT 59101	252-1188	Kelly Midwest Ventures Limited Partnership	3025 West Sencore	Sioux Falls, SD 57107	Bschmidt@kellyinns.com
Lazy KT Motel	Kerry Struckman	26	A00527		24,394	1403 1st Avenue North	Billings, MT 59101	252-6606	Soto Holdings LLC	P. O. Box 1333	Columbus, MT 59109	
Ledgestone Hotel	Jennifer Benson	57	A31141	45-3568204	87,558	4863 King Ave East	Billings, MT 59101	259-9454	Northern Lights Investments LLC c/o Kristine Tanaka	1105 Porter Way	Milton WA 98354	
Lewis & Clark Inn	Mike Pekovich	57	A00538	81-0508267	42,000	1709 1st Avenue North	Billings, MT 59105	252-4691	Greg and Becky Pekovich	4141 Stale Avenue	Billings, MT 59101	gpekovich@yahoo.com
Lexington Inn & Suites	Kacy Kleth	88	C14765	20-3431155	72,736	3040 King Avenue West	Billings, MT 59102	294-9090	Father and Sons Hospitality LLC	3040 King Avenue West	Billings, MT 59102	
Motel 6 North #115	Crystal Swanson	116	A22949	77-0116487	131,813	5353 Midland Road	Billings, MT 59102	248-7551	G8 Hospitality Property LLC	PO Box 117508	Carrollton, TX 75011	
Motel 6 South #178	Crystal Swanson	99	C07322	77-0116487	73,442	5400 Midland Road	Billings, MT 59101	252-0093	G8 Hospitality Property LLC	PO Box 117508	Carrollton, TX 75011	
My Place Hotel	Dalton Emig- Wahren	64	A34239	45-3537608	68,389	4770 King Ave East	Billings, MT 59101	259-9970	RW Billings LLC	1910 8th Ave NW	Aberdeen, SD 57401	
Northern Hotel	Mike Nelson	160	A00795		20,909	19 N. Broadway	Billings, MT 59101		Zoolist Hotel LLC	555 Zoot Enterprise Lane	Bozeman, MT 59718	zootst@northernhotel.com
Parkway Motel	John Stanley	22	D01383	20-5154291	46,609	4808 Underpass Avenue	Billings, MT 59101	245-3044	MTSU LLC c/o Lary & Marlene Thiel Trustees	P O Box 195	Billings, MT 59103	
Picture Court Motel	Greg McFarland	20	A17367	81-0541007	25,285	5146 Laurel Road	Billings, MT 59105	252-8478	Jovanovich Enterprises LLC c/o Greg McFarland	4605 Sticks Circle	Billings, MT 59108	
Quality Inn Homestead	Brian Ameson	119	A24991A	41-1263469	126,324	2036 Overland Avenue	Billings, MT 59102	652-1320	Billings Hospitality LLC	100 4th Avenue S	Salmi Cloud, MN 56301	barnerson@brutgerequities.com
Radisson	Tony Contreaz	317	D01889	20-3847778	594,986	5500 Midland Road	Billings, MT 59101	248-7701	Midland Holdings LLC c/o Inner Circle Investments	1275 W Granada Blvd Ste 3B	Ormond Beach, FL 32174-8105	
Red Lion Hotel and Convention Center	Ron Spence	234	D01899	27-4362897	516,611	1223 Mallowney Lane	Billings, MT 59101	248-7151	BHCC II Inc c/o Ron or Jeff Murl	2223 Mallowney Lane	Billings, MT 59101	jmurl1958@gmail.com
Residence Inn by Marriott	Ginny Hart	92	A32902	30-0346341	160,495	956 South 25th Street West	Billings, MT 59102	650-3900	Lads Hospitality Associates LLC c/o David Veeder	2975 Enterprise Avenue Ste 6	Billings, MT 59102	
Riversage Billings Inn	Vanda Bishop	59	A07142	20-8573526	31,500	880 North 29th Street	Billings, MT 59101	252-6800	Riversage Billings Inn c/o Raymond Clark	880 North 29th Street	Billings, MT 59101	
Rodeway Inn	Usman Khan	47	A16557	46-5474018	13,983	1315 North 27th Street	Billings, MT 59101	245-4128	Rimrock Hospitality LLC c/o Usman Khan	1315 N. 27th St	Billings, MT 59101	
Sleep Inn Motel Billings	Jance Varela	75	A28408	20-8953974	103,237	4904 Southgate Drive	Billings, MT 59101	254-0013	Khan Investments	208 Decker Court	Gillette, WY 82716	Khan@kdiamondhotels.com
SpringHill Suites by Marriott Billings	Wes Carter	79	A30781	68-0527240	58,912	1818 King Avenue West	Billings, MT 59101	652-9313	Billings Hospitality Inc	PO Box 15	Aberdeen, SD 57402	
Super 8 Lodge	Steven Hill	106	A24758	52-2186988	97,844	5400 Southgate Drive	Billings, MT 59101	248-8842	Supertel LP	PO Box 1448	Norfolk, NE 68702	
The Vegas Hotel	Tom Miner	102	D01750	45-3659345	109,336	2612 Belknap Avenue	Billings, MT 59101	248-7761	Greg and Becky Pekovich	4141 Stale Avenue	Billings, MT 59101	gpekovich@yahoo.com
Towne Place Suites by Marriott	Becy Meldig	91	A31180	46-2271771	115,434	2480 Grant Rd.	Billings, MT 59102	652-7106	Billings Hospitality LLC	2480 Grant Road	Billings, MT 59102	
Twin Cabs Motel	Bill Chilton	15	C01517		37,897	1818 Main Street	Billings, MT 59105	252-9851	Wayne and Celia Chilton	1818 Main St	Billings, MT 59105	
Western Executive Inn	Faye Adams	40	C07975A	81-0519152	39,335	3121 King Avenue West	Billings, MT 59102	294-8888	Cindy Duncan	3121 King Ave W	Billings, MT 59102	cduncan@montana.net
Western Inn	David Kahn	38	A00320	27-4252161	20,909	3311 2nd Avenue North	Billings, MT 59101	245-6345	Kahn Real Estate LLC	3311 2nd Avenue North	Billings, MT 59101	
Westwood Rimview Inn	Art Westwood	54	A16341	81-0335686	40,946	1025 North 27th Street	Billings, MT 59101	248-2622	Hillcrest Inc c/o Art Westwood	1025 North 27th Street	Billings, MT 59101	art.westwood@gmail.com
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