



**City Commission Agenda**  
**Civic Center 2 Park Drive South, Great Falls, MT**  
**Commission Chambers Room 206**  
**September 19, 2017**

**CALL TO ORDER 7:00 P.M.**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL/STAFF INTRODUCTIONS**

**AGENDA APPROVAL**

**PETITIONS AND COMMUNICATIONS**

*(Public comment on any matter that is not on the agenda of the meeting and that is within the jurisdiction of the City Commission. Please keep your remarks to a maximum of 3 minutes. When at the podium, state your name and address for the record.)*

1. Miscellaneous reports and announcements.

**NEIGHBORHOOD COUNCILS**

2. Miscellaneous reports and announcements from Neighborhood Councils.

**BOARDS AND COMMISSIONS**

3. Appointment, Great Falls Planning Advisory Board.
4. Miscellaneous reports and announcements from Boards and Commissions.

**CITY MANAGER**

5. Miscellaneous reports and announcements from the City Manager.

**CONSENT AGENDA**

*The Consent Agenda is made up of routine day-to-day items that require Commission action. Items may be pulled from the Consent Agenda for separate discussion/vote by any Commissioner.*

6. Minutes, September 5, 2017
7. Total Expenditures of \$3,577,767 for the period of August 15, 2017 through September 6, 2017, to include claims over \$5,000, in the amount of \$3,157,425.
8. Contracts List
9. Award a contract in the amount of \$113,498.00 to Phillips Construction, LLC. for the 3rd Avenue Southwest Lift Station #18 Force Main Replacement, and authorize the City Manager to execute the construction contract documents.
10. Approve the purchase of one new 2018 AT237S cab, chassis, utility body and aerial lift truck for \$108,765 from Altec Industries, Inc., through NJPA (National Joint Powers Alliance).
11. Approve final payment for the 36th Avenue NE Improvements Phase 2 in the amount of \$45,228.19 to United Materials of Great Falls, Inc. and \$456.85 to the State of Montana Miscellaneous Tax Division and authorize the City Manager to execute the necessary

documents and make the payments.

12. Set a public hearing on Res. 10206, Resolution approving the Application for the New and Expanding Industry Tax Benefit for Montana Egg LLC. for the expansion of Egg Processing Facility for October 3, 2017.
13. Set a public hearing on Res. 10207, Fixing the Rates of Safety Inspection Certificate Fees in Title 5 of the Official Code of the City of Great Falls (OCCGF) for October 17, 2017.

**Action: Approve Consent Agenda as presented or remove items for separate discussion and/or vote**

## **PUBLIC HEARINGS**

14. Res. 10205, Establishing the rates, fees and penalties associated with Title 10 of the Official Code of the City of Great Falls (OCCGF) pertaining to the City's Parking System. Action: Conduct a public hearing and adopt or deny Res. 10205. ***(Presented by Craig Raymond)***

## **OLD BUSINESS**

## **NEW BUSINESS**

## **ORDINANCES/RESOLUTIONS**

15. Ord. 3169, Repealing and Replacing Title 2 Of The Official Code Of The City Of Great Falls (OCCGF), Pertaining To Administration and Personnel Provisions. Action: Accept or not accept Ordinance 3169 on first reading and set a public hearing for Ord. 3169 for October 3, 2017. ***(Presented by Sara Sexe)***
16. Res. 10167, Establishing Training Requirements for All Members of City Boards, Committees, Commissions, and Councils. Action: Adopt or deny Res. 10167. ***(Presented by Sara Sexe)***
17. Res. 10189, to levy and assess properties within the Business Improvement District (BID). Action: Adopt or deny Res. 10189. ***(Presented by: Melissa Kinzler)***
18. Res. 10190, to levy and assess properties within the Tourism Business Improvement District (TBID). Action: Adopt or deny Res. 10190. ***(Presented by Melissa Kinzler)***

## **CITY COMMISSION**

19. Miscellaneous reports and announcements from the City Commission.
20. Commission Initiatives.

## **ADJOURNMENT**

*(Please exit the chambers as quickly as possible. Chamber doors will be closed 5 minutes after adjournment of the meeting.) Commission meetings are televised on cable channel 190 and streamed live at <https://greatfallsmt.net>. City Commission meetings are re-aired on cable channel 190 the following Wednesday morning at 10 am, and the following Tuesday evening at 7 pm.*



**Item:** Appointment, Great Falls Planning Advisory Board

**From:** City Manager's Office

**Initiated By:** City Commission

**Presented By:** City Commission

**Action Requested:** Appoint one member to the Great Falls Planning Advisory Board

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**Suggested Motion:**

1. Commissioner moves:

“I move that the City Commission appoint Patrick Sullivan to the remainder of a three-year term ending on December 31, 2017, to the Great Falls Planning Advisory Board.”

2. Mayor calls for a second to the motion, Commission discussion, public comment, and calls for the vote.

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**Staff Recommendation:**

It is recommended that the City Commission appoint one member for a partial three-year term ending on December 31, 2017, to the Great Falls Planning Advisory Board.

**Summary:**

There is currently one opening on the Planning Advisory Board. Keith Nelson was appointed to the Board on September 1, 2015 and unfortunately has since passed away.

Advertisement to fill vacancies has been ongoing for various Board openings since January 2017 through the local media and the City’s website. An application from Patrick Sullivan was received on June 13, 2017.

During the Planning Advisory Board meeting on August 22, 2017 the Board recommended that the Commission appoint Mr. Sullivan to fill the remainder of a three year term.

**Purpose:** The Great Falls Planning Advisory Board was created in lieu of the Great Falls City-County Planning Board. Further, the advisory board has jurisdiction within the City limits; consists of nine citizen members appointed by the City Commission; and, performs and provides the duties, services and

functions specified in Ordinance No. 2913, generally involving growth policies, subdivision applications and plats, annexation applications, zoning and rezoning petitions, conditional use permits, long range planning, transportation planning, Community Transportation Enhancement Program administration, historic preservation services, etc. Members must reside within the city limits. City employees and elected officials are not eligible for appointment.

**Alternatives:**

Advertise to seek other citizen interest.

**Concurrences:**

Continuing members of this board are:

	Terms
Scot Davis	11/1/11 – 12/31/18
Anthony Houtz	1/21/14 – 12/31/19
Sophia Sparklin	12/18/12 – 12/31/18
Michael Wedekind	10/7/15 – 12/31/19
Charles Pankratz	6/20/17 -- 12/31/19
Peter Fontana	4/ 7/15 – 12/31/17
Nathan (Nate) Weisenburger	11/1/11 – 12/31/17
Dave Bertelsen	8/15/17 -- 12/31/18

ATTACHMENTS:

- Application for Patrick Sullivan



**BOARDS AND COMMISSIONS  
CITIZEN INTEREST FORM  
(PLEASE PRINT OR TYPE)**


**RECEIVED**

JUN 13 2017

*Thank you for your interest. Citizen volunteers are regularly appointed to the various boards and commissions. This application subject to Montana Right to Know laws.*

**CITY MANAGER**

Board/Commission Applying For: <b>Great Falls Planning Advisory Board (and) Design Review Board</b>		Date of Application: <b>6-13-17</b>
Name: <b>Patrick Sullivan</b>		
Home Address: <b>2912 2<sup>nd</sup> Ave North</b>		Email address: <b>Psullivan28@hotmail.com</b>
Home Phone:	Work Phone: <b>406-564-8669</b>	Cell Phone: <b>406-546-2508</b>
Occupation: <b>Managing Director Sole Proprietor Freelance Entrepreneur</b>		Employer: <b>out West Art Foundation A Road Less Traveled Multiple Industries</b>
Would your work schedule conflict with meeting dates?		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> (If yes, please explain)
Related experiences or background: <b>Multiple Design related experiences in Montana Communities</b>		
Educational Background: <b>1996 Bachelors Liberal Arts</b>		
<b>IF NECESSARY, ATTACH A SEPARATE SHEET FOR YOUR ANSWERS TO THE FOLLOWING:</b>		
Previous and current service activities: <b>Multiple Previous and current Community Service Activities</b>		
Previous and current public experience (elective or appointive):		
Membership in other community organizations: <b>Great Falls Downtown Chicks &amp; Richards</b>		

Have you ever worked for or are you currently working for the City of Great Falls? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, where and when?	
Do you have any relatives working or serving in any official capacity for the City of Great Falls? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, who, which department, and relationship?	
Have you ever served on a City or County board? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, what board and when did you serve?	
Are you currently serving on a Board? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, which board? Downtown Great Falls Association	
Please describe your interest in serving on this board/commission? I look forward to Truly helping our one of A Kind Community here in Montana in All ways that I can to Prepare it for our Future Great Falls generations.	
Please describe your experience and/or background which you believe qualifies you for service on this board/commission? I have a tremendous Amount of both experiences and Backgrounds, through affiliation, in growth within multiple Montana communities (some slower growth some rapid)	
Additional comments: Thank you for taking some of your valuable time to consider me for Both of these positions. I Truly look forward to experiencing our Communities growth as well as my own Families here in Great Falls and would be honored to help in all ways that I can.	
Signature 	Date: 6-13-2017

If you are not selected for the current opening, your application may be kept active for up to one year by contacting the City Manager's office. Should a board/commission vacancy occur within 30 days from the last City Commission appointment, a replacement member may be selected from citizen interest forms submitted from the last advertisement. For more information, contact the City Manager's office at 455-8450.

**Return this form to:**  
City Manager's Office  
P.O. Box 5021  
Great Falls, MT 59403

Fax:  
(406) 727-0005

Email:  
kartis@greatfallsmt.net



**Item:** Minutes, September 5, 2017, Commission Meeting

**From:** Darcy Dea, Deputy City Clerk

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ATTACHMENTS:

- September 5, 2017 - - City Commission Meeting Minutes

Regular City Commission

Mayor Kelly presiding

Call to Order: 7:00 P.M.

Commission Chambers Room 206

**ROLL CALL/STAFF INTRODUCTIONS:** City Commission members present: Bob Kelly, Tracy Houck, Bob Jones, Bill Bronson and Fred Burow. Also present were City Manager Greg Doyon and Deputy City Manager Chuck Anderson; City Clerk Lisa Kunz; Public Works Director Jim Rearden; Planning and Community Development Director Craig Raymond; Fire Chief Steve Hester; Park and Recreation Interim Director Patty Rearden; Fiscal Services Director Melissa Kinzler; Assistant City Attorney Joe Cik; and, Police Chief Dave Bowen.

**AGENDA APPROVAL:** City Manager Greg Doyon commented that a proclamation for National Recovery Month was added to the agenda after original posting. No additional changes were proposed by the City Manager or City Commission. The agenda was approved.

**PROCLAMATIONS:** Constitution Week, Patriot Day/National Day of Service and Remembrance, 100th Anniversary of Central Assembly, and National Recovery Month.

### **PETITIONS AND COMMUNICATIONS**

#### **1. Miscellaneous reports and announcements.**

John Hubbard, 615 7th Avenue South, discussed opposition to state official salary increases. He also noted that his tree has Dutch Elm disease, and he suggested the City advise the public about the disease.

Commissioner Houck reported that several years ago the City forester visited the neighborhood councils to educate them on the concerns of Dutch Elm. She concluded that the City forester in the Park and Recreation Department is a great resource.

### **NEIGHBORHOOD COUNCILS**

#### **2. Miscellaneous reports and announcements from Neighborhood Councils.**

There were no miscellaneous reports and announcements from Neighborhood Council representatives.

### **BOARDS AND COMMISSIONS**

#### **3. Miscellaneous reports and announcements from Boards and Commissions.**

There were no miscellaneous reports and announcements from members of boards and commissions.

### **CITYMANAGER**

#### **4. Miscellaneous reports and announcements from the City Manager.**

City Manager Greg Doyon reported that he will be conducting preliminary interviews for the Park and Recreation Director position and hopes to be moving forward with in town interviews in a month or so.



He announced that Emergency Manager Dave Nordel will be conducting an EOC exercise on Thursday from 9 a.m. to 12 p.m. for staff to learn their different roles during the course of an emergency. The Commission is invited to attend.

Manager Doyon also announced promotions within the City that included Tiffany Stagmiller in Municipal Court transitioning to an Animal Control Officer, Anne Duncan moved within the Great Falls Police Department to Community Service Officer, and Clint Houston was promoted to Master Police Officer. He further noted that City Clerk Lisa Kunz' interview regarding the duties and services of the City Clerk's Office was aired on KGPR radio station today.

McKinstry has begun its energy audit and will be working on energy efficiencies in the participating City facilities.

Manager Doyon also reported that he began working on RFP's for the City's electrical and gas contracts. Consultant Bill Pascoe only wants to be involved in electric supply. Manager Doyon has been in touch with another consultant that will assist the City with the gas supply. With regard to electric, he wants to make sure the City maintains its position in the market to try to get the best electric rates.

An audit committee meeting is scheduled for September 8<sup>th</sup> at 2 p.m. and is open to the public.

Manager Doyon further reported that he participated in the Great Falls College – MSU's Essential Action Tools (EAT) day. Working and going to college is a challenge and there are resources for assistance, as well as other organizations to help people meet goals.

He also discussed the fire danger around the state. For the first time since he has been here he has been getting information from the agencies that oversee all of the operations in the northwest. The reports were that this week was prime for acceleration of the fires because of the winds, heat and lack of moisture. Chief Hester has been working with the department to take an inventory of urban wildland interface. Manager Doyon encouraged residents living on the fringe of the city to pay attention to the vegetation/fuel that is around their residence and, if help is needed to develop a plan, to contact Great Falls Fire Rescue. He further noted that the Cascade City-County Health Department tracks air quality and has resources for residents on its website.

Manager Doyon announced that a 9/11 ceremony will take place at 7:15 a.m.

Manager Doyon advised that he signed a Housing is Healthcare Memorandum of Understanding with NeighborWorks. It is a commitment from the City to engage the Housing Authority and public safety departments for NeighborWorks to perform a study on issues that affect housing and how housing affects the health of citizens that don't have it.

In conclusion, Manager Doyon reviewed openings on City boards and commissions that included the Community Development Council, Board of Adjustment, Design Review Board, Mansfield Center for Performing Arts Advisory Board, Planning Advisory Board and the Parking Advisory Commission.

### **CONSENT AGENDA**

5. Minutes, August 15, 2017, City Commission Meeting
6. Total Expenditures of \$3,976,014 for the period of August 1, 2017 through August 23, 2017, to include claims over \$5,000, in the amount of \$3,543,171.
7. Contracts List.
8. Grants List.
9. Approve cancellation of outstanding and unpaid checks over one (1) year old.
10. Approve cancellation of outstanding and unpaid checks over one (1) year old issued by City of Great Falls Municipal Court.
11. Approve the School Resource Officer Services Agreement with the Great Falls Public School District for the 2017/2018 school year and authorize the City Manager to sign the Agreement.
12. Approve the purchase of three new 2018 Kenworth T470 single axle cab & chassis dump box trucks for \$341,280.87 from Motor Power Great Falls, Inc., through NJPA (National Joint Powers Alliance) including trade-ins.
13. Approve Change Order No. 1 in the amount of \$37,178.99 to United Materials of Great Falls, Inc. for the 36th Avenue NE Improvements (Phase 2) and authorize the City Manager to execute the agreements. **OF 1622.2**
14. Award the base bid portion of the contract in the amount of \$2,447,100.00 to Landmark Structures I, L.P. for the Gore Hill Water Tower Replacement, and authorize the City Manager to execute the construction contract documents. **OF 1625.2**
15. Award a contract in the amount of \$84,538.00 to United Materials of Great Falls for the ADA Handicap Ramps 2nd Street NW, and authorize the City Manager to execute the construction contract documents. **OF 1730.1**
16. Approve an Improvement Agreement with Montana Egg LLC. for North Park Addition, Block 5, Lots 11-16.

**Commissioner Bronson moved, seconded by Commissioner Jones, that the City Commission approve the Consent Agenda with the exception of Item 8B for separate consideration and vote.**

Mayor Kelly asked if there was any discussion amongst the Commissioners.

Commissioner Burow requested clarification of Items 12 and 14.

With regard to Item 12, Director Rearden responded that the Houston-Galveston Area Council (HGAC) was utilized for fire equipment, and the National Joint Powers Alliance (NJPA) offers other types of equipment.

With regard to Item 14, Director Rearden explained that an alternate was added to the bid for a logo of the City of Great Falls or some printing on the tank itself to be done after the tank is erected.

Mayor Kelly asked if there were any comments from the public. Hearing none, Mayor Kelly called for the vote.

Motion Carried 5-0

Commissioner Bronson explained that Item 8B is a Montana Main Street Program grant application for the design and construction of two additional pedlets. A portion of the grant is provided by NeighborWorks Great Falls. His wife was involved in the application and, even though there is no actual conflict or benefit to his wife or himself pursuant to the Official Code of the City of Great Falls, he is going to recuse himself from voting on this item.

Mayor Kelly asked if there was any additional discussion amongst the Commissioners or comments from the public. Hearing none, Mayor Kelly asked the will of the Commission.

**Commissioner Houck moved, seconded by Commissioner Jones, that the City Commission approve Item 8B, the Montana Main Street grant application.**

Mayor Kelly asked if there was any additional discussion amongst the Commissioners or comments from the public. Hearing none, Mayor Kelly called for the vote.

Motion Carried 4-0-1 (Commissioner Bronson abstained)

## **PUBLIC HEARINGS**

### **17. Ordinance 3161, An Ordinance Amending Title 1, of the Official Code of the City of Great Falls (OCCGF), Pertaining To General OCCGF Provisions.**

Assistant City Attorney Joe Cik reported that the vast majority of changes to Title 1 are non-substantive and include chapter re-designation and re-numbering, typographical errors, and reformatting of subsections. Substantive changes include adding a description of "City Logo" into the definitions section of Chapter 1, adding a provision to Chapter 2 that would dictate that, unless otherwise specified

by the Code or by stipulation of the parties, all administrative proceedings would be governed by the Montana Administrative Procedure Act.

Mayor Kelly declared the public hearing open.

No one spoke in support of or in opposition to Ordinance 3161.

Mayor Kelly closed the public hearing and asked the will of the Commission.

**Commissioner Burow moved, seconded by Commissioner Bronson, that the City commission adopt Ordinance 3161.**

Mayor Kelly asked if there was any discussion amongst the Commissioners. Hearing none, Mayor Kelly called for the vote.

Motion Carried 5-0

**18. Ordinance 3166, An Ordinance Amending Title 17, Chapter 20, of the Official Code of the City of Great Falls (OCCGF), Pertaining to Exhibit 20-1 Principal Uses by District.**

Planning and Community Development Director Craig Raymond reported that this agenda item is a request to conduct a public hearing and adopt Ordinance 3166 which provides for specific Land Development Code text amendments pertaining to the allowed use of property in the C-2 zoning district.

Although the specific cause for action is related to a specific zoning enforcement case, Planning and Community Development staff has been considering for some time the rationale for the restriction against worship facilities in the C-2 zoning district. *Worship Facility* is defined in Title 17 as "...a place and/or building, or portion thereof, that has tax-exempt status and that is used or is intended as a place where people can regularly assemble for religious worship and associated activities. The term includes sanctuaries, chapels, cathedrals, churches, synagogues, and temples and other onsite accessory buildings such as parsonages, friaries, convents, fellowship halls, Sunday schools, rectories, and day care centers within the same structure. The term does not include community recreation facilities, dormitories, private educational facilities, emergency shelters, health care facilities, and the like."

The intent of the proposed zoning change is two-fold: Give owners of underutilized commercial properties more options to develop, sell or lease their property for religious purposes; and to allow congregations more flexibility to conduct religious assembly, so that local land use regulations do not impose unjustified, substantial burden on religious exercise. Including Worship Facilities in C-2 zoning districts will increase the overall land area to approximately 70% of the city within which religious uses can potentially locate.

The proposed amendment to C-2 General Commercial will add Worship Facilities to the existing uses, which include: high-traffic businesses, special care facilities, hotels, taverns, casinos, restaurants, sales/retail, general services, equipment repair and rentals, auto-related businesses, storage, indoor

sports and entertainment, government and civic uses, communities centers, cultural facilities, health care facilities, schools, and cell towers.

Director Raymond noted that one member of the public did inquire as to how this could affect the development of a new restaurant or other establishments which allow the consumption of alcohol. He explained that, according to Mont. Code Ann. 16-3-306 the state restricts liquor licenses by requiring a 600 foot separation between the front entrance of a liquor serving establishment and the front entrance of the church when they are on the same street and the building that the worship facility is located in is only used as a worship facility. But, the statute also provides for protection of existing liquor serving establishments and properties which have contained these establishments if they may not currently conform to these criteria. The statute also provides that the City may amend its ordinances such that provides for greater or less restriction in this regard. As it stands today, because of current city ordinances, a restaurant would have no restriction regarding locating literally next door to a worship facility. A tavern or bar as defined in city code where service of food is obviously secondary to serving alcohol, would not be allowed within 600 feet of the worship facility. Casinos are also restricted from locating within 600 feet of worship and other specific facilities such as schools.

At the conclusion of the public hearing on July 11, 2017, the Zoning Commission recommended that the City Commission approve the requested zoning code text amendment as proposed.

Mayor Kelly declared the public hearing open.

No one spoke in opposition to Ordinance 3166.

Speaking in support of Ordinance 3166 was:

**John Hayes**, 619 Carol Drive, commented that allowing religious facilities to restrict taverns/casinos once more made him a bit nervous, but after clarification he has no issues with this ordinance.

There being no one further to address the Commission, Mayor Kelly closed the public hearing and asked the will of the Commission.

**Commissioner Bronson moved, seconded by Commissioner Burow, that the City commission adopt Ordinance 3166.**

Mayor Kelly asked if there was any discussion amongst the Commissioners.

Commissioner Bronson noted that what precipitated this was a worship facility in 2-J's building that is in a C-2 zoning district.

Commissioner Burow received clarification that the 600-foot door-to-door rule for taverns and bars is a state requirement. Director Raymond also noted that the Official Code of the City of Great Falls is specific as to casinos in that it requires 600 feet from property line to property line. For clarification purposes, Director Raymond suggested changing code so that the 600 foot language for casinos and bars is the same.

There being no further discussion, Mayor Kelly called for the vote.

Motion Carried 5-0

Mayor Kelly suggested Director Raymond review the code language as discussed to make it consistent.

19. **Ordinance 3167, An Ordinance to Rezone Property Located at 2016 Central Avenue E from C-1 Neighborhood Commercial to R-3 Single Family High Density.**

Planning and Community Development Director Craig Raymond reported that this item is a request to conduct a public hearing on Ordinance 3167 which formally approves of the rezone (zoning map amendment) of certain property within the City. The subject property is located at 2016 Central Avenue East on the south side of the roadway. In total, the property comprises 7500 square feet on a 50-foot wide by 150-foot deep lot having two (2) existing structures on the property: a single family dwelling constructed circa 1941 and a 240 square foot outbuilding built in 1945.

While this is a City-initiated rezoning request, it is based on a request from the current property owner to construct a detached garage on the rear of the property. When staff and the contractor discussed the request last year, it was discovered that the property was zoned C-1 Neighborhood Commercial. Given that the property is a long-standing residential use and character and next to other residential uses and zoning, rezoning the property was determined to be the best option. If residential zoning is granted for the property, a garage can be constructed that can comply with all zoning standards. Leaving the commercial zoning in place would prevent the garage from being constructed in the desired logical location.

The basis for decision on zoning map amendments is listed in OCCGF §17.16.40.030. The recommendation of the Zoning Commission, and the decision of City Commission, shall at a minimum consider the criteria which are attached as Findings of Fact. Staff finds that the proposed zoning map amendment meets the criteria as submitted.

After the public hearing on July 11, 2017, the Zoning Commission recommended that the City Commission adopt Ordinance 3167 providing for the rezoning of the subject property from C-1 Neighborhood Commercial to R-3 Single Family High Density District.

Mayor Kelly declared the public hearing open.

No one spoke in support of or in opposition to Ordinance 3167.

Mayor Kelly closed the public hearing and asked the will of the Commission.

**Commissioner Jones moved, seconded by Commissioners Houck and Burow, that the City commission adopt Ordinance 3167.**

Mayor Kelly asked if there was any discussion amongst the Commissioners. Hearing none, Mayor Kelly called for the vote.

Motion Carried 5-0

20. **East Ridge Phase 5, Block 2, Lot 2.**

1. **Resolution 10170 - Annexation of Tract 2A on Certificate of Survey (COS) #5081 and Improvement Agreement.**
2. **Ordinance 3157 - Rezone subject property from R-2 Single-Family Medium Density to Planned Unit Development.**
3. **Final Plat of East Ridge Phase 5, Block 2, Lot 2.**

Planning and Community Development Director Craig Raymond reported that this agenda item is a request to conduct a public hearing regarding Resolution 10170 to annex Tract 2A on COS 5081, approve the associated improvement agreement, consider Ordinance 3157 which if approved will rezone certain property from R-2 Single Family Medium Density to PUD Planned Unit Development, and also to consider approving the amended plat of East Ridge Addition Phase 5.

East Ridge Addition Phase 5 was annexed into the City of Great Falls and assigned R-2 Single Family Medium Density zoning in April 2009.

The subject property is currently ±40,395 square feet and is located in the vicinity of 13th Avenue South and 47th Street South. The applicant is requesting a rezone of the subject property in order to accommodate and continue a similar development pattern from previous phases of East Ridge. At its regularly scheduled meeting on July 18, 2017, the City Commission approved the preliminary plat of Block 2, Lot 2 of the Phase 5 East Ridge Addition to create ten (10) lots. Lots shown on the draft preliminary amended plat range in size from ±3,829 square feet to ±4,515 square feet. The owner would like to develop the subject property with 2-unit townhomes, accompanied by a rezone of the property to PUD Planned Unit Development.

As mentioned, this project also entails the annexation and dedication of Tract 2A as public right-of-way and will enable the construction of 13<sup>th</sup> Avenue South to an extension of 47<sup>th</sup> Street South.

The draft improvement agreement is attached in the agenda report but generally the required improvements to serve the subdivision are:

**Roadways:** The Owner is responsible for the installation of all improvements to 47th Street South and 13th Avenue South, in accordance with plans submitted to and approved by the City of Great Falls Engineering Division.

**Utilities:** The Owner is responsible for the installation of all public utilities, as per the Improvement Agreement, in order to serve the proposed subdivision. The on-site improvements required for the development of the subject property shall be installed as shown on the final construction plans that are submitted to, and approved by, the Public Works Department. The on-site improvements shall include everything required to provide water, sanitary sewer, storm water management, and access, including streets and sidewalks.

Storm Water Management: A Stormwater Management Plan shall be developed to City standards, and it shall be submitted to the City Public Works Department for review and approval prior to issuance of building permits.

Details of the improvement agreement include cost share and reimbursements between the developer, the city and other adjacent owners.

The basis for decision on zoning map amendments is listed in OCCGF §17.16.40.030. The recommendation of the Planning Advisory Board/Zoning Commission and the decision of City Commission shall at a minimum consider the criteria which are attached as Findings of Fact – Zoning Map Amendment. Staff's position is that the proposed rezone request complies with all of the review criteria as submitted. Additionally, at the conclusion of a public hearing held on June 27, 2017, the Zoning Commission recommended the City Commission approve the rezoning request from R-2 Single-family medium density to PUD Planned Unit Development for the subject property subject to the fulfillment of the following Conditions of Approval:

- 1. General Code Compliance.** The proposed project shall be developed consistent with the conditions in this report, and all codes and ordinances of the City of Great Falls, the State of Montana, and all other applicable regulatory agencies.
- 2. Amended Plat.** Provide an Amended Plat of the subject property which shall incorporate corrections of any errors or omissions noted by Staff.
- 3. Utilities.** The final engineering drawings and specifications for public improvements for the subject property shall be submitted to the City Public Works Department for review and approval.
- 4. Land Use & Zoning.** Except as provided herein, development of the property shall be consistent with allowed uses and specific development standards for this PUD Planned unit development district designation.
- 5. Subsequent modifications and additions.** If after establishment of the 2-unit townhomes, the owner proposes to expand or modify the use, buildings, and/or structures, the Director of the Planning and Community Development Department shall determine in writing if such proposed change would alter the finding for one or more review criteria. If such proposed changes would alter a finding, the proposal shall be submitted for review as a new development application. If such proposed change would not alter a finding, the owner shall obtain all other permits as may be required.

The basis for decision to approve, conditionally approve, or deny a proposed subdivision or amended plat is whether the subdivision application, preliminary plat, applicable environmental assessment, public hearing, Planning Board recommendations, or additional information demonstrate that development of the proposed subdivision meets the requirements of Mont. Code Ann. 76-3-608. The governing body shall issue written findings of fact that weigh the criteria of Mont. Code Ann. 76-3-608 (3), which are attached as Findings of Fact – Subdivision. Staff finds that the proposed plan meets the approval criteria.



Mayor Kelly stepped out of the meeting at 8:01 p.m. and returned at 8:03 p.m.

Mayor Kelly declared the public hearing open.

No one spoke in support of or in opposition to Resolution 10170, Ordinance 3157, or Final Plat of East Ridge Phase 5, Block 2, Lot 2.

Mayor Kelly closed the public hearing and asked the will of the Commission.

**Commissioner Bronson moved, seconded by Commissioners Houck and Jones, that the City Commission adopt Resolution 10170 to annex Tract 2A and approve the Improvement Agreement pertaining to East Ridge Phase 5, Block 2, Lot 2, and the accompanying Findings of Fact.**

Mayor Kelly asked if there was any discussion amongst the Commissioners. Hearing none, Mayor Kelly called for the vote.

Motion Carried 5-0

**Commissioner Jones moved, seconded by Commissioner Bronson, that the City commission adopt Ordinance 3157 and the accompanying Findings of Fact.**

Mayor Kelly asked if there was any discussion amongst the Commissioners. Hearing none, Mayor Kelly called for the vote.

Motion Carried 5-0

**Commissioner Houck moved, seconded by Commissioner Burow, that the City commission approve the final plat of East Ridge Phase 5, Block 2, Lot 2, and the accompanying Findings of Fact.**

Mayor Kelly asked if there was any discussion amongst the Commissioners.

Commissioner Jones commented that this project was well done, extends 47<sup>th</sup> Street to the south, and allows for additional construction along 13<sup>th</sup> Avenue South.

There being no further discussion, Mayor Kelly called for the vote.

Motion Carried 5-0

**OLD BUSINESS**

**NEW BUSINESS**

21. **2017 Update to Multi-Hazard Mitigation Plan (previously known as the Pre-Disaster Mitigation Plan).**

Fire Chief Steve Hester reported that, in response to the requirements of the Disaster Mitigation Act of 2000, Cascade County, the City of Great Falls, and the Towns of Belt, Cascade and Neihart, have

developed this Multi-Hazard Mitigation Plan. Cascade County completed and adopted the Pre-Disaster Mitigation Plan in 2011 to help guide and focus hazard mitigation activities. The purpose of the 2017 Updated Multi-Hazard Mitigation Plan is to promote sound policy designed to protect residents, critical infrastructure and the environment from man-made and natural disasters.

**Commissioner Burow moved, seconded by Commissioner Bronson, that the City Commission adopt the 2017 Update to Multi-Hazard Mitigation Plan (previously known as the Pre-Disaster Mitigation Plan).**

Mayor Kelly asked if there was any discussion amongst the Commissioners.

Commissioner Bronson noted that the plan is comprehensive and he commended everyone that worked on it.

Mayor Kelly offered his hard copy of the 2017 update to the Multi-Hazard Mitigation Plan to the press.

Mayor Kelly asked if there were any comments from the public. Hearing none, Mayor Kelly called for the vote.

Motion Carried 5-0

## **22. Agreement with Recreational Trails Inc.**

Park and Recreation Interim Director Patty Rearden reported that Recreational Trails, Inc. and the City of Great Falls have worked together for many years to develop and maintain the River's Edge Trail. The proposed agreement outlines the obligations and responsibilities of each party as it relates to the trail system. The City is responsible for all trail maintenance, hires all staff, and oversees volunteers. Recreational Trails, Inc. will continue to be a fundraiser for future costs of the trail system including improvements, possible expansion, maintenance, and possible reimbursement of labor, as well as recommending the appropriate use of the funds it raises and may make recommendations on the needs of the trail, potential artwork, and ongoing maintenance and improvements.

**Commissioner Jones moved, seconded by Commissioner Burow, that the City Commission approve the Agreement with Recreational Trails, Inc., and authorize Patty Rearden, Interim Park and Recreation Director, to execute the contract.**

Mayor Kelly asked if there was any discussion amongst the Commissioners or comments from the public. Hearing none, Mayor Kelly called for the vote.

Motion Carried 5-0

## **23. Resolution 10201, Lease Agreement with the Great Falls International Airport Authority(GFIAA) for property located at 3015 Airport Drive, currently housing the Emergency Operations Center and to consider granting the GFIAA a Quit Claim Deed on property.**

Assistant City Attorney Joe Cik reported that a work session was previously held on this matter. In 1980 the City and County Commissions adopted joint resolutions creating the Regional Airport Authority, which abolished the Great Falls Municipal Airport Authority. Approximately five years later, a community task force was formed to submit a competitive proposal to the Federal Aviation Administration (FAA). The purpose of the proposal was to create an FAA Automated Flight Services Station (AFSS). The money that was used to purchase that property was acquired through FAA grants. Those grants restricted the property from being repurposed at any time for non-public airport purposes without the FAA's consent.

Based on the FAA's acceptance of the proposal, the building that currently houses the Great Falls Emergency Operations Center (EOC) was constructed. Despite significant investment into the building and land, the AFSS never became fully staffed, and the full operation of the station never fully materialized. The AFSS then sat vacant until 2014.

In 1997, the Great Falls International Airport Authority (GFIAA) began processes to annex real estate operated by the airport into the City. In that process, title to around 1,800 acres was transferred by the City and County to the GFIAA via Quit Claim Deed, and the AFSS building was transferred by the GFIAA and County via Quit Claim Deed to the City. That building eventually transitioned into the Emergency Operations Center which is currently operational and houses the 911 facilities. However, because it has now been repurposed for non-public airport purposes under the 1997 property exchange, essentially the deed exchanges didn't grant the City ownership authority of that particular property.

The resolution under consideration will establish a procedure whereby the property will be quit claimed back to the Great Falls International Airport Authority and establishes a lease agreement to continue to have the Emergency Operations Center operating at that location.

**Commissioner Bronson moved, seconded by Commissioner Jones, that the City Commission set a public hearing to consider Resolution 10201, a Resolution conveying certain property located at Lots 1A and 2 of the Airport Minor Subdivision, a tract of land being Tract 1 of Certificate of Survey #2271, located in the NW1/4 and NE1/4 of Section 21, T20N, R3E, P.M.M., City of Great Falls, Cascade County, Montana, and establishing a Lease Agreement for City occupation of the same for October 3, 2017.**

Mayor Kelly asked if there was any discussion amongst the Commissioners or comments from the public. Hearing none, Mayor Kelly called for the vote.

Motion Carried 5-0

### **ORDINANCES/RESOLUTIONS**

#### **24. Resolution 10202, Donation of Used Fire Equipment to the Town of Neihart for use by Neihart Volunteer Fire Department.**

Fire Chief Steve Hester reported that the City of Great Falls decommissioned its 1989 Ford L9000 Fire Engine as it was no longer capable of meeting the demands of an urban firefighting environment. The Town of Neihart and the Neihart Volunteer Fire Department (VFD) advised the City that it had a critical need for a fire engine to protect the community of Neihart. In July of 2017 the City loaned Neihart the

apparatus based on the Fire Service Mutual Aid Agreement between the two departments. Neihart does not have the financial means of purchasing a new or used fire engine. The Fleet Manager and Fire Chief realized the benefit this vehicle would provide to the Town of Neihart based on the critical fire weather the state and this area has experienced, and because Neihart is considered an example of a wildland urban interface area.

**Commissioner Burow moved, seconded by Commissioner Jones, that the City Commission set a public hearing on Resolution 10202 for October 3, 2017.**

Mayor Kelly asked if there was any discussion amongst the Commissioners. Hearing none, Mayor Kelly asked if there were any comments from the public.

**Scott Herzog**, 519 29<sup>th</sup> Ave NE, Town of Neihart Fire Chief, commented that the town does need this fire truck. There are 16 volunteer firefighters and the current fire danger is bad.

There being no one further to address the Commission, Mayor Kelly called for the vote.

Motion Carried 5-0

25. **Public Right of Way ADA Transition Plan. (Presented by Jim Rearden)**
  1. **Res. 10203, Public Right of Way Transition Plan. Action: Adopt or deny Res. 10203.**
  2. **Res. 10204, to amend resolution 9869 to include additional Americans with Disabilities (ADA) Act coordinators, and amend the ADA complaint form to include comments and/or suggestions. Action: Adopt or deny Res. 10204.**

Public Works Director Jim Rearden reported that Resolution 10203 is a recommendation to adopt a Public Right of Way American Disabilities Act (ADA) Transition Plan. Resolution 10204 amends Resolution 9869 to specify a city-wide response structure and amends the ADA complaint form. The content of the proposed ADA Transition Plan was presented to the City Commission at the June 20<sup>th</sup> work session.

The Transition Plan provides a road map of where the Public Works Department is in terms of ADA accessibility in the public right of way and how the department is going to proceed to achieve the full compliance efficiently and effectively into the future.

Pursuant to federal law established by Title II of the Americans with Disabilities Act (ADA) governments, including local municipal governments, must organize and maintain a transition plan that outlines the methods, scheduling the personnel utilized to identify and eliminate barriers to accessibility for the disabled in the community.

The Transition Plan culminates an extensive effort by City Engineering staff over the last year to formalize the plan. Staff insured that local stakeholders, including NorthCentral Independent Living, Montana School for the Deaf and Blind, Blind and Low Vision Services and Vocational Rehabilitation Services were involved in the process. Staff also inventoried and performed a barrier assessment on all

sidewalks, handicap ramps and other boulevard and access obstructions city-wide as part of the plan.

**Commissioner Houck moved, seconded by Commissioner Burow, that the City Commission adopt Resolution 10203 to adopt the Public Right of Way Transition Plan.**

Mayor Kelly asked if there was any discussion amongst the Commissioners. Hearing none, Mayor Kelly asked if there were any comments from the public.

**Shyla Patera**, NorthCentral Independent Living, 1120 25<sup>th</sup> Avenue NE, commented that NorthCentral Independent Living was a stakeholder in developing the plan. As a citizen, Ms. Patera reported that this plan is very much needed. Prior to this plan citizens like herself had to bring issues to light as they saw them. The completed plan is comprehensive and will give the public a chance to assess what citizens use everyday, both with and without physical disabilities.

**Mark Sanders**, 1013 7<sup>th</sup> Avenue NW, concurred with Ms. Patera's comments.

There being no one further to address the Commission, Mayor Kelly called for the vote.

Motion Carried 5-0

**Commissioner Houck moved, seconded by Commission Bronson, that the City Commission adopt Resolution 10204 to amend Resolution 9869 to include additional Americans with Disabilities (ADA) Act coordinators, and amend the ADA complaint form to include comments and/or suggestions.**

Mayor Kelly asked if there was any discussion amongst the Commissioners.

Commissioner Burow commented that people without mobility limitations don't always recognize challenges some people have even getting off of the sidewalk. He is glad to see curb cuts being installed on sidewalks for access.

Commissioner Houck noted that she attended her second national disabilities and accessibility conference and has reviewed other cities' plans. This plan is comprehensive and more robust than other communities. She further pointed out that Great Falls is host to the Montana Deaf and Blind School.

There being no further discussion, Mayor Kelly called for the vote.

Motion Carried 5-0

26. **Resolution 10205, Establishing the Rates, Fees and Penalties Associated with Title 10 of the Official Code of the City of Great Falls (OCCGF) pertaining to the City's Parking System.**

Planning and Community Development Director Craig Raymond reported that this item is a request to set a public hearing on Resolution 10205 amending the fee schedule associated with the downtown parking program.

In December 2014, the City's Parking Advisory Commission brought forward several recommendations for funding strategies for the parking system. At that time, the City Commission elected to only implement some of the scheduled rate increases, preferring to re-evaluate after a period of time the effect of the increases, and whether additional increases would even be necessary. Although the Parking Advisory Commission has brought forth several recommendations for system improvements and policy changes, it has not completed a comprehensive budget assessment. However, based on the most recent budget performance reports, there is not sufficient revenue to cover deferred maintenance and fund needed facility improvements, particularly in light of the exit of a large anchor tenant from the downtown. Additionally, based on research of other large Montana cities, the Great Falls' rate structure is significantly cheaper than any other city.

Resolution 10205 addresses the original recommendation brought to the Commission in 2014 in order to marginally provide for some of the necessary funds while the Parking Advisory Commission and staff complete the budgetary review. It should be anticipated that additional revenue generating will be required beyond this resolution.

Resolution 10205 also provides flexibility for the City Manager to execute agreements which may be negotiated that will incentivize either bulk or group discounts for customers who pre-pay for their parking leases for a year or more. The desired effect is that the parking program may be able to increase usage with incentive programs.

One additional element included in Resolution 10205 is recognition of the Pedlet program. As many of you know, a Pedlet is where a business owner temporarily consumes parking spots to construct an outdoor dining or café space or pedestrian pathway around an outdoor café space. Staff is requesting the City Commission to approve a fee structure for the temporary lease of parking spaces when a Pedlet is constructed within the downtown parking district.

**Commissioner Jones moved, seconded by Commissioner Houck, that the City Commission set the public hearing on Resolution 10205 for September 19, 2017.**

Mayor Kelly asked if there was any discussion amongst the Commissioners.

Commissioner Burow inquired if it would be beneficial to have a work session on what other proposals the Parking Advisory Commission has come up with.

Commissioner Jones commented that information will be heard during the time the public hearing is set. There is enough background knowledge to allow the Commission to make a decision at the public hearing.

Commissioner Bronson commented he has reservations about what is being proposed with the parking ramps and garages. As a consumer of downtown parking, he observes the use patterns of the garages and he talks with Standard Parking staff. He isn't sure that Great Falls is at the point that a rate increase for the parking garages will guarantee the revenue. Both facilities are underutilized. He is concerned that, in the absence of a more comprehensive approach, that staff is putting a band-aid on this issue and the sore is going to get worse.

Commissioner Bronson continued that his suggestion is going to be having a discussion about potentially selling some of the six downtown lots that are underutilized and could be used for commercial development, as well as a discussion about whether the City can afford to operate two downtown parking garages under the circumstances.

Manager Doyon commented that staff is moving forward because the Parking Advisory Commission has had a difficult time assembling and providing direction, and the deferred maintenance issues need to be addressed.

Commissioner Jones commented that what is before the Commission is a resolution to set the fees for the parking system and that is what needs to get discussed at the public hearing. He doesn't want to confuse the public with setting rates in the parking garage with selling parking lots. He concluded that the Commission should stay focused on the business before it.

Director Raymond commented that right now isn't the best time for a work session. The Commission approved a contract with SP Plus, and it has a renewed focus of getting to these answers. He further reiterated that he proposed incremental increases based on the budget and revenue reports for the past years. He concluded that he would never recommend that the City participate in spreading blight and slum which he believes will happen if a garage is closed without having a buyer to maintain it.

Mayor Kelly concurred with Commissioner Jones.

Commissioner Houck commented it is time to move forward, and people may appreciate the deferred maintenance that could get done if there was an increase.

There being no further discussion, Mayor Kelly called for the vote.

Motion Carried 5-0

### **CITY COMMISSION**

27. **Miscellaneous reports and announcements from the City Commission.**

There were no miscellaneous reports and announcements from the City Commission.

28. **Commission Initiatives.**

There were no Commission initiatives.

**ADJOURNMENT**

There being no further business to come before the Commission, **Mayor Kelly moved, seconded by Commissioner Jones, to adjourn the regular meeting of September 5, 2017, at 8:52 p.m.**

Motion carried 5-0.

\_\_\_\_\_  
**Mayor Bob Kelly**

\_\_\_\_\_  
**City Clerk Lisa Kunz**

Minutes Approved: September 19, 2017

DRAFT





**Item:** Total Expenditures of \$3,577,767 for the period of August 15, 2017 through September 6, 2017, to include claims over \$5,000, in the amount of \$3,157,425.

**From:** Fiscal Services

**Initiated By:** City Commission

**Presented By:** Melissa Kinzler, Fiscal Services Director

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ATTACHMENTS:

- ▣ 5000 Report



**ITEM:** \$5,000 Report  
 Invoices and Claims in Excess of \$5,000

**PRESENTED BY:** Fiscal Services Director

**ACTION REQUESTED:** Approval with Consent Agenda

**LISTING OF ALL ACCOUNTS PAYABLE CHECKS ISSUED AVAILABLE ONLINE AT**  
**[www.greatfallsmt.net/fiscalservices/check-register-fund](http://www.greatfallsmt.net/fiscalservices/check-register-fund)**

**TOTAL CHECKS ISSUED AND WIRE TRANSFERS MADE ARE NOTED BELOW WITH AN**  
**ITEMIZED LISTING OF ALL TRANSACTIONS GREATER THAN \$5000:**

ACCOUNTS PAYABLE CHECK RUNS FROM AUGUST 24, 2017 - SEPTEMBER 6, 2017	3,519,411.66
MUNICIPAL COURT ACCOUNT CHECK RUN FOR AUGUST 15, 2017 - AUGUST 31, 2017	58,355.67
<b>TOTAL: \$</b>	<b><u>3,577,767.33</u></b>

**GENERAL FUND**

**POLICE**

VELOCITY SYSTEMS	FIREARM SUPPLIES	5,310.00
A T KLEMENS	REMOVAL & INSTALL RTU #6 OF 8	8,563.00

**FIRE**

L N CURTIS & SONS	HOSE FOR NEW TRUCKS	8,019.81
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**SPECIAL REVENUE FUND**

**LIGHTING DISTRICT**

ENVIRONMENTAL SYSTEMS	ANNUAL MAINTENANCE	261.42
RESEARCH INSTITUTE INC	(SPLIT AMONG FUNDS)	

**911 SPECIAL REVENUE**

CENTURYLINK	AUGUST 2017 MONTHLY LINE CHARGE	5,839.72
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**STREET DISTRICT**

ENVIRONMENTAL SYSTEMS	ANNUAL MAINTENANCE	2,352.74
RESEARCH INSTITUTE INC	(SPLIT AMONG FUNDS)	

**FEDERAL BLOCK GRANTS**

NEIGHBORWORKS GREAT FALLS	LOAN AGREEMENT 604 7TH LLC	14,128.00
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**ENTERPRISE FUNDS**

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**WATER**

FERGUSON WATERWORKS INC	METER SUPPLIES	24,600.00
STATE OF MONTANA	1% WITHHOLDING FOR SLETTEN	10,170.22
ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE INC	ANNUAL MAINTENANCE (SPLIT AMONG FUNDS)	1,307.09
BLACK & VEATCH CORPORATION	OF 1519.6 WTP IMP PH 1 CONSTRUCTION PORTION	101,756.35
SLETTEN CONSTRUCTION	OF 1519.6 WTP IMP PH 1 CONSTRUCTION	1,006,852.04

**SEWER**

VEOLIA WATER NORTH AMERICA	MONTHLY WWTP OPERATION CONTRACT	233,851.99
VEOLIA WATER NORTH AMERICA	MONTHLY CONTRACTED CAPITAL IMPROVEMENTS	12,500.00
VEOLIA WATER NORTH AMERICA	REPLACEMENT OF SOLIDS PROCESS BUILDING TRANSFORMER	38,762.12
NCI ENGINEERING CO	OF 1658.3 CMATP TIF LIFT STATION #30 AND FORCE MAIN MODIFICATIONS	18,985.40
ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE INC	ANNUAL MAINTENANCE (SPLIT AMONG FUNDS)	2,091.32

**STORM DRAIN**

WILLIAMS CIVIL CONSTRUCTION	OF 1554.2 S GREAT FALLS STORM DRAINAGE IMPROV MISSOURI RIVER TO 6TH ST S POND	32,510.26
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**SANITATION**

ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE INC	ANNUAL MAINTENANCE (SPLIT AMONG FUNDS)	1,045.66
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**911 DISPATCH CENTER**

CENTURYLINK	VIPER SOFTWARE SUPPORT NOV 2016 TO NOV 2017	15,750.00
GRABAR VOICE & DATA	NICE INFORM UPGRADE 7 PROFESSIONAL	12,499.25

**INTERNAL SERVICES FUND**

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**HEALTH & BENEFITS**

MONTANA MUNICIPAL INTERLOCAL AUTHORITY	HEALTH INSURANCE PREMIUM FOR SEPTEMBER 2017	742,065.05
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**INFORMATION TECHNOLOGY**

MALWAREBYTES	ANNUAL MAINTENANCE	6,857.55
ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE INC	ANNUAL MAINTENANCE (SPLIT AMONG FUNDS)	10,050.00
SHI INTERNATIONAL CORP	120 MS OFFICE 2016 STD LICENSES	29,734.80

**INTERNAL SERVICES FUND (CONTINUED)**

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**CENTRAL GARAGE**

ENVIRONMENTAL SYSTEMS	ANNUAL MAINTENANCE	1,984.02
RESEARCH INSTITUTE INC	(SPLIT AMONG FUNDS)	
MOUNTAIN VIEW CO-OP	FUEL	28,060.28

**ENGINEERING**

ENVIRONMENTAL SYSTEMS	ANNUAL MAINTENANCE	2,091.33
RESEARCH INSTITUTE INC	(SPLIT AMONG FUNDS)	

**PUBLIC WORKS ADMINISTRATION**

ENVIRONMENTAL SYSTEMS	ANNUAL MAINTENANCE	784.23
RESEARCH INSTITUTE INC	(SPLIT AMONG FUNDS)	

**TRUST AND AGENCY**

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**COURT TRUST MUNICIPAL COURT**

CITY OF GREAT FALLS	FINES & FORFEITURES COLLECTIONS	40,558.00
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**PAYROLL CLEARING**

STATE TREASURER	MONTANA TAXES	49,505.00
ICMA RETIREMENT TRUST	EMPLOYEE CONTRIBUTIONS	7,263.65
FIREFIGHTER RETIREMENT	FIREFIGHTER RETIREMENT EMPLOYEE & EMPLOYER CONTRIBUTIONS	57,478.94
STATEWIDE POLICE RESERVE FUND	POLICE RETIREMENT EMPLOYEE & EMPLOYER CONTRIBUTIONS	65,043.86
PUBLIC EMPLOYEE RETIREMENT	PUBLIC EMPLOYEE RETIREMENT EMPLOYEE & EMPLOYER CONTRIBUTIONS	133,917.65
US BANK	FEDERAL TAXES, FICA & MEDICARE	236,867.99
AFLAC	EMPLOYEE CONTRIBUTIONS	11,498.04
LABORERS INTERNATIONAL UNION	EMPLOYEE CONTRIBUTIONS	27,225.72
WESTERN CONF OF TEAMSTERS	EMPLOYEE CONTRIBUTIONS	17,090.25
MONTANA OE - CI TRUST FUND	EMPLOYEE CONTRIBUTIONS	27,097.88
NATIONWIDE RETIREMENT SOLUTIONS	EMPLOYEE CONTRIBUTIONS	11,685.19

**UTILITY BILLS**

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NORTHWESTERN ENERGY	AUGUST 2017 SLD CHARGES	70,949.29
NORTHWESTERN ENERGY	JULY 2017 WATER PLANT CHARGES	22,459.43

**CLAIMS OVER \$5000 TOTAL:** \$ 3,157,424.54



**Item:** Contracts List

**From:** Darcy Dea, Deputy City Clerk

**Initiated By:** Various City Staff

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ATTACHMENTS:

- Contracts List

**CITY OF GREAT FALLS, MONTANA**

**AGENDA: 8**

**COMMUNICATION TO THE CITY COMMISSION**

**DATE: September 19, 2017**

**ITEM:** CONTRACTS LIST  
Itemizing contracts not otherwise approved or ratified by City Commission Action  
(Listed contracts are available for inspection in the City Clerk's Office.)

**PRESENTED BY:** Darcy Dea, Deputy City Clerk

**ACTION REQUESTED:** Ratification of Contracts through the Consent Agenda

**MAYOR' S SIGNATURE:** \_\_\_\_\_

**CONTRACTS LIST**

	<b>DEPARTMENT</b>	<b>OTHER PARTY (PERSON OR ENTITY)</b>	<b>PERIOD</b>	<b>AMOUNT</b>	<b>PURPOSE</b>
<b>A</b>	Public Works Engineering	MRTE	09/20/2017- 12/31/2018	\$18,665	Agreement for Fern Drive Drainage Improvements <b>OF 1666.6</b>
<b>B</b>	Public Works Engineering	Phillips Construction, LLC	09/20/2017- 11/01/2017	\$19,484	Agreement for installation of underdrain and excavation to South Great Falls Stormwater Detention Pond <b>OF 1554.6</b>



**Item:** 3rd Avenue Southwest Lift Station #18 Force Main Replacement, Office File 1695.4

**From:** Engineering Division

**Initiated By:** Public Works Department

**Presented By:** Jim Rearden, Public Works Director

**Action Requested:** Consider Bids and Approve Contract for Office File 1695.4

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**Suggested Motion:**

1. Commissioner moves:

"I move that the City Commission (award/not award) a contract in the amount of \$113,498.00 to Phillips Construction, LLC. for the 3rd Avenue Southwest Lift Station #18 Force Main Replacement, and authorize the City Manager to execute the construction contract documents."

2. Mayor requests a second to the motion, Commission discussion, public comment, and calls for the vote.

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**Staff Recommendation:**

Approve construction contract award.

**Summary:**

This project was initiated to prevent sanitary sewage overflows (SSOs) by replacing the existing ductile iron pipe (DIP) force main with restrained joint Poly Vinyl Chloride (PVC) pipe. The purpose for doing this is to continue to provide adequate and reliable sewer flow in order to protect the health and safety of the citizens of Great Falls. The project begins at the Lift Station #18 on the corner of 18th Street Southwest and 3rd Avenue Southwest, and continues across the interstate to the corner of 16th Street Southwest and 3rd Avenue Southwest.

**Background:**

Workload Impacts:

Design phase engineering and plans and specifications were completed by the City Engineering staff with assistance from City Street Division and Utilities. City Engineering staff will provide construction phase engineering services and project inspection.

Purpose:

The primary objective of this project is to prevent SSOs by replacing the DIP with restrained joint PVC pipe. The replacement of the force main will help ensure that the City of Great Falls stays in compliance with consent decree CV-14-16-GF-BMM for city owned treatment facility to reduce SSOs.

Project Work Scope:

Work to be performed under this contract includes the following: Replace approximately 450-feet of the existing 10-inch DIP force main with 10-inch restrained joint C-900 PVC pipe; Sanitary Sewer Bypass Pumping; 50 Square Yards of 3-inch Asphaltic Concrete Pavement; 1800 Square Feet of sod.

Evaluation and Selection Process:

The specifications were advertised two times in the Great Falls Tribune. Montana Department of Environmental Quality approved the project on August 10, 2017. Two bids were received on September 6, 2017 with the bids ranging between of \$113,498.00 and \$145,760.00, Phillips Construction, LLC. submitted the low bid.

Conclusion:

City staff recommends awarding the contract to Phillips Construction, LLC. in the amount of \$113,498.00

**Fiscal Impact:**

The attached bid tabulation summarizes bids that were received. City sewer funding is programmed to fund this project.

**Alternatives:**

The City Commission could vote to deny award of the construction contract and re-bid or cancel the project.

ATTACHMENTS:

- Bid Tab



CITY OF GREAT FALLS ENGINEERING  
 P.O. BOX 5021  
 GREAT FALLS, MT 59403

BID TABULATION SUMMARY

OFFICE FILE 1695.4  
 3RD AVE SW LIFT STATION #18 FORCE MAIN REPLACEMENT TABULATED BY:

BIDS TAKEN AT CIVIC CENTER  
 DATE: 6-SEP-17  
 KARI WAMBACH

	NAME & ADDRESS OF BIDDER	ACKNOWLEDGE ADD. #1	ACKNOWLEDGE ADD. #2	10% BID SECURITY	CERTIFICATE OF NON-SEGREGATED FACILITIES	CERTIFICATE OF COMPLIANCE WITH INSURANCE REQ.	TOTAL BID
1	BOLAND CONST. 4601 7TH AVE. SO. GREAT FALLS, MT 59405	√	N/A	√	√	√	\$145,760.00
2	PHILLIPS CONSTRUCTION 2607 9TH AVENUE NW GREAT FALLS, MT 59404	√	N/A	√	√	√	\$113,498.00
3	FALLS CONSTRUCTION 1001 RIVER DRIVE GREAT FALLS, MT 59401		N/A				DID NOT BID
4							
5							
6							
7							
8							
9							
10							



**Item:** One New 2018 Cab, Chassis, Utility Body and Aerial Lift Truck

**From:** Doug Alm, Vehicle Maintenance Supervisor

**Initiated By:** Public Works Department

**Presented By:** Jim Rearden, Public Works Director

**Action Requested:** Approve Purchase

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**Suggested Motion:**

1. Commissioner moves:

"I move that the City Commission (approve/reject) the purchase of one new 2018 AT237S cab, chassis, utility body and aerial lift truck for \$108,765 from Altec Industries, Inc., through NJPA (National Joint Powers Alliance)."

2. Mayor requests a second to the motion, Commission discussion, public comment, and calls for the vote.

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**Staff Recommendation:**

Staff recommends that the City Commission approve the purchase of one new 2018 AT237S cab, chassis, utility body and aerial lift truck from Altec Industries, Inc., for a total of \$108,765. It will take 304 days to complete this order. Depending on the order and production date, this unit could be a 2019 model year.

**Background:**

Purpose

This aerial truck will be used in the Traffic Division for traffic signal maintenance.

Evaluation and Selection Process

The City of Great Falls has a membership with NJPA to view their competitive bid contracts. As a member of NJPA, the City of Great Falls can interact directly with awarded vendors to facilitate a purchase. This also allows the City of Great Falls to work with the NJPA contract manager to verify pricing, answer contract questions or any other questions that may arise.

Conclusion

The bid specifications from NJPA meet specifications for the aerial truck.

**Fiscal Impact:**

The City's 2003 F550 Superduty aerial truck, VIN # 1FDAX56F23EB00497, mileage 79,668, hours 9,088, Unit #703 will be declared surplus and sold at a later date.

Funds for this scheduled purchase will come from the ERS (Equipment Revolving Schedule).

**Alternatives:**

The City Commission could vote to reject the purchase of one new 2018 cab, chassis, utility body and aerial lift truck.

ATTACHMENTS:

- ▣ AT2375S
- ▣ NJPA Quote 381377-2
- ▣ Quote 381377-2
- ▣ Form G
- ▣ Contract Acceptance & Award



FOR NEW EQUIPMENT SALES, CALL  
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or visit us online at [altec.com](http://altec.com)

  
NON-INSULATING TELESCOPIC  
ARTICULATING AERIAL DEVICE

# AT237S

## FEATURES

- Non-Insulating Telescopic Articulating Aerial Device
- Compensated Articulating Arm
- Hydraulic Boom Extension
- Pendant Lower Controls
- Hydraulic Platform Leveling System
- 180° Platform Rotation
- Electric/Hydraulic Proportional Controls
- Engine Start/Stop at Upper and Lower Controls
- Manual Lowering Valve
- Open Center Hydraulic System
- 120 VAC Circuit at Boom Tip with GFI Outlet in the Platform
- Minimum Chassis Requirements of 19,500 lb (8,845 kg) GVWR 84 in CA

## OPTIONS

- Secondary Stowage System
- Airline to Platform
- Inverter for 110V Power
- Multiple Body Configurations are Available

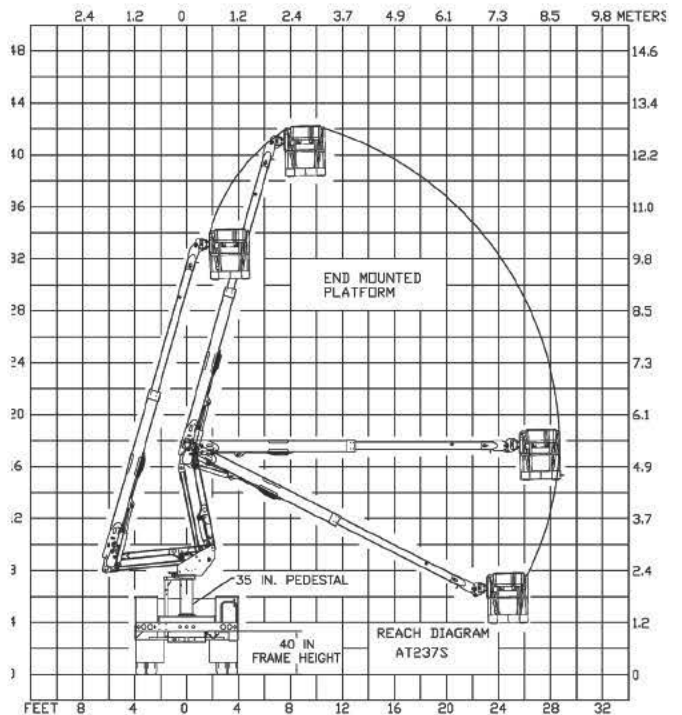
Recommended safety equipment, available through Altec Supply, include a fall protection system, and wheel chocks.



SPECIFICATIONS	
Ground to Bottom of Platform	38.6 ft (11.7 m)
Working Height*	43.6 ft (13.3 m)
Maximum Side Reach (at Platform Height)	28.7 ft (8.7 m) 15.3 ft (4.7 m)
Stowed Travel Height*	10.2 ft (3.1 m)
Platform Capacity	400 lb (181.4 kg)
Platform Dimensions (End-Mount, Nominal)	36 x 60 x 45 in (914 x 1,524 x 1,143 mm)
Lower Boom Articulation	-25 to 75°
Articulating Arm Articulation	-6 to 79°
Rotation	Non-Continuous, 370°

\*Based on a 40 in (1016 mm) chassis frame height.

## REACH DIAGRAM



### LARGE 36 X 60 X 45 IN PLATFORM FOR EXTRA WORKING SPACE AND MATERIALS



### 180 DEGREE PLATFORM ROTATION



### FULLY PROPORTIONAL ELECTRIC/HYDRAULIC CONTROLS



For more complete information on Altec products and services, visit us on the web at [www.altec.com](http://www.altec.com). Material and specifications are subject to change without notice. Featured units in photos may include optional features. Please contact an Altec representative for all available options. Altec® and the Altec logo are registered trademarks of Altec Inc. in the United States and various other countries and may not be used without permission.  
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**Quoted for: City of Great Falls**  
**Customer Contact:**  
**Phone: /Fax: /Email:**  
**Quoted by: Arash Tahtolkassaei**  
**Phone: 270-505-1544 /Fax: 270-360-0601 /Email: arash.tahtolkassaei@altec.com**  
**Altec Account Manager: Michael Weible**

**REFERENCE ALTEC MODEL**

AT237	<b>Articulating Telescopic Aerial Device (Non-Insulated)</b>	<b>\$88,492</b>
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Per NJPA Specifications plus Options below

**(A.) NJPA OPTIONS ON CONTRACT (Unit)**

1	AT237-GAS	Gas Engine	-\$4,312
2	AT237-AWD	All Wheel Drive	\$5,069
3			

**(A1.) NJPA OPTIONS ON CONTRACT (General)**

1	LR	Ladder Rack - Sloped Aluminum Ladder Rack, Curbside, 102" - 108" L Body	\$518
2	PSWI	PURE SINE WAVE INVERTER.1800 Watts Continuous. 100-VAC Outlet at Rear of Body.	\$2,117
3	VRI	120 Volt GFCI Receptacle, Includes Weather-Resistant Enclosure	\$198
4	VRI	120 Volt GFCI Receptacle, Includes Weather-Resistant Enclosure	\$198
5	FSC	FORD SUPER CAB	\$2,003
6			
7			
8			

**NJPA OPTIONS TOTAL: \$94,283**

**(B.) OPEN MARKET ITEMS (Customer Requested)**

1	UNIT	AT237s in lieu of AT237	\$5,485
2	UNIT & HYDRAULIC ACC	12V Oil heater and 7 Gallon steel reservoir	\$1,245
3	BODY	Custom configured body	\$4,962
4	BODY & CHASSIS ACC		
5	ELECTRICAL	Directional Light bar	\$625
6	FINISHING		
7	CHASSIS	Custom 2017 Ford F550	\$2,165
8	OTHER		

**OPEN MARKET OPTIONS TOTAL: \$14,482**

**SUB-TOTAL FOR UNIT/BODY/CHASSIS: \$108,765**

**Delivery to Customer: Customer Pickup**

**TOTAL FOR UNIT/BODY/CHASSIS: \$108,765**

**(C.) ADDITIONAL ITEMS (items are not included in total above)**

1			
2			
3			
4			

**\*\*Pricing valid for 45 days\*\***

**NOTES**

**PAINT COLOR:** White to match chassis, unless otherwise specified

**WARRANTY:** Standard Altec Warranty - One (1) year parts warranty One (1) year labor warranty Ninety (90) days warranty for travel charges (Mobile Service) Limited Lifetime Structural Warranty. Chassis to include standard warranty, per the manufacturer. (Parts only warranty on mounted equipment for overseas customers)

**TO ORDER:** To order, please contact the Altec Inside Sales Representative listed above.

**CHASSIS:** Per Altec Commercial Standard

**DELIVERY:** No later than **300-330** days ARO, FOB Customer Location

**TERMS:** Net 30 days

**BEST VALUE:** Altec boasts the following "Best Value" features: Altec ISO Grip Controls for Extra Protection, Only Lifetime Warranty on Structural Components in Industry, Largest Service Network in Industry (Domestic and Overseas), Altec SENTRY Web/CD Based Training, Dedicated/Direct Gov't Sales Manager, In-Service Training with Every Order.

**TRADE-IN:** Equipment trades must be received in operational condition (as initial inspection) and DOT compliant at the time of pick-up. Failure to comply with these requirements, may result in customer bill-back repairs.

**BUILD LOCATION:** Elizabethtown, KY

August 23, 2017  
Our 88th Year

**Ship To:**  
CITY OF GREAT FALLS  
1025 25 AVE NE  
GREAT FALLS, MT 59404-0000  
US

**Bill To:**  
CITY OF GREAT FALLS  
1025 25 AVE NE  
GREAT FALLS, MT 59404-0000  
United States

Attn:  
Phone: 406-771-1401  
Email:

**Altec Quotation Number:** 381377 - 2  
**Account Manager:** Michael Weible  
**Technical Sales & Support:** Arash Tahtolkassaei

<u>Item</u>	<u>Description</u>	<u>Qty</u>	<u>Price</u>
	<u>Unit</u>		
1.	AT237S Unit Model	1	
2.	ALTEC Model AT237S telescopic non-insulating articulating aerial device with a telescopic upper boom, for installation behind chassis cab, built in accordance to ALTEC 'S standard specifications and to include the following features:	1	
	<ul style="list-style-type: none"> <li>A. Ground to Bottom of Platform Height: 38.6 feet (11.7 m) at 10.6 feet (3.2 m) from centerline of rotation.</li> <li>B. Working Height: 43.6 feet (13.3 m).</li> <li>C. Maximum Reach to Edge of Platform: 28.7 feet ( 8.7 m) at 15.3 feet (4.7 m) platform height.</li> <li>D. Upper boom extension: 9 feet 10 inches.</li> <li>E. Rotation: 370 degrees noncontinuous rotation.</li> <li>F. Articulating Arm: Articulation is from -7 to 90degrees.</li> <li>G. Compensation System: By raising the articulating arm only, the telescopic boom maintains its relative angle in relation to the ground. The work position is achieved through a single function operation.</li> <li>H. Telescoping Boom: Articulation is from -25 to 75 degrees.</li> <li>I. Platform leveling: Platform automatically maintains level during boom articulation through a hydraulic leveling system that requires no major preventive maintenance. Hydraulic leveling permits storing of the platform in a horizontal position for road travel.</li> <li>J. 110 VAC Electric Circuit: is provided to platform with weather-proof duplex receptacle; includes ground fault interrupter.</li> <li>K. Hydraulic system: Open center (full pressure), maximum flow of 5 gpm, maximum operating pressure of 2800 psi.</li> <li>L. Platform leveling system: is achieved by a hydraulic master-slave leveling system. This lifetime system is very low maintenance.</li> <li>M. Unit is painted with a powder coat paint process which provides a finish-painted surface that is highly resistant to chipping, scratching, abrasion and corrosion.</li> <li>N. Structural Warranty on all of the following applicable major components is to be</li> </ul>		

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<u>Item</u>	<u>Description</u>	<u>Qty</u>	<u>Price</u>
	warranted for so long as the initial purchaser owns the product: Booms, boom articulation links, hydraulic cylinder structures, outrigger weldments, pedestals, subbases and turntables.		
O.	Manuals: Two (2) operator and Maintenance/Parts manuals.		
3.	Post style pedestal mounting	1	
4.	Single, one-man, end-mounted aluminum platform with 180 degree rotator, 36 x 60 x 45 inches (914 x 1524 x 1143 mm) rated at 400 pounds (182 kg)	1	
5.	Reservoir/Accessory 7 Gallon steel reservoir.	1	
6.	Proportional speed, single handle joystick controls	1	
7.	Engine Start/Stop At Upper And Lower Controls	1	
8.	110 VAC Outlet At Platform	1	
9.	Manual lowering valve located at the boomtip. For use in emergency situations to allow the operator to lower the boom to the ground	1	
10.	Dual Strobe Beacons, Amber LED With Brush Guard, Mounted On Unit Riser	1	
11.	Powder coat unit Altec White.	1	
<b><u>Unit &amp; Hydraulic Acc.</u></b>			
12.	Kendall Glacial Blue Hydraulic Oil (Meets MilSpec 5606).	9	
13.	Hydraulic Oil Heater, 12V, Fixed Temperature Range	1	
14.	Standard Pump For PTO	1	
15.	Hot shift PTO for automatic transmission	1	
16.	Additional Unit/Hydraulic Accessory 12V Hydraulic oil heater.	1	
<b><u>Body</u></b>			
17.	Altec Body	1	
18.	Steel Body	1	
19.	Low-Side General Service (LGS)	1	
20.	Body Is To Be Built In Accordance With The Following Altec Standard Specifications:	1	
A.	Basic Body Fabricated From A40 Grade 100% Zinc Alloy Coated Steel.		
B.	All Doors Are Full, Double Paneled, Self-Sealed With Built-In Drainage For Maximum Weather-Tightness. Stainless Steel Hinge Rods Extend Full Length Of Door.		
C.	Integrated Door Header Drip Rail At Top For Maximum Weather Protection.		
D.	Fender Panels Are Either Roll Formed Or Have Neoprene Fenderettes		

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<u>Item</u>	<u>Description</u>	<u>Qty</u>	<u>Price</u>
	Mechanically Fastened.		
E.	Steel Treated For Improved Primer Bond And Rust Resistance.		
F.	Automotive Type Non-Porous Door Seals Fastened To The Door Facing.		
21.	132" Overall Body Length	1	
22.	94" Body Width	1	
23.	40" Body Compartment Height	1	
24.	20" Body Compartment Depth	1	
25.	Finish Paint Body Altec White	1	
26.	Undercoat Body	1	
27.	5.5 Inch Drop-In Wood Cargo Retaining Board At Rear Of Body	1	
28.	Stainless Steel Rotary Paddle Latches With Keyed Locks	8	
29.	Stainless Steel Rotary Paddle Latches With Keyed Locks	8	
30.	All Locks Keyed Alike Including Accessories (Preferred Option)	1	
31.	All Locks Keyed Alike Including Accessories (Preferred Option)	1	
32.	Gas Shock (Gas Spring) Rigid Door Holders On All Vertical Doors	1	
33.	Chains On All Horizontal Doors	1	
34.	Standard Master Body Locking System (Standard Placement Is At Rear. Sidepacks With A Throughshelf/Hotstick Door At Rear, Standard Placement Is At The Front)	8	
35.	One Chock Holder On Each Side of Body With Retaining Lip In Fender Panel	1	
36.	1st Vertical (SS) - Adjustable Shelf With Removable Dividers On 4" Centers	4	
37.	2nd Vertical (SS) - Adjustable Shelf With Removable Dividers On 2" Centers	4	
38.	1st Horizontal (SS) - Bolt-In Single (1) Drawer Kit w/ 4"H Drawer and No Dividers Full length of the compartment.	2	
39.	Rear Vertical (SS) - Adjustable Shelf With Removable Dividers On 4 Centers	4	
40.	1st Vertical (CS) - Vacant	1	
41.	1st Vertical (CS) - Louvered Panel On Rear Wall To Ventilate Compartment	1	
42.	2nd Vertical (CS) - Locking Swivel Hooks On An Adjustable Rail - Left Wall	2	
43.	2nd Vertical (CS) - Locking Swivel Hooks On An Adjustable Rail - Rear Wall	3	
44.	2nd Vertical (CS) - Locking Swivel Hooks On An Adjustable Rail - Right Wall	2	

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<u>Item</u>	<u>Description</u>	<u>Qty</u>	<u>Price</u>
45.	1st Horizontal (CS) - Bolt-In Single (1) Drawer Kit w/ 4"H Drawer and No Dividers Full length of the compartment.	2	
46.	Rear Vertical (CS) - Adjustable Shelf With Removable Dividers On 4 Centers	4	
47.	Body Frame Designed For ATG Subbase	1	
48.	Lexan Rock Guards Installed Each Front Corner Of Body	1	
49.	Small Steel Grab Handle Installed At Rear	1	
50.	38" L Steel Tailshelf, Width To Match Body	1	
51.	Steel U-Shaped Grab Handle Installed on Tailshelf To the left of the side access step.	1	
52.	Steel Recessed Gripstrut Side Access Steps On Curbside Of Tailshelf	1	
53.	Steel Wheel Chock Holders Installed In Tailshelf, One Each Side	1	
54.	Smooth Galvanneal Steel Floor	1	
55.	Smooth Galvanneal Steel Tailshelf	1	
56.	Smooth Galvanneal Steel Tailshelf	1	
<b><u>Body and Chassis Accessories</u></b>			
57.	ICC Underride Protection	1	
58.	Custom Towing Device 2 5/8" pintle ball hitch for reciever	1	
59.	Receiver Hitch, 2", Class 3	1	
60.	Set Of Eye Bolts for Trailer Safety Chain, installed one each side of towing device mount.	1	
61.	Rear Torsion Bar Installed On Chassis	1	
62.	Appropriate counterweight added for stability.	1	
63.	Platform Rest, Rigid with Rubber Tube	1	
64.	Boom Rest for a Telescopic Unit	1	
65.	Mud Flaps With Altec Logo (Pair)	1	
66.	Wheel Chocks, Rubber, 9.75" L x 7.75" W x 5.00" H, with 4" L Metal Hairpin Style Handle (Pair)	1	
67.	Lower control holder	1	
68.	Slope Indicator Assembly For Machine Without Outriggers	1	
69.	Universal Sloped Aluminum Ladder Rack for Curbside Installation	1	

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<u>Item</u>	<u>Description</u>	<u>Qty</u>	<u>Price</u>
70.	Ladder Rack hold down (Quick-Lock) for sloped ladder racks. Lockable Standard	1	
71.	Safety Harness And 4.5' Lanyard (Fits Medium To Xlarge) Includes Pouch and Placards	1	
72.	5 LB Fire Extinguisher With Light Duty Bracket, Installed (In Cab or Inside Compartment Only)	1	
73.	Triangular Reflector Kit, Installed	1	
74.	Vinyl manual pouch for storage of all operator and parts manuals	1	
<b><u>Electrical Accessories</u></b>			
75.	Lights and reflectors in accordance with FMVSS #108 lighting package. (Complete LED, including LED reverse lights)	1	
76.	Directional Light Bar, Amber, Halogen, 42" Long	1	
77.	Single tone back up alarm installed between the chassis frame rails at the rear of the chassis. To work in conjunction with chassis reverse drive system	1	
78.	7-Way Trailer Receptacle (Blade Type) Installed At Rear	1	
79.	Ford Upfitter Switches (Supplied With Chassis)	1	
80.	Inverter, 1800 Watt, Pure Sine Wave, 120 VAC (Sensata #12/1800N) Mount in 1st CS vertical -Mount upside down in the Top of compartment	1	
81.	120 Volt GFCI Receptacle Includes Weather-resistant Enclosure Install one on the rear of the CS rear vertical Install one on the rear of the SS rear Vertical Install one inside the cab near the hump on the floorboard	3	
82.	Start/Stop/Throttle Module, 12 Volt System	1	
83.	Install Chassis (OEM) Supplied Backup Camera in Final Assembly	1	
84.	PTO Indicator Light Installed In Cab	1	
<b><u>Finishing Details</u></b>			
85.	Powder Coat Unit Altec White	1	
86.	Altec Standard; Components mounted below frame rail shall be coated black by Altec. i.e. step bumpers, steps, frame extension, pintle hook mount, dock bumper mounts, D-rings, receiver tubes, accessory mounts, light brackets, under-ride protection, etc. Components mounted to under side of body shall be coated black by Altec. i.e. Wheel chock holders, mud flap brackets, pad carriers, boxes, lighting brackets, steps, and ladders.	1	
87.	Apply Non-Skid Coating to all walking surfaces	1	

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<u>Item</u>	<u>Description</u>	<u>Qty</u>	<u>Price</u>
88.	Apply Non-Skid Coating to Streetside Compartment Top for use as a Non-Walking Surface	1	
89.	English Safety And Instructional Decals	1	
90.	Vehicle Height Placard - Installed In Cab	1	
91.	Placard, Kendall Glacial Blue Hydraulic Oil	1	
92.	Stability test unit according to ANSI requirements.	1	
93.	Focus Factory Build	1	
94.	Inbound Freight	1	
95.	AT237S FA Installation	1	
<b><u>Chassis</u></b>			
96.	Chassis	1	
97.	Altec Supplied Chassis	1	
98.	2017 Model Year	1	
99.	Ford F550	1	
100.	4x4	1	
101.	84 Clear CA (Round To Next Whole Number)	1	
102.	Extended Cab (Larger Cab With Half-Length Rear Doors Or No Rear Doors)	1	
103.	Chassis Cab	1	
104.	Chassis Color - White	1	
105.	Ford Gas 6.8L	1	
106.	Ford Torqshift 6-Speed (6R140) Automatic Transmission (w/PTO Provision)	1	
107.	GVWR 18,000 LBS	1	
108.	7,000 LBS Front GAWR	1	
109.	13,660 LBS Rear GAWR	1	
110.	225/70R19.5 Front Tire	1	
111.	Traction Tires, Front	1	
112.	225/70R19.5 Rear Tire	1	
113.	Traction Tires, Rear	1	

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<u>Item</u>	<u>Description</u>	<u>Qty</u>	<u>Price</u>
114.	Hydraulic Brakes	1	
115.	Park Brake In Rear Wheels	1	
116.	Ford E/F250-550 Single Horizontal Right Side Exhaust	1	
117.	No Idle Engine Shut-Down Required	1	
118.	50-State Emissions	1	
119.	Ford 40 Gallon Fuel Tank (Rear)	1	
120.	Battery Under Hood Right Hand	1	
121.	AM/FM Radio	1	
122.	Bluetooth	1	
123.	Ford SYNC	1	
124.	Air Conditioning	1	
125.	Backup Camera, OEM Supplied	1	
126.	Cruise Control	1	
127.	Keyless Entry	1	
128.	Power Door Locks	1	
129.	Power Windows	1	
130.	Spare Tire	1	
131.	Block Heater	1	
132.	Running Boards (Supplied By Chassis OEM)	1	
133.	Snow Plow Package	1	
134.	Trailer Brake Controller (Factory Installed)	1	
135.	Cloth Split Bench Seat with center console	1	
136.	Additional Chassis Option Rubber Floors	1	
<b><u>Additional Pricing</u></b>			
137.	Standard Altec Warranty: One (1) year parts warranty, one (1) year labor warranty, ninety (90) days warranty for travel charges, limited lifetime structural warranty	1	

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Unit / Body / Chassis Total	108,765.00
FET Total	0.00
Total	108,765.00

**Altec Industries, Inc.**

BY \_\_\_\_\_

Arash Tahtolkassaei

**Notes:**

- 1 Altec Standard Warranty:
  - One (1) year parts warranty.
  - One (1) year labor warranty.
  - Ninety (90) days warranty for travel charges.

Warranty on structural integrity of the following major components is to be warranted for so long as the initial purchaser owns the product: Booms, boom articulation links, hydraulic cylinder structures, outrigger weldments, pedestals, subbases and turntables.

Altec is to supply a self-directed, computer based training (CBT) program. This program will provide basic instruction in the safe operation of this aerial device. This program will also include and explain ANSI and OSHA requirements related to the proper use and operation of this unit.

Altec offers its standard limited warranty with the Altec supplied components which make up the Altec Unit and its installation, but expressly disclaims any and all warranties, liabilities, and responsibilities, including any implied warranties of fitness for a particular purpose and merchantability, for any customer supplied parts

Altec designs and manufactures to applicable Federal Motor Vehicle Safety and DOT standards
- 2 Altec takes pride in offering solutions that provide a safer work environment for our customers. In an effort to focus on safety, we would encourage you to consider the following items:
  - Outrigger pads (When Applicable)
  - Fall Protection System
  - Fire extinguisher/DOT kit
  - Platform Liner (When Applicable)
  - Altec Sentry Training
  - Wheel Chocks

The aforementioned equipment can be offered in our new equipment quotations. If you find that any of these items have not been listed as priced options in the body of your quotation and are required by your company, we would encourage you to contact your Altec Account Manager and have an updated quotation developed for you. These options must be listed as individual options in the body of the quotation for them to be supplied by Altec.
- 3 Altec Extended Warranty Option:

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Labor/Material/Expense for 1 Year. Price to be quoted

An Altec Extended Warranty is an extension of Altec's Limited Warranty, that protects you from the repair cost associated with defects of materials and workmanship beyond the first year of ownership.

A number of packages are available and can be quoted upon request.

4 Unless otherwise noted, all measurements used in this quote are based on a 40 inch (1016mm) chassis frame height and standard cab height for standard configurations.

5 F.O.B. - Factory

6 Changes made to this order may affect whether or not this vehicle is subject to F.E.T. A review will be made at the time of invoicing and any applicable F.E.T. will be added to the invoice amount.

7 Price does not reflect any local, state or Federal Excise Taxes (F.E.T). The quote also does not reflect any local title or licensing fees. All appropriate taxes will be added to the final price in accordance with regulations in effect at time of invoicing.

8 Interest charge of 1/2% per month to be added for late payment.

9 Delivery: 300-330 days after receipt of order PROVIDING:

- A. Order is received within 14 days from the date of the quote. If initial timeframe expires, please contact your Altec representative for an updated delivery commitment.
- B. Chassis is received a minimum of sixty (60) days before scheduled delivery.
- C. Customer approval drawings are returned by requested date.
- D. Customer supplied accessories are received by date necessary for compliance with scheduled delivery.
- E. Customer expectations are accurately captured prior to releasing the order. Unexpected additions or changes made at a customer inspection will delay the delivery of the vehicle.

Altec reserves the right to change suppliers in order to meet customer delivery requirements, unless specifically identified, by the customer, during the quote and or ordering process.

10 Trade-in offer is conditional upon equipment being maintained to DOT (Department of Transportation) operating and safety standards. This will include, but is not limited to tires, lights, brakes, glass, etc. All equipment, i.e., jibs, winches, pintle hooks, trailer connectors, etc., are to remain with unit unless otherwise agreed upon in writing by both parties. ALTEC Industries reserves the right to re-negotiate its trade-in offer if these conditions are not met.

All reasonable and necessary expenses required of ALTEC Industries to execute transportation of the trade-in will be invoiced to the customer for payment if these conditions are not met to maintain DOT standards.

Customer may exercise the option to rescind this agreement in writing within sixty (60) days after receipt of purchase order. After that time ALTEC Industries will expect receipt of trade-in vehicle upon delivery of new equipment as part of the terms of the purchase order unless other arrangements have been made.

11 This quotation is valid until OCT 10, 2017. After this date, please contact Altec Industries, Inc. for a possible extension.

12 After the initial warranty period, Altec Industries, Inc. offers mobile service units, in-shop service and same day parts shipments on most parts from service locations nationwide at an additional competitive labor and parts rate. Call 877-GO-ALTEC for all of your Parts and Service needs.

13 Please email Altec Capital at [finance@altec.com](mailto:finance@altec.com) or call 888-408-8148 for a lease quote today.

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14

Please direct all questions to Michael Weible at (270) 360-0600

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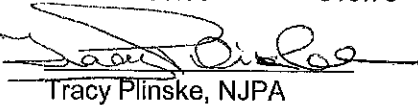
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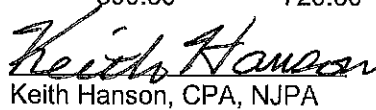



**FORM G  
PUBLIC UTILITY EQUIPMENT WITH RELATED ACCESSORIES AND SUPPLIES**

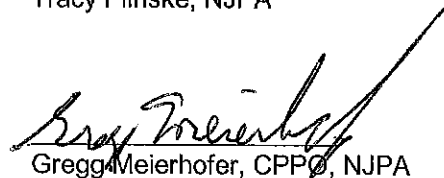
	Possible Points	Altec Industries, Inc.	Bandit Industries, Inc.	Ditch Witch (The Charles Machine Works)	Felling Trailers, Inc.	Gradall Industries, Inc.	Hol-Mac Corporation	Ken's Truck Repair, Inc.	Northrup Grumman	Progressive Innovations, LLC	Thompson Pump & Manufacturing, Inc.
Conformance to terms and conditions to include documentation	50	46.25	45.00	45.25	45.25	43.00	41.25	43.00	46.25	46.00	46.25
Pricing	400	331.25	300.00	302.50	308.75	293.75	313.75	302.50	331.25	325.00	321.25
Financial, Industry and Marketplace Successes	75	65.50	61.75	61.75	64.25	64.50	60.00	52.50	63.75	55.00	59.00
Bidder's Ability to Sell and Service Contract Nationally	100	83.75	76.75	82.50	83.75	77.50	70.50	51.25	61.25	35.00	71.75
Bidder's Marketing Plan	50	43.75	42.00	38.75	43.75	40.75	43.75	40.50	42.50	30.00	43.75
Value Added Attributes	75	66.25	65.00	66.75	68.25	66.25	65.00	60.75	63.75	63.75	65.00
Warranty Coverages and Information	50	45.00	45.00	45.00	45.00	45.00	45.00	45.00	46.25	45.00	45.00
Selection and Variety of Products and Services Offered	200	171.25	167.50	176.25	173.75	167.50	161.25	125.00	153.75	127.50	156.25
<b>Total Points</b>	<b>1,000</b>	<b>853.00</b>	<b>803.00</b>	<b>818.75</b>	<b>832.75</b>	<b>798.25</b>	<b>800.50</b>	<b>720.50</b>	<b>808.75</b>	<b>727.25</b>	<b>808.25</b>

  
Ginger Line, CPPB, NJPA 4/1/2014

  
Tracy Plinske, NJPA 4/1/2014

  
Keith Hanson, CPA, NJPA 4/1/2014

  
Maureen Knight, BBA, JD, NJPA 4/1/2014

  
Gregg Meierhofer, CPPB, NJPA 4/1/2014

**FORM D**



**Formal Offering of Proposal**  
(To be completed Only by Proposer)

**PUBLIC UTILITY EQUIPMENT WITH RELATED ACCESSORIES AND SUPPLIES.**

In compliance with the Request for Proposal (RFP) for "PUBLIC UTILITY EQUIPMENT WITH RELATED ACCESSORIES AND SUPPLIES", the undersigned warrants that I/we have examined this RFP and, being familiar with all of the instructions, terms and conditions, general specifications, expectations, technical specifications, service expectations and any special terms, do hereby propose, fully commit and agree to furnish the defined equipment/products and related services in full compliance with all terms, conditions of this RFP, any applicable amendments of this RFP, and all Proposer's Response documentation. Proposer further understands they accept the full responsibility as the sole source of responsibility of the proposed response herein and that the performance of any sub-contractors employed by the Proposer in fulfillment of this proposal is the sole responsibility of the Proposer.

Company Name: ALTEC Industries, Inc. Date: 3/5/2014

Company Address: 33 Inverness Center Parkway

City: Birmingham State: AL Zip: 35242

Contact Person: Cullen Bull Title: New Equipment Sales - Strategic Accounts

Authorized Signature (ink only): *Cullen Bull* Cullen Bull  
(Name printed or typed)



Contract Acceptance and Award

(To be completed only by NJPA)

NJPA Public Utilities Equipment with related accessories + Supplies

ALTEC Industries, Inc.

Proposer's full legal name

Your proposal is hereby accepted and awarded. As an awarded Proposer, you are now bound to provide the defined product/equipment and services contained in your proposal offering according to all terms, conditions, and pricing set forth in this RFP, any amendments to this RFP, your Response, and any exceptions accepted or rejected by NJPA on Form C.

The effective start date of the Contract will be May 1st, 20 14 and continue for four years from the board award date. This contract has the consideration of a fifth year renewal option at the discretion of NJPA.

National Joint Powers Alliance® (NJPA)

NJPA Authorized signature:

NJPA Executive Director

Chad Coquette

(Name printed or typed)

Awarded this 10 day of April, 20 14 NJPA Contract Number # 031014-ALT

NJPA Authorized signature:

NJPA Board Member

Scott Veronen

(Name printed or typed)

Executed this 10 day of April, 20 14 NJPA Contract Number # 031014-ALT

Proposer hereby accepts contract award including all accepted exceptions and NJPA clarifications identified on FORM C.

Vendor Name ALTEC Industries, Inc.

Vendor Authorized signature:

Cullen Bull

Title: New Equipment Sales - Strategic Accounts

(Name printed or typed)

Executed this 10th day of April, 20 14 NJPA Contract Number # 031014-ALT



**Item:** Final Payment: 36th Avenue NE Improvements Phase 2 – O.F. 1622.2

**From:** Engineering Division

**Initiated By:** Public Works Department

**Presented By:** Jim Rearden, Public Works Director

**Action Requested:** Approve Final Pay Request.

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**Suggested Motion:**

1. Commissioner moves:

“I move that the City Commission (approve/not approve) Final Payment for the 36th Avenue NE Improvements Phase 2 in the amount of \$45,228.19 to United Materials of Great Falls, Inc. and \$456.85 to the State of Montana Miscellaneous Tax Division and authorize the City Manager to execute the necessary documents and make the payments.”

2. Mayor requests a second to the motion, Commission discussion, public comment, and calls for the vote.

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**Staff Recommendation:**

Approve Final Pay Request.

**Summary:**

City staff has verified that United Materials has completed all work in accordance with the plans and contract documents. The project was completed within the approved contract time of 90-calendar days.

**Background:**

Significant Impacts:

The project consisted of reconstruction of 1,700 lineal feet of 36th Avenue NE between 12th Street NE and Bootlegger Trail. The existing roadway, which was initially constructed in the County many years ago, was upgraded to a standard urban collector roadway to meet increased traffic and storm water runoff demands caused by continuing area development along the northern edge of the City.

Project Work Scope:

The completed work scope generally consisted of the following: Reconstruction of 1,700 lineal feet of

existing roadway with a 45-foot wide paved roadway with curb and gutter on both sides and connections to the existing roadways including Bootlegger Trail and 11th, 12th and 14th Streets NE. In order to serve current and future utility needs and avoid future disturbance of the new roadway improvements, the project also included water, sanitary sewer, storm drain and sidewalk improvements. The utility work included 310 foot of new sewer main, 3 new water services, 4 new sewer services, 3 new storm drain inlets and inlet laterals and miscellaneous modifications to existing utility mains and services. Sidewalk improvements included 570 lineal feet of new sidewalk, 55 lineal feet of sidewalk replacement, and 7 new sidewalk handicap ramps for pedestrian crossing at the street intersections.

Other work scope included replacement of disturbed driveways, restoration of disturbed boulevard areas, and removal and replacement of roadside signing. Change Order No.1 included additional work scope to excavate and replace unstable subgrade soils and install paving fabric to increase the structural integrity of the roadway section.

#### Evaluation and Selection Process:

The project was initially bid on August 24, 2016. Only one bid was received from EDK Engineering and Construction, Inc. in the amount of \$854,912.00, which was approximately \$200,000 over the engineers cost estimate and the project budget. It was determined that the lack of bids was due to the commitment of local contractors to other construction contracts. Because of these circumstances, Staff recommended to not award and to rebid the project at a later time. The City Commission moved to not award a contract at the September 6, 2016 meeting.

The project was rebid on February 22, 2017. Four bids were received ranging between \$594,286.40 and \$725,248.50. United Materials submitted the low bid, which was \$260,625.60 less than the bid received on August 24, 2016. On March 21, 2017, a contract in the amount of \$594,286.40 was awarded to United Materials.

#### Conclusion:

Change Order No. 1 increased the contract amount by \$37,178.99 and contract time by 15 days. With Change Order No. 1, the approved contact amount is \$631,465.39 and contract time is 90 days. The final cost is \$620,904.14, which is \$10,561.25 less than the Change Order No. 1 contract amount. The two-year project warranty started at the time of substantial completion, which was July 13, 2017.

#### **Fiscal Impact:**

City Street, Sewer, Storm Drain and Water funds were allocated to the project and are available to cover the Final Payment. The recently annexed City View and Skyline Apartments contributed their proportionate share of funding for the street improvements. Upon the annexation of other properties lying adjacent to the project improvements, the City will endeavor to recover the proportionate cost share of those improvements benefitting those properties.

#### **Alternatives:**

The City Commission could vote to deny the Final Payment.



**Item:** Resolution 10206- A RESOLUTION APPROVING THE APPLICATION FOR THE NEW OR EXPANDING INDUSTRY TAX BENEFIT FOR MONTANA EGG LLC., 600 KINGSBURY ROAD, VALIER, MT, FOR THE EXPANSION OF EGG PROCESSING FACILITY PRIMARILY LOCATED ON LOT 11, LOTS 11, 12, 13A NORTH PARK ADDITION, LOCATED IN SEC. 04, T20N, R4E, CASCADE COUNTY, MONTANA, PURSUANT TO SECTIONS 15-24-1401 AND 15-24-1402 MONTANA CODE ANNOTATED.

**From:** Craig Raymond, Director, Planning and Community Development

**Initiated By:** Montana Egg, LLC

**Presented By:** Craig Raymond, Director, Planning and Community Development

**Action Requested:** City Commission set Public Hearing on Resolution 10206 for October 3, 2017

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**Suggested Motion:**

1. Commissioner moves:

"I move that the City Commission (set/not set) the Public Hearing on Resolution 10206 for October 3, 2017."

2. Mayor calls for a second to the motion, Commission discussion, public comment, and calls for the vote.

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**Staff Recommendation:**

Staff recommends that the City Commission set the Public Hearing for October 3, 2017.

**Summary:**

Based on the analysis provided below and pursuant to Section 15-24-1401 Montana Code Annotated, Staff recommends approval of Resolution 10206 granting a tax benefit for Montana Egg LLC., Great Falls, Montana.

Historically, Staff has supported abatement requests and generally, is supportive of utilizing this economic development tool. However, careful consideration must be given to the checks and balances of incentivizing business expansion at the expense of identified budgetary needs, especially as it pertains to high priority public safety needs.

Consideration of these factors, along with the specific guiding questions from Resolution 10119

regarding tax abatements, require a higher level of discussion about whether or not the benefit to Montana Egg outweighs the potential adverse effects to the community.

**Background:**

Montana Egg LLC., received permits to begin construction of an egg processing facility in Great Falls in August 2016. The facility, which is nearing completion at this time, is a \$7 million dollar, 54,600 square foot facility dedicated to the processing and distribution of eggs for the grocery market. The applicant is requesting approval of a New or Expanding Industry Tax Benefit based on the value of the new industrial complex.

During the processing of this application, the Montana Department of Revenue was consulted in order to provide the best possible analysis of the fiscal impact and regulatory procedures related to tax abatements. The amount of ad valorem taxes due is calculated by multiplying the taxable value by the applicable mills. Note that any tax benefit is limited to the increase in taxable value created by the improvements.

Section 15-24-1402, MCA, provides local government the option of giving Tax Benefits for New or Expanding Industry. Resolution 10206 has been prepared to comply with the requirements of Sections 15-24-1401 and 15-24-1402 MCA. Section 15-24-1402 MCA reads:

15-24-1402. New or expanding industry -- assessment -- notification. (1) In the first 5 years after a construction permit is issued, qualifying improvements or modernized processes that represent new industry or expansion of an existing industry, as designated in the approving resolution, must be taxed at 50% of their taxable value. Subject to 15-10-420, each year thereafter, the percentage must be increased by equal percentages until the full taxable value is attained in the 10th year. In subsequent years, the property must be taxed at 100% of its taxable value.

Approval of the application will allow the applicant the benefit of being taxed at 50% of the taxable value each year for the first five years after acquisition, and thereafter the percentage must be increased by equal percentages each year as outlined in the following schedule:

<b><i>Estimates Provided by Montana Egg and Department of Revenue</i></b>			
Tax Year	Taxes w/out incentive	Taxes with incentive	Reduction in taxes due to incentive
2018	\$105,090	\$60,486	\$(44,603)
2019	\$104,707	\$60,266	\$(44,441)
2020	\$104,298	\$60,031	\$(44,268)
2021	\$103,757	\$59,719	\$(44,038)
2022	\$102,214	\$58,831	\$(43,383)
2023	\$101,567	\$67,080	\$(34,487)
2024	\$100,489	\$74,899	\$(25,591)
2025	\$98,222	\$81,547	\$(16,675)
2026	\$95,833	\$87,698	\$(8,135)
2027	\$94,393	\$94,393	-
10 Yr. Total	\$1,010,571	\$704,951	\$(305,620)

***Note: this schedule only reflects city tax revenue impacts and does not account for school district, county or state impacts.***

The law governing this incentive was amended in 1985, requiring that each local governing body (City and County) may approve the Tax Benefit on a project by project basis. If one local government body approves the tax benefit and the other does not, the benefit will apply only to the mills levied by the approving governing body. In addition, tax benefits do not include any relief from state-wide levies, and local government approval of the application must be made by resolution.

In December 2015, the City Commission adopted Resolution 10119 establishing certain criteria for the evaluation of tax benefit requests. The following is the criteria by which each application is to be evaluated for approval, modification or denial, along with a brief staff comment for Commission consideration of the merits of the project as it pertains to each criteria:

**a. Whether the City's financial condition at the time of the application or consideration of the application warrants granting the application;**

*Staff Comment:* The City's current financial condition could be characterized as “in recovery” or in “catch-up” mode. Strides have been made in stabilizing fund balances; however, various operational needs and capital projects have been deferred. These deferred items remain unfunded and there is no other identifiable revenue source other than general fund tax dollars to fill these voids.

As outlined in the City Manager's FY2017 Administrative Capital Improvement Plan, the 2016 Park and Recreation Master Plan, and the 2014 and 2016 Civic Center Façade Report, City facilities suffer from decades of deferred maintenance problems. Operationally, significant public safety needs exist as outlined in prior budget transmittal letters to the Commission.

Staff finds that approval of this tax abatement application will have a negative impact to the General Fund over a ten year period of time potentially requiring the City Commission to explore alternative revenue sources more aggressively (such as the park assessment district and others) to address identified needs and meet new service requirements for the City.

**b. Whether the application meets all pertinent statutory criteria for the particular project;**

*Staff Comment:* The application meets all statutory eligibility criteria. Montana Egg, LLC., has submitted all required documentation and the application is deemed to comply.

**c. Whether the property taxes or other taxes and/or assessments on the property are current;**

*Staff Comment:* All property taxes and assessments on the property are current.

**d. Whether the project may unreasonably affect the tax base of the City;**

*Staff Comment:* The project and subsequent expanding industry has had and will continue to have a significant positive effect on the overall tax base of the City. If the tax benefit is approved, the direct benefit of the increased tax base to the City will be decreased for a total of ten years in an amount in excess of \$305,620, potentially deferring needed revenue for General Fund operations, projects, and capital needs.

**e. Whether the project would impact employment opportunities within the City;**



*Staff Comment:* The construction of the new facility and expansion of the operation will have a very positive impact on employment opportunities within the City. According to data provided by Montana Egg, LLC., the new facility will create approximately 24 new jobs in the City of Great Falls.

**f. Whether the project is located within a Tax Increment Financing (TIF) or Targeted Economic Development (TED) District;**

*Staff Comment:* The project is not located within any of the established TIF districts and therefore is not likely to have any negative effects to future TIF projects.

**g. Whether the project has already received additional financial assistance from the City or other authorities having jurisdiction;**

*Staff Comment:* Montana Egg LLC. has received a \$90,000 loan benefit through the Cities' Community Development Block Grant program.

**h. As to applications filed pursuant to Mont. Code Ann. §15-24-1601 et seq., whether the Montana State Historic Preservation Office has provided design review assistance and certification for qualifying properties;**

*Staff Comment:* This consideration is not applicable under this specific request.

**i. Whether the project will create affordable housing opportunities;**

*Staff Comment:* The project is not anticipated to provide or create affordable housing opportunities directly.

**j. Whether the project will encourage additional, unsubsidized development in the area of the project, either directly or indirectly, through “spin-off” development;**

*Staff Comment:* The industrial expansion by Montana Egg is highly likely to result in additional “spin-off” development. It is not possible to quantify the exact impact of post construction benefit, but we do know that the expansion of egg processing capacity out of Great Falls has already supported expansion of suppliers businesses as well as construction of additional buildings in the North Central Montana region.

**k. Whether the project will facilitate the development process and achieve development on sites which would not be developed without assistance, or would not be developed at a level of acceptable quality;**

*Staff Comment:* There were no significant or unusual barriers to development on this particular site. However, the site remained vacant for some time and this development does represent a win for Great Falls. That being said, it is doubtful that the tax benefit is financially necessary to complete the expansion. There is no indication as to the extent Montana Egg considered the approval of this specific benefit in making its decision to expand in Great Falls.

**l. Whether the project would encourage redevelopment of commercial and industrial areas in the City of Great Falls, resulting in a higher level and quality of re-investment;**

*Staff Comment:* Additional industrial development is somewhat likely as a result of the Montana Egg expansion.

**m. Whether the project would encourage removal of blight, or the rehabilitation of a high profile or priority site;**

*Staff Comment:* This project is not likely to have any effect on the removal of blight in the immediate area.

**n. Whether the application is sought in whole or in part because of increased costs of redevelopment, such as clean-up of a contaminated site, demolition expenses, and the like, over and above costs normally incurred in development;**

*Staff Comment:* The subject property was not subject to any unusual costs over and above those customarily incurred in the development of industrial property.

**o. Whether the project could be developed without the benefit of a tax abatement; i.e., but for the allowance of a tax abatement, the project would not be developed or pursued;**

*Staff Comment:* It is believed that the project was not dependent on the abatement request in order to be successful. Additional incentives previously mentioned also played a role in making the project successful.

**p. Whether conferring the tax benefit will create an adverse impact on existing state, county or municipal services;**

*Staff Comment:* Granting the tax benefit will have an impact on funding of municipal services for a period of ten years. The total cost to the City is approximately \$305,620. Estimated impacts to the school, county, and state are not calculated or considered in this report.

**q. Whether the project contributes to the implementation of other policies adopted by the City, including, but not limited to, the City's Growth Policy;**

*Staff Comment:* Industrial growth significantly contributes to the goals of the Growth Policy. While the Growth Policy recognizes tax abatements as a tool in the City's economic development strategy, it also notes that it is an incentive that should be used wisely. In other words, abatement decisions should be individually considered and weighed in terms of both user benefits and fiscal impacts.

**r. Whether the project would meet other criteria as would be considered reasonable for the best interests of the City;**

*Staff Comment:* Supporting the development of the subject property specifically and expanding industry generally is in the best interest of the City.

**Fiscal Impact:**

Approval of the application will allow the new beneficial use taxes generated from the project to gradually be added to the applicant's property taxes over a ten year period. Initially being taxed at 50% of the taxable value in years 1-5, then paying an increasing amount for the remaining five years until being taxed at 100% after year ten. The total fiscal impact to the City over the ten year period will be a

decrease of approximately \$305,620 in tax revenue.

**Alternatives:**

The City Commission may deny Resolution 10206 and not grant the tax abatement.

ATTACHMENTS:

- Montana Egg Tax Abatement Application
- Resolution 10206
- Resolution 10119



MONTANA CAB-1 Rev 10 16

### New or Expanding Industry Classification Application 15-24-1401 & 15-24-1402, MCA and ARM 42.19.1235

The applicant completes this page.

County Cascade

Name of Applicant Montana Egg, LLC

Mailing Address 600 Kingsbury Road  
Valley, MT 59486

Legal Description of Affected Property Lot 16 Block S North Park LOTS 11-16 North Park

1. Date construction permit issued 8/30/16  
(If no permit is required, specify the date when certificate was issued in lieu of building permit.)

2. This application covers the (expansion/new) construction of the Egg Plant - Where Regional Hutterite Colonies bring their eggs to be inspected, graded, packaged. plant.

3. List the qualifying property below.

A new building 260 x 200 located at North Park on 9.11 acres

A new office building 20 x 80 - same location

A garden

Attach site plat, plot plan, construction prints and detailed equipment list identifying the above property, along with complete installed costs for each qualifying component.

4. Complete this section only if the application is for a firm that:

- engages in transportation, warehousing or distribution of commercial products, if 50% or more of the gross receipts are earned from outside the state; or
- earns 50% or more of its annual gross income from out-of-state sales.

Type of business	<u>Egg Processing &amp; Distribution Plant</u>	
Total gross sales or receipts	<u>Wilcox</u> \$ <u>45,600,000</u>	<u>MTEC</u> * <u>16,300,000</u>
Total gross income	\$ <u>45,600,000</u>	<u>to Wilcox</u> <u>16,300,000</u>
Sales and receipts from outside of Montana	\$ <u>31,920,000</u>	<u>11,410,000</u>
Income earned from sales outside of Montana	\$ <u>31,920,000</u>	<u>11,410,000</u>
(attach income statements)	* Processing fees earned <u>700,954</u>	

Signature of Applicant Milke Kleinsasser

Print Name Milke S. Kleinsasser Date 3-13-17

Copies - Local Department of Revenue office, County Clerk and Recorder, County Commissioners and Applicant

The taxing jurisdiction completes this page.

A public hearing on the matter of *New or Expanding Industry* resolution for \_\_\_\_\_  
\_\_\_\_\_ plant was held at the \_\_\_\_\_ County  
Courthouse at \_\_\_\_\_ AM/PM, on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

1. Due notice as defined in 76-15-103, MCA was given. True and exact copies of said notices were provided.

Yes \_\_\_\_\_ No \_\_\_\_\_

2. The statutory \$50,000 investment requirement for expansion or modernization has been met.

Yes \_\_\_\_\_ No \_\_\_\_\_

3. The statutory \$125,000 investment requirement for new improvements or modernized processes has been met. Yes \_\_\_\_\_ No \_\_\_\_\_

This application is made under the provisions of 15-24-1402, MCA, and by the resolution adopted by the \_\_\_\_\_ of \_\_\_\_\_ County,  
(Taxing Jurisdiction)  
on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

We, the undersigned, \_\_\_\_\_ of \_\_\_\_\_  
(Title) (Taxing Jurisdiction)  
(approve/disapprove) this application for \_\_\_\_\_.

We find that it (does/does not) conform to the criteria as set forth in the resolution adopted by this \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

Approved tax incentive to be implemented beginning in \_\_\_\_\_  
(Assessment Year)

Name \_\_\_\_\_ Title \_\_\_\_\_

Name \_\_\_\_\_ Title \_\_\_\_\_

Name \_\_\_\_\_ Title \_\_\_\_\_

## Overview

Montana Egg, LLC owns an egg collection, processing and distribution facility located in Great Falls, Montana. Eggs are produced and collected from regional Hutterite Colonies whom own Montana Eggs, LLC.

Recently, the decision was made to expand the plant and grader system by purchasing land in the North Star Development Park while keeping and operating the current plant for pasteurized eggs. A new building will be built and a new grader system will be purchased. Regional Hutterite Colonies are adding at least 10-15 barns to help supply the new facility.

Wilcox Farms operates the plant for Montana Eggs, LLC. Montana Eggs, LLC earns a processing fee from Wilcox for owning the building and grader. Approximately 70% of the eggs are sold out of State through the Costco retail chain.

Currently, Wilcox Farms purchases approximately \$16,300,000 worth of eggs from the regional Hutterite Colonies and Montana Eggs, LLC earns roughly \$700,000 in processing fees. A total of 18 workers operate the current facility and the facility processes 11,600,000 dozen eggs.

The new plant will be able to process 23,800,000 dozen eggs and Wilcox intends to hire 24 additional employees. The jobs provided will be at decent pay and come with benefits.

The facility will cost approximate \$7,000,000 and the main piece of equipment the egg grade is approximately \$2,000,000 with another \$500,000 to install it.

In regard to City resolution 10119 we believe we meet all the criteria to be considered for this abatement;

a. Whether the City's financial condition at the time of the application or consideration of the application warrants granting the application;

- We believe this will add to the City's taxable base providing new jobs and tax base and should be considered a win/win situation by the City.

b. Whether the application meets all pertinent statutory criteria for the particular project;

- We meet all the statutory criteria. Mainly a majority of the eggs are sold outside the State using the Costco retail stores. We believe currently there are 5 Montana Costco Stores and at least 12 out of State.

c. Whether the property taxes or other taxes and/or assessments on the property are current;

- To the best of our knowledge all taxes and fees are current.

d. Whether the project may unreasonably affect the tax base of the City.

- Our project will add to the City tax base. We are not in direct competition with other local businesses to an extent that our project should only add to overall business in Great Falls.

e. Whether the project would impact employment opportunities within the City;

- Our project will add good jobs to the City

f. Whether the project is located within a Tax Increment Financing (TIF) or Targeted Economic Development (TED) District.

- Our project is not located in a TIF or a TED

g. Whether the project has already received additional financial assistance from the City or other authorities having jurisdiction:

- Montana Eggs, LLC received tax abatement on its current site.

h. As to applications filed pursuant to Mont. Code Ann §15-24-1601 et seq., whether the Montana state historic preservation office has provided design review assistance and certification for qualifying properties

- N/A

i. Whether the project will create affordable housing opportunities;

- N/A

j. Whether the project will encourage additional, unsubsidized development in the area of the of the project, either directly or indirectly, through "spin-off" development;

- None directly noted, but indirectly, will be a very nice addition to the Park with a very professional looking plant and will be kept in a clean and pleasant manner.

k. Whether the project will facilitate the development process and achieve development on sites which would not be developed without assistance, or would not be developed at level of acceptable quality;

-We think our project helps to complete the North Star Park with a very suitable business and will encourage others to invest in Great Falls and the area.

l. Whether the project would encourage redevelopment of commercial and industrial areas in the City of Great Falls, resulting in a higher level and quality of re-investment;

-We think our business will provide a base that will continue to show that Great Falls is a regional business center. The hope would be that other businesses will follow suit seeing how Montana Egg, LLC has started and grown and that other businesses could do the same in Great Falls.

m. Whether the project would encourage removal of blight, or the rehabilitation of a high profile or priority site;

- N/A

o. Whether the project could be developed without the benefit of a tax abatement; i.e. but for the allowance of a tax abatement, the project would not be developed or pursued;

- We have started the project and think the project is a very viable project. We would hope the City would view this as a win/win bringing positive business and jobs creating a tax base for the future. Also granting our request would encourage others to see Great Falls as business friendly and will view projects positively and want to help take part in the growth of business in our community.

p. Whether conferring the tax benefit will create an adverse impact on existing state, county or municipal services.

- We don't believe we will create an adverse impact on existing state, county or municipal services.

q. Whether the project contributes to the implementation of other policies adopted by the City, including, but not limited to, the City's Growth Policy; and/or

- We would hope that our project would be viewed positively in regard to the City's Growth Policy, etc..

r. Whether the project would meet other criteria as would be considered reasonable for the best interests of the City.

- We believe that our project would be considered positive growth for the City and in the best interest to support businesses like ours.



*Moo*

# **MOBA**

*Egg Graders  
for new Plant*

*Doc. 13-*

2,315,000	Euro's
<u>1.06</u>	to US
2,453,900	<u>Installes</u>

**Montana Egg LLC**  
 1015 38th Street North  
 594001 Great Falls  
 Montana  
 U.S.A.

Date	: 13-12-2016	Fax	: +31-3
Tel	: +31 (0) 342 455 643	Re	: Orde
Ref	: PX530 + MR50 (ex order 121330-3 + 280003136)	E	: Anth

*Main piece of  
Equipment*

Dear Sir/Madam,

Referring to your inquiry, dated 22-3-2016, we are pleased to send you our order confirmation for a:

**Equipment specification**

**Moba Omnia PX 530**  
 fully automatic egg grading- and packing machine  
 with a max. capacity of 190.000 eggs/hour.

For details see lay-out # 311-8577-12, a right-hand configuration.

**General features**

A highly efficient washdown egg grading machine of the latest hygienic technology. The system includes:

- Individual egg handling system
- Full stainless steel frame construction
- Parts that come into contact with eggs are manufactured of industrial food approved materials
- A foamable and high pressure cleanable infeed system
- Cleaning In Place system for weighing carriers
- Cleaning In Place system for egg carriers in main transport frame
- Washdown transfer system
- Cleaning Out Place cassette system for receiver sets
- Cleaning Out Place system for buffer sets in easy to remove drawer-concept
- Cleaning Out Place drop sets
- Downwash packing lanes
- Master control system (running Linux) for reliable performance
- Information centre with Man Machine Interface computer (running Windows) and printer
- One touch screen on each side of the machine per block of packing lanes for easy monitoring
- Provision for positioning inkjet printer cabinets, which is protected during machine downwash
- UPS system for central computer functions, timing and weighing system
- Surge protection for spikes in mains supply caused by lightning

**Infeed side**

**FL Loader**

A loader of the FL series to unload eggs from both plastic and paper trays on to the rollers of the infeed conveyor. By means of "common speed loading" technology, where the loader head momentarily moves in the same speed and direction as the rollers during the moment of transferring the eggs, this is done in the most gentle way. The loader is easy to clean thanks to its open, foamable and high pressure cleanable foodtec construction.

Moba B.V., P.O. Box 7, 3770 AA Bovenwaard - Stationsweg 117, The Netherlands • T: +31 (0) 342 455 655 • F: +31 (0) 342 455 755 • E: info@moba.nl  
 www.moba.nl • Trade register 09042296 • V.A.T. no. NL 0040 640 57.B.01 • Rabobank/Rotterdam no. 38.13.32.767 • BIC RABONL2U • IBAN NL77 RABO 038 1832767

# **MOBA**

## Standard features:

- A preloader to load the stacks of 6 trays
- Supplier shift system to indicate the start of a new supplier batch of eggs
- A turning unit to orientate the stacks
- Offgrade box to count offgrade eggs if removed manually from the loader
- Suction grip heads to unload the trays from the stacks
- A suction head that loads eggs from trays on to the rollers using "common speed loading"
- 2 reject conveyors for wet trays and or trays with stuck eggs
- 2 empty tray stackers
- Control panel
- Suitable to handle pulp and plastic trays

## Infeed conveyor

2x9 row wide infeed conveyor, with low-impact Normal rollers.

## Orientator

"Multi Drum™"-orientator to orientate the eggs on the infeed conveyor, placing all air-cells in same direction.

## Provision Egg washer

Provision to integrate an eggwasher in the infeed conveyor consisting of Moba infeed rollers and chain.

## Kuhl egg washer/dryer, typeSB 500 - 18M short

A 100% stainless steel Egg Washer. Through means of a combination of spray and brush systems the Kuhl washer provides the best possible results in egg washing presently available on the market. The Kuhl washer is equipped with adjustable brushes which allow it to clean various egg sizes. The brushes are self cleaning which prevents bacteria build up. The Kuhl washer is integrated in the infeed conveyor.

This washer is equipped with:

- Dryer
- Stainless steel nozzles, chain, shafts
- Self cleaning scallop brushes and end of egg brushes
- Adjustable brush system which allows it to clean various egg sizes
- Electrical cabinet
- Rinse control group and metering pump
- External heat exchanger
- Rotating screen to separate automatically the shell parts from the wash water and transport these parts outside the washer.
- Vapor exhaust fan to exhaust the moistened air out of the washer
- Air knife at the end of the washer to pre-dry the eggs

## EggInspector

By means of camera's and special LED lighting, an advanced vision computer program detects leaking- and dirty eggs on the infeed system of the Omnia. Leaking eggs can immediately be rejected underneath the weighing system and dirty eggs can be sorted on an offgrade lane.

For performance specification, see enclosed technical specification sheet.

## Crack Detector

Magneto-acoustical system, located above the egg flow, to detect even the smallest hairline cracks. The smart link to the Omnia enables you to easily produce different output qualities, if necessary. This system is also capable to remove eggs with very poor shell quality.

For performance specification, see enclosed technical specification sheet.

## UV-Disinfection

In Omnia PX multiple UV-disinfection systems are integrated. By means of Ultra Violet light, growth of micro-organisms caused by recent contamination is reduced significantly during the operation of the

# **MOBA**

- 0,7 M³ per hour
- Minimal pressure 6 bar / 87 psi
- Maximum dew point 2°C; an air dryer is recommended

**Moba Omnia PX 530**  
**fully automatic egg grading- and packing machine**  
**with a max. capacity of 190.000 eggs/hour.**

**MR 50 De-palletiser**  
**for de-palletizing pallets of the eggs**

According to enclosed specification.

Total price EUR 2.315.000,00

**Price:** Said prices are exclusive of V.A.T. and strictly net, to be paid to Rabobank in Rotterdam. Our bank data are mentioned at the bottom of this letter. The cost involved such as collection, credits, payment guarantees etc. are for purchaser account.

**Exchange rate:** This price of the Washer has been calculated based on the exchange rate on 13-12-2016, being \*Exchange rate EUR to USD is 0,89. The final price in EUR will be determined on the date of order and per the exchange rate valid on that date.

**Delivery:** DDP 1015 38th Street North, Great Falls, according to "Incoterms 2010".

**Payment:** 20% down payment already paid on order US-121330-3 + 280003136 and invoice number: 21615737  
 70% 15 days before agreed delivery time ex works Barneveld  
 10% after assembly, however, not later than 30 days after date of transport document.

**Delivery time:** June 15, 2017, provided we have received your written order, down-payment, necessary technical specifications and design parameters within one week after order confirmation date.

**Installation:** Installation and start-up of the mentioned equipment by Moba-Engineers is included in above-mentioned total price. For specification of the installation and start-up details see enclosed assembly, training and commissioning sheet.

**Warranty:** 12 months with a maximum of 2.500 operating hours of the machine, (actual operating hours according to the counter of the operating hours) and becomes effective after assembly and corresponding commissioning of the machine at your company, however within 4 weeks after shipment of the machine to your company at the latest. After commissioning, a Protocol of Acceptance will have to be signed by a, duly authorized employee of your company after which the warranty period takes effect.

The warranty only comprises the parts to be replaced including the required assembly hours. Work under warranty should take place under normal operating hours. Wear parts and improper use are excluded from warranty.

Moba B.V., P.O. Box 7, 3770 AA Barneveld • Stationsweg 117, The Netherlands • T: +31 (0) 342 455 655 • F: +31 (0) 342 455 755 • E: info@moba.nl  
 www.moba.nl • Trade register 09042296 • V.A.T. no. NL 0040 640 57.B.01 • Rabobank/Rotterdam no. 38.18.32.767 • BIC RABONL2U • IBAN NL77 RABO 0381832767



# Document A101™ – 2007

*Building*

*u*

## Standard Form of Agreement Between Owner and Contractor where the basis of payment is a Stipulated Sum

AGREEMENT made as of the 19th day of July in the year 2016  
(In words, indicate day, month and year.)

BETWEEN the Owner:  
(Name, legal status, address and other information)

Montana Eggs, LLC  
c/o Kingsburg Colony  
600 Kingsburg Road  
PO Box 777  
Valier, MT 59486  
Phone: (406) 472-3330

and the Contractor:  
(Name, legal status, address and other information)

Guy Tabacco Construction  
1400 25th Street NE  
PO Box 550  
Black Eagle, MT 59414  
Phone: (406) 727-7556

for the following Project:  
(Name, location and detailed description)

Montana Egg New Plant on 38<sup>th</sup> Street and North Park Boulevard

The Architect:  
(Name, legal status, address and other information)

CTA Architects Engineers  
219 2nd Avenue South  
Great Falls, MT 59405  
Phone: (406) 452-3321

The Owner and Contractor agree as follows.

**ADDITIONS AND DELETIONS:**  
The author of this document has added information needed for its completion. The author may also have revised the text of the original AIA standard form. An *Additions and Deletions Report* that notes added information as well as revisions to the standard form text is available from the author and should be reviewed. A vertical line in the left margin of this document indicates where the author has added necessary information and where the author has added to or deleted from the original AIA text.

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

AIA Document A201™-2007, General Conditions of the Contract for Construction, is adopted in this document by reference. Do not use with other general conditions unless this document is modified.

Init.

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User Notes:

(1263693360)

TABLE OF ARTICLES

- 1 THE CONTRACT DOCUMENTS
- 2 THE WORK OF THIS CONTRACT
- 3 DATE OF COMMENCEMENT AND SUBSTANTIAL COMPLETION
- 4 CONTRACT SUM
- 5 PAYMENTS
- 6 DISPUTE RESOLUTION
- 7 TERMINATION OR SUSPENSION
- 8 MISCELLANEOUS PROVISIONS
- 9 ENUMERATION OF CONTRACT DOCUMENTS
- 10 INSURANCE AND BONDS

ARTICLE 1 THE CONTRACT DOCUMENTS

The Contract Documents consist of this Agreement, Conditions of the Contract (General, Supplementary and other Conditions), Drawings, Specifications, Addenda issued prior to execution of this Agreement, other documents listed in this Agreement and Modifications issued after execution of this Agreement, all of which form the Contract, and are as fully a part of the Contract as if attached to this Agreement or repeated herein. The Contract represents the entire and integrated agreement between the parties hereto and supersedes prior negotiations, representations or agreements, either written or oral. An enumeration of the Contract Documents, other than a Modification, appears in Article 9.

ARTICLE 2 THE WORK OF THIS CONTRACT

The Contractor shall fully execute the Work described in the Contract Documents, except as specifically indicated in the Contract Documents to be the responsibility of others.

ARTICLE 3 DATE OF COMMENCEMENT AND SUBSTANTIAL COMPLETION

§ 3.1 The date of commencement of the Work shall be the date of this Agreement unless a different date is stated below or provision is made for the date to be fixed in a notice to proceed issued by the Owner.

*(Insert the date of commencement if it differs from the date of this Agreement or, if applicable, state that the date will be fixed in a notice to proceed.)*

| Commencement by Notice to Proceed, July 19<sup>th</sup>, 2016

If, prior to the commencement of the Work, the Owner requires time to file mortgages and other security interests, the Owner's time requirement shall be as follows:

| N/A

§ 3.2 The Contract Time shall be measured from the date of commencement.

§ 3.3 The Contractor shall achieve Substantial Completion of the entire Work not later than three hundred five days ( 305 ) days from the date of commencement, or as follows:

*(Insert number of calendar days. Alternatively, a calendar date may be used when coordinated with the date of commencement. If appropriate, insert requirements for earlier Substantial Completion of certain portions of the Work.)*

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 User Notes: (1263693360)

Portion of Work  
N/A

Substantial Completion Date

, subject to adjustments of this Contract Time as provided in the Contract Documents.  
*(Insert provisions, if any, for liquidated damages relating to failure to achieve Substantial Completion on time or for bonus payments for early completion of the Work.)*

N/A

#### ARTICLE 4 CONTRACT SUM

§ 4.1 The Owner shall pay the Contractor the Contract Sum in current funds for the Contractor's performance of the Contract. The Contract Sum shall be six million eight hundred sixty eight thousand six hundred fourteen and zero cents (\$ 6,868,614.00 ), subject to additions and deductions as provided in the Contract Documents.

See Attachment "A"

§ 4.2 The Contract Sum is based upon the following alternates, if any, which are described in the Contract Documents and are hereby accepted by the Owner:  
*(State the numbers or other identification of accepted alternates. If the bidding or proposal documents permit the Owner to accept other alternates subsequent to the execution of this Agreement, attach a schedule of such other alternates showing the amount for each and the date when that amount expires.)*

None Accepted

§ 4.3 Unit prices, if any:  
*(Identify and state the unit price; state quantity limitations, if any, to which the unit price will be applicable.)*

Item	Units and Limitations	Price Per Unit (\$0.00)
N/A		

§ 4.4 Allowances included in the Contract Sum, if any:  
*(Identify allowance and state exclusions, if any, from the allowance price.)*

Item	Price
N/A	

#### ARTICLE 5 PAYMENTS

##### § 5.1 PROGRESS PAYMENTS

§ 5.1.1 Based upon Applications for Payment submitted to the Architect by the Contractor and Certificates for Payment issued by the Architect, the Owner shall make progress payments on account of the Contract Sum to the Contractor as provided below and elsewhere in the Contract Documents.

§ 5.1.2 The period covered by each Application for Payment shall be one calendar month ending on the last day of the month, or as follows:

The 25<sup>th</sup> day of each month.

§ 5.1.3 Provided that an Application for Payment is received by the Architect not later than the 1st day of a month, the Owner shall make payment of the certified amount to the Contractor not later than the 15th day of the same month. If an Application for Payment is received by the Architect after the application date fixed above, payment shall be made by the Owner not later than fifteen ( 15 ) days after the Architect receives the Application for Payment.

*(Federal, state or local laws may require payment within a certain period of time.)*

§ 5.1.4 Each Application for Payment shall be based on the most recent schedule of values submitted by the Contractor in accordance with the Contract Documents. The schedule of values shall allocate the entire Contract Sum among the various portions of the Work. The schedule of values shall be prepared in such form and supported by such data to substantiate its accuracy as the Architect may require. This schedule, unless objected to by the Architect, shall be used as a basis for reviewing the Contractor's Applications for Payment.

§ 5.1.5 Applications for Payment shall show the percentage of completion of each portion of the Work as of the end of the period covered by the Application for Payment.

§ 5.1.6 Subject to other provisions of the Contract Documents, the amount of each progress payment shall be computed as follows:

- .1 Take that portion of the Contract Sum properly allocable to completed Work as determined by multiplying the percentage completion of each portion of the Work by the share of the Contract Sum allocated to that portion of the Work in the schedule of values, less retainage of five percent (5%). Pending final determination of cost to the Owner of changes in the Work, amounts not in dispute shall be included as provided in Section 7.3.9 of AIA Document A201™-2007, General Conditions of the Contract for Construction;
- .2 Add that portion of the Contract Sum properly allocable to materials and equipment delivered and suitably stored at the site for subsequent incorporation in the completed construction (or, if approved in advance by the Owner, suitably stored off the site at a location agreed upon in writing), less retainage of five percent ( 5 %);
- .3 Subtract the aggregate of previous payments made by the Owner; and
- .4 Subtract amounts, if any, for which the Architect has withheld or nullified a Certificate for Payment as provided in Section 9.5 of AIA Document A201-2007.

§ 5.1.7 The progress payment amount determined in accordance with Section 5.1.6 shall be further modified under the following circumstances:

- .1 Add, upon Substantial Completion of the Work, a sum sufficient to increase the total payments to the full amount of the Contract Sum, less such amounts as the Architect shall determine for incomplete Work, retainage applicable to such work and unsettled claims; and  
*(Section 9.8.5 of AIA Document A201-2007 requires release of applicable retainage upon Substantial Completion of Work with consent of surety, if any.)*
- .2 Add, if final completion of the Work is thereafter materially delayed through no fault of the Contractor, any additional amounts payable in accordance with Section 9.10.3 of AIA Document A201-2007.

§ 5.1.8 Reduction or limitation of retainage, if any, shall be as follows:

*(If it is intended, prior to Substantial Completion of the entire Work, to reduce or limit the retainage resulting from the percentages inserted in Sections 5.1.6.1 and 5.1.6.2 above, and this is not explained elsewhere in the Contract Documents, insert here provisions for such reduction or limitation.)*

By mutual agreement of both parties.

§ 5.1.9 Except with the Owner's prior approval, the Contractor shall not make advance payments to suppliers for materials or equipment which have not been delivered and stored at the site.

## § 5.2 FINAL PAYMENT

§ 5.2.1 Final payment, constituting the entire unpaid balance of the Contract Sum, shall be made by the Owner to the Contractor when

- .1 the Contractor has fully performed the Contract except for the Contractor's responsibility to correct Work as provided in Section 12.2.2 of AIA Document A201-2007, and to satisfy other requirements, if any, which extend beyond final payment; and
- .2 a final Certificate for Payment has been issued by the Architect.

§ 5.2.2 The Owner's final payment to the Contractor shall be made no later than 30 days after the issuance of the Architect's final Certificate for Payment, or as follows:

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**ARTICLE 6 DISPUTE RESOLUTION**

**§ 6.1 INITIAL DECISION MAKER**

The Architect will serve as Initial Decision Maker pursuant to Section 15.2 of AIA Document A201-2007, unless the parties appoint below another individual, not a party to this Agreement, to serve as Initial Decision Maker. *(If the parties mutually agree, insert the name, address and other contact information of the Initial Decision Maker, if other than the Architect.)*

**§ 6.2 BINDING DISPUTE RESOLUTION**

For any Claim subject to, but not resolved by, mediation pursuant to Section 15.3 of AIA Document A201-2007, the method of binding dispute resolution shall be as follows:

*(Check the appropriate box. If the Owner and Contractor do not select a method of binding dispute resolution below, or do not subsequently agree in writing to a binding dispute resolution method other than litigation, Claims will be resolved by litigation in a court of competent jurisdiction.)*

Arbitration pursuant to Section 15.4 of AIA Document A201-2007

Litigation in a court of competent jurisdiction

Other *(Specify)*

**ARTICLE 7 TERMINATION OR SUSPENSION**

**§ 7.1** The Contract may be terminated by the Owner or the Contractor as provided in Article 14 of AIA Document A201-2007.

**§ 7.2** The Work may be suspended by the Owner as provided in Article 14 of AIA Document A201-2007.

**ARTICLE 8 MISCELLANEOUS PROVISIONS**

**§ 8.1** Where reference is made in this Agreement to a provision of AIA Document A201-2007 or another Contract Document, the reference refers to that provision as amended or supplemented by other provisions of the Contract Documents.

**§ 8.2** Payments due and unpaid under the Contract shall bear interest from the date payment is due at the rate stated below, or in the absence thereof, at the legal rate prevailing from time to time at the place where the Project is located.

*(Insert rate of interest agreed upon, if any.)*

1.5% 18% Annual

**§ 8.3** The Owner's representative:

*(Name, address and other information)*

Mike Kleinsasser  
Montana Eggs, LLC  
PO Box 777  
Valier, MT 59486  
Phone: (406) 949-2738

**§ 8.4** The Contractor's representative:

*(Name, address and other information)*

Guy Mike Tabacco  
PO Box 550



Black Eagle, MT 59414  
Phone: (406) 727-7556

§ 8.5 Neither the Owner's nor the Contractor's representative shall be changed without ten days written notice to the other party.

§ 8.6 Other provisions:

N/A

#### ARTICLE 9 ENUMERATION OF CONTRACT DOCUMENTS

§ 9.1 The Contract Documents, except for Modifications issued after execution of this Agreement, are enumerated in the sections below.

§ 9.1.1 The Agreement is this executed AIA Document A101-2007, Standard Form of Agreement Between Owner and Contractor.

§ 9.1.2 The General Conditions are AIA Document A201-2007, General Conditions of the Contract for Construction.

§ 9.1.3 The Supplementary and other Conditions of the Contract:

Document	Title	Date	Pages
----------	-------	------	-------

§ 9.1.4 The Specifications:

*(Either list the Specifications here or refer to an exhibit attached to this Agreement.)*

See Attachment "B"

Section	Title	Date	Pages
---------	-------	------	-------

§ 9.1.5 The Drawings:

*(Either list the Drawings here or refer to an exhibit attached to this Agreement.)*

See Attachment "C"

Number	Title	Date
--------	-------	------

§ 9.1.6 The Addenda, if any:

Number	Date	Pages
N/A		

Portions of Addenda relating to bidding requirements are not part of the Contract Documents unless the bidding requirements are also enumerated in this Article 9.

§ 9.1.7 Additional documents, if any, forming part of the Contract Documents:

.1 AIA Document E201™-2007, Digital Data Protocol Exhibit, if completed by the parties, or the following:

.2 Other documents, if any, listed below:

*(List here any additional documents that are intended to form part of the Contract Documents. AIA Document A201-2007 provides that bidding requirements such as advertisement or invitation to bid,*

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User Notes:

*Instructions to Bidders, sample forms and the Contractor's bid are not part of the Contract Documents unless enumerated in this Agreement. They should be listed here only if intended to be part of the Contract Documents.)*

**ARTICLE 10 INSURANCE AND BONDS**

The Contractor shall purchase and maintain insurance and provide bonds as set forth in Article 11 of AIA Document A201-2007.  
 (State bonding requirements, if any, and limits of liability for insurance required in Article 11 of AIA Document A201-2007.)

Type of insurance or bond	Limit of liability or bond amount (\$0.00)
N/A	N/A

This Agreement entered into as of the day and year first written above.

Mike S. Kleinsasser  
 OWNER (Signature) *Sec. Treas*

Mike Kleinsasser, President  
 (Printed name and title)

*John J. Wiff*  
 John J. Wiff *old mgr.*

Guy M. Tabacco  
 CONTRACTOR (Signature)

Guy M. Tabacco, President  
 (Printed name and title)

*55,800 sq ft.  
 160 x 200  
 50 x 200  
 50 x 280  
 26 x 80*

LAWD

File No.: 590897-GF  
 Printed: 05/20/2016, 3:46 PM  
 Officer/Escrow Officer: Jeanne Strizich/kf  
 Settlement Location:  
 110 2nd Street South, Great Falls, MT 59401

**First American Title Company**  
 110 2nd Street South • Great Falls, MT 59401  
 Phone: (406)761-8796 Fax: (406)453-1070  
**Final Settlement Statement**



Property Address: 38th Street North, Great Falls, MT 59405  
 Buyer: Montana Eggs, LLC  
 Seller: Tobacco Investments, LLC  
 Lender:  
 Settlement Date: 05/20/2016  
 Disbursement Date: 05/20/2016

Description	Buyer	
	Debit	Credit
<b>Financial</b>		
Sale Price	450,000.00	
Deposit: Receipt No. 24613 on 05/11/2016 by Montana Eggs, LLC		10,000.00
<b>Prorations/Adjustments</b>		
City/Town Taxes 05/20/16 to 07/01/16 @\$8,854.65/yr	1,018.89	
County Taxes 01/01/16 to 05/20/16 @\$2,863.64/yr		1,098.38
<b>Title Charges &amp; Escrow / Settlement Charges</b>		
Settlement or Closing Fee to First American Title Company	300.00	
<b>Government Recording and Transfer Charges</b>		
Recording Fee-Deed	21.00	
<b>Subtotals</b>		440,241.51
Due From Buyer	451,339.89	451,339.89
<b>Totals</b>		

**Acknowledgement**

We/I have carefully reviewed the ALTA Settlement Statement and find it to be a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction, and further certify that I have received a copy of the ALTA Settlement Statement. We/I authorize First American Title Company to cause the funds to be disbursed in accordance with this statement.

PH. (406) 454-6850

**CASCADE COUNTY - STATE OF MONTANA**  
P.O. Box 2549, Great Falls, MT 59403

PARCEL NO.

MONTANA EGGS LLC

Levy Dist: 1C-1 Real Estate for Tax Year 2016

0001182500

Statement#: 19057 MARKET VALUE: 316,956 MILL LEVY: 678.200 TAXABLE VALUE: 5,990

LAND DESCRIPTION	FUND DESCRIPTION	1ST HALF	2ND HALF	TOTAL DUE
(10) 02-3016-04-2-04-38-0000 Acres: 9.110 LOT: 16 BLOCK: 5 NORTH PARK NORTH PARK BLOCK 5 Mark:  LOTS 11-16  SITUS: 1015 38TH ST N	CONSERVATION	6.85	6.65	13.30
	LIGHTING	395.45	395.44	790.89
	STREET	2,917.31	2,917.31	5,834.62
	BRIDGE FUND	31.30	31.30	62.60
	CITY-GT FALLS	500.94	500.94	1,001.88
	COMP INS	5.03	5.03	10.06
	DISTRICT SCHOOL	547.39	547.39	1,094.78
	ELEM EQUAL	98.84	98.84	197.68
	ELEM RETIREMENT	86.02	86.02	172.04
	EMERG MED SRVCE	0.75	0.75	1.50
	EXTENSION SRVCE	3.18	3.18	6.36
	GENERAL FAIR	19.20	19.20	38.40
	GENERAL FUND	150.83	150.83	301.66
	GF HIGH TUITION	2.43	2.43	4.86
	GF SOCCER PARK	5.69	5.69	11.38
	HIGH SCH RETIRE	45.67	45.67	91.34
	HIGH SCHOOL	65.89	65.89	131.78
	JUDICIAL	13.15	13.15	26.30
	MENTAL HEALTH	1.59	1.59	3.18
	MOSQ CONTROL	1.50	1.50	3.00
	MUSEUMS	3.65	3.65	7.30
	PER MED COUNTY	28.48	28.48	56.96
	PER MED GF	78.29	78.29	156.58
	PUBLIC SAFETY	108.54	108.54	217.08
	SCH TRANSPORT	9.70	9.70	19.40
	SEARCH AND RESCUE	0.90	0.90	1.80
	SENIOR CITIZEN	4.49	4.49	8.98
	SPEC TRANSPORT	3.20	3.20	6.40
	ST EQUALIZATION	119.80	119.80	239.60
	SWIMMING POOL	8.81	8.81	17.62
TRANSIT DISTRICT	58.70	58.70	117.40	
UNIVERSITY	17.97	17.97	35.94	
VO-TECH CENTER	4.49	4.49	8.98	
WEED CONTROL	4.79	4.79	9.58	

DELINQUENT TAXES	
YEAR	AMOUNT

A complete legal description and tax breakdown is available at <http://tax.csa-inc.net/cascadeMT/>

NO SECOND HALF NOTICE WILL BE SENT. YOUR CHECK IS YOUR RECEIPT. STUBS (BELOW) MUST ACCOMPANY PAYMENT. FOR A COPY OF YOUR TAX RECEIPT INCLUDE A SELF ADDRESSED STAMPED ENVELOPE

<b>PAY</b>	\$5,350.62	\$5,350.61	\$10,701.23
	DUE 12/30/2016	DUE 05/31/2017	OR PAY TOTAL ON:

**SEE REVERSE SIDE FOR IMPORTANT INFORMATION**

THIS IS A BREAKDOWN OF WHERE YOUR GENERAL TAX DOLLARS GO.	STATE	COUNTY	SCHOOL	CITY	OTHER
	896.76	761.16	1,099.64	1,304.86	6,638.81

*Fax To  
Ross Norman  
From  
Mike Kleimasser  
Mt. Eggs  
(New Plant)*

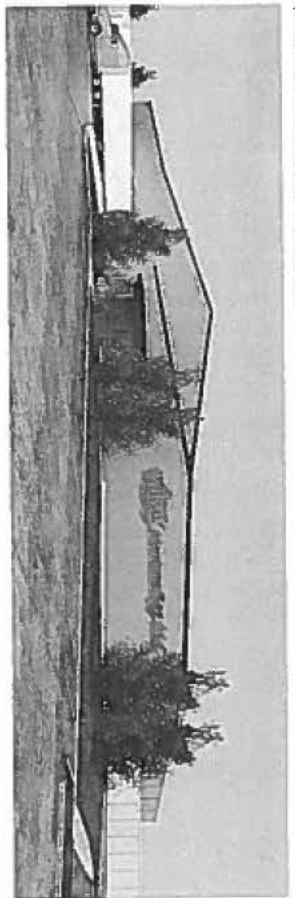
**2nd TAX YEAR 2016**  
RETURN STUB WITH PAYMENT TO  
CASCADE COUNTY TREASURER  
P.O. BOX 2549  
GREAT FALLS, MT 59403

MONTANA EGGS LLC  
600 KINGSBURY RD  
VALIER MT 59486

2ND HALF	
\$5,350.61	
DUE 05/31/2017	*0001182500*

0001182500000535061000000003

**EXTERIOR VIEW**  
(SHOW FOR VISUALIZATION PURPOSES ONLY)



MAY 31 2016  
MONTANA EGG LLC  
GREAT FALLS MONTANA  
NEW EGG PLANT FACILITY  
CONSTRUCTION DOCUMENTS BID SET

**ARCHITECT/ENGINEER**  
PROJECT MANAGER:  
Irene Byrnes

218 2ND AVE. S  
GREAT FALLS, MT 59405  
(406) 452-3371  
FAX (406) 454-1872

**CONSULTANT**  
614 Park Drive South  
Great Falls, MT 59405  
(406) 82-2800

**GENERAL CONTRACTOR**  
Guy Tolson Construction Co.  
1401 25th Ave  
Great Falls, MT 59414  
(406) 727-1758

**OWNER**  
MONTANA EGG LLC  
1401 25th Ave  
Great Falls, MT 59414



**SHEET INDEX**

NO.	DESCRIPTION	DATE
01	GENERAL NOTES	05/21/16
02	FOUNDATION PLAN	05/21/16
03	FOUNDATION AND RETENTION WALLS	05/21/16
04	FOUNDATION DETAILS	05/21/16
05	FOUNDATION DETAILS	05/21/16
06	FOUNDATION DETAILS	05/21/16
07	FOUNDATION DETAILS	05/21/16
08	FOUNDATION DETAILS	05/21/16
09	FOUNDATION DETAILS	05/21/16
10	FOUNDATION DETAILS	05/21/16
11	FOUNDATION DETAILS	05/21/16
12	FOUNDATION DETAILS	05/21/16
13	FOUNDATION DETAILS	05/21/16
14	FOUNDATION DETAILS	05/21/16
15	FOUNDATION DETAILS	05/21/16
16	FOUNDATION DETAILS	05/21/16
17	FOUNDATION DETAILS	05/21/16
18	FOUNDATION DETAILS	05/21/16
19	FOUNDATION DETAILS	05/21/16
20	FOUNDATION DETAILS	05/21/16
21	FOUNDATION DETAILS	05/21/16
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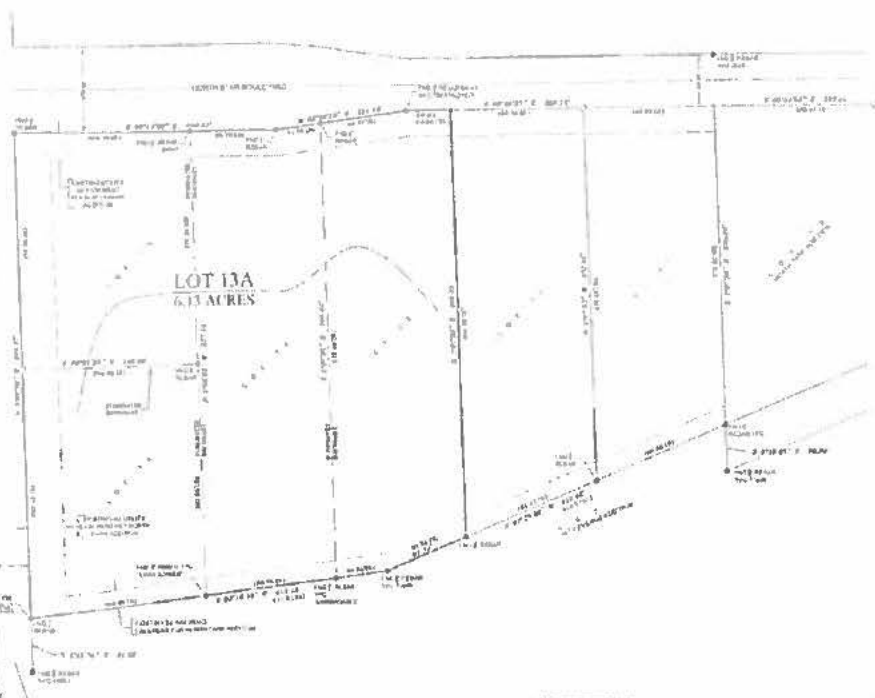
DATE: MAY 31 2016  
LABORING: MAY 31 2016  
ARCHITECTURE: MAY 31 2016  
STRUCTURAL: MAY 31 2016  
MECHANICAL: MAY 31 2016  
PLUMBING: MAY 31 2016  
ELECTRICAL: MAY 31 2016

NOT FOR CONSTRUCTION - PRELIMINARY DESIGN

T1100

MONTANA EGG LLC  
GREAT FALLS MONTANA  
**NEW EGG PLANT FACILITY**

**AMENDED PLAT OF LOTS 13 THRU 16, BLOCK 5, OF NORTH PARK ADDITION**  
 LOCATED IN THE CITY OF FALLS, COUNTY OF CASS, STATE OF MISSOURI, WITH AN AREA OF APPROXIMATELY 6.13 ACRES  
 CONVEYED BY THE STATE OF MISSOURI TO THE CITY OF FALLS, MISSOURI, BY ACT OF THE SENATE PASSED FEBRUARY 20, 1907, AND  
 CONFIRMED BY ACT OF THE HOUSE PASSED FEBRUARY 20, 1907, AND  
 ORDER, NOVEMBER 18, 1907.



**LEGAL DESCRIPTION:**  
 LOT 13A, 6.13 ACRES, BEING A PORTION OF THE NORTH PARK ADDITION, CITY OF FALLS, MISSOURI, AS SHOWN ON THE PLAT OF SAID ADDITION, FILED FOR RECORD IN THE OFFICE OF THE CLERK OF THE SUPREME COURT OF THE STATE OF MISSOURI, IN THE COUNTY OF CASS, MISSOURI, ON FEBRUARY 20, 1907, AND CONFIRMED BY ACT OF THE HOUSE PASSED FEBRUARY 20, 1907, AND ORDER, NOVEMBER 18, 1907.

**CERTIFICATION OF INSTRUMENT:**  
 I, the undersigned, Clerk of the County of Cass, Missouri, do hereby certify that the foregoing is a true and correct copy of the original instrument filed for record in my office on this 19th day of September, 2017, at 10:00 AM.

**RECORDING INFORMATION:**  
 BOOK 111, PAGE 111  
 FILED FOR RECORD IN THE OFFICE OF THE CLERK OF THE SUPREME COURT OF THE STATE OF MISSOURI, IN THE COUNTY OF CASS, MISSOURI, ON SEPTEMBER 19, 2017, AT 10:00 AM.

**NOTARIAL PUBLIC:**  
 My Comm. Exp. 12/31/2018  
 My Comm. No. 123456789

**AMENDED PLAT:**  
 AMENDED PLAT OF LOTS 13 THRU 16, BLOCK 5, OF NORTH PARK ADDITION  
 CITY OF FALLS, MISSOURI  
 1 OF 1



PLUMBING FIXTURE & CONNECTION SCHEDULE

Table with columns for Item No., Description, Unit, Quantity, and Notes. It lists various plumbing fixtures and connection details for the project.

WATER HAMMER ARRESTORS

Table with columns for Item No., Description, Unit, and Quantity. Lists water hammer arrestors.

DOMESTIC PUMP SCHEDULE

Table with columns for Item No., Description, Unit, and Quantity. Lists domestic pump components.

POTABLE WATER EXPANSION TANK SCHEDULE

Table with columns for Item No., Description, Unit, and Quantity. Lists potable water expansion tank components.

COLD WATER SIZING CHART (80 PSI)

Table with columns for Pipe Size, Flow Rate, and Pressure Drop. Sizing chart for cold water.

HOT WATER SIZING CHART (5 FPS)

Table with columns for Pipe Size, Flow Rate, and Pressure Drop. Sizing chart for hot water.

UPC PLUMBING NOTES

- List of UPC plumbing notes detailing installation and material requirements.

WATER CALCULATIONS

Table for water calculations with columns for flow rate, pipe size, and pressure drop.

PLUMBING SYSTEM SPECIFICATIONS

Text detailing plumbing system specifications including materials and standards.

PLUMBING LEGEND

Table defining plumbing symbols and abbreviations used in the drawings.

PLUMBING ABBREVIATIONS

Table listing plumbing abbreviations and their corresponding symbols.

WASTE PIPING CALC.

Table for waste piping calculations with columns for fixture units and pipe size.

PLUMBING ABBREVIATIONS

Table listing plumbing abbreviations and their corresponding symbols.

CONTRACTOR BID SET

P001

MONTANA EGG GREAT FALLS, MONTANA NEW EGG PLANT FACILITY





Wilcox Family Farms is a 100 year old farm that sits on 1,500 acres of sustainable farmland along the Nisqually River in the foothills of Mt Rainier. Wilcox Family Farms was founded in 1909 by Judson and Elizabeth Wilcox who set out to build a family business and ultimately a lifelong legacy. Since its beginnings, Wilcox Farms has been known for supplying high quality, farm fresh eggs to families and businesses in the Pacific Northwest.



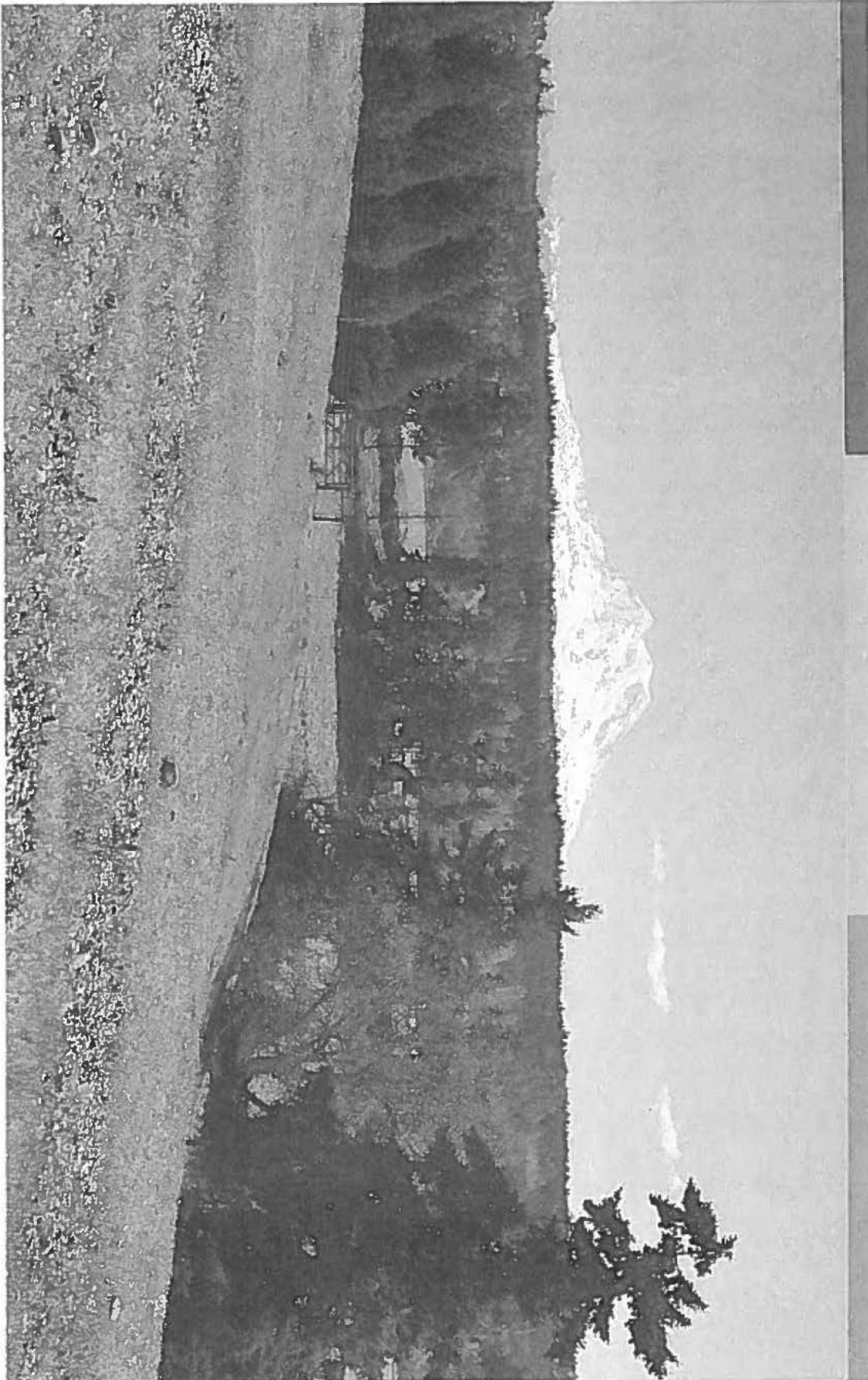
Today the fourth generation of the Wilcox Family continues in the tradition of sustainable farming and community outreach. Andy, Brent and Chris Wilcox proudly run the business their parents, grandparents and great grandparents built. The Wilcox Family is committed to supplying your family and local businesses with quality organic and cage-free egg.

Wilcox Family Farms' commitment to sustainability launched the company in 2005 as a transitioning farm in the cage free and organic movement while they convert to cage-free systems and organic raising methods. Wilcox chickens will all have outdoor access to roam freely and eat organically. The goal of Wilcox Farms is to become the premier organic cage-free egg producer in the Pacific Northwest through unbeatable products and support in the community. This change is in response to the growing demand for organic and cage-free eggs as well as the company's desire to sustain the land, community and company for the future.



Families enjoy visiting Wilcox Farms for special events. They enjoy the natural setting of a real, 100 year old family farm. Call to schedule a tour of our the original home and property where Judson and Elizabeth Wilcox raised their children and began their business and legacy. Watch our website, and the communities, for our annual events, call us about group tours, and browse our website to learn more about where your eggs come from!

# Wilcox Family Farms



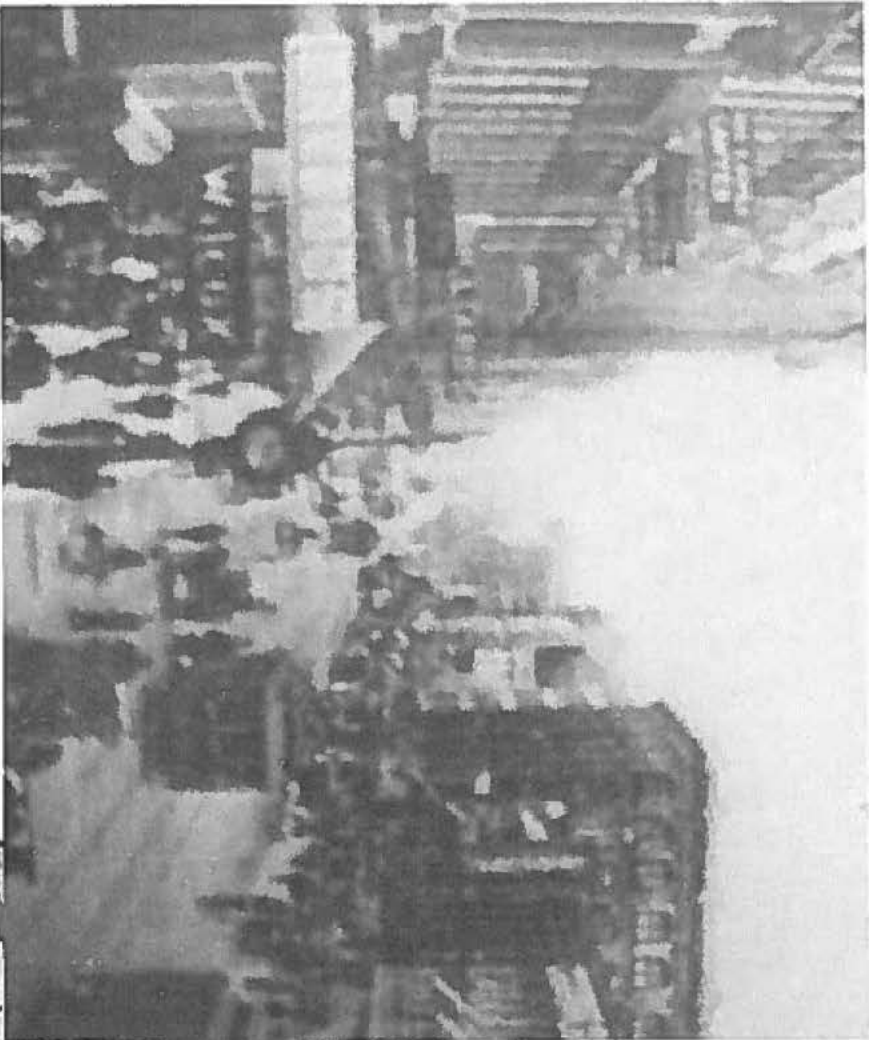
# Judson and Elizabeth Wilcox

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# Wilcox Family Farms – History

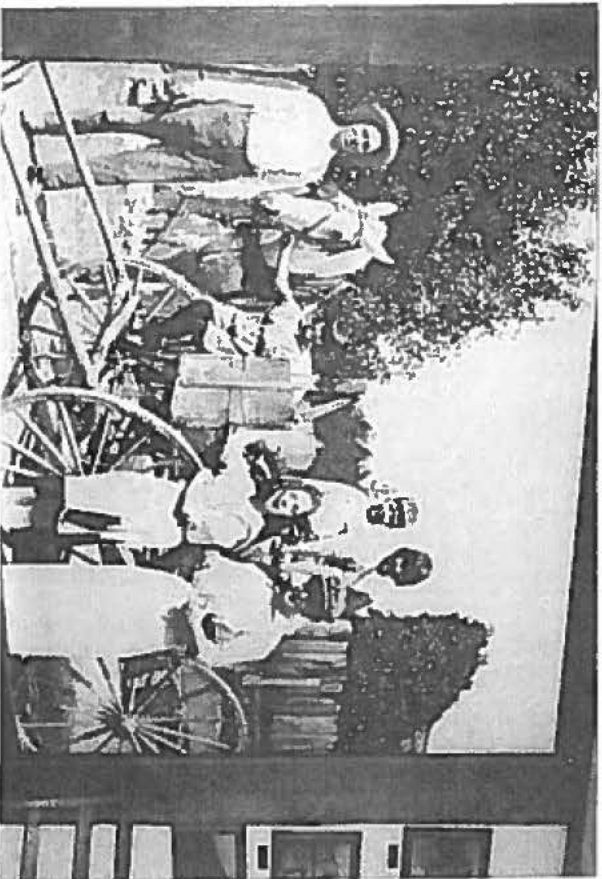
“Betty, I have  
bought a  
Farm”



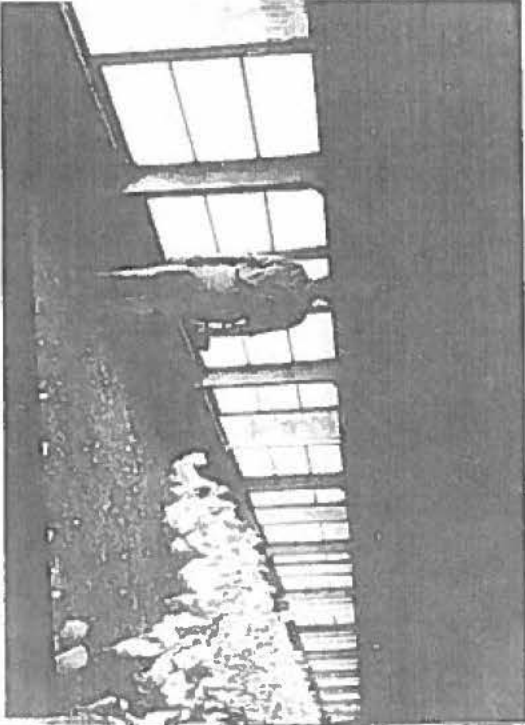
# Wilcox Family Farm - A Vision



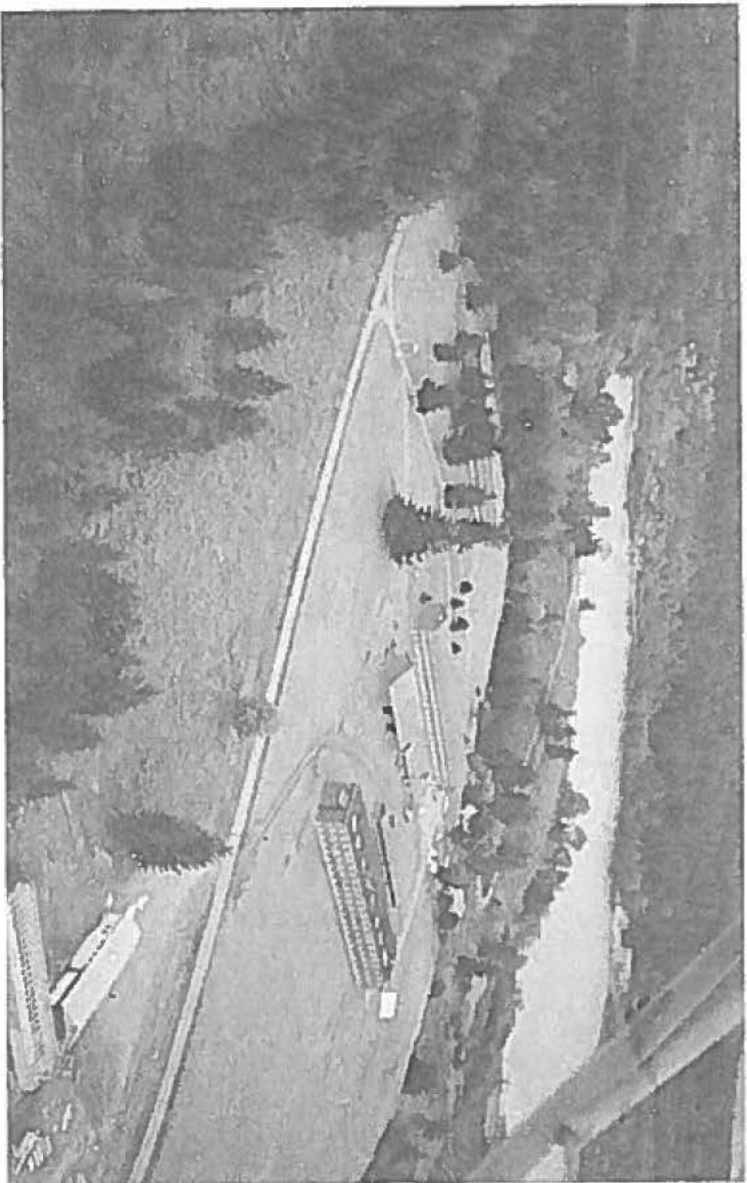
- ❑ Founded in 1909 by Judson & Elizabeth (Betty) Wilcox
- ❑ Attended poultry raising class at WSU extension in Puyallup Washington



# Back to the Beginning . . .



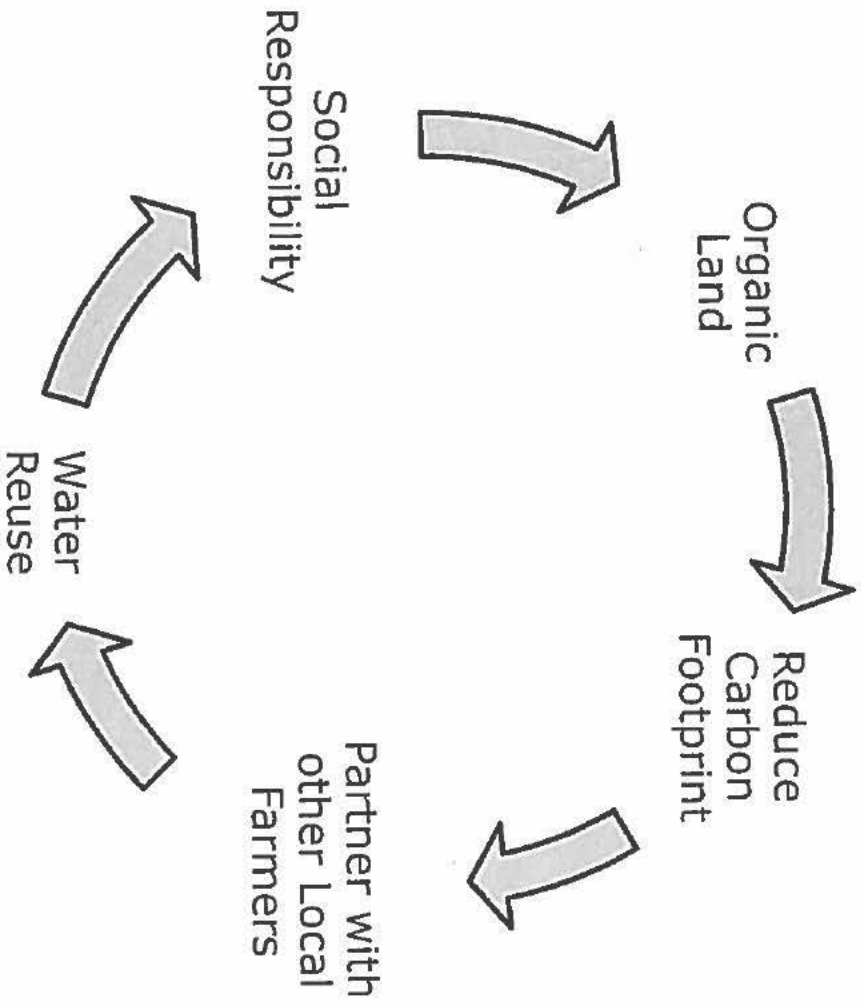
# Wilcox Family Farm – History



- 1931 Son Truman joined farm partnership
- “Dairy started in the 1970’s as an addition to the poultry.”

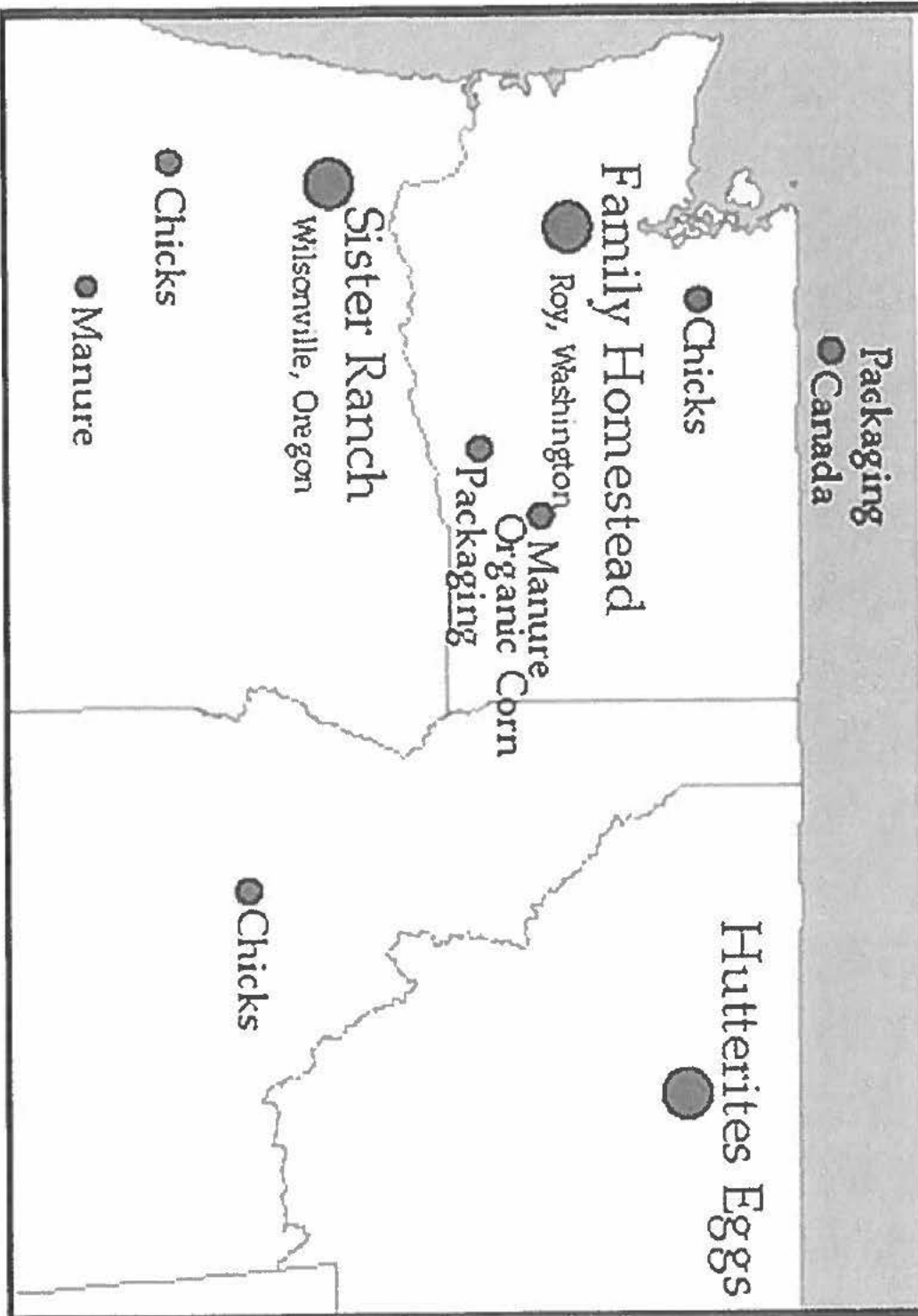


# Wilcox Responsibility



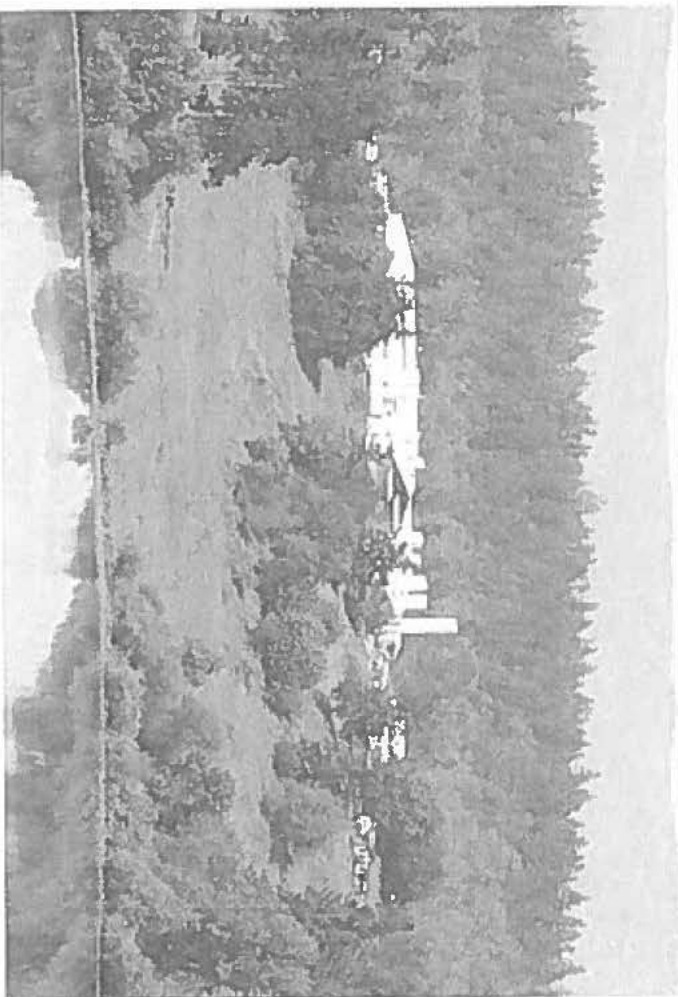
**Wilcox**  
Since 1909  
Family Farms

# WILCOX FARMS CARBON FOOTPRINT



# Our Wilcox Family Farm Facilities

- Egg Processing Plant
- Liquid Egg Plant
- Hardboiled Egg Plant
- Feed Mill
- All Waste water is treated and recycled then utilized on our organic fields



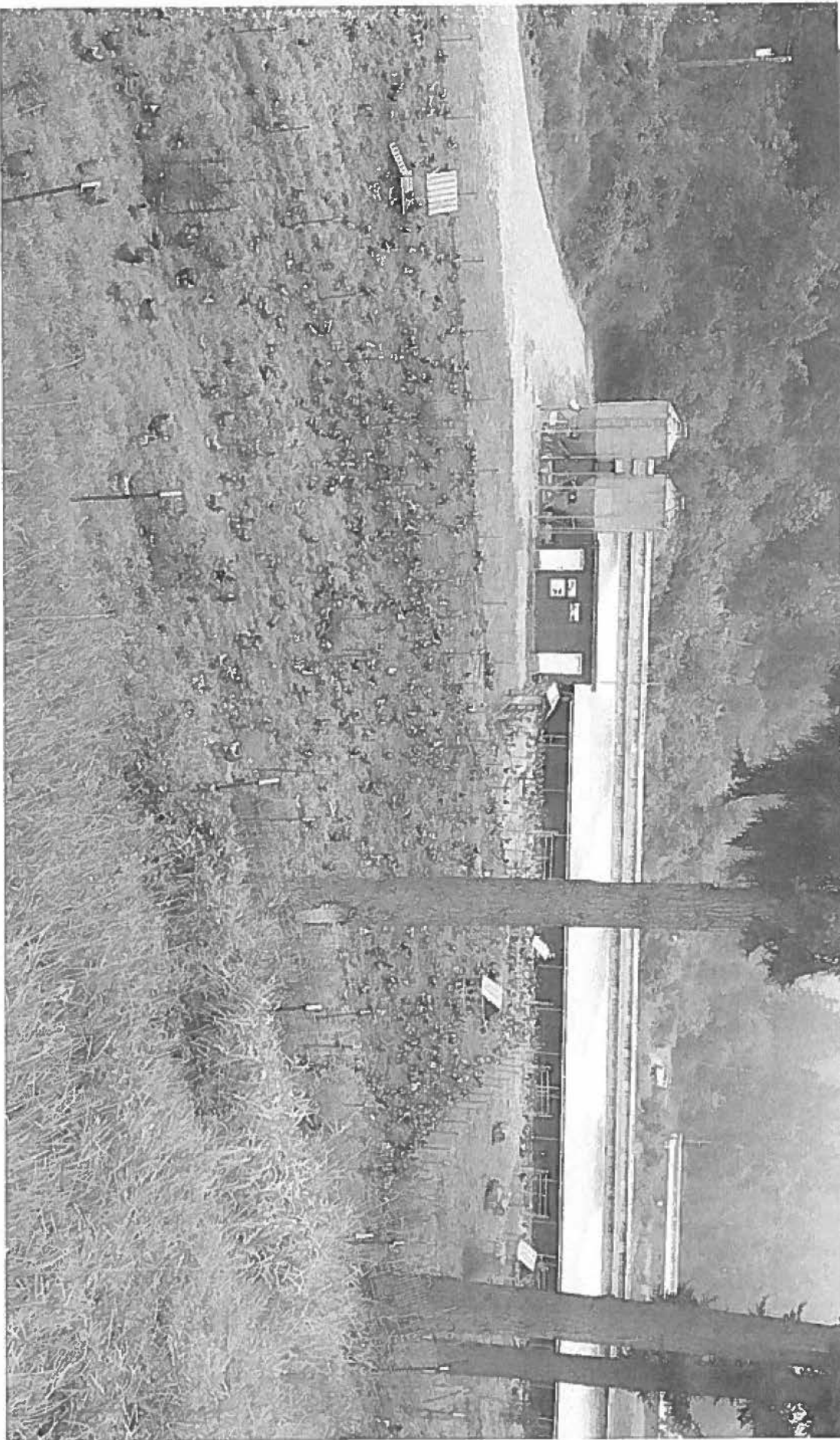
*Another effort in reducing our carbon footprint*



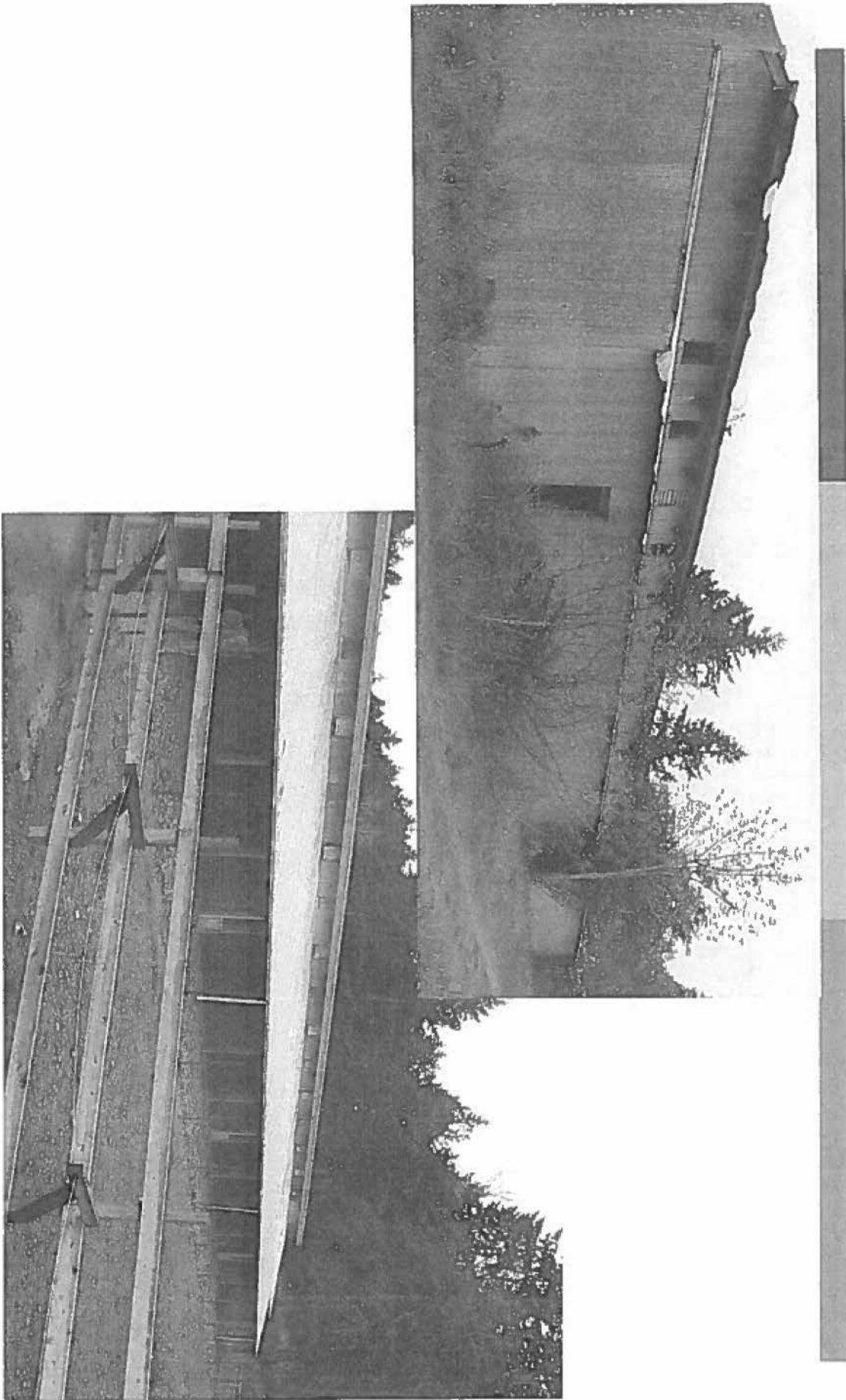
# Wilcox Leadership Team



# Wilcox Organic Cage Free Today

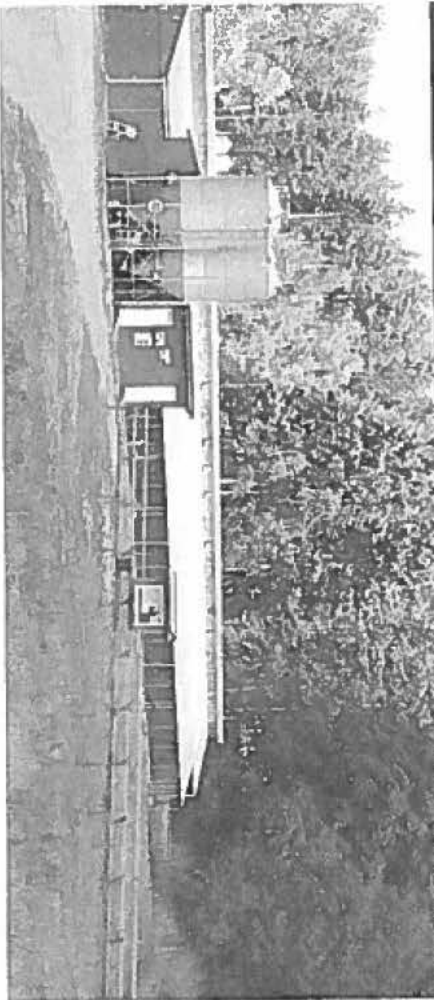
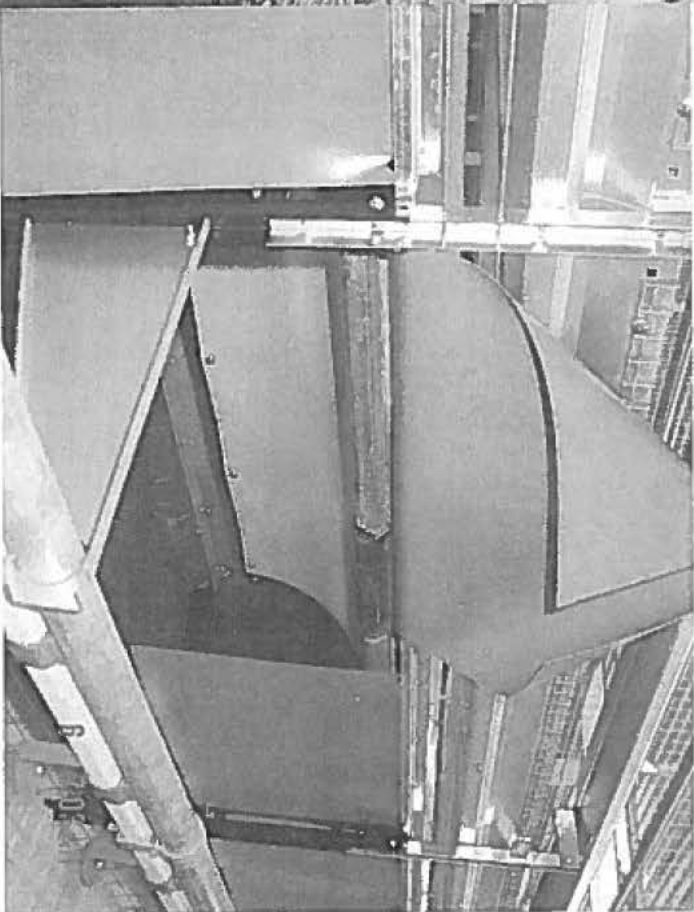


# Organic House Remodels

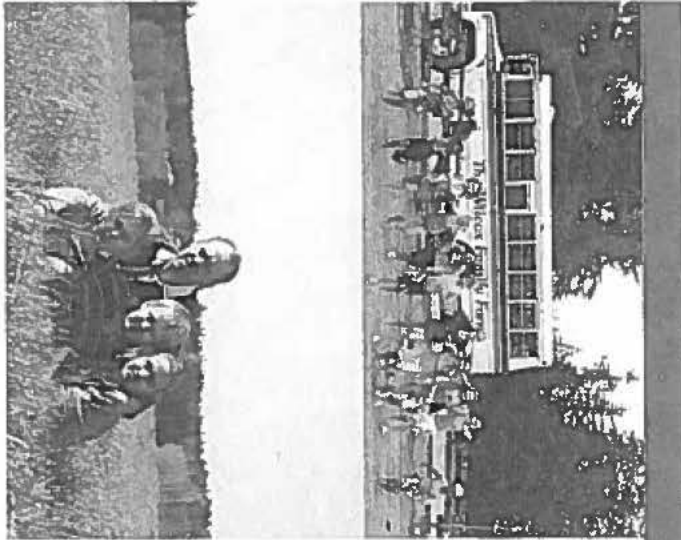


# Our Chicken Houses

- ▣ State of the art chicken houses



# Wilcox Family Today



Today Wilcox Farms is still all about family





RESOLUTION 10206

A RESOLUTION APPROVING THE APPLICATION FOR THE  
NEW OR EXPANDING INDUSTRY TAX BENEFIT FOR  
MONTANA EGG LLC., 600 KINGSBURY ROAD, VALIER, MT,  
FOR THE EXPANSION OF EGG PROCESSING FACILITY  
PRIMARILY LOCATED ON LOT 11, LOTS 11, 12, 13A NORTH  
PARK ADDITION, LOCATED IN SEC. 04, T20N, R4E, CASCADE  
COUNTY, MONTANA, PURSUANT TO SECTIONS 15-24-1401  
AND 15-24-1402 MONTANA CODE ANNOTATED

\* \* \* \* \*

WHEREAS, the State of Montana has provided enabling legislation to encourage new industry or expansion of existing industry, and;

WHEREAS, said encouragement allows for new or expanding industries to be taxed at 50% of their taxable value for the first five years, and;

WHEREAS, in years six through ten, the taxes will increase by equal percentages until the full taxable value is attained in the tenth year, and;

WHEREAS, Sections 15-24-1401 and 15-24-1402, MCA, as amended provides the opportunity for local governing bodies to give Tax Benefits for New or Expanding Industry, and;

WHEREAS, the City Commission passed Resolution 10119 on December 1, 2015, providing criteria for the evaluation of projects requesting tax benefits pursuant to Sections 15-24-1401 and 15-24-1402 MCA, and;

WHEREAS, in order for a taxpayer to receive the tax benefits, the City Commission, having jurisdiction, must approve by separate resolution for each project, following due notice as defined in Section 17-1-4127 MCA and a public hearing, and;

WHEREAS, Montana Egg, LLC located at 1015 38th St N, Great Falls, Montana, has expanded a egg processing facility, and;

WHEREAS, Montana Egg LLC, has submitted an application for a New or Expanding Industry Tax Benefit pursuant to Sections 15-24-1401 and 15-24-1402 MCA.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, AS FOLLOWS:

That the City Commission of the City of Great Falls does hereby approve said application for New or Expanding Industry Tax Benefit pursuant to Sections 15-24-1401 and 15-24-1402 MCA amended.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on this 3rd Day of October 2017.

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Bob Kelly, Mayor

ATTEST:

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Darcy Dea, Deputy City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

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Sara Sexe, City Attorney

**RESOLUTION NO. 10119**

**A RESOLUTION ESTABLISHING CRITERIA FOR EVALUATING TAX  
ABATEMENT OR BENEFIT REQUESTS**

**WHEREAS**, the State of Montana has provided enabling legislation to guide the administration of a property tax abatement program for new or expanding industry under Mont. Code Ann. §15-24-1401 *et seq.*; and

**WHEREAS**, the State of Montana has further provided enabling legislation to guide the administration of a property tax abatement or benefit program for remodeling, reconstruction or expansion of buildings or structures under Mont. Code Ann. §15-24-1501 *et seq.*; and

**WHEREAS**, the State of Montana has further provided enabling legislation to guide the administration of a property tax abatement program for the restoration, rehabilitation, expansion and new construction of certified residential and commercial property located within the national register of historic districts and properties listed in the National Register of Historic Places under Mont. Code Ann. §15-24-1601 *et seq.*; and

**WHEREAS**, it is deemed to be in the public interest to encourage and promote within the City of Great Falls:

the remodeling, reconstruction of buildings or structures,

the development of new industry or expanding industry, and

the restoration, rehabilitation, expansion and new construction of certified residential and commercial property located within the national register of historic districts and properties listed in the National Register of Historic Places; and

**WHEREAS**, Montana law provides the City Commission the authority to use its discretion in determining which properties will be afforded property tax abatements; and

**WHEREAS**, the following policies will guide the City Commission in evaluating whether or not to confer upon qualifying applicants an abatement of property taxes.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE  
CITY OF GREAT FALLS, MONTANA:**

1. The purpose of this Resolution is to establish a guide for the City of Great Falls for processing and reviewing applications for property tax abatement under the provisions of the aforementioned statutes. The fundamental purpose of property tax abatements is to encourage desirable development, redevelopment or improvements which clearly demonstrate a need for assistance and a public benefit. Applications for property tax abatement will be evaluated on a case-by-case basis, taking into consideration established policies, project criteria, and demand on City services in relation to the potential benefits from the project. Meeting policy criteria will not guarantee the granting of property tax abatements on applications. Approval or denial of one project is not intended to establish precedent for approval or denial of another project.

2. The City of Great Falls will, in its discretion, evaluate and then approve, modify, or deny requests for tax benefits based upon one or more of the following factors, as applicable:
  - a. Whether the City's financial condition at the time of the application or consideration of the application warrants granting the application;
  - b. Whether the application meets all pertinent statutory criteria for the particular project;
  - c. Whether the property taxes or other taxes and/or assessments on the property are current;
  - d. Whether the project may unreasonably affect the tax base of the City;
  - e. Whether the project would impact employment opportunities within the City;
  - f. Whether the project is located within a Tax Increment Financing (TIF) or Targeted Economic Development (TED) District;
  - g. Whether the project has already received additional financial assistance from the City or other authorities having jurisdiction;
  - h. As to applications filed pursuant to Mont. Code Ann. §15-24-1601 *et seq.*, whether the Montana state historic preservation office has provided design review assistance and certification for qualifying properties;
  - i. Whether the project will create affordable housing opportunities;
  - j. Whether the project will encourage additional, unsubsidized development in the area of the project, either directly or indirectly, through "spin-off" development;
  - k. Whether the project will facilitate the development process and achieve development on sites which would not be developed without assistance, or would not be developed at a level of acceptable quality;
  - l. Whether the project would encourage redevelopment of commercial and industrial areas in the City of Great Falls, resulting in a higher level and quality of re-investment;
  - m. Whether the project would encourage removal of blight, or the rehabilitation of a high profile or priority site;
  - n. Whether the application is sought in whole or in part because of increased costs of redevelopment, such as clean-up of a contaminated site, demolition expenses, and the like, over and above costs normally incurred in development;
  - o. Whether the project could be developed without the benefit of a tax abatement; i.e., but for the allowance of a tax abatement, the project would not be developed or pursued;

p. Whether conferring the tax benefit will create an adverse impact on existing state, county or municipal services;

q. Whether the project contributes to the implementation of other policies adopted by the City, including, but not limited to, the City's Growth Policy; and/or

r. Whether the project would meet other criteria as would be considered reasonable for the best interests of the City.

This Resolution shall become effective upon adoption and shall supersede Resolution Nos. 8728, 8967 and 9004.

PASSED and ADOPTED by the City Commission of the City of Great Falls, Montana, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Michael J. Winters, Mayor

ATTEST:

\_\_\_\_\_  
Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

\_\_\_\_\_  
Sara R. Sexe, City Attorney



**Item:** Resolution 10207 - Fixing the Rates of Safety Inspection Certificate Fees in Title 5 of the Official Code of the City of Great Falls (OCCGF)

**From:** Fire Marshal Dirk Johnson

**Initiated By:** Fire Marshal Dirk Johnson

**Presented By:** Fire Chief Stephen A. Hester

**Action Requested:** Set Public Hearing on Resolution No. 10207 for October 17, 2017.

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**Suggested Motion:**

1. Commissioner moves:

"I move that the City Commission (set/not set) a public hearing on Resolution No. 10207 for October 17, 2017."

2. Mayor requests a second to the motion, Commission discussion, public comment, and calls for the vote.

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**Staff Recommendation:**

Staff recommends that the City Commission set a public hearing for October 17, 2017, to consider Resolution No. 10207 pertaining to Safety Inspection Certificate fees.

**Summary:**

Safety Inspection Certificate (SIC) fees cover a portion of the cost for the approximately 3,600 fire code inspections conducted on an annual basis.

Staff is recommending to increase Safety Inspection Certificate fees for the year 2018. The fees haven't been increased since 2008. Fees for renewals are proposed to be increased by 15%, or 1.5 percent per year to match the CPI index for the past 10 years. This will equate to the majority of occupancies depending on their tier level paying an additional \$17 (Tier 1) to \$58.00 (Tier 5). Staff is also proposing to establish a Tier 6 which would incorporate around 5 businesses that have an occupancy with square footage over 100,000.

**Background:**

Great Falls Fire Rescue has been providing occupancy inspections for fire and life safety code

compliance for many years. Prior to 1996, the City used a business license fee structure which provided limited funding. Some occupancies also claimed a state exemption from such licensing. In 1996 the City instituted a Safety Inspection Certificate program, which removed those exemptions and based the fees for inspections on the square footage of the occupancies. The Montana Supreme Court supported the City's position on removal of the exemptions. The City designated 6 tier levels, with tier 1 being occupancies up to 2,000 square feet and 6 being those over 100,000 square feet.

Since 2004, all churches are included in the tier 1 category regardless of square footage.

**Fiscal Impact:**

Staff estimates that revenues for SIC shall increase \$21,000.00 annually.

**Alternatives:**

The City Commission could choose not to set a public hearing for consideration of Resolution No. 10207.

**Concurrences:**

Fire Administration  
Planning and Community Development  
City Clerk  
City Attorney  
City Administration

ATTACHMENTS:

- Resolution No. 10207

**RESOLUTION NO. 10207**

**A RESOLUTION FIXING THE RATES OF SAFETY INSPECTION  
CERTIFICATE FEES IN TITLE 5 OF THE OFFICIAL CODE OF THE  
CITY OF GREAT FALLS (OCCGF)**

**WHEREAS**, Title 5 of the OCCGF provides for various license and certificate fees to be established by resolution; and

**WHEREAS**, Great Falls Fire Rescue conducts annual inspections of each business or multi-family residential premise within the City limits to ensure the property meets Uniform Safety Codes or other ordinances and regulations, and is a safe premise for the employees, customers and residents. To cover the cost of this safety service, each business premise needs a Safety Inspection Certificate; and

**WHEREAS**, the fees set by this Resolution supersede the fees only pertaining to Safety Inspection Certificate fees previously set by Resolution 9711 adopted in November 2007.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, that:**

**A. Safety Inspection Issuance fees:**

1. Tier 1 – 0 to 2,000 sq ft – includes all churches	\$132.00
2. Tier 2 – 2,001 to 10,000 sq ft	\$173.00
3. Tier 3 – 10,001 to 25,000 sq ft	\$230.00
4. Tier 4 – 25,001 to 50,000 sq ft	\$299.00
5. Tier 5 – 50,001 to 100,000 sq ft	\$443.00
6. Tier 6 – Over 100,000 sq ft	\$600.00

**B. Safety Inspection Renewal fees:**

1. Tier 1 – 0 to 2,000 sq ft – includes all churches	\$ 63.00
2. Tier 2 – 2,001 to 10,000 sq ft	\$ 98.00
3. Tier 3 – 10,001 to 25,000 sq ft	\$144.00
4. Tier 4 – 25,001 to 50,000 sq ft	\$207.00
5. Tier 5 – 50,001 to 100,000 sq ft	\$345.00
6. Tier 6 – Over 100,000 sq ft	\$500.00

**C. Federal, State and Local Government Occupancies are exempt but shall receive an SIC inspection annually.**

**D. Other Fees**

1. Change of Location	New Issuance (as set forth in “A” above)
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- |  |          |
|--|----------|
| 2. Transfer of Safety Inspection Certificate | \$ 30.00 |
| 3. Delinquent Fee                            | \$ 30.00 |

E. Effective date: The fees set forth herein shall be in full force and effect thirty (30) days after adoption by the City Commission.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Bob Kelly, Mayor

ATTEST:

\_\_\_\_\_  
Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

\_\_\_\_\_  
Sara R. Sexe, City Attorney



**Item:** Resolution 10205, "A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, ESTABLISHING THE RATES, FEES AND PENALTIES ASSOCIATED WITH TITLE 10 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF) PERTAINING TO THE CITY'S PARKING SYSTEM."

**From:** Craig Raymond, Director, Planning and Community Development

**Initiated By:** Craig Raymond, Director, Planning and Community Development

**Presented By:** Craig Raymond, Director, Planning and Community Development

**Action Requested:** City Commission adoption of Resolution 10205

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**Public Hearing:**

1. Mayor conducts public hearing, calling three times each for proponents and opponents.
2. Mayor closes public hearing and asks the will of the Commission.

**Suggested Motion:**

1. Commissioner moves:

"I move that the City Commission (adopt/deny) Resolution 10205 establishing the rates, fees, and penalties associated with Title 10 of the Official Code of the City of Great Falls pertaining to the City's parking system."

2. Mayor calls for a second to the motion, Commission discussion, and calls for the vote.
- 
- 

**Staff Recommendation:**

Staff recommends the City Commission adopt Resolution 10205.

**Summary:**

Resolution 10205 brings forth recommendations to put into effect a proposal which was previously considered in December 2014. At the time, there was much discussion about the parking program and establishing rates which would provide sufficient funds for the downtown parking system to operate and maintain itself independently. Since that time, things have changed in the downtown landscape, including the absence of significant tenants in some of the downtown buildings and parking facilities. The one thing that has not changed since 2014 is the need to increase revenues to fund much needed maintenance

projects in the City's parking facilities.

**Background:**

In December 2014, the City's Parking Advisory Commission brought forward several recommendations for funding strategies for the parking system. At the time, the City Commission elected to only implement some of the scheduled rate increases, preferring to re-evaluate the system after a period of time to assess the effect of the increases, and whether additional increases would even be necessary.

Although the Parking Advisory Commission has brought forth several recommendations for system improvements and policy changes, it has not completed a comprehensive budget assessment. What we do know, however, is that based on the most recent budget performance reports, there is not sufficient revenue to cover deferred maintenance and fund needed facility improvements. Such revenue is needed particularly in light of the exit of a large anchor tenant from the downtown. Additionally, based on research from other large Montana cities, we know that the Great Falls rate structure is significantly cheaper than any other city.

Resolution 10205 addresses the original recommendation brought to the Commission in 2014 in order to marginally provide for some of the necessary funds while the Parking Advisory Commission and staff complete the budgetary review. It should be anticipated that additional revenue generating will be required. Resolution 10205 also provides flexibility for the City Manager to execute agreements which may be negotiated that will incentivize either bulk or group discounts for customers who pre-pay for their parking leases for a year or more. One additional element included in Resolution 10205 is recognition of the Pedlet program. As many of you know, a Pedlet is where a business owner temporarily consumes parking spots to construct an outdoor dining or café space or pedestrian pathway around an outdoor café space. Staff is requesting the City Commission to approve a fee structure for the temporary lease of parking spaces when a Pedlet is constructed within the downtown parking district.

**Fiscal Impact:**

It is anticipated that the fee increases will generate approximately \$50,000 annually in additional revenue. We also anticipate that providing bulk or group discounts and/or pre-pay incentives may generate additional revenue through attracting new customers to the system.

**Alternatives:**

The City Commission could deny Resolution 10205 and forgo implementing an incremental increase in revenue for the downtown parking system.

ATTACHMENTS:

- Resolution 10205
- Downtown Parking District Map

**RESOLUTION NO. 10205**

**A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, ESTABLISHING THE RATES, FEES AND PENALTIES ASSOCIATED WITH TITLE 10 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF) PERTAINING TO THE CITY'S PARKING SYSTEM**

**WHEREAS**, Title 10 of the OCCGF provides for various parking system related rates, fees and penalties to be established by Resolution; and

**WHEREAS**, a financially sound parking system and properly maintained parking facilities are essential to the continuing redevelopment of downtown Great Falls and to the many citizens and visitors who use those facilities; and

**WHEREAS**, the revenues earned by the parking system at this time are inadequate to provide for continuing operation without subsidies from other sources; and

**WHEREAS**, engineering studies and operating experience have identified substantial deferred and new maintenance that cannot be met without additional revenue; and

**WHEREAS**, it is desirable to introduce new revenue measures incrementally in order to monitor and assess their impacts; and

**WHEREAS**, the Parking Advisory Commission has studied this matter and set forth the recommendations herein.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, THAT:**

**(1) Metered Parking.**

**A. Metered parking rate.** The rate for metered parking shall be \$0.50 (50¢) per hour.

**B. Courtesy ticket.** The first violation by a particular vehicle each year for failure to pay for parking, as required by OCCGF 10.48.055.A, or for an expired meter or overtime parking, as provided by OCCGF 10.48.270.D, shall result in the issuance of a courtesy ticket. Said courtesy ticket thanks the driver for visiting downtown Great Falls and reminds him or her of the parking regulations. Courtesy tickets will not be issued for any of the other violations listed in Title 10, Chapter 48 of the OCCGF. A courtesy ticket will not be issued to the occupant of a vehicle that is associated with unpaid fees and/or penalties.

**C. Accelerated penalties per year for failure to pay, expired meter, and overtime violations.** The penalty for the second violation for failure to pay for metered parking as set forth in OCCGF 10.48.055.A, or violation of expired meter or overtime parking as set forth in OCCGF 10.48.270.D, shall be \$5. The penalty for the third violation shall be \$10. The penalty for a fourth violation shall be \$15; and, all subsequent violations by a particular vehicle within one year shall be \$20 for each violation.

**D. Other parking penalties.** Penalties for all other violations listed in Title 10, Chapter 48 of the OCCGF shall be \$20, except the fine for violations in handicap parking zones shall be \$100.

**E. Miscellaneous parking fees.**

i. A \$10 administrative fee shall be added to all penalties that are not paid within thirty (30) days after the date of the citation.

ii. Pursuant to OCCGF 10.50.040, the immobilization or “boot” fee shall be \$150.

iii. Pursuant to OCCGF 10.48.240, the daily charge for a meter bag shall be \$5.

iv. Pursuant to OCCGF 10.48.260.C, the monthly metered parking permits shall be \$25.

v. Pursuant to OCCGF 10.48.250, the \$25 administrative fee charged biennially for the issuance of residential parking permits shall be eliminated.

vi. Pursuant to OCCGF 10.48.190, a nonrefundable \$100 fee must accompany an application to establish a freight or passenger loading zone, which is in addition to the actual costs of marking and/or signing the zone if the application is approved. The fee shall be waived for passenger loading zones at public schools.

vii. Pursuant to OCCGF 10.48.190, a \$75 combined application and installation fee shall be charged for handicap parking zones.

**(2) Courtesy parking.** Pursuant to OCCGF 10.48.280, the cost of a courtesy parking space shall be \$400 per year for each parking space on Central Avenue, and \$300 per year for each parking space that is within the Downtown Parking Management District, but not on Central Avenue. This annual fee is in addition to the actual cost of installing the courtesy parking sign(s).

(3) **Pedlet Space Lease.** The cost for leasing each on-street parking space for the construction and occupancy of a Pedlet shall be the same cost as is established for a "Courtesy Parking Spot" prorated by month for the duration that the Pedlet consumes each on-street parking spot.

(4) **City parking facilities.** Pursuant to OCCGF 10.48.300, the City Manager shall, on recommendation of the Parking Advisory Commission, establish the hourly, daily and monthly lease rates charged for parking in City owned or operated off street lots or garages.

A. **Parking Ramps/Garages.** The \$41 monthly lease rates for the City's parking ramps/garages located at Second Avenue South/Third Street and First Avenue North/Fourth Street North shall be increased to \$51 monthly. The City Manager may negotiate and authorize special incentive rates for bulk parking leases for customers who either lease numerous garage spaces and/or pre-pay leases for a period of one year or more. All fees for leases shall be non-refundable.

B. **City parking lots.** The \$0.50 per hour/\$5 per day/\$30 monthly lease rates for parking lots 2, 4, 6, 7 & 8, shall be \$0.50 per hour/\$5 per day/\$35 monthly. The City Manager may negotiate and authorize special incentive rates for bulk parking leases for customers who either lease numerous surface lot spaces and/or pre-pay leases for a period of one year or more. All fees for leases shall be non-refundable.

(5) **Time limits and reaffirmation.** This resolution reaffirms all existing posted parking time limits and all fines and fees established by Resolution 10083 from January 1, 2016, to present.

(6) **Parking management district map.** The "Official Parking Management District Map of the City of Great Falls, Montana," is adopted as appended to this Resolution.

**BE IT FURTHER RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA,** that the effective date of Resolution No. 10205 shall be September 20, 2017.

**BE IT FURTHER RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA,** that Resolution No. 10083 pertaining the rates, fees and penalties associated with title 10 of the official code of the city of great falls (OCCGF) pertaining to the city's parking system is hereby repealed.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, September 19, 2017.

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Bob Kelly, Mayor

ATTEST:

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Darcy Dea, Deputy City Clerk

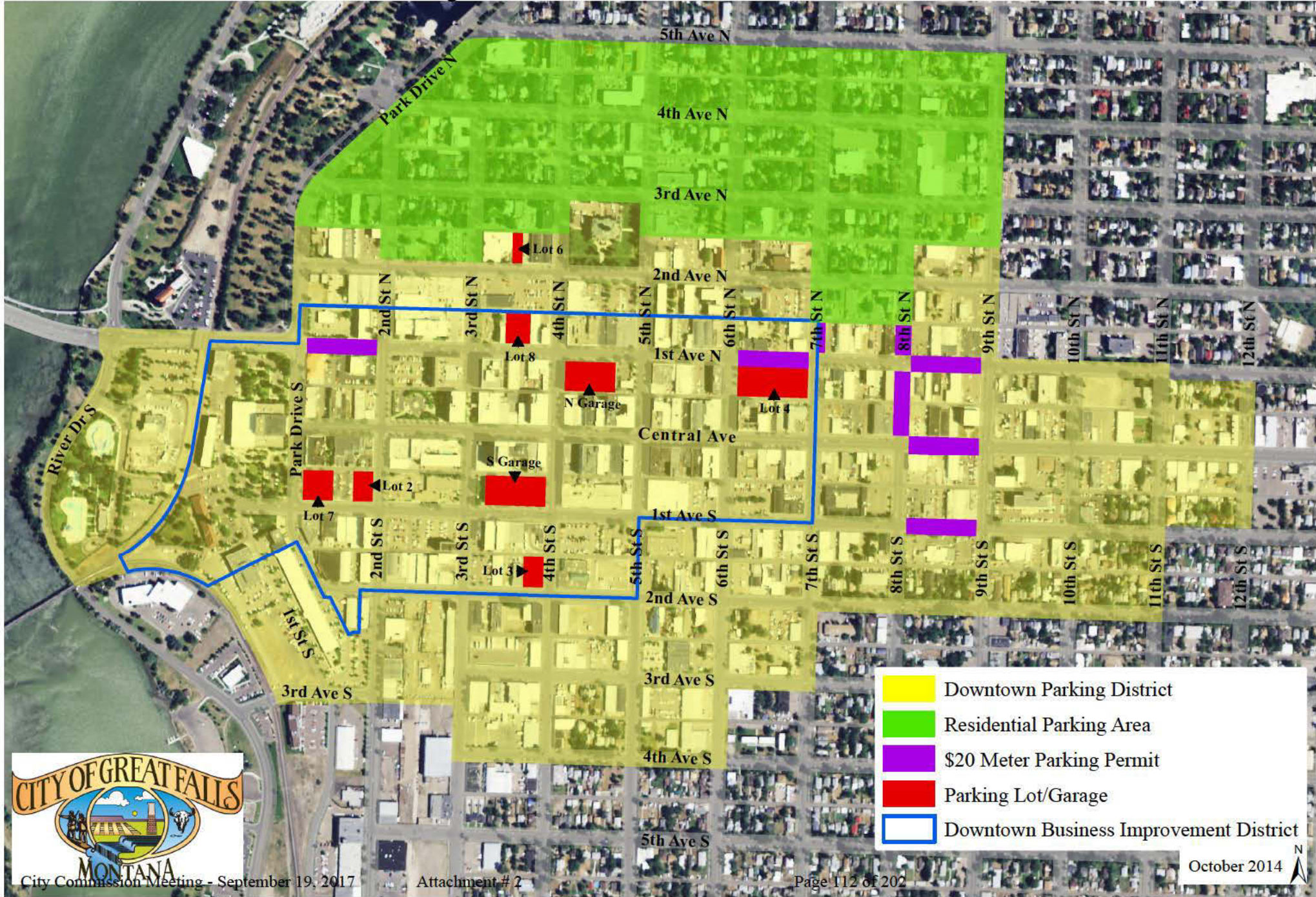
(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

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Sara R. Sexe, City Attorney

# The Official Parking Management District Map of the City of Great Falls, Montana







**Item:** Ordinance 3169, “An Ordinance Repealing and Replacing Title 2 Of The Official Code Of The City Of Great Falls (OCCGF), Pertaining To Administration and Personnel Provisions.”

**From:** Sara R. Sexe, City Attorney

**Initiated By:** Joseph P. Cik, Assistant City Attorney

**Presented By:** Sara R. Sexe, City Attorney

**Action Requested:** Accept Ordinance 3169 on first reading and set public hearing for October 3, 2017.

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**Suggested Motion:**

1. Commissioner moves:

“I move that the City Commission (accept/not accept) Ordinance 3169 on first reading and set the public hearing for October 3, 2017.”

2. Mayor calls for a second to the motion, public comment, Commission discussion, and calls for the vote.

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**Staff Recommendation:**

Staff recommends that the City Commission accept Ordinance 3169 on first reading and set the public hearing for October 3, 2017.

**Background:**

Members of the City Commission and Staff have examined numerous sections of the OCCGF and have noticed various types of deficiencies throughout numerous sections of the code. The deficiencies vary from typographical errors, needed updates, and conflicts with State and Federal law. Additionally, the OCCGF conflicts in various places with itself. In an effort to cure these issues, City staff has assembled input from the different departments to continue with a comprehensive revision of the Code.

The Ordinance under consideration is to repeal and replace OCCGF Title 2, pertaining to Administration and Personnel. The vast majority of the amendments are non-substantive. Non-substantive changes include chapter re-designation to put chapters in correct numerical order, to correct typographical errors, and to reformat subsections.

The first proposed substantive change is repealing the Youth Council. The Youth Council was established by Ordinance 3045 in 2009, and has not been an active functioning Council. Given the lack of participation and interest in this Council, staff recommends that the City Commission repeal the Youth Council by adopting Ordinance 3169.

The next substantive proposed change is to require all members of City boards, commissions, committees and councils to be City residents, with the exception of the Golf Advisory Board. Additionally, individuals interested in participating in City boards, commissions, committees, or councils would be required to be qualified electors. Because these City entities make pertinent recommendations to the City Commission regarding City policy and allocation of City resources, it is reasonable to expect that members be residents and qualified to vote in accordance with state and federal law.

Another proposed substantive change is renaming the “Fiscal Services Department” to “Finance Department”. This proposed change was requested by the department director and does not impact that department’s responsibilities in any way.

Finally, Ordinance 3169 proposes several changes to the Code of Ethics. Several issues have arisen recently regarding the appearance of or actual conflicts of interest. In response to these issues, Ordinance 3169 would establish provisions in the City code requiring all City public officers including City board and commission members and elected officials to file with the City Clerk a disclosure of any potential conflicts of interest. Additionally, Ordinance 3169 would establish an Ethics Committee which would consist of three independent resident members, appointed by the City Commission, for not more than three (3) consecutive three (3) year terms (with initial staggered terms to allow for continuity). This Committee would work in conjunction with the City Attorney’s Office to resolve any actual or potential conflicts of interest involving City officials.

Exhibit “A” is a document illustrating proposed changes as compared to the existing provisions. Exhibit "B" depicts the proposed Code provisions which would replace the current provisions if approved by the Commission.

**Fiscal Impact:**

None.

**ATTACHMENTS:**

- ▢ Ordinance No. 3169
- ▢ Ord. No. 3169, Exhibit A
- ▢ Ord. No. 3169, Exhibit B

**ORDINANCE 3169**

**AN ORDINANCE REPEALING AND REPLACING TITLE 2 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF), PERTAINING TO ADMINISTRATION AND PERSONNEL PROVISIONS.**

\* \* \* \* \*

**WHEREAS**, the City Commission established Title 2 of the OCCGF outlining Provisions pertaining to Administration and Personnel in the OCCGF; and

**WHEREAS**, the City Commission has recognized deficiencies throughout OCCGF Title 2, including but not limited to, typographical, grammatical, formatting, and referencing deficiencies; and

**WHEREAS**, the City Commission wishes to cure the deficiencies contained in OCCGF Title 2; and

**WHEREAS**, the City Commission wishes to repeal current OCCGF provisions establishing a Youth Council, as there is lack of interest and participation in this Council; and

**WHEREAS**, the City Commission wishes to require that members of City boards, commissions, committees, and councils, with the exception of the Golf Advisory Board, be City residents and qualified electors; and

**WHEREAS**, the City Commission wishes to change the name of the “Fiscal Services Department” to “Finance Department”; and

**WHEREAS**, the City Commission wishes to require all City officials to disclose any potential conflicts of interest and establish a Great Falls Ethics Committee to resolve any potential or actual conflicts of interest.

**NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:**

Section 1. The revisions of OCCGF Title 2 are depicted in Exhibit “A” attached hereto, with deleted language identified by ~~strikeout~~ and inserted language **bolded**; and

Section 2. This ordinance shall be in full force and effect thirty (30) days after second reading and final adoption by the City Commission.

ACCEPTED by the City Commission of the City of Great Falls, Montana on first reading September 19, 2017.

ADOPTED by the City Commission of the City of Great Falls, Montana on second reading October 3, 2017.

\_\_\_\_\_  
Bob Kelly, Mayor

ATTEST:

(CITY SEAL)

\_\_\_\_\_  
Darcy Dea, Deputy City Clerk

APPROVED FOR LEGAL CONTENT:

\_\_\_\_\_  
Sara R. Sexe, City Attorney

State of Montana    )  
County of Cascade  : ss  
City of Great Falls )

I, Darcy Dea, City Deputy Clerk of the City of Great Falls, Montana, do certify that I did post as required by law and as prescribed and directed by the City Commission, Ordinance 3169 in three conspicuous places within the limits of said City to-wit:

On the Bulletin Board, first floor, Civic Center Building;  
On the Bulletin Board, first floor, Cascade County Court House;  
On the Bulletin Board, Great Falls Public Library

\_\_\_\_\_  
Darcy Dea, Deputy City Clerk

(CITY SEAL)

Title 2 ADMINISTRATION AND PERSONNEL

**Title 2 ADMINISTRATION AND PERSONNEL**

**Chapter**

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Chapter ~~41~~ - CITY COMMISSION

Chapter ~~82~~ - CITY MANAGER

Chapter ~~143~~ - MUNICIPAL COURT

Chapter ~~164~~ - ADMINISTRATIVE DEPARTMENTS

Chapter ~~185~~ - EMPLOYEE HOLIDAYS

Chapter ~~206~~ - OFFICER'S BONDS

Chapter ~~227~~ - ADVISORY COMMISSION ON INTERNATIONAL RELATIONSHIPS

Chapter ~~268~~ - MANSFIELD CENTER FOR THE PERFORMING ARTS ADVISORY BOARD

Chapter ~~289~~ - BOARD OF ADJUSTMENT

Chapter ~~3010~~ - DESIGN REVIEW BOARD

Chapter ~~3211~~ - PARK AND RECREATION BOARD

Chapter ~~3612~~ - GOLF ADVISORY BOARD

Chapter ~~4013~~ - HISTORIC PRESERVATION ADVISORY COMMISSION

Chapter ~~4414~~ - LOAN ADVISORY BOARD

Chapter ~~4615~~ - PLANNING ADVISORY BOARD

Chapter ~~4716~~ - ZONING COMMISSION

Chapter ~~4817~~ - PARKING ADVISORY COMMISSION

Chapter ~~4918~~ - GREAT FALLS PUBLIC LIBRARY

Chapter ~~5019~~ - NEIGHBORHOOD COUNCILS

Chapter ~~5120~~ - YOUTH COUNCIL

Chapter ~~5221~~ - CODE OF ETHICS

Chapter ~~5422~~ - INDEMNIFICATION

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 5623 - BOARDS/COMMISSIONS/COUNCILS ATTENDANCE

**Chapter 41 CITY COMMISSION**

**Sections:**

~~2.4.010 Established.~~

~~2.4.015 Salary.~~

**2.1.010 Established.**

**2.1.020 Salary.**

**2.41.010 Established.**

The Charter of the City of Great Falls (Charter) establishes and promulgates the powers and duties of the City Commission.

~~(Ord. 2652, 1993).~~

**2.4.0151.020 Salary.**

The salary of each Commissioner shall be three hundred twelve dollars (\$312.00) per month. The salary of the Mayor shall be four hundred sixty-eight dollars (\$468.00) per month.

~~(Ord. 2814, 2001; Ord. 2652, 1993; Ord. 2818, 1988)~~

**Chapter 82 CITY MANAGER**

**Sections:**

~~2.8.010 Appointment - generally.~~

**2.2.8010 Appointment - generally.**

Title 2 ADMINISTRATION AND PERSONNEL

**2.2.010 Appointment - generally.**

The provisions for the appointment of a City Manager and his/ or her powers and duties are established by **the** Charter.

~~(Ord. 2652, 1993).~~

**Chapter 143 MUNICIPAL COURT**

**Sections:**

~~2.14.010 Established.~~

~~2.14.020 Appeal to District Court.~~

~~2.14.030 Municipal Court Judge.~~

~~2.14.040 Municipal Court Clerk.~~

**2.3.010 Established.**

**2.3.020 Appeal to District Court.**

**2.3.030 Municipal Court Judge.**

**2.3.040 Municipal Court Clerk.**

**2.143.010 Established.**

The Municipal Court of the City of Great Falls, Montana, is hereby established pursuant to Title 3, Chapter 6, Montana Code Annotated (MCA). The Municipal Court shall be a court of record by electronic recording or stenographic transcription and shall assume continuing jurisdiction over all pending Municipal Court cases from and after February 1, 1998.

~~(Ord. 2725, 1997; Ord. 2652, 1993).~~

**2.143.020 Appeal to District Court.**

Appeals of Municipal Court judgments or orders must be made to District Court and are confined to review of the record and questions of law. A party may appeal a Municipal Court judgment if:

- A. ~~The~~ **In criminal causes of action, the amount of controversy exceeds ~~two~~three hundred dollars (\$200300.00); or,**
- B. The judgment includes incarceration; or,
- C. **In civil causes of action, the amount of controversy exceeds one thousand dollars (\$1,000).**

Exhibit "A"

Title 2 ADMINISTRATION AND PERSONNEL

- D. Upon petition of an aggrieved party, the District Court may, in the interests of justice, accept appellate jurisdiction notwithstanding the amount in controversy.

**2.143.030 Municipal Court Judge.**

- A. There shall be one (1) Municipal Court Judge elected to a four- **(4)** year term pursuant to Title 3, Chapter, 6, MCA. The qualifications of a Municipal Court Judge shall be as required by Montana law to include:
  - 1. The same qualifications as a judge of District Court as set forth in Article VII, Section 9, of the Montana Constitution ~~except a Municipal Court Judge need only be admitted to the practice of law in Montana for at least three (3) years prior to the date of the election; and;~~
  - 2. A Municipal Court Judge shall be a resident and voter in the City of Great Falls at the time of his or her election; and,
  - 3. A Municipal Court Judge shall be certified as provided in MCA ~~§§3-1-1502 to 3-1-1503~~, prior to assuming office.
- B. The salary of the Municipal Court Judge shall be set by **Commission** resolution.

~~(Ord. 2725, 1997; Ord. 2652, 1993; Ord. 2604, 1991; Ord. 2034, 1978; Ord. 1904 §6, 1976).~~

**2.143.040 Municipal Court Clerk.**

The position of a Municipal Court Clerk is hereby established pursuant to Title 3, Chapter 6, MCA, to administer and retain court records by paper or electronic filing or storage. The salary of the Municipal Court Clerk shall be set by **Commission** resolution.

**Chapter 164 ADMINISTRATIVE DEPARTMENTS**

**Sections:**

- ~~2.16.010 Established.~~
- ~~2.16.015 Deputy City Manager.~~
- ~~2.16.020 City Clerk.~~
- ~~2.16.030 Legal Department.~~
- ~~2.16.045 Fiscal Services Department.~~
- ~~2.16.050 Public Works Department.~~
- ~~2.16.060 Fire Department.~~
- ~~2.16.070 Police Department.~~



Exhibit "A"

Title 2 ADMINISTRATION AND PERSONNEL

~~2.16.080 Planning and Community Development Department.~~

~~2.16.090 Park and Recreation Department.~~

~~2.16.100 Reserved.~~

~~2.162.4.010 Established.~~

**2.4.020 Deputy City Manager.**

**2.4.030 City Clerk.**

**2.4.040 Legal Department.**

**2.4.050 Finance Department.**

**2.4.060 Public Works Department.**

**2.4.070 Fire Rescue Department.**

**2.4.080 Police Department.**

**2.4.090 Planning and Community Development Department.**

**2.4.100 Park and Recreation Department.**

**2.4.010 Established.**

The administrative departments of the City are hereby established. Each department is subject to the control and supervision of the City Manager who may transfer, eliminate, or add to department functions.

~~(Ord. 2652, 1993; Ord. 2479 2(part), 1987).~~

**2.16.015**

**2.4.020 Deputy City Manager.**

The City Manager shall appoint a Deputy City Manager who shall serve as acting City Manager in the absence of the City Manager assuming all responsibilities as outlined in the Charter. The Deputy City Manager shall oversee ~~management of the Great Falls Housing Authority and the Human Resource and Budgeting functions of the City. The Deputy City Manager shall perform such other~~**management** duties by direction of the City Manager or as required by law.

~~(Ord. 2825, 2002).~~

~~(Ord. No. 3057, § 1, 8-17-2010)~~

Exhibit "A"

Title 2 ADMINISTRATION AND PERSONNEL

**2.16.0204.030 City Clerk.**

The City Manager shall appoint a City Clerk who shall keep a history of the City of Great Falls, maintain public records, and perform such other duties by direction of the City Manager or as required by law.

~~(Ord. 2652, 1993).~~

**2.16.0304.040 Legal Department.**

A **Legal** Department ~~of Law~~ is hereby created. The City Manager shall appoint a City Attorney, qualified under Montana law, to administer the **Legal** Department ~~of Law~~. The Department shall render legal services in all civil and administrative matters for the City ~~and~~, prosecute all charges in Municipal Court, and perform such other duties by direction of the City Manager or as required by law.

~~(Ord. 2652, 1993; Ord. 2479~~

~~2(part), 1987).~~

**2.16.045 — Fiscal Services. 4.050 Finance Department.**

A ~~Fiscal Services~~**Finance** Department is hereby created. **Within this Code, this department may also be referred to as the Fiscal Services Department.** The City Manager shall appoint a director to administer said **Finance** Department. The Department shall render accounting, revenue collection, including utility billing, court receipts and accounts receivable, accounts payable, debt issuance, investment services, payroll, risk management, and information processing services to the City and perform such other duties by direction of the City Manager or as required by law.

~~(Ord. 2825, 2002; Ord. 2703, 1996.)~~

**2.16.0504.060 Public Works Department.**

A Public Works Department is hereby created. The City Manager shall appoint a Director to administer the Public Works Department. The Department shall administer capital improvements, maintenance, operations, and utilities and perform such other duties by direction of the City Manager or as required by law.

~~(Ord. 2652, 1993; Ord. 2479~~

~~2(part), 1987).~~

**2.16.060.4.070 Fire Rescue Department.**

A Fire **Rescue** Department is hereby created. The City Manager shall appoint a Fire Chief to administer the Fire **Rescue** Department. The Department shall provide fire ~~—~~fighting, rescue operation, fire investigation, and fire prevention services for the City and perform such other duties by direction of the City Manager or as required by law.

Exhibit "A"

Title 2 ADMINISTRATION AND PERSONNEL

~~(Ord. 2652, 1993; Ord. 2479 2(part), 1987).~~

~~2.16.070~~

**2.4.080 Police Department.**

A Police Department is hereby created. The City Manager shall appoint a Police Chief to administer the Police Department. The Department shall enforce the laws of the City and State to protect life and property, to control traffic, and perform such other duties by direction of the City Manager or as required by law.

~~(Ord. 2652, 1993; Ord. 2479 2(part), 1987).~~

~~2.16.080~~

**2.4.090 Planning and Community Development Department.**

A Planning and Community Development Department is hereby created. The City Manager shall appoint a Director to administer the Planning and Community Development Department. The Department shall ~~render land use and transportation planning services and facilitate, promote and ensure orderly land development in the City; facilitate, promote and ensure quality development in the City; administer related federal programs; provide a neighborhood council liaison; and perform such other duties by direction of the City Manager or as required by law.:~~

- ~~(Ord. 2727, 1997; Ord. 2652, 1993; Ord. 2479 A.~~ **land use and transportation planning services and facilitate, promote, and ensure orderly land development in the City;**
- B. facilitate, promote, and ensure quality development in the City;**
- C. administer related federal programs; and**
- D. perform such other duties by direction of the City Manager or as required by law.**

~~2(part), 1987).~~

~~(Ord. No. 3057, § 1, 8-17-2010)~~

~~**2.16.090**~~ **Park.4.100 Parks and Recreation Department.**

A ~~Park~~**Parks** and Recreation Department is hereby created. The City Manager shall appoint a Director to administer the ~~Park~~**Parks** and Recreation Department. The Department shall manage all parks and recreational facilities ~~and, programs, and,~~ and perform such other duties by direction of the City Manager or as required by law.

~~(Ord. 2652, 1993; Ord. 2479 2(part), 1987).~~

Exhibit "A"

Title 2 ADMINISTRATION AND PERSONNEL

~~2.16.100 Reserved.~~

~~Editor's note~~ Ord. No. 3057, § 1, adopted August 17, 2010, repealed § 2.16.100, which pertained to the planning department. See also the Code Comparative Table.

**Chapter 185 EMPLOYEE HOLIDAYS**

**Sections:**

~~2.18.010 Holidays listed.~~

**2.5.010 Holidays listed.**

~~2.185.010~~ **Holidays listed.**

A. The employee holidays for all City employees are as follows:

1. New Year's Day, January 1;
2. Martin Luther King Jr. Day, ~~3<sup>rd</sup>~~ **the third** Monday in January;
3. President's Day, ~~3<sup>rd</sup>~~ **the third** Monday in February;
4. Memorial Day, **the** last Monday in May;
5. Independence Day, July 4;
6. Labor Day, **the** first Monday in September;
7. Veterans Day, November 11;
8. Thanksgiving Holiday, fourth Thursday and Friday in November;
9. Christmas Day, December 25; **and**
10. Every day in which a general election is held throughout the State (General Election Day).

B. ~~Designated~~ **Designated** holidays ~~falling~~ **fall** on an employee's regular days-off. ~~Employees,~~ **that employee** shall either be entitled to receive a day off with pay ~~on~~ the day preceding the holiday off, **or** on another day following the holiday in the same pay period.

~~(Ord. 2781, 2000).~~

**Chapter 206 OFFICER'S BONDS**

**Sections:**

~~2.20.010 Required amount.~~

Exhibit "A"

Title 2 ADMINISTRATION AND PERSONNEL

~~2.20.020 Form.~~

~~2.20.030 Conditions.~~

**2.6.010 Required—amount.**

**2.6.020 Form.**

**2.6.030 Conditions.**

**2.206.010 Required—amount.**

Except when otherwise provided by law, all City employees, before discharging their official duties, for the duration of their term or employment, shall be bonded by the City for one hundred thousand dollars (\$100,000.00).

~~(Ord. 2652, 1993; Prior code §1-11-8).~~

**2.206.020 Form.**

- A. Official bonds must be filed in the Human Resources Department.
- B. Unless otherwise provided, all official bonds must be joint and several and made payable to the City ~~in such penalty and~~ with such conditions as required in Section 2.206.030.
- C. The principal and sureties upon any official bond are also, in all cases, liable for the neglect, default, or misconduct in office of any City employee.

~~(Ord. 2652, 1993; Prior code §1-11-1).~~

**2.206.030 Conditions.**

The condition of every official bond must be that the principal shall well, truly, and faithfully perform all official duties ~~then~~ required by law and also such additional duties as may be imposed by any law of the State subsequently enacted, ~~and~~ by any law of the City subsequently enacted, and that the principal will account for ~~and~~, pay over, and deliver to the person or officer, entitled to receive the same, all moneys or other properties that may come into the hands as such officer.

~~(Ord. 2652, 1993; Prior code §1-11-4).~~

**Chapter 227 ADVISORY COMMISSION ON INTERNATIONAL RELATIONSHIPS**

**Sections:**

~~2.22.010 Creation.~~

Exhibit "A"

Title 2 ADMINISTRATION AND PERSONNEL

~~2.22.020 Purpose.~~

~~2.22.030 Members.~~

~~2.22.040 Duties.~~

**2.7.010 Creation.**

**2.7.020 Purpose.**

**2.7.030 Members.**

**2.7.040 Duties.**

**2.227.010 Creation.**

An Advisory Commission on International Relationships is hereby created to serve in an advisory capacity to the City Commission.

~~(Ord. 2788, 2000).~~

**2.227.020 Purpose.**

The purpose of the Advisory Commission shall **be to** provide support, coordination, and exchange of information for international programs in the community. The group shall develop its own mission statement.

~~(Ord. 2788, 2000).~~

**2.227.030 Members.**

The Advisory Commission shall consist of nine (9) to eleven (11) members appointed by the City Commission. **Commission members must be qualified electors and residents of the City.** Each of the members shall be appointed to hold office for a period of three (3) years and until a successor is appointed and qualified. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant. All of the members of the Board shall serve without compensation, and are subject to removal by the City Commission for cause upon written charges and after public hearing.

~~(Ord. 2863, 2004; Ord. 2788, 2000).~~

**2.227.040 Duties.**

It shall be the duty of the Advisory Commission to:

Exhibit "A"

Title 2 ADMINISTRATION AND PERSONNEL

- A. Provide support for the Sister Cities program in consultation and cooperation with its Board of Directors-;
- B. Serve as a sounding board and a resource of advice and support for the Resource Cities partnership with Naryn. ~~Help develop a program for continuation after the funded program ends.~~ **cities located in other countries;**
- ~~C.~~ **Help develop a program for continuation after the funded program ends;**
- D. Develop resources for and help facilitate educational exchanges particularly at the higher education level-;
- ~~E.~~ Facilitate the community wide exchange of information among international programs-;
- ~~F.~~ Develop community resources to support international programs-; **and**
- ~~G.~~ Review and **submit proposals and** make recommendations-; ~~may prepare and submit proposals~~ to the City Commission regarding international programs and relationships.

(Ord. 2788, 2000).

## Chapter 268 MANSFIELD CENTER FOR THE PERFORMING ARTS ADVISORY BOARD

### Sections:

~~2.26.010 Creation.~~

~~2.26.020 Purpose.~~

~~2.26.030 Membership—appointment—compensation.~~

~~2.26.040 Terms.~~

~~2.26.050 Duties.~~

~~2.26.060 Reporting.~~

**2.8.010 Creation.**

**2.8.020 Purpose.**

**2.8.030 Membership—appointment—compensation.**

**2.8.040 Terms.**

**2.8.050 Duties.**

**2.8.060 Reporting.**

### **2.268.010 Creation.**

There is created a Mansfield Center for the Performing Arts Advisory Board, which shall hereafter be referred to as "Board-" **in this Chapter.**

(Ord. 2928, 2006; Ord. 2729, 1997).

Exhibit "A"

Title 2 ADMINISTRATION AND PERSONNEL

**2.268.020 Purpose.**

The Board shall advise the City Commission, and City Manager, on matters related to the successful operation of Mansfield Center for the Performing Arts including the use of the Theater, Convention Center, and meeting rooms as well as common areas and facility aesthetics.

~~(Ord. 2928, 2006; Ord. 2729, 1997).~~

**2.268.030 Membership—appointment—compensation.**

The Board shall consist of five (5) to seven (7) members appointed by the City Commission. **Members must be qualified electors and City residents.** The members shall serve without compensation. The City Commission shall attempt a balance in membership with representation from ~~these areas: performing arts, conventions and meetings, and civic leaders.~~ **the following areas:**

~~(Ord. 2928, 2006; Ord. 2813, 2001; Ord. 2729, 1997).~~ **A. Performing arts;**

**B. Conventions and meetings; and**

**C. Civic leaders.**

**2.268.040 Terms.**

The staggered terms of office shall be three (3) years.

~~(Ord. 2928, 2006; Ord. 2729, 1997).~~

**2.268.050 Duties.**

**The Duties of the Board include but are not limited to:**

A. The Board shall serve in an advisory capacity regarding the Mansfield Center for the Performing Arts and public meeting rooms-; **and**

B. The Board shall assist in identifying funding strategies for a capital improvement plan ~~and~~, special events, which may include fund-raising, and foundation development-;

~~C. The duties of the Board shall not necessarily be limited to those items identified above.~~

~~(Ord. 2928, 2006; Ord. 2729, 1997).~~

**2.268.060 Reporting.**

The Board shall make available copies of regular-meeting minutes as well as an annual report to the City Commission and City Manager.

~~(Ord. 2928, 2006; Ord. 2729, 1997).~~



Title 2 ADMINISTRATION AND PERSONNEL

**Chapter 289 BOARD OF ADJUSTMENT**

**Sections:**

Repealed.

~~(Ordinance 2958, 2007).~~ See Title 17.12.5 Board of Adjustment

**Chapter 3010 DESIGN REVIEW BOARD**

**Sections:**

Repealed.

~~(Ord. 2958, 2007)~~ See Title 17.12.3 Design Review Board

**Chapter 3211 PARK AND RECREATION BOARD**

**Sections:**

~~2.32.010 Creation.~~

~~2.32.020 Purpose.~~

~~2.32.030 Membership—appointment—compensation.~~

~~2.32.040 Term of office.~~

~~2.32.050 Duties.~~

**2.11.010 Creation.**

**2.11.020 Purpose.**

**2.11.030 Membership—appointment—compensation.**

**2.11.040 Term of office.**

**2.11.050 Duties.**

~~2.3211.010~~ **2.3211.010 Creation.**

A ~~Park~~**Parks** and Recreation Board is hereby created.

~~(Ord. 2652, 1993; Prior code §~~

~~2-4-1).~~

Exhibit "A"

Title 2 ADMINISTRATION AND PERSONNEL

**~~2.32.11.020~~ Purpose.**

The **Parks and Recreation** Board shall advise the City Commission and the City Manager on all matters related to the ~~Park~~**Parks** and Recreation program of the City, and ~~exercises~~**exercise** certain functions in regard to the disposition and acquisition of park land and/or facilities as set forth in Section ~~2.32~~**11.050**.

~~(Ord. 2652, 1993; Prior code §2-4-2).~~

~~2.32~~

**~~2.11.030~~ Membership—appointment—compensation.**

The Board shall consist of seven (7) members, residents of the City **and qualified electors**, appointed by the City Commission. The members shall serve without compensation.

~~(Ord. 2652, 1993; Prior code 2-4-3).~~

~~2.32~~

**~~2.11.040~~ Term of office.**

The staggered terms of office shall be three (3) years from and after January ~~1st~~**1**, of the year of appointment.

~~(Ord. 2652, 1993; Prior code~~

~~2-4-4).~~

**~~2.32.11.050~~ Duties.**

The Board shall review and **prepare proposals and** make recommendations ~~and may prepare and submit proposals~~ to the City Commission.

~~(Ord. 2652, 1993).~~

**Chapter ~~36~~12 GOLF ADVISORY BOARD**

**Sections:**

~~2.36.010 Creation.~~

~~2.36.020 Purpose.~~

~~2.36.030 Memberships.~~

~~2.36.040 Terms.~~

~~2.36.050 Duties.~~

Exhibit "A"

Title 2 ADMINISTRATION AND PERSONNEL

**2.12.010 Creation.**

**2.12.020 Purpose.**

**2.12.030 Memberships.**

**2.12.040 Terms.**

**2.12.050 Duties.**

**2.3612.010 Creation.**

A Golf Advisory Board is hereby created which shall hereafter be referred to **in this Chapter** as "Board."

~~(Ord. 2652, 1993; Ord. 2648, 1993).~~

**2.3612.020 Purpose.**

The purpose of the Board shall be to consult with and advise the City Commission, City Manager, and **Park** Parks and Recreation Department staff on all matters related to the operation of the municipal golf courses.

~~(Ord. 2652, 1993).~~

**2.3612.030 Memberships.**

The Board shall consist of five (5) members ~~of the City~~ who shall be appointed by the City Commission. Membership will consist of one (1) member representing the City's Men's Golf Associations, one (1) member representing the City's Women's Golf Association, one (1) member representing the Malmstrom Golf Association, and two (2) members representing non-league golfers. The Chairman of the Park and Recreation Board or a designated representative from the Board will be an ex officio member of the Board. **All members must be qualified electors.**

~~(Ord. 2652, 1993).~~

**2.3612.040 Terms.**

The term of office of each member of the Board shall be three (3) years from and after March 1, of the year in which the member is appointed, except two (2) members of the first Board who shall hold office for a period of two (2) years from and after the first day of March 1, 1993.

~~(Ord. 2652, 1993).~~

Title 2 ADMINISTRATION AND PERSONNEL

**2.3612.050 Duties.**

The Board shall serve in an advisory capacity regarding the operation of the municipal golf courses, specifically ~~as regards to:~~**regarding:**

- A. Fees and charges, tournament requests policies, procedures, and rules;
- B. Capital improvements or projects;
- C. Promotion of usage at the golf courses; **and**
- D. All other matters relating to the golf courses which may be assigned or requested by the City Commission or the City Manager.

~~(Ord. 2652, 1993).~~

**Chapter 4013 HISTORIC PRESERVATION ADVISORY COMMISSION**

**Sections:**

Repealed.

~~(Ord. 2958, 2007) See Title 17.12.4 Historic Preservation Advisory Board~~

**Chapter 4414 LOAN ADVISORY BOARD**

**Sections:**

~~2.44.010 Creation.~~

~~2.44.020 Purpose.~~

~~2.44.030 Members.~~

~~2.44.040 Duties.~~

**2.14.010 Creation.**

**2.14.020 Purpose.**

**2.14.030 Members.**

**2.14.040 Duties.**

**2.4414.010 Creation.**

A Loan Advisory Board is hereby created to serve in an advisory capacity to the City Commission.

Exhibit "A"

Title 2 ADMINISTRATION AND PERSONNEL

~~(Ord. 2652, 1993).~~

**2.4414.020 Purpose.**

The purpose of the Board shall be to consult with and advise the City Commission, City Manager, and Planning and Community Development Department staff on matters related to changes to existing loans, **and** primarily Tax Increment Loans. In addition, to advise on matters relating to lending funds for economic development.

~~(Ord. 2652, 1993).~~

~~(Ord. No. 3057, § 1, 8-17-2010)~~

**2.4414.030 Members.**

The Board shall be ad-hoc and appointed by the City Commission when needed. **All members shall be qualified electors and residents of the City.**

~~(Ord. 2683, 1995; Ord. 2652, 1993).~~

**2.4414.040 Duties.**

It shall be the duty of the Board to review economic development proposals involving the use of available funds and make recommendations to the City Commission and City Manager.

~~(Ord. 2652, 1993).~~

**Chapter 4615 PLANNING ADVISORY BOARD**

**Sections:**

Repealed.

~~(Ord. 2958, 2007)~~ See Title 17.12.1 Planning Advisory Board

**Chapter 4716 ZONING COMMISSION**

**Sections:**

Repealed.

~~(Ord. 2958, 2007)~~ See Title 17.12.2 Zoning Commission

Title 2 ADMINISTRATION AND PERSONNEL

**Chapter 4817 PARKING ADVISORY COMMISSION**

**Sections:**

~~2.48.010 Creation.~~

~~2.48.020 Purpose.~~

~~2.48.030 Members.~~

~~2.48.040 Duties.~~

**2.17.010 Creation.**

**2.17.020 Purpose.**

**2.17.030 Members.**

**2.17.040 Duties.**

**2.4817.010 Creation.**

A Parking Advisory Commission is hereby created to serve in an advisory capacity to the City Commission and City Manager.

~~(Ord. 2652, 1993).~~

**2.4817.020 Purpose.**

The purpose of the ~~Board~~**Parking Advisory Commission** shall be to consult with and advise the City Commission, City Manager, and Planning and Community Development Department staff on matters related to parking issues within the Parking Districts.

~~(Ord. 2652, 1993).~~

~~(Ord. No. 3057, § 1, 8-17-2010)~~

~~2.48~~

**2.17.030 Members.**

The Parking Advisory Commission shall consist of five (5) members, residents of the City, **and qualified electors**, appointed by the City Commission whose staggered terms shall be for three (3) years. A sixth, ex-officio member, shall be appointed by the Business Improvement District.

~~(Ord. 2683, 1995; Ord. 2652, 1993).~~

Title 2 ADMINISTRATION AND PERSONNEL

**2.4817.040 Duties.**

It shall be the duty of the Parking Advisory Commission to review the Great Falls Parking Program and make recommendations to the City Commission and City Manager.

~~(Ord. 2652, 1993).~~

**Chapter 4918 GREAT FALLS PUBLIC LIBRARY**

**Sections:**

~~2.49.010 Legislative findings.~~

~~2.49.020 Establishment.~~

~~2.49.030 Purpose.~~

~~2.49.040 Tax levy—Special library fund.~~

~~2.49.050 Library Board of Trustees.~~

~~2.49.060 Trustees—Powers and duties.~~

~~2.49.070 City authority to contract with Board of Trustees for library services.~~

**2.18.010 Legislative findings.**

**2.18.020 Establishment.**

**2.18.030 Purpose.**

**2.18.040 Tax levy—Special library fund.**

**2.18.050 Library Board of Trustees.**

**2.18.060 Trustees—Powers and duties.**

**2.18.070 City authority to contract with Board of Trustees for library services.**

**2.4918.010 Legislative findings.**

**The Commission makes the following legislative findings regarding the Great Falls Public Library:**

- A. Since 1890, when Paris and Valeria Gibson, and Robert Vaughn, contributed toward the establishment of the first library in this city, the people of Great Falls have enjoyed the benefits of a free public library-;
- B. The City of Great Falls assumed operation of the library in 1892, and in accordance with Ordinance 341 adopted in 1910, as well as state law, a free public library remains operational to this day-;
- C. The 1910 ordinance is antiquated in several particulars, and is in need of revision, although independent management and control of the library, through an appointed Board of Trustees, as provided by law, should be maintained-;

Exhibit "A"

Title 2 ADMINISTRATION AND PERSONNEL

- D. The need for independent management of the library must be balanced with the City Commission's authority under both state law and the City Charter to approve the budget and mill levy for the library--;
- E. To accomplish this balance, there is a need to establish a structured relationship between the Board of Trustees and the City Commission-; **and**
- EF. The City Commission welcomes the continued cooperation of other public bodies, including the State of Montana and Cascade County, in the operation of the public library, as well as contributions from individuals and foundations.

~~(Ord. No. 3140, § 1(Exh. A), 5-3-2016)~~

**2.4918.020 Establishment.**

The first library was established in Great Falls in 1890. The City assumed operation of the library in 1892 and, in accordance with Ordinance 341 adopted in 1910, as well as state law, a free public library remains operational to this day. Pursuant to Mont. Code Ann. § 22-1-303(1) and Article VII, Section 3 of the Charter of the City of Great Falls, the Great Falls Public Library is hereby established in the Official Code of the City of Great Falls.

~~(Ord. No. 3140, § 1(Exh. A), 5-3-2016)~~

**2.4918.030 Purpose.**

A free public library allows residents the fullest opportunity to enrich and inform themselves through reading, as well as social, cultural, recreational, and educational activities.

~~(Ord. No. 3140, § 1(Exh. A), 5-3-2016)~~

**2.4918.040 Tax levy—Special library fund.**

- A. Subject to provisions of state law and the Charter of the City of Great Falls, the City Commission may levy in the same manner, and at the same time, as other taxes are levied a tax for the support of public library services.
- B. The City Commission may, by resolution, submit the question of imposing a tax levy to a vote of the qualified electors at an election as provided in state law.
- C. Upon a petition being filed with the City Commission and signed by not less than five (5) percent of the resident taxpayers of the City of Great Falls requesting an election for the purpose of imposing a mill levy, the City Commission shall submit to a vote of the qualified electors at an election, conducted as provided by state law, the question of imposing the mill levy.



Exhibit "A"

Title 2 ADMINISTRATION AND PERSONNEL

- D. The proceeds of the tax constitute a separate fund called the public library fund and may not be used for any purpose except those of the public library.
- E. Money may not be paid out of the public library fund, by the **Finance** Department of ~~Fiscal Services~~ of the City of Great Falls, except by order or warrant of the Library Board of Trustees, or its authorized designee with approval by the Library Board.

~~(Ord. No. 3140, § 1(Exh. A), 5-3-2016)~~

**2.4918.050 Library Board of Trustees.**

- A. The City Commission shall appoint an advisory board to govern and manage the Great Falls Public Library to be known as the "Great Falls Library Board of Trustees," hereafter referred to as the "Board."
- B. The Board shall consist of five (5) members. In addition, one (1) member of the City Commission shall be appointed by the City Commission to sit on the Board as an ex officio, non-voting member. **Board members will be qualified electors and residents of the City.**
- C. Members of the Board shall serve without compensation, but their actual and necessary expenses incurred in the performance of their official duties may be paid from library funds.
- D. Trustees shall hold office for five (5) years from the date of appointment by the City Commission ~~and, or~~ until their successors are appointed. Appointments shall be governed by state law. All trustees serving on the Library Board of Trustees, in existence at the time Ordinance 3140 becomes effective, shall retain their offices for the duration of their appointments. If a Board member vacates that member's seat, a successor member shall be appointed to fill the remainder of that member's appointment, which term shall not be considered a full term under Mont. Code Ann. § 22-1-308.
- E. In July of each year, or the next regularly scheduled Board meeting afterward, the trustees shall meet and elect a presiding officer and other officers that they consider necessary, for one (1) year terms. Vacancies on the Board of Trustees must be filled for the unexpired term in the same manner as original appointments.

~~(Ord. No. 3140, § 1(Exh. A), 5-3-2016)~~

**2.4918.060 Trustees—Powers and duties.**

- A. The Board has those powers and duties as provided by Mont. Code Ann. §§ 22-1-309 and ~~22-1-311~~, including, but not limited to, the management and control of the Great Falls Public Library.
- B. In accordance with Article VII, Section 3, of the City Charter, the Board is also considered advisory with respect to the City Commission in the exercise of its duties. The Board may advise the City Commission on such matters as it deems necessary and appropriate, and the City Commission may seek Board advice and comment on such matters as it deems necessary and appropriate.

Exhibit "A"

Title 2 ADMINISTRATION AND PERSONNEL

- ~~C. Pursuant to state law, the Board may exclude from the use of the Great Falls Public Library any and all persons who shall willfully violate the rules of the Great Falls Public Library.~~ C. The Board may extend the privileges and use of the Great Falls Public Library to persons residing outside of the city or county upon such terms and conditions as it may prescribe by its regulations.
- D. The Board shall keep a record of its transactions, and shall make a report to the City Commission at least once each calendar year, addressing the business transacted during that year.
- E. The Board may exact and enforce reasonable fines and penalties to be assessed for violations of Great Falls Public Library rules, policies, and regulations.

~~(Ord. No. 3140, § 1(Exh. A), 5-3-2016)~~

**2.4918.070 City authority to contract with Board of Trustees for library services.**

- A. The City, through its Manager, with the approval of the City Commission, may contract with the Board to provide various services, including, but not limited to, personnel services.
- B. Any and all contracts between the City and the Board in effect as of the date of adoption of Ordinance 3140 shall remain in full force and effect.

~~(Ord. No. 3140, § 1(Exh. A), 5-3-2016)~~

**Chapter 5019 NEIGHBORHOOD COUNCILS**

**Sections:**

~~2.50.010 Establishment.~~

~~2.50.020 Purpose.~~

~~2.50.030 District boundaries.~~

~~2.50.040 Council elections.~~

~~2.50.050 Duties and powers.~~

~~2.50.060 Organization.~~

~~2.50.070 By-Laws.~~

~~2.50.080 Open meetings and public records.~~

~~2.50.090 Great Falls Citizen's Council.~~

~~2.50.100 City resources.~~

**2.19.010 Establishment.**

**2.19.020 Purpose.**

**2.19.030 District boundaries.**

Exhibit "A"

Title 2 ADMINISTRATION AND PERSONNEL

**2.19.040 Council elections.**

**2.19.050 Duties and powers.**

**2.19.060 Organization.**

**2.19.070 By-Laws.**

**2.19.080 Open meetings and public records.**

**2.19.090 Great Falls Citizen's Council.**

**2.19.100 City resources.**

**2.5019.010 Establishment.**

Pursuant to the Charter for the City of Great Falls, a program of neighborhood councils is hereby established.

~~(Ord. 2727, 1997)~~

**2.5019.020 Purpose.**

The purpose of the neighborhood council program is to provide a means for the citizens of Great Falls to actively participate in their local government through a formal organization working at the neighborhood level.

**2.5019.030 District boundaries.**

- A. The City Commission shall divide the City of Great Falls into no less than nine (9) and no more than thirteen (13) neighborhood council districts. The residents of a district shall comprise the electorate for that district pursuant to the Great Falls City Charter.
- B. The district boundaries shall be established by a resolution of the City Commission.
- C. Neighborhood councils may petition the City Commission to amend district boundaries for good cause consistent with the purpose and intent of this chapter.

**2.5019.040 Council elections.**

- A. Each neighborhood **council** district shall have a council comprised of five (5) resident members; who must live within their designated neighborhood council district for which they were elected, ~~as defined in M.C.A. 1-1-215,~~ for their term of office; such members

Exhibit "A"

Title 2 ADMINISTRATION AND PERSONNEL

shall be elected to two (2) year terms at the election held in conjunction with the City general election.

- B. Nominees for election to a neighborhood council must be qualified electors and residents of their designated neighborhood district.
- C. The filing period for neighborhood councils shall open and close on the same ~~dates~~**date** as the filing period for mayoral and commission candidates. Neighborhood council candidates are not subject to primary elections.

(Ord. ~~3153, 2017; Ord. 2735, 1998; Ord. 2727, 1997)~~

**2.5019.050 Duties and powers.**

- A. The councils shall act in an advisory capacity to the City Commission, the City Manager and to other City advisory bodies. They may contribute information, opinions, advice, suggestions and recommendations to the City Commission, City Manager and other City advisory bodies on all governmental affairs and services having an effect on the area the neighborhood council represents. Topics and issues for council involvement may include, but are not limited to the following:
  - 1. Public finance;
  - 2. Public works;
  - 3. Public safety;
  - 4. Social services;
  - 5. Transportation;
  - 6. Economic development;
  - 7. Planning and zoning;
  - 8. Public health and sanitation;
  - 9. Parks and recreation; **and**
  - 10. Environmental issues.
- B. Neighborhood Councils may also work cooperatively, in an advisory capacity with, other governmental and quasi-governmental entities such as school districts, county government and the transit district.
- C. As advisory bodies, neighborhood councils shall not:
  - 1. Appropriate or commit City resources;
  - 2. Enact or enforce City Codes or ordinances;
  - 3. Engage in law enforcement;
  - 4. Assume a supervisory role or directorship over any City employee; ~~nor~~
  - 5. Interfere in any way with a City employee in the performance of his/her duties.

Exhibit "A"

Title 2 ADMINISTRATION AND PERSONNEL

**2.5019.060 Organization.**

- A. Each council shall select from its members, a chairman, secretary, an official delegate to attend City Commission meetings, and appoint a Vice Chair or other officers as it deems necessary.
- B. In the event of a vacancy on the council, the remaining members shall appoint a person eligible to hold the position to fill the vacancy until the next general election. In the event that a council cannot agree upon the appointment of a replacement member, the City Commission shall do so.
- C. On or before January 30 after each election, or within thirty (30) days after new council member(s) elected in a special election receive the oath(s) of, and are sworn into, office, each neighborhood council shall meet to organize as provided in this section.
- D. Neighborhood councils are encouraged to involve business persons, young people, and other individuals who may not necessarily qualify as an elected council member.
- E. Neighborhood Councils, and the Great Falls Citizen's Council, are further encouraged to involve minorities, ethnic groups, community service organizations, environmental interest groups, and other like organizations to ensure broad participation in the neighborhood council program.

**2.5019.070 By-Laws.**

- A. Each council shall adopt by-laws prescribing additional duties of the council, meeting criteria and times, and such other provisions as the council may deem appropriate.
- B. The City Clerk shall provide model by-laws for use by the councils in drafting their own by-laws.
- C. By-laws shall be reviewed by the office of the City Attorney and certified for consistency with the provisions of the Great Falls City Charter, the City Codes and the laws of Montana.
- D. A copy of the by-laws shall be on file in the office of the City Clerk.

**2.5019.080 Open meetings and public records.**

- A. All meetings of the neighborhood councils shall be open to the public.
- B. All records maintained by the council shall be available for public inspection.

**2.5019.090 Great Falls Citizen's Council.**

- A. The purpose of the Great Falls Citizen's Council (GFCC) is to act as a forum to address issues of community wide concern and to resolve disputes among the individual neighborhood councils.
- B. ~~Organization.~~ **The GFCC shall organize as follows:**

Exhibit "A"

Title 2 ADMINISTRATION AND PERSONNEL

1. ~~The~~**the** GFCC shall consist of one (1) member from each neighborhood council and two (2) members of the Great Falls City Commission who shall be appointed by the Mayor;
2. ~~The~~**the** GFCC shall determine its rules of organization and operation, except that no rules adopted shall be inconsistent with the provisions of ~~this~~**the** Charter of **the City of Great Falls, this Code**, or the laws of **the State of Montana**; **and**
3. ~~In~~**in** addition to the membership set forth in subsection B, any council representing any unincorporated neighborhood or community may petition the GFCC for membership.

~~2.50~~**19.100** **City resources.**

- A. The City Commission, at its discretion, may provide funding and other resources to neighborhood councils and to the Great Falls Citizen's Council.
- B. A neighborhood liaison function is hereby established within the ~~Planning and Community Development Department~~**City Manager's Office**.
- C. The City of Great Falls shall not be liable for any obligations incurred by the councils or the GFCC unless expressly approved by the City Commission.

~~(Ord. No. 3057, § 1, 8-17-2010)~~

**Chapter 5120 YOUTH COUNCIL**

**Sections:**

~~2.51.010 Establishment.~~

~~2.51.020 Purpose.~~

~~2.51.030 Membership/Appointment/Terms.~~

~~2.51.040 Duties and Powers.~~

~~2.51.050 Organization.~~

~~2.51.060 By-Laws.~~

~~2.51.070 Open meetings and public records.~~

**2.51.010 — Establishment.**

~~Pursuant to Article VII, Section 3 of the Charter for the City of Great Falls, a Youth Council is hereby established.~~

~~(Ord. No. 3045, § 1, 9-1-2009)~~

Title 2 ADMINISTRATION AND PERSONNEL

**2.51.020 — Purpose.**

~~The Great Falls Youth Council is dedicated to making the voice of the Great Falls Youth heard. Goals include bettering the community as a whole, making Great Falls safer and more enjoyable, and providing chances for youth to express themselves, become familiar with City government, and showcase their contributions. By inspiring youth and adults through their maturity, patience, open-mindedness and respect, the members of the Great Falls Youth Council will be leaders to unite the youth of the community.~~

~~(Ord. No. 3045, § 1, 9-1-2009)~~

**2.51.030 — Membership/Appointment/Terms.**

- ~~A. The age range for membership in the Youth Council is 14 to 19 years of age. If a member turns twenty (20) during an appointment to the Youth Council, the member will be allowed to complete the year with the Council.~~
- ~~B. The limit on voting members is thirty (30).~~
- ~~C. Annual elections will be held in December with no limits on term appointments.~~
- ~~D. Officers must attend seventy-five (75) percent of scheduled meetings to retain voting privileges, with the exception of personal emergencies.~~
- ~~E. Volunteer positions for those interested in the Youth Council after the 30 voting positions have been filled are open to all fourteen (14) to nineteen (19) year old interested parties, with the purpose of assistance in special projects.~~
- ~~F. Applications to the Youth Council will be reviewed by the Officers. Applications will first go through the Neighborhood Council Coordinator for removal of personal identification information for an impartial assessment.~~

~~(Ord. No. 3045, § 1, 9-1-2009)~~

**2.51.040 — Duties and Powers.**

~~The Youth Council will be composed of thirty (30) voting members, with six (6) Officers managing six (6) key areas of the Youth Council. These six (6) positions are as follows:~~

~~Minister of Finance (Treasurer):~~

- ~~• Tracks cash deposits and withdrawals.~~
- ~~• Announces balance at each meeting.~~
- ~~• Budgets projects in cooperation with the Neighborhood Council Coordinator.~~

~~Knight or Lady of Internal Activities (Youth Council Social Coordinator):~~

- ~~• Organizes internal Youth Council Social Events.~~
- ~~• Reserves and makes payment to facilities.~~

~~Earl or Countess of Records (Secretary):~~

Exhibit "A"

Title 2 ADMINISTRATION AND PERSONNEL

- ~~• Archival of official documents related to Youth Council.~~
- ~~• Takes minutes of scheduled Youth Council business meetings.~~
- ~~• Maintains log of activities other than scheduled business meetings.~~
- ~~• Cooperates with other members to produce business meeting agenda.~~
- ~~• Documents attendance.~~

~~Duke or Duchess of External Projects (Youth Council Community Projects Coordinator):~~

- ~~• Plans community and fundraising events in cooperation with other members.~~
- ~~• Corresponds with appropriate facilities, directors, members of the community for projects.~~

~~Grand Chairperson (Chair):~~

- ~~• Spokesperson for Youth Council to the media and other entities.~~
- ~~• Calls meetings to order and presides over agenda.~~

~~Duke or Duchess of Advertisement (Public Relations):~~

- ~~• Produces promotional material for public events.~~
- ~~• Oversees maintenance and initial formation of website.~~
- ~~• Produces announcements and recruitment material for new applicants.~~

~~(Ord. No. 3045, § 1, 9-1-2009)~~

**2.51.050 — Organization.**

~~The Youth Council will be comprised of no more than thirty (30) voting members, and six (6) presiding officers. Interested youth other than the thirty (30) voting members are invited to participate in special projects on a voluntary basis. The six (6) board members will have no more power or voting privileges than the other twenty-four (24) voting members but will serve as lead organizers on projects in which the entire Youth Council has input. The Youth Council, started by the Weed and Seed Initiative through the Community Development Office, will move to management under the Neighborhood Council Coordinator in the Community Development Office after the end of the Weed and Seed grant in 2010.~~

~~(Ord. No. 3045, § 1, 9-1-2009)~~

**2.51.060 — By-Laws.**

- ~~A. The Youth Council shall adopt by-laws prescribing additional duties of the council, meeting criteria and times, and such other provisions as the council may deem appropriate.~~
- ~~B. A copy of the by-laws shall be on file in the office of the City Clerk.~~

~~(Ord. No. 3045, § 1, 9-1-2009)~~



Exhibit "A"

Title 2 ADMINISTRATION AND PERSONNEL

~~2.51.070 — Open meetings and public records.~~

~~A. — All meetings of the Youth Council shall be open to the public.~~

~~B. — All records maintained by the Youth Council shall be available for public inspection.~~

~~(Ord. No. 3045, § 1, 9-1-2009)~~

**Repealed.**

**Chapter 5221 CODE OF ETHICS**

**Sections:**

~~2.52.010 Title.~~

~~2.52.020 Findings.~~

~~2.52.030 Purpose and authority.~~

~~2.52.040 Definitions.~~

~~2.52.050 Ethical standards.~~

~~2.52.060 Nepotism.~~

~~2.52.070 Distribution.~~

**2.21.010 Title.**

**2.21.020 Findings.**

**2.21.030 Purpose and authority.**

**2.21.040 Definitions.**

**2.21.050 Ethical standards.**

**2.21.060 Great Falls Ethics Committee established.**

**2.21.070 Committee purpose.**

~~2.5221.080~~ **Committee membership.**

**2.21.090 Committee meeting schedule.**

**2.21.100 Committee duties.**

**2.21.110 Nepotism.**

**2.21.120 Distribution.**

Exhibit "A"

Title 2 ADMINISTRATION AND PERSONNEL

**2.21.010 Title.**

This chapter shall be known and may be cited as the "City of Great Falls Code of Ethics."

**2.5221.020 Findings.**

The City Commission of the City of Great Falls finds and declares that:

- A. Public office and employment are a public trust;
- B. The vitality and stability of representative democracy depends upon the public's confidence in the integrity of its elected and appointed representatives; **and**
- C. Governments have the duty both to provide their citizens with standards by which they may determine whether public duties are being faithfully performed, and to ~~appraise~~ **appraise** their officers and employees of the behavior which is expected of them while conducting such duties.

**2.5221.030 Purpose and authority.**

It is the purpose of this chapter to provide a method of assuring that standards of ethical conduct for officers and employees of the City of Great Falls shall be clear, consistent, uniform in their application, enforceable, and to provide those officers or employees with advice and information concerning possible conflicts of interest which might arise in the conduct of their public duties. Such ethical standards shall inspire and stimulate each officer and employee to:

- A. Be dedicated to the concepts of effective and democratic local government by responsible elected officials and believe that professional general management is essential to the achievement of this objective;
- B. Affirm the dignity and worth of the services rendered by government and maintain a constructive, creative and practical attitude toward urban affairs and a deep sense of social responsibility as a trusted public servant-;
- C. Be dedicated to the highest ideals of honor and integrity in all public and personal relationships so that each public servant may merit the respect and confidence of elected officials, of other officials and employees, and of the public; **and**
- D. Recognize that the chief function of local government at all times is to serve the best interests of all of the people.

**2.5221.040 Definitions.**

As used in this section:

- A. "Agency" means any agency, board, governing body, including the chief executive officer, office, commission, or other instrumentality within the City of Great Falls, and any independent local authority created by or appointed under the authority of the City of Great Falls.
- B. "Business organization" means any corporation, partnership, firm, enterprise, franchise, association, trust, sole proprietorship, union, or other legal entity;

Exhibit "A"

Title 2 ADMINISTRATION AND PERSONNEL

- C. "Employee" means any person, whether compensated or not, whether part-time or full-time, employed by or serving on an agency, who is not a local government officer;.
- D. "Interest" means the ownership or control of more than ten (10) percent of the profits, assets or stock of a business organization, but shall not include the control of assets in a non-profit entity or labor union;.
- E. "Member of immediate family" means the spouse or dependent child of an officer or employee residing in the same household.
- F. "Officer" means any person whether compensated or not, whether part-time or full-time, who is one (1) of the following:
  - 1. Member of the City Commission;.
  - 2. City Manager;.
  - 3. Deputy City Manager;.
  - 4. Director, Department of ~~Fiscal Services~~.**Finance**;
  - 5. Director, Department of Planning and Community Development;.
  - 6. Director, Department of Public Works;.
  - 7. Director, Department of Parks and Recreation;.
  - 8. Chief of Police;.
  - 9. City Clerk;.
  - 10. City Attorney;.
  - 11. Municipal Judge;.
  - 12. Fire Chief;.
  - 13. **Library** Director, ~~Library~~; or
  - 14. **A member of any City board, council, committee, or commission.**
- G. "Officer or employee" means an officer or employee of the City of Great Falls or of an agency under the authority of or appointed by the City Commission.

~~(Ord. 2703, 1996)~~

~~(Ord. No. 3057, § 1, 8-17-2010)~~

**2.5221.050 Ethical standards.**

~~Officers~~**In addition to complying with the provisions of Mont. Code Ann. Title 2, Chapter 2, officers** and employees of the City of Great Falls shall comply with the following provisions:

- A. No officer or employee of the City of Great Falls or member of his or her immediate family shall have an interest in a business organization or engage in any business, transaction, or professional activity which is in substantial conflict with the proper discharge of his or her governmental duties;

Exhibit "A"

Title 2 ADMINISTRATION AND PERSONNEL

- B. No officer or employee shall use, or attempt to use, his or her official position to secure unwarranted privileges or advantages for himself, herself or others;
- C. No officer or employee shall act in his or her official capacity in any matter where he or she, a member of his or her immediate family, or any business organization in which he or she has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his or her objectivity or independence or judgment;
- D. No officer or employee shall undertake any private employment or service which might prejudice his or her independent judgment in the exercise of his or her official duties;
- E. No officer or employee, any member of his or her immediate family, or any business organization in which he or she has an interest shall solicit or accept any gift, favor, political contribution, service, promise of future employment, or other thing of value for the purpose of influencing him **or her**, directly or indirectly, in the discharge of his or her official duties. ~~In this regard,~~ the appearance of impropriety must be avoided by the acceptance of such a gift;
- F. No officer or employee shall use, or allow to be used, his or her public office or employment or any information, not generally available to the members of the public, which he or she receives or acquires in the course of employment, for the purpose of securing financial gain for himself or herself, any member of his or her immediate family, or any business organization with which he or she is associated;
- G. No officer or employee, or any business organization in which he or she has an interest, shall represent any other person or party except the City in connection with any cause, proceeding, application, or other matter pending before any agency of the City of Great Falls. ~~The only other exceptions shall be;~~ **except** in the process of collective bargaining for public employees or where any officer or employee or members of his or her immediate family shall represent himself, herself or themselves, in negotiations or proceedings concerning his, her, or their own interests;
- H. No officer shall be in conflict with these provisions if, by reason of his or her participation in the enactment of any ordinance, resolution or other matter required to be voted upon, no particular material or monetary gain accrues to him or her, **or his or her immediate family**;
- I. No elected officer shall be prohibited from making an inquiry for information on behalf of a constituent if in return, no fee, reward, or other thing of value is directly or indirectly promised to or accepted by the officer or a member of his or her immediate family;
- J. No officer or employee, elected or appointed in the City, shall without receiving formal written authorization from the appropriate person or body, disclose any confidential information concerning any other officer or employee or any other person or any property or governmental affairs of the City;
- K. No officer or employee shall approve ~~or~~, disapprove, or in any way recommend the payment of any bill, voucher, or indebtedness in which he or she has direct or indirect interests except reimbursement for proper expenses otherwise approved by the City Manager;
- L. No officer or employee shall request, use, or permit the use of any public property, vehicle, equipment, labor, or service for personal convenience or advantage for himself or any other person. ~~The only exception shall be;~~ **except** where it is the general practice to make the same available to the public at large, or where the same is provided pursuant to stated public policy for the use of officials and employees in the conduct of official business;

Exhibit "A"

Title 2 ADMINISTRATION AND PERSONNEL

- M. All officers or employees shall exercise prudence and integrity in management of public funds in their custody and in all financial transactions;
- N. All officers or employees shall uphold the letter and spirit of the constitution, statutes, and regulations governing their duties and report violations of the law to appropriate authorities;
- O. All officers or employees shall be sensitive and responsive to the concerns and questions of the public-; **and**
- ~~2.52.060~~**P. All officers, whether elected and appointed, shall file a signed written disclosure with the City Clerk, and City Attorney, disclosing any appearance of a violation of this chapter, and said disclosure may, within the City Manager's discretion, be forwarded to the Great Falls Ethics Committee for determination if a violation of this chapter exists and appropriate course of action.**

Title 2 ADMINISTRATION AND PERSONNEL

**2.21.060 Great Falls Ethics Committee established.**

The City Commission hereby establishes The Great Falls Ethics Committee hereinafter referred to in this chapter as the "Committee."

**2.21.070 Committee purpose.**

The purpose of the Committee is to ensure that all City officers and employees are performing their duties in compliance with the provisions of Mont. Code Ann. Title 2, Chapter 2, and the provisions of this chapter.

**2.21.080 Committee membership.**

- A. Subject to the provisions provided in Subsection (B.) of this part, the Committee shall consist of three (3) members appointed by the City Commission for not more than three (3) consecutive, three-year terms. Members shall not be City employees. The senior member of the committee shall serve as the committee chairperson. As is reasonably possible, the members shall have experience and or training in the following:**

  - 1. Public administration;**
  - 2. Governmental operation;**
  - 3. Political practices; or**
  - 4. Legal practice.**
- B. The first appointee to the Great Falls Ethics Committee shall serve an initial term of three (3) years, the second appointee shall serve an initial term of two (2) years, and the third appointee shall serve an initial term of one (1) year. Following the expiration of these initial terms, the provisions of Subsection (A.) of this part shall apply.**

**2.21.090 Committee meeting schedule.**

Title 2 ADMINISTRATION AND PERSONNEL

The Committee shall meet on an as needed basis, in the City Commission Chambers, on the first Wednesday of the month after a matter has been referred to the Committee pursuant to this Chapter, or by direction of the City Manager. Committee meetings shall be open to the public, pursuant to Mont. Code Ann. Titles 2, and 7, and Committee meeting minutes shall be maintained by the City Clerk.

**2.21.100 Committee duties.**

The Committee shall meet and be presented testimony regarding matters referred to it. Based on the information and testimony presented, the Committee shall:

- A. Make a finding as to whether there is an appearance of a violation of any provision on Mont. Code Ann. Title 2, Chapter 2, or a violation of this chapter;
- B. Make a finding as to whether the appearance of a violation rises to a level of an actual violation; and
- C. Make a recommendation, in consultation with the City Attorney's Office, as to the correct course of action to eliminate any violation and/or reduce the appearance of any violation.

**2.21.110 Nepotism.**

All personnel matters shall be administered on the basis of merit and through regular management procedure ~~except:~~

- A. No one participating actively in the appointment of a position, i.e., City Commissioners, City Manager, representatives of the Human Resources Department, the appointing department head, or division head, shall appoint any person related or connected by consanguinity within the fourth degree or by affinity within the second degree;
  - 1. "Consanguinity" means blood relation and degrees are determined as follows:
    - i. Parent and child are of the first degree; ~~grandparents~~
    - ii. **Grandparents**, grandchildren, brothers and sisters are of the second degree; ~~uncles~~
    - iii. **Uncles**, aunts, nephews, nieces and great grandparents are of the third degree; ~~first~~
    - iv. **First** cousins, great uncles and great aunts and great-great grandparents are of the fourth degree.
  - 2. "Affinity" means a relationship by marriage and the degrees are determined as follows: ~~husband~~

Exhibit "A"

Title 2 ADMINISTRATION AND PERSONNEL

- i. **Husband** and wife are of the first degree; ~~brothers and~~
  - ii. **Brothers**-in-law, sisters-in-law, fathers-in-law and mothers-in-law are of the second degree.
- B. No one may be appointed to a position, within a City department, if related or connected by consanguinity within the fourth degree or by affinity within the second degree to any person sitting on a board or commission representing or advising that department. ~~The above shall include but not be limited to the following: City Commission, Board of Adjustment, Board of Health, Housing Authority, Library Board, Park and Recreation Board, Parking Commission, Planning Board, Police Commission.~~
- C. **The above shall include but not be limited to the following:**
  - 1. **City Commission;**
  - ~~2.52.070~~ **Board of Adjustment;**
  - 3. **Board of Health;**
  - 4. **Housing Authority;**
  - 5. **Library Board;**
  - 6. **Park and Recreation Board;**
  - 7. **Parking Commission;**
  - 8. **Planning Board and Zoning Commission;**
  - 9. **Police Commission;**
  - 10. **Business Improvement District;**
  - 11. **Tourism Business Improvement District; and**
  - 12. **Great Falls Ethics Committee.**

**2.21.120 Distribution.**

The City Clerk shall cause a copy of this Code of ~~ethics ordinance~~ **Ethics** to be distributed to every public officer and employee of the City within thirty (30) days after enactment ~~of this ordinance~~. Each public officer and employee elected, appointed, or engaged thereafter shall be furnished a copy before entering upon the duties of ~~this~~ **his or her** office or employment.

**Chapter 5422 INDEMNIFICATION**

**Sections:**

~~2.54.010 Indemnification.~~

**2.22.010 Indemnification.**



Title 2 ADMINISTRATION AND PERSONNEL

**2.5422.010 Indemnification.**

~~In any civic action brought against any public official or employee of the City of Great Falls alleging a violation of Initiative 75, the City of Great Falls shall defend the action on behalf of the official or employee and indemnify the official or employee for any liability resulting from the alleged violation of Initiative 75.~~

~~(Ord. 2747, 1998).~~ **Repealed.**

**Chapter 5623 BOARDS/COMMISSIONS/COUNCILS ATTENDANCE**

**Sections:**

~~2.56.010 Scope.~~

~~2.56.020 Removal of members of boards, commissions and councils.~~

**2.23.010 Scope.**

**2.23.020 Removal of members of boards, commissions and councils.**

**2.5623.010 Scope.**

The provisions of this chapter shall apply to all boards, commissions, **committees**, and councils **elected or** appointed by the City Commission except ~~as follows: Where~~**where** a conflicting provision appears in state statutes or in City ordinances relating to a particular board, commission, **committee**, or council, the specific statute or ordinance shall apply.

~~(Ord. 2793, 2001)~~

**2.5623.020 Removal of members of boards, commissions, committees, and councils.**

A member of any board, commission, **committee**, or council, including Neighborhood Council, may be removed from office, by majority vote of the City Commission, if:

- A. The member misses more than one-third (1/3) of the regular meetings in a calendar year without a health or medical excuse;
- B. The member is unable to fulfill the duties of the office as a result of physical illness or mental disorder. A determination of whether the incumbent has a mental disorder shall be made pursuant to MCA Title 53, Chapter 21;
- C. The member neglects or refuses to discharge the member's duties;
- D. The member ceases to be a resident of the City, or in the case of a neighborhood council member, the member ceases to be a resident of the council member's district;

Exhibit "A"

Title 2 ADMINISTRATION AND PERSONNEL

- E. The member is convicted of a felony, or of any offense involving moral turpitude, or a violation of official duties or the City Code of Ethics, Title 2, Chapter 52, while serving on a board, council, or commission; or
- F. Any other reason which City Commission deems to be in the best interests of the City, and in such case, only by a four-fifths vote.

If a member is to be removed from any board, commission, or council and be replaced by the City Commission, the member will be provided written notice of removal, stating the reasons for removal, by certified mail, postage prepaid, return receipt requested, or by hand delivery. Notice will be provided no less than ten (10) days prior to the City Commission hearing where said removal will be subject to the vote of the Commission.

(Ord. 3169, 2017; Ord. 3153, 2017; Ord. 3149, 2017; Ord. 2793, 2001).

**3149, 2017; Ord. 3140, 2016; Ord. 3045, 2009; Ord. 2968, 2007; Ord. 2928, 2006; Ord. 2918, 2005; Ord. 2747, 1998; Ord. 2735, 1998; Ord. 2729, 1997; Ord. 2725, 1997; Ord. 2722, 1997; Ord. 2703, 1996; Ord. 2683, 1995; Ord. 2652, 1993; Ord. 2604, 1991; Ord. 2563, 1990; Ord. 2479, 1987; Ord. 2444, 1986; Ord. 2267, 1981; Ord. 2228, 1980; Ord. 2210, 1980; Ord. 2200, 1980; Ord. 2199, 1980; Ord. 2190, 1980; Ord. 2172, 1979; Ord. 2037, 1978; Ord. 2035, 1978; Ord. 1977, 1876; Ord. 1910, 1976; Ord. 1909, 1976; Ord. 1908, 1976; Ord. 1907, 1976; Ord. 1906, 1976; Ord. 1905, 1976; Ord. 1859, 1975; Ord. 1858, 1975; Ord. 1843, 1974).**

Title 2 ADMINISTRATION AND PERSONNEL

**Title 2 ADMINISTRATION AND PERSONNEL**

**Chapter**

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Chapter 1 - CITY COMMISSION

Chapter 2 - CITY MANAGER

Chapter 3 - MUNICIPAL COURT

Chapter 4 - ADMINISTRATIVE DEPARTMENTS

Chapter 5 - EMPLOYEE HOLIDAYS

Chapter 6 - OFFICER'S BONDS

Chapter 7 - ADVISORY COMMISSION ON INTERNATIONAL RELATIONSHIPS

Chapter 8 - MANSFIELD CENTER FOR THE PERFORMING ARTS ADVISORY BOARD

Chapter 9 - BOARD OF ADJUSTMENT

Chapter 10 - DESIGN REVIEW BOARD

Chapter 11 - PARK AND RECREATION BOARD

Chapter 12 - GOLF ADVISORY BOARD

Chapter 13 - HISTORIC PRESERVATION ADVISORY COMMISSION

Chapter 14 - LOAN ADVISORY BOARD

Chapter 15 - PLANNING ADVISORY BOARD

Chapter 16 - ZONING COMMISSION

Chapter 17 - PARKING ADVISORY COMMISSION

Chapter 18 - GREAT FALLS PUBLIC LIBRARY

Chapter 19 - NEIGHBORHOOD COUNCILS

Chapter 20 - YOUTH COUNCIL

Chapter 21 - CODE OF ETHICS

Chapter 22 - INDEMNIFICATION

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 23 - BOARDS/COMMISSIONS/COUNCILS ATTENDANCE

**Chapter 1 CITY COMMISSION**

**Sections:**

2.1.010 Established.

2.1.020 Salary.

**2.1.010 Established.**

The Charter of the City of Great Falls (Charter) establishes and promulgates the powers and duties of the City Commission.

**2.1.020 Salary.**

The salary of each Commissioner shall be three hundred twelve dollars (\$312.00) per month. The salary of the Mayor shall be four hundred sixty-eight dollars (\$468.00) per month.

**Chapter 2 CITY MANAGER**

**Sections:**

2.2.010 Appointment - generally.

**2.2.010 Appointment - generally.**

The provisions for the appointment of a City Manager and his or her powers and duties are established by the Charter.

**Chapter 3 MUNICIPAL COURT**

**Sections:**

Exhibit "B"

Title 2 ADMINISTRATION AND PERSONNEL

2.3.010 Established.

2.3.020 Appeal to District Court.

2.3.030 Municipal Court Judge.

2.3.040 Municipal Court Clerk.

**2.3.010 Established.**

The Municipal Court of the City of Great Falls, Montana, is hereby established pursuant to Title 3, Chapter 6, Montana Code Annotated (MCA). The Municipal Court shall be a court of record by electronic recording or stenographic transcription and shall assume continuing jurisdiction over all pending Municipal Court cases from and after February 1, 1998.

**2.3.020 Appeal to District Court.**

Appeals of Municipal Court judgments or orders must be made to District Court and are confined to review of the record and questions of law. A party may appeal a Municipal Court judgment if:

- A. In criminal causes of action, the amount of controversy exceeds three hundred dollars (\$300.00); or
- B. The judgment includes incarceration; or
- C. In civil causes of action, the amount of controversy exceeds one thousand dollars (\$1,000).
- D. Upon petition of an aggrieved party, the District Court may, in the interests of justice, accept appellate jurisdiction notwithstanding the amount in controversy.

**2.3.030 Municipal Court Judge.**

- A. There shall be one (1) Municipal Court Judge elected to a four (4) year term pursuant to Title 3, Chapter, 6, MCA. The qualifications of a Municipal Court Judge shall be as required by Montana law to include:
  - 1. The same qualifications as a judge of District Court as set forth in Article VII, Section 9, of the Montana Constitution;
  - 2. A Municipal Court Judge shall be a resident and voter in the City of Great Falls at the time of his or her election; and
  - 3. A Municipal Court Judge shall be certified as provided in MCA §§3-1-1502-1503, prior to assuming office.
- B. The salary of the Municipal Court Judge shall be set by Commission resolution.

Exhibit "B"

Title 2 ADMINISTRATION AND PERSONNEL

**2.3.040 Municipal Court Clerk.**

The position of a Municipal Court Clerk is hereby established pursuant to Title 3, Chapter 6, MCA, to administer and retain court records by paper or electronic filing or storage. The salary of the Municipal Court Clerk shall be set by Commission resolution.

**Chapter 4 ADMINISTRATIVE DEPARTMENTS**

**Sections:**

- 2.4.010 Established.
- 2.4.020 Deputy City Manager.
- 2.4.030 City Clerk.
- 2.4.040 Legal Department.
- 2.4.050 Finance Department.
- 2.4.060 Public Works Department.
- 2.4.070 Fire Rescue Department.
- 2.4.080 Police Department.
- 2.4.090 Planning and Community Development Department.
- 2.4.100 Park and Recreation Department.

**2.4.010 Established.**

The administrative departments of the City are hereby established. Each department is subject to the control and supervision of the City Manager who may transfer, eliminate, or add to department functions.

**2.4.020 Deputy City Manager.**

The City Manager shall appoint a Deputy City Manager who shall serve as acting City Manager in the absence of the City Manager assuming all responsibilities as outlined in the Charter. The Deputy City Manager shall oversee other management duties by direction of the City Manager or as required by law.

Exhibit "B"

Title 2 ADMINISTRATION AND PERSONNEL

**2.4.030 City Clerk.**

The City Manager shall appoint a City Clerk who shall keep a history of the City of Great Falls, maintain public records, and perform such other duties by direction of the City Manager or as required by law.

**2.4.040 Legal Department.**

A Legal Department is hereby created. The City Manager shall appoint a City Attorney, qualified under Montana law, to administer the Legal Department. The Department shall render legal services in all civil and administrative matters for the City, prosecute all charges in Municipal Court, and perform such other duties by direction of the City Manager or as required by law.

**2.4.050 Finance Department.**

A Finance Department is hereby created. Within this Code, this department may also be referred to as the Fiscal Services Department. The City Manager shall appoint a director to administer said Finance Department. The Department shall render accounting, revenue collection, including utility billing, court receipts and accounts receivable, accounts payable, debt issuance, investment services, payroll, risk management, and information processing services to the City and perform such other duties by direction of the City Manager or as required by law.

**2.4.060 Public Works Department.**

A Public Works Department is hereby created. The City Manager shall appoint a Director to administer the Public Works Department. The Department shall administer capital improvements, maintenance, operations, and utilities and perform such other duties by direction of the City Manager or as required by law.

**2.4.070 Fire Rescue Department.**

A Fire Rescue Department is hereby created. The City Manager shall appoint a Fire Chief to administer the Fire Rescue Department. The Department shall provide fire-fighting, rescue operation, fire investigation, and fire prevention services for the City and perform such other duties by direction of the City Manager or as required by law.

**2.4.080 Police Department.**

A Police Department is hereby created. The City Manager shall appoint a Police Chief to administer the Police Department. The Department shall enforce the laws of the City and State to protect life and

## Exhibit "B"

### Title 2 ADMINISTRATION AND PERSONNEL

property, to control traffic, and perform such other duties by direction of the City Manager or as required by law.

#### **2.4.090 Planning and Community Development Department.**

A Planning and Community Development Department is hereby created. The City Manager shall appoint a Director to administer the Planning and Community Development Department. The Department shall render:

- A. land use and transportation planning services and facilitate, promote, and ensure orderly land development in the City;
- B. facilitate, promote, and ensure quality development in the City;
- C. administer related federal programs; and
- D. perform such other duties by direction of the City Manager or as required by law.

#### **2.4.100 Parks and Recreation Department.**

A Parks and Recreation Department is hereby created. The City Manager shall appoint a Director to administer the Parks and Recreation Department. The Department shall manage all parks and recreational facilities, programs, and perform such other duties by direction of the City Manager or as required by law.

## **Chapter 5 EMPLOYEE HOLIDAYS**

### **Sections:**

2.5.010 Holidays listed.

#### **2.5.010 Holidays listed.**

- A. The employee holidays for all City employees are as follows:
  - 1. New Year's Day, January 1;
  - 2. Martin Luther King Jr. Day, the third Monday in January;
  - 3. President's Day, the third Monday in February;
  - 4. Memorial Day, the last Monday in May;



Exhibit "B"

Title 2 ADMINISTRATION AND PERSONNEL

5. Independence Day, July 4;
  6. Labor Day, the first Monday in September;
  7. Veterans Day, November 11;
  8. Thanksgiving Holiday, fourth Thursday and Friday in November;
  9. Christmas Day, December 25; and
  10. Every day in which a general election is held throughout the State (General Election Day).
- B. If designated holidays fall on an employee's regular days-off, that employee shall either be entitled to receive a day off with pay on the day preceding the holiday off, or on another day following the holiday in the same pay period.

## **Chapter 6 OFFICER'S BONDS**

### **Sections:**

2.6.010 Required—amount.

2.6.020 Form.

2.6.030 Conditions.

### **2.6.010 Required—amount.**

Except when otherwise provided by law, all City employees, before discharging their official duties, for the duration of their term or employment, shall be bonded by the City for one hundred thousand dollars (\$100,000.00).

### **2.6.020 Form.**

- A. Official bonds must be filed in the Human Resources Department.
- B. Unless otherwise provided, all official bonds must be joint and several and made payable to the City and with such conditions as required in Section 2.6.030.
- C. The principal and sureties upon any official bond are also, in all cases, liable for the neglect, default, or misconduct in office of any City employee.

Title 2 ADMINISTRATION AND PERSONNEL

**2.6.030 Conditions.**

The condition of every official bond must be that the principal shall well, truly, and faithfully perform all official duties required by law and also such additional duties as may be imposed by any law of the State subsequently enacted, by any law of the City subsequently enacted, and that the principal will account for, pay over, and deliver to the person or officer, entitled to receive the same, all moneys or other properties that may come into the hands as such officer.

**Chapter 7 ADVISORY COMMISSION ON INTERNATIONAL RELATIONSHIPS**

**Sections:**

2.7.010 Creation.

2.7.020 Purpose.

2.7.030 Members.

2.7.040 Duties.

**2.7.010 Creation.**

An Advisory Commission on International Relationships is hereby created to serve in an advisory capacity to the City Commission.

**2.7.020 Purpose.**

The purpose of the Advisory Commission shall be to provide support, coordination, and exchange of information for international programs in the community. The group shall develop its own mission statement.

**2.7.030 Members.**

The Advisory Commission shall consist of nine (9) to eleven (11) members appointed by the City Commission. Commission members must be qualified electors and residents of the City. Each of the members shall be appointed to hold office for a period of three (3) years and until a successor is appointed and qualified. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant. All of the members of the Board shall serve without compensation, and are subject to removal by the City Commission for cause upon written charges and after public hearing.

Title 2 ADMINISTRATION AND PERSONNEL

**2.7.040 Duties.**

It shall be the duty of the Advisory Commission to:

- A. Provide support for the Sister Cities program in consultation and cooperation with its Board of Directors;
- B. Serve as a sounding board and a resource of advice and support for the Resource Cities partnership with cities located in other countries;
- C. Help develop a program for continuation after the funded program ends;
- D. Develop resources for and help facilitate educational exchanges particularly at the higher education level;
- E. Facilitate the community wide exchange of information among international programs;
- F. Develop community resources to support international programs; and
- G. Review and submit proposals and make recommendations to the City Commission regarding international programs and relationships.

**Chapter 8 MANSFIELD CENTER FOR THE PERFORMING ARTS  
ADVISORY BOARD**

**Sections:**

2.8.010 Creation.

2.8.020 Purpose.

2.8.030 Membership—appointment—compensation.

2.8.040 Terms.

2.8.050 Duties.

2.8.060 Reporting.

**2.8.010 Creation.**

There is created a Mansfield Center for the Performing Arts Advisory Board, which shall hereafter be referred to as "Board" in this Chapter.

Exhibit "B"

Title 2 ADMINISTRATION AND PERSONNEL

**2.8.020 Purpose.**

The Board shall advise the City Commission, and City Manager, on matters related to the successful operation of Mansfield Center for the Performing Arts including the use of the Theater, Convention Center, and meeting rooms as well as common areas and facility aesthetics.

**2.8.030 Membership—appointment—compensation.**

The Board shall consist of five (5) to seven (7) members appointed by the City Commission. Members must be qualified electors and City residents. The members shall serve without compensation. The City Commission shall attempt a balance in membership with representation from the following areas:

- A. Performing arts;
- B. Conventions and meetings; and
- C. Civic leaders.

**2.8.040 Terms.**

The staggered terms of office shall be three (3) years.

**2.8.050 Duties.**

The Duties of the Board include but are not limited to:

- A. The Board shall serve in an advisory capacity regarding the Mansfield Center for the Performing Arts and public meeting rooms; and
- B. The Board shall assist in identifying funding strategies for a capital improvement plan, special events, which may include fund-raising, and foundation development;

**2.8.060 Reporting.**

The Board shall make available copies of regular-meeting minutes as well as an annual report to the City Commission and City Manager.

Title 2 ADMINISTRATION AND PERSONNEL

**Chapter 9 BOARD OF ADJUSTMENT**

**Sections:**

Repealed.

See Title 17. Board of Adjustment

**Chapter 10 DESIGN REVIEW BOARD**

**Sections:**

Repealed.

See Title 17. Design Review Board

**Chapter 11 PARK AND RECREATION BOARD**

**Sections:**

2.11.010 Creation.

2.11.020 Purpose.

2.11.030 Membership—appointment—compensation.

2.11.040 Term of office.

2.11.050 Duties.

**2.11.010 Creation.**

A Parks and Recreation Board is hereby created.

**2.11.020 Purpose.**

The Parks and Recreation Board shall advise the City Commission and the City Manager on all matters related to the Parks and Recreation program of the City, and exercise certain functions in regard to the disposition and acquisition of park land and/or facilities as set forth in Section 2.11.050.

Exhibit "B"

Title 2 ADMINISTRATION AND PERSONNEL

**2.11.030 Membership—appointment—compensation.**

The Board shall consist of seven (7) members, residents of the City and qualified electors, appointed by the City Commission. The members shall serve without compensation.

**2.11.040 Term of office.**

The staggered terms of office shall be three (3) years from and after January 1, of the year of appointment.

**2.11.050 Duties.**

The Board shall review and prepare proposals and make recommendations to the City Commission.

**Chapter 12 GOLF ADVISORY BOARD**

**Sections:**

2.12.010 Creation.

2.12.020 Purpose.

2.12.030 Memberships.

2.12.040 Terms.

2.12.050 Duties.

**2.12.010 Creation.**

A Golf Advisory Board is hereby created which shall hereafter be referred to in this Chapter as "Board."

**2.12.020 Purpose.**

The purpose of the Board shall be to consult with and advise the City Commission, City Manager, and Parks and Recreation Department staff on all matters related to the operation of the municipal golf courses.

Exhibit "B"

Title 2 ADMINISTRATION AND PERSONNEL

**2.12.030 Memberships.**

The Board shall consist of five (5) members who shall be appointed by the City Commission. Membership will consist of one (1) member representing the City's Men's Golf Associations, one (1) member representing the City's Women's Golf Association, one (1) member representing the Malmstrom Golf Association, and two (2) members representing non-league golfers. The Chairman of the Park and Recreation Board or a designated representative from the Board will be an ex officio member of the Board. All members must be qualified electors.

**2.12.040 Terms.**

The term of office of each member of the Board shall be three (3) years from and after March 1, of the year in which the member is appointed, except two (2) members of the first Board who shall hold office for a period of two (2) years from and after the first day of March 1, 1993.

**2.12.050 Duties.**

The Board shall serve in an advisory capacity regarding the operation of the municipal golf courses, specifically regarding:

- A. Fees and charges, tournament requests policies, procedures, and rules;
- B. Capital improvements or projects;
- C. Promotion of usage at the golf courses; and
- D. All other matters relating to the golf courses which may be assigned or requested by the City Commission or the City Manager.

**Chapter 13 HISTORIC PRESERVATION ADVISORY COMMISSION**

**Sections:**

Repealed.

**Chapter 14 LOAN ADVISORY BOARD**

**Sections:**

2.14.010 Creation.

2.14.020 Purpose.

## Exhibit "B"

### Title 2 ADMINISTRATION AND PERSONNEL

2.14.030 Members.

2.14.040 Duties.

#### **2.14.010 Creation.**

A Loan Advisory Board is hereby created to serve in an advisory capacity to the City Commission.

#### **2.14.020 Purpose.**

The purpose of the Board shall be to consult with and advise the City Commission, City Manager, and Planning and Community Development Department staff on matters related to changes to existing loans and primarily Tax Increment Loans. In addition, to advise on matters relating to lending funds for economic development.

#### **2.14.030 Members.**

The Board shall be ad-hoc and appointed by the City Commission when needed. All members shall be qualified electors and residents of the City.

#### **2.14.040 Duties.**

It shall be the duty of the Board to review economic development proposals involving the use of available funds and make recommendations to the City Commission and City Manager.

## **Chapter 15 PLANNING ADVISORY BOARD**

### **Sections:**

Repealed.

See Title 17. Planning Advisory Board



Title 2 ADMINISTRATION AND PERSONNEL

**Chapter 16 ZONING COMMISSION**

**Sections:**

Repealed.

See Title 17. Zoning Commission

**Chapter 17 PARKING ADVISORY COMMISSION**

**Sections:**

2.17.010 Creation.

2.17.020 Purpose.

2.17.030 Members.

2.17.040 Duties.

**2.17.010 Creation.**

A Parking Advisory Commission is hereby created to serve in an advisory capacity to the City Commission and City Manager.

**2.17.020 Purpose.**

The purpose of the Parking Advisory Commission shall be to consult with and advise the City Commission, City Manager, and Planning and Community Development Department staff on matters related to parking issues within the Parking Districts.

**2.17.030 Members.**

The Parking Advisory Commission shall consist of five (5) members, residents of the City, and qualified electors, appointed by the City Commission whose staggered terms shall be for three (3) years. A sixth, ex-officio member, shall be appointed by the Business Improvement District.

**2.17.040 Duties.**

It shall be the duty of the Parking Advisory Commission to review the Great Falls Parking Program and make recommendations to the City Commission and City Manager.

Title 2 ADMINISTRATION AND PERSONNEL

**Chapter 18 GREAT FALLS PUBLIC LIBRARY**

**Sections:**

- 2.18.010 Legislative findings.
- 2.18.020 Establishment.
- 2.18.030 Purpose.
- 2.18.040 Tax levy—Special library fund.
- 2.18.050 Library Board of Trustees.
- 2.18.060 Trustees—Powers and duties.
- 2.18.070 City authority to contract with Board of Trustees for library services.

**2.18.010 Legislative findings.**

The Commission makes the following legislative findings regarding the Great Falls Public Library:

- A. Since 1890, when Paris and Valeria Gibson, and Robert Vaughn, contributed toward the establishment of the first library in this city, the people of Great Falls have enjoyed the benefits of a free public library;
- B. The City of Great Falls assumed operation of the library in 1892, and in accordance with Ordinance 341 adopted in 1910, as well as state law, a free public library remains operational to this day;
- C. The 1910 ordinance is antiquated in several particulars, and is in need of revision, although independent management and control of the library, through an appointed Board of Trustees, as provided by law, should be maintained;
- D. The need for independent management of the library must be balanced with the City Commission's authority under both state law and the City Charter to approve the budget and mill levy for the library;
- E. To accomplish this balance, there is a need to establish a structured relationship between the Board of Trustees and the City Commission; and
- F. The City Commission welcomes the continued cooperation of other public bodies, including the State of Montana and Cascade County, in the operation of the public library, as well as contributions from individuals and foundations.

**2.18.020 Establishment.**

The first library was established in Great Falls in 1890. The City assumed operation of the library in 1892 and, in accordance with Ordinance 341 adopted in 1910, as well as state law, a free public library

Exhibit "B"

Title 2 ADMINISTRATION AND PERSONNEL

remains operational to this day. Pursuant to Mont. Code Ann. § 22-1-303(1) and Article VII, Section 3 of the Charter of the City of Great Falls, the Great Falls Public Library is hereby established in the Official Code of the City of Great Falls.

**2.18.030 Purpose.**

A free public library allows residents the fullest opportunity to enrich and inform themselves through reading, as well as social, cultural, recreational, and educational activities.

**2.18.040 Tax levy—Special library fund.**

- A. Subject to provisions of state law and the Charter of the City of Great Falls, the City Commission may levy in the same manner, and at the same time, as other taxes are levied a tax for the support of public library services.
- B. The City Commission may, by resolution, submit the question of imposing a tax levy to a vote of the qualified electors at an election as provided in state law.
- C. Upon a petition being filed with the City Commission and signed by not less than five (5) percent of the resident taxpayers of the City of Great Falls requesting an election for the purpose of imposing a mill levy, the City Commission shall submit to a vote of the qualified electors at an election, conducted as provided by state law, the question of imposing the mill levy.
- D. The proceeds of the tax constitute a separate fund called the public library fund and may not be used for any purpose except those of the public library.
- E. Money may not be paid out of the public library fund, by the Finance Department of the City of Great Falls, except by order or warrant of the Library Board of Trustees, or its authorized designee with approval by the Library Board.

**2.18.050 Library Board of Trustees.**

- A. The City Commission shall appoint an advisory board to govern and manage the Great Falls Public Library to be known as the "Great Falls Library Board of Trustees," hereafter referred to as the "Board."
- B. The Board shall consist of five (5) members. In addition, one (1) member of the City Commission shall be appointed by the City Commission to sit on the Board as an ex officio, non-voting member. Board members will be qualified electors and residents of the City.
- C. Members of the Board shall serve without compensation, but their actual and necessary expenses incurred in the performance of their official duties may be paid from library funds.
- D. Trustees shall hold office for five (5) years from the date of appointment by the City Commission, or until their successors are appointed. Appointments shall be governed by

Exhibit "B"

Title 2 ADMINISTRATION AND PERSONNEL

state law. All trustees serving on the Library Board of Trustees, in existence at the time Ordinance 3140 becomes effective, shall retain their offices for the duration of their appointments. If a Board member vacates that member's seat, a successor member shall be appointed to fill the remainder of that member's appointment, which term shall not be considered a full term under Mont. Code Ann. § 22-1-308.

- E. In July of each year, or the next regularly scheduled Board meeting afterward, the trustees shall meet and elect a presiding officer and other officers that they consider necessary, for one (1) year terms. Vacancies on the Board of Trustees must be filled for the unexpired term in the same manner as original appointments.

**2.18.060 Trustees—Powers and duties.**

- A. The Board has those powers and duties as provided by Mont. Code Ann. §§ 22-1-309 and 311, including, but not limited to, the management and control of the Great Falls Public Library.
- B. In accordance with Article VII, Section 3, of the City Charter, the Board is also considered advisory with respect to the City Commission in the exercise of its duties. The Board may advise the City Commission on such matters as it deems necessary and appropriate, and the City Commission may seek Board advice and comment on such matters as it deems necessary and appropriate.
- C. The Board may extend the privileges and use of the Great Falls Public Library to persons residing outside of the city or county upon such terms and conditions as it may prescribe by its regulations.
- D. The Board shall keep a record of its transactions, and shall make a report to the City Commission at least once each calendar year, addressing the business transacted during that year.
- E. The Board may exact and enforce reasonable fines and penalties to be assessed for violations of Great Falls Public Library rules, policies, and regulations.

**2.18.070 City authority to contract with Board of Trustees for library services.**

- A. The City, through its Manager, with the approval of the City Commission, may contract with the Board to provide various services including, but not limited to, personnel services.
- B. Any and all contracts between the City and the Board in effect as of the date of adoption of Ordinance 3140 shall remain in full force and effect.

**Chapter 19 NEIGHBORHOOD COUNCILS**

**Sections:**

2.19.010 Establishment.

Exhibit "B"

Title 2 ADMINISTRATION AND PERSONNEL

- 2.19.020 Purpose.
- 2.19.030 District boundaries.
- 2.19.040 Council elections.
- 2.19.050 Duties and powers.
- 2.19.060 Organization.
- 2.19.070 By-Laws.
- 2.19.080 Open meetings and public records.
- 2.19.090 Great Falls Citizen's Council.
- 2.19.100 City resources.

**2.19.010 Establishment.**

Pursuant to the Charter for the City of Great Falls, a program of neighborhood councils is hereby established.

**2.19.020 Purpose.**

The purpose of the neighborhood council program is to provide a means for the citizens of Great Falls to actively participate in their local government through a formal organization working at the neighborhood level.

**2.19.030 District boundaries.**

- A. The City Commission shall divide the City of Great Falls into no less than nine (9) and no more than thirteen (13) neighborhood council districts. The residents of a district shall comprise the electorate for that district pursuant to the Great Falls City Charter.
- B. The district boundaries shall be established by a resolution of the City Commission.
- C. Neighborhood councils may petition the City Commission to amend district boundaries for good cause consistent with the purpose and intent of this chapter.

**2.19.040 Council elections.**

- A. Each neighborhood council district shall have a council comprised of five (5) resident members who must live within their designated neighborhood council district for which they were elected for their term of office; such members shall be elected to two (2) year terms at the election held in conjunction with the City general election.

Exhibit "B"

Title 2 ADMINISTRATION AND PERSONNEL

- B. Nominees for election to a neighborhood council must be qualified electors and residents of their designated neighborhood district.
- C. The filing period for neighborhood councils shall open and close on the same date as the filing period for mayoral and commission candidates. Neighborhood council candidates are not subject to primary elections.

**2.19.050 Duties and powers.**

- A. The councils shall act in an advisory capacity to the City Commission, the City Manager and to other City advisory bodies. They may contribute information, opinions, advice, suggestions and recommendations to the City Commission, City Manager and other City advisory bodies on all governmental affairs and services having an effect on the area the neighborhood council represents. Topics and issues for council involvement may include, but are not limited to the following:
  - 1. Public finance;
  - 2. Public works;
  - 3. Public safety;
  - 4. Social services;
  - 5. Transportation;
  - 6. Economic development;
  - 7. Planning and zoning;
  - 8. Public health and sanitation;
  - 9. Parks and recreation; and
  - 10. Environmental issues.
- B. Neighborhood Councils may also work cooperatively, in an advisory capacity with, other governmental and quasi-governmental entities such as school districts, county government and the transit district.
- C. As advisory bodies, neighborhood councils shall not:
  - 1. Appropriate or commit City resources;
  - 2. Enact or enforce City Codes or ordinances;
  - 3. Engage in law enforcement;
  - 4. Assume a supervisory role or directorship over any City employee; or
  - 5. Interfere in any way with a City employee in the performance of his/her duties.

**2.19.060 Organization.**

- A. Each council shall select from its members, a chairman, secretary, an official delegate to attend City Commission meetings, and appoint a Vice Chair or other officers as it deems necessary.
- B. In the event of a vacancy on the council, the remaining members shall appoint a person eligible to hold the position to fill the vacancy until the next general election. In the event

Exhibit "B"

Title 2 ADMINISTRATION AND PERSONNEL

that a council cannot agree upon the appointment of a replacement member, the City Commission shall do so.

- C. On or before January 30 after each election, or within thirty (30) days after new council member(s) elected in a special election receive the oath(s) of, and are sworn into, office, each neighborhood council shall meet to organize as provided in this section.
- D. Neighborhood councils are encouraged to involve business persons, young people, and other individuals who may not necessarily qualify as an elected council member.
- E. Neighborhood Councils, and the Great Falls Citizen's Council, are further encouraged to involve minorities, ethnic groups, community service organizations, environmental interest groups, and other like organizations to ensure broad participation in the neighborhood council program.

**2.19.070 By-Laws.**

- A. Each council shall adopt by-laws prescribing additional duties of the council, meeting criteria and times, and such other provisions as the council may deem appropriate.
- B. The City Clerk shall provide model by-laws for use by the councils in drafting their own by-laws.
- C. By-laws shall be reviewed by the office of the City Attorney and certified for consistency with the provisions of the Great Falls City Charter, the City Codes and the laws of Montana.
- D. A copy of the by-laws shall be on file in the office of the City Clerk.

**2.19.080 Open meetings and public records.**

- A. All meetings of the neighborhood councils shall be open to the public.
- B. All records maintained by the council shall be available for public inspection.

**2.19.090 Great Falls Citizen's Council.**

- A. The purpose of the Great Falls Citizen's Council (GFCC) is to act as a forum to address issues of community wide concern and to resolve disputes among the individual neighborhood councils.
- B. The GFCC shall organize as follows:
  - 1. the GFCC shall consist of one (1) member from each neighborhood council and two (2) members of the Great Falls City Commission who shall be appointed by the Mayor;
  - 2. the GFCC shall determine its rules of organization and operation, except that no rules adopted shall be inconsistent with the provisions of the Charter of the City of Great Falls, this Code, or the laws of the State of Montana; and
  - 3. in addition to the membership set forth in subsection B, any council representing any unincorporated neighborhood or community may petition the GFCC for membership.

Exhibit "B"

Title 2 ADMINISTRATION AND PERSONNEL

**2.19.100 City resources.**

- A. The City Commission, at its discretion, may provide funding and other resources to neighborhood councils and to the Great Falls Citizen's Council.
- B. A neighborhood liaison function is hereby established within the City Manager's Office.
- C. The City of Great Falls shall not be liable for any obligations incurred by the councils or the GFCC unless expressly approved by the City Commission.

**Chapter 20 YOUTH COUNCIL**

**Sections:**

Repealed.

**Chapter 21 CODE OF ETHICS**

**Sections:**

- 2.21.010 Title.
- 2.21.020 Findings.
- 2.21.030 Purpose and authority.
- 2.21.040 Definitions.
- 2.21.050 Ethical standards.
- 2.21.060 Great Falls Ethics Committee established.
- 2.21.070 Committee purpose.
- 2.21.080 Committee membership.
- 2.21.090 Committee meeting schedule.
- 2.21.100 Committee duties.
- 2.21.110 Nepotism.
- 2.21.120 Distribution.



Exhibit "B"

Title 2 ADMINISTRATION AND PERSONNEL

**2.21.010 Title.**

This chapter shall be known and may be cited as the "City of Great Falls Code of Ethics."

**2.21.020 Findings.**

The City Commission of the City of Great Falls finds and declares that:

- A. Public office and employment are a public trust;
- B. The vitality and stability of representative democracy depends upon the public's confidence in the integrity of its elected and appointed representatives; and
- C. Governments have the duty both to provide their citizens with standards by which they may determine whether public duties are being faithfully performed, and to apprise their officers and employees of the behavior which is expected of them while conducting such duties.

**2.21.030 Purpose and authority.**

It is the purpose of this chapter to provide a method of assuring that standards of ethical conduct for officers and employees of the City of Great Falls shall be clear, consistent, uniform in their application, enforceable, and to provide those officers or employees with advice and information concerning possible conflicts of interest which might arise in the conduct of their public duties. Such ethical standards shall inspire and stimulate each officer and employee to:

- A. Be dedicated to the concepts of effective and democratic local government by responsible elected officials and believe that professional general management is essential to the achievement of this objective;
- B. Affirm the dignity and worth of the services rendered by government and maintain a constructive, creative and practical attitude toward urban affairs and a deep sense of social responsibility as a trusted public servant;
- C. Be dedicated to the highest ideals of honor and integrity in all public and personal relationships so that each public servant may merit the respect and confidence of elected officials, of other officials and employees, and of the public; and
- D. Recognize that the chief function of local government at all times is to serve the best interests of all of the people.

**2.21.040 Definitions.**

As used in this section:

- A. "Agency" means any agency, board, governing body, including the chief executive officer, office, commission, or other instrumentality within the City of Great Falls, and any independent local authority created by or appointed under the authority of the City of Great Falls.
- B. "Business organization" means any corporation, partnership, firm, enterprise, franchise, association, trust, sole proprietorship, union, or other legal entity.

Exhibit "B"

Title 2 ADMINISTRATION AND PERSONNEL

- C. "Employee" means any person, whether compensated or not, whether part-time or full-time, employed by or serving on an agency, who is not a local government officer.
- D. "Interest" means the ownership or control of more than ten (10) percent of the profits, assets or stock of a business organization, but shall not include the control of assets in a non-profit entity or labor union.
- E. "Member of immediate family" means the spouse or dependent child of an officer or employee residing in the same household.
- F. "Officer" means any person whether compensated or not, whether part-time or full-time, who is one (1) of the following:
  - 1. Member of the City Commission;
  - 2. City Manager;
  - 3. Deputy City Manager;
  - 4. Director, Department of Finance;
  - 5. Director, Department of Planning and Community Development;
  - 6. Director, Department of Public Works;
  - 7. Director, Department of Parks and Recreation;
  - 8. Chief of Police;
  - 9. City Clerk;
  - 10. City Attorney;
  - 11. Municipal Judge;
  - 12. Fire Chief;
  - 13. Library Director; or
  - 14. A member of any City board, council, committee, or commission.
- G. "Officer or employee" means an officer or employee of the City of Great Falls or of an agency under the authority of or appointed by the City Commission.

**2.21.050 Ethical standards.**

In addition to complying with the provisions of Mont. Code Ann. Title 2, Chapter 2, officers and employees of the City of Great Falls shall comply with the following provisions:

- A. No officer or employee of the City of Great Falls or member of his or her immediate family shall have an interest in a business organization or engage in any business, transaction, or professional activity which is in substantial conflict with the proper discharge of his or her governmental duties;
- B. No officer or employee shall use, or attempt to use, his or her official position to secure unwarranted privileges or advantages for himself, herself or others;

Exhibit "B"

Title 2 ADMINISTRATION AND PERSONNEL

- C. No officer or employee shall act in his or her official capacity in any matter where he or she, a member of his or her immediate family, or any business organization in which he or she has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his or her objectivity or independence or judgment;
- D. No officer or employee shall undertake any private employment or service which might prejudice his or her independent judgment in the exercise of his or her official duties;
- E. No officer or employee, any member of his or her immediate family, or any business organization in which he or she has an interest shall solicit or accept any gift, favor, political contribution, service, promise of future employment, or other thing of value for the purpose of influencing him or her, directly or indirectly, in the discharge of his or her official duties, the appearance of impropriety must be avoided by the acceptance of such a gift;
- F. No officer or employee shall use, or allow to be used, his or her public office or employment or any information, not generally available to the members of the public, which he or she receives or acquires in the course of employment, for the purpose of securing financial gain for himself or herself, any member of his or her immediate family, or any business organization with which he or she is associated;
- G. No officer or employee, or any business organization in which he or she has an interest, shall represent any other person or party except the City in connection with any cause, proceeding, application, or other matter pending before any agency of the City of Great Falls; except in the process of collective bargaining for public employees or where any officer or employee or members of his or her immediate family shall represent himself, herself or themselves, in negotiations or proceedings concerning his, her, or their own interests;
- H. No officer shall be in conflict with these provisions if, by reason of his or her participation in the enactment of any ordinance, resolution or other matter required to be voted upon, no particular material or monetary gain accrues to him or her, or his or her immediate family;
- I. No elected officer shall be prohibited from making an inquiry for information on behalf of a constituent if in return, no fee, reward, or other thing of value is directly or indirectly promised to or accepted by the officer or a member of his or her immediate family;
- J. No officer or employee, elected or appointed in the City, shall without receiving formal written authorization from the appropriate person or body, disclose any confidential information concerning any other officer or employee or any other person or any property or governmental affairs of the City;
- K. No officer or employee shall approve, disapprove, or in any way recommend the payment of any bill, voucher, or indebtedness in which he or she has direct or indirect interests except reimbursement for proper expenses otherwise approved by the City Manager;
- L. No officer or employee shall request, use, or permit the use of any public property, vehicle, equipment, labor, or service for personal convenience or advantage for himself or any other person; except where it is the general practice to make the same available to the public at large, or where the same is provided pursuant to stated public policy for the use of officials and employees in the conduct of official business;
- M. All officers or employees shall exercise prudence and integrity in management of public funds in their custody and in all financial transactions;
- N. All officers or employees shall uphold the letter and spirit of the constitution, statutes, and regulations governing their duties and report violations of the law to appropriate authorities;

Exhibit "B"

Title 2 ADMINISTRATION AND PERSONNEL

- O. All officers or employees shall be sensitive and responsive to the concerns and questions of the public; and
- P. All officers, whether elected and appointed, shall file a signed written disclosure with the City Clerk, and City Attorney, disclosing any appearance of a violation of this chapter, and said disclosure may, within the City Manager's discretion, be forwarded to the Great Falls Ethics Committee for determination if a violation of this chapter exists and appropriate course of action.

**2.21.060 Great Falls Ethics Committee established.**

The City Commission hereby establishes The Great Falls Ethics Committee hereinafter referred to in this chapter as the "Committee."

**2.21.070 Committee purpose.**

The purpose of the Committee is to ensure that all City officers and employees are performing their duties in compliance with the provisions of Mont. Code Ann. Title 2, Chapter 2, and the provisions of this chapter.

**2.21.080 Committee membership.**

- A. Subject to the provisions provided in Subsection (B.) of this part, the Committee shall consist of three (3) members appointed by the City Commission for not more than three (3) consecutive, three-year terms. Members shall not be City employees. The senior member of the committee shall serve as the committee chairperson. As is reasonably possible, the members shall have experience and or training in the following:
  - 1. Public administration;
  - 2. Governmental operation;
  - 3. Political practices; or
  - 4. Legal practice.
- B. The first appointee to the Great Falls Ethics Committee shall serve an initial term of three (3) years, the second appointee shall serve an initial term of two (2) years, and the third

## Exhibit "B"

### Title 2 ADMINISTRATION AND PERSONNEL

appointee shall serve an initial term of one (1) year. Following the expiration of these initial terms, the provisions of Subsection (A.) of this part shall apply.

#### **2.21.090 Committee meeting schedule.**

The Committee shall meet on an as needed basis, in the City Commission Chambers, on the first Wednesday of the month after a matter has been referred to the Committee pursuant to this Chapter, or by direction of the City Manager. Committee meetings shall be open to the public, pursuant to Mont. Code Ann. Titles 2, and 7, and Committee meeting minutes shall be maintained by the City Clerk.

#### **2.21.100 Committee duties.**

The Committee shall meet and be presented testimony regarding matters referred to it. Based on the information and testimony presented, the Committee shall:

- A. Make a finding as to whether there is an appearance of a violation of any provision on Mont. Code Ann. Title 2, Chapter 2, or a violation of this chapter;
- B. Make a finding as to whether the appearance of a violation rises to a level of an actual violation; and
- C. Make a recommendation, in consultation with the City Attorney's Office, as to the correct course of action to eliminate any violation and/or reduce the appearance of any violation.

#### **2.21.110 Nepotism.**

All personnel matters shall be administered on the basis of merit and through regular management procedure.

- A. No one participating actively in the appointment of a position, i.e., City Commissioners, City Manager, representatives of the Human Resources Department, the appointing department head, or division head, shall appoint any person related or connected by consanguinity within the fourth degree or by affinity within the second degree;
  1. "Consanguinity" means blood relation and degrees are determined as follows:
    - i. Parent and child are of the first degree;
    - ii. Grandparents, grandchildren, brothers and sisters are of the second degree;

## Exhibit "B"

### Title 2 ADMINISTRATION AND PERSONNEL

- iii. Uncles, aunts, nephews, nieces and great grandparents are of the third degree; and
- iv. First cousins, great uncles and great aunts and great-great grandparents are of the fourth degree.
2. "Affinity" means a relationship by marriage and the degrees are determined as follows:
  - i. Husband and wife are of the first degree; and
  - ii. Brothers-in-law, sisters-in-law, fathers-in-law and mothers-in-law are of the second degree.
- B. No one may be appointed to a position, within a City department, if related or connected by consanguinity within the fourth degree or by affinity within the second degree to any person sitting on a board or commission representing or advising that department.
- C. The above shall include but not be limited to the following:
  1. City Commission;
  2. Board of Adjustment;
  3. Board of Health;
  4. Housing Authority;
  5. Library Board;
  6. Park and Recreation Board;
  7. Parking Commission;
  8. Planning Board and Zoning Commission;
  9. Police Commission;
  10. Business Improvement District;
  11. Tourism Business Improvement District; and
  12. Great Falls Ethics Committee.

#### **2.21.120 Distribution.**

The City Clerk shall cause a copy of this Code of Ethics to be distributed to every public officer and employee of the City within thirty (30) days after enactment. Each public officer and employee elected, appointed, or engaged thereafter shall be furnished a copy before entering upon the duties of his or her office or employment.

## **Chapter 22 INDEMNIFICATION**

### **Sections:**

2.22.010 Indemnification.

Title 2 ADMINISTRATION AND PERSONNEL

**2.22.010 Indemnification.**

Repealed.

**Chapter 23 BOARDS/COMMISSIONS/COUNCILS ATTENDANCE**

**Sections:**

2.23.010 Scope.

2.23.020 Removal of members of boards, commissions and councils.

**2.23.010 Scope.**

The provisions of this chapter shall apply to all boards, commissions, committees, and councils elected or appointed by the City Commission except where a conflicting provision appears in state statutes or in City ordinances relating to a particular board, commission, committee, or council, the specific statute or ordinance shall apply.

**2.23.020 Removal of members of boards, commissions, committees, and councils.**

A member of any board, commission, committee, or council, including Neighborhood Council, may be removed from office, by majority vote of the City Commission, if:

- A. The member misses more than one-third (1/3) of the regular meetings in a calendar year without a health or medical excuse;
- B. The member is unable to fulfill the duties of the office as a result of physical illness or mental disorder. A determination of whether the incumbent has a mental disorder shall be made pursuant to MCA Title 53, Chapter 21;
- C. The member neglects or refuses to discharge the member's duties;
- D. The member ceases to be a resident of the City, or in the case of a neighborhood council member, the member ceases to be a resident of the council member's district;
- E. The member is convicted of a felony, or of any offense involving moral turpitude, or a violation of official duties or the City Code of Ethics, Title 2, Chapter 52, while serving on a board, council, or commission; or

Exhibit "B"

Title 2 ADMINISTRATION AND PERSONNEL

- F. Any other reason which City Commission deems to be in the best interests of the City, and in such case, only by a four-fifths vote.

If a member is to be removed from any board, commission, or council and be replaced by the City Commission, the member will be provided written notice of removal, stating the reasons for removal, by certified mail, postage prepaid, return receipt requested, or by hand delivery. Notice will be provided no less than ten (10) days prior to the City Commission hearing where said removal will be subject to the vote of the Commission.

(Ord. 3169, 2017; Ord. 3153, 2017; Ord. 3149, 2017; Ord. 3140, 2016; Ord. 3045, 2009; Ord. 2968, 2007; Ord. 2928, 2006; Ord. 2918, 2005; Ord. 2747, 1998; Ord. 2735, 1998; Ord. 2729, 1997; Ord. 2725, 1997; Ord. 2722, 1997; Ord. 2703, 1996; Ord. 2683, 1995; Ord. 2652, 1993; Ord. 2604, 1991; Ord. 2563, 1990; Ord. 2479, 1987; Ord. 2444, 1986; Ord. 2267, 1981; Ord. 2228, 1980; Ord. 2210, 1980; Ord. 2200, 1980; Ord. 2199, 1980; Ord. 2190, 1980; Ord. 2172, 1979; Ord. 2037, 1978; Ord. 2035, 1978; Ord. 1977, 1876; Ord. 1910, 1976; Ord. 1909, 1976; Ord. 1908, 1976; Ord. 1907, 1976; Ord. 1906, 1976; Ord. 1905, 1976; Ord. 1859, 1975; Ord. 1858, 1975; Ord. 1843, 1974).





**Item:** Resolution No. 10167, “A Resolution by The City Commission of the City of Great Falls, Montana, Establishing Training Requirements for All Members of City Boards, Committees, Commissions, and Councils.”

**From:** City Attorney's Office

**Initiated By:** Fred Burow, City Commissioner

**Presented By:** Sara R. Sexe, City Attorney

**Action Requested:** The City Commission Adopt Resolution No. 10167

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**Suggested Motion:**

1. Commissioner moves:

“I move that the City Commission (adopt/deny) Resolution 10167.”

2. Mayor calls for a second to the motion, Commission discussion, public comment, and calls for the vote.

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**Staff Recommendation:**

Staff recommends that the City Commission adopt Resolution No. 10167.

**Background:**

During the September 5, 2017 Great Falls City Commission Work Session, staff presented proposed revisions to The Official Code of the City of Great Falls (OCCGF) Title 2, pertaining to personnel and administration. During the presentation, City Commissioner Fred Burow suggested that the City establish a requirement that all members of advisory boards, committees, commissions, and councils be required to participate in training on principles of good governance, given their participation in local government.

Staff agrees that City sponsored training (either by City staff or outside entities) would be appropriate for said members, given their participation in local government and influence on policy and resource allocation decisions. Staff examined the Commissioner's suggestion and decided the best way to establish such requirement would be through a Commission Resolution. Members of boards, committees, commissions and councils should be informed on local governance, laws and policies

impacting local governmental operations. The City has sponsored such training through the Montana State University Local Government Center, Montana Municipal Interlocal Authority, and the Montana League of Cities and Towns. Additionally, the City Attorney and the City Clerk have provided periodic training to various boards and commissions.

By adopting Resolution No. 10167, the City Commission will establish a requirement that all members of City governmental boards, committees, and councils participate in training during their terms of appointment as City officials, or at least every two years, whichever is less.

ATTACHMENTS:

- Resolution No. 10167

**RESOLUTION NO. 10167**

**A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, ESTABLISHING TRAINING REQUIREMENTS FOR ALL MEMBERS OF CITY BOARDS, COMMITTEES, COMMISSIONS, AND COUNCILS**

**WHEREAS**, The Charter of the City of Great Falls establishes the City Neighborhood Councils; and

**WHEREAS**, The Official Code of the City of Great Falls (OCCGF), establishes various boards, committees, commissions, and councils; and

**WHEREAS**, these various local governmental boards, committees, and councils have civic duties and responsibilities to the City of Great Falls; and

**WHEREAS**, these various local governmental boards, committees, and councils are influential in the decisions made by the Great Falls City Commission, or may act as independent authorities; and

**WHEREAS**, the City Commission desires to have all members of City governmental boards, committees, commissions and councils be informed on governance, open meetings, rights to know, record keeping, public participation and/or other laws and policies impacting local governmental operations.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, THAT:**

1. During their terms of appointment as City officials, or at least every two years, whichever is less, all appointed members of City boards, committees, commissions, and councils, shall be required to participate in City sponsored training on governance, open meetings, rights to know, record keeping, public participation and/or other laws and policies impacting local governmental operations; and
2. **EFFECTIVE DATE:** This Resolution shall be effective upon adoption.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, September 19, 2017.

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Bob Kelly, Mayor

ATTEST:

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Darcy Dea, Deputy City Clerk

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

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Sara R. Sexe, City Attorney



**Item:** Resolution 10189 to Levy and Assess Properties within the Business Improvement District

**From:** Judy Burg, Taxes and Assessments

**Initiated By:** Annual Assessment Process

**Presented By:** Melissa Kinzler, Fiscal Services Director

**Action Requested:** City Commission Adopt Resolution 10189.

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**Suggested Motion:**

1. Commissioner moves:

"I move that the City Commission (adopt/deny) Resolution 10189."

2. Mayor requests a second to the motion, Commission discussion, public comment and calls for the vote.

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**Staff Recommendation:**

Staff recommends the City Commission adopt Resolution 10189 to levy and assess properties within the Business Improvement District (BID).

**Background:**

The BID was originally created in 1989, renewed in 1999 and re-created for a third term in 2009, each for periods of ten years by petition of the property owners within the District. The BID's overall purpose is to improve and revitalize the downtown area by utilizing and directing the assessment dollars collected through the BID tax assessment. The current BID has not changed in the areas of the district boundaries since its origination date. During Fiscal Year 2016/2017, the BID initiated a new tax assessment formula as requested by property owners, to include a more equitable flat rate of \$50 to be used on residential properties designated as Residential Condominiums. The new assessment formula began on July 1, 2016.

On July 18, 2017, as required by MCA §7-12-1132(3), the BID presented a proposed Work Plan and Budget and recommended a method of levying an assessment on the properties within the district that best ensures the assessment on each lot or parcel is equitable in proportion to the benefits to be received for Fiscal Year 2017/2018. Following the public hearing held on July 18, 2017, the City Commission moved to adopt the 2017/2018 Work Plan and Budget for the BID.

**Fiscal Impact:**

The assessment formula as presented to the property owners and recommended to the City Commission is as follows:

- a flat fee of \$200.00 for each lot or parcel
- a flat fee of \$50.00 for each lot or parcel with a designated Land Use Code of 125 which is a Residential Condominium
- an assessment of \$.00165 times the market valuation as provided for by the Montana State Legislature; and
- an assessment of \$.015 times the square footage of the land area.

The actual assessment for 2017/2018 based on the above assessment formula will generate approximately \$246,941 in assessment revenue. The 2017/2018 estimated assessment per lot or parcel is indicated on the assessment projection summary as Exhibit "A" incorporated and made a part of Resolution 10189. The assessment revenue as shown on Exhibit "A" is \$3,807 over the BID Budget for Fiscal Year 2018 as approved by the City Commission.

**Alternatives:**

The City Commission could choose to deny the adoption of Resolution 10189 to assess the property owners within the BID. However, on July 18, 2017, the City Commission approved the BID Budget which identifies the BID assessment as 88% of the operating revenues. Denial of Resolution 10189 will prevent the BID from carrying out the City Commission previously approved Budget.

**Concurrences:**

The BID partners with several organizations, such as the Downtown Great Falls Association, the Downtown Development Partnership, the City and the Urban Art Project to carry out the overall purpose of improving and revitalizing the downtown area. Fiscal Services staff is responsible for assessing and collecting the revenues.

**ATTACHMENTS:**

- ▢ Resolution 10189
- ▢ Resolution 10189 Exhibit "A"
- ▢ Map of BID Boundaries

## RESOLUTION 10189

### **A RESOLUTION LEVYING AN ASSESSMENT ON ALL PROPERTIES WITHIN THE GREAT FALLS BUSINESS IMPROVEMENT DISTRICT**

**WHEREAS**, the City Commission of the City of Great Falls, is authorized to create and administer a business improvement district as provided by 7-12-1101 through 7-12-1151 M.C.A.; and,

**WHEREAS**, the purpose of a Business Improvement District is to promote the health, safety, prosperity, security and the general welfare of the inhabitants thereof and the people of this state; and will be of special benefit to the property within the boundaries of the district created; and,

**WHEREAS**, on May 16, 1989, the City Commission approved Resolution 8279 creating a Business Improvement District in Great Falls, Montana for a duration of ten (10) years; and

**WHEREAS**, on June 15, 1999, the City Commission approved Resolution 9025, and on July 7, 2009 approved Resolution 9833, re-creating said Business Improvement District for a duration of ten (10) years each; and

**WHEREAS**, a Board of Trustees for the Business Improvement District has been appointed and said Board has developed and submitted a Work Plan and Proposed Budget to the City Commission of the City of Great Falls; and,

**WHEREAS**, the City Commission of the City of Great Falls, is authorized to annually assess and collect the entire cost of the district against the entire district using a method, which best ensures that the assessment on each lot or parcel is equitable in proportion to the benefits to be received as provided by 7-12-1133 M.C.A.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, that:**

#### Section 1 – Adoption of Work Plan and Budget

On July 18, 2017, the City Commission of the City of Great Falls held a public hearing on any objections to the Work Plan and Proposed Budget with the understanding that approval of the two documents would necessitate the levying of an assessment on all the property in the district.

#### Section 2 – Assessment Method

The assessment formula has been presented to the property owners and recommended to the City Commission as follows:

- a flat fee of \$200.00 for each lot or parcel,
- a flat fee of \$50.00 for each lot or parcel with a designated Land Use Code of 125 which is a Residential Condominium

- an assessment of \$.00165 times the phase-in market valuation as provided for by the Montana State Legislatures, and an
- assessment of \$.015 times the square footage of the land area.

The assessment requested for 2017/2018 is based on the above assessment formula and will generate TWO HUNDRED FORTY-SIX THOUSAND NINE HUNDRED FORTY-ONE DOLLARS (\$246,941) in assessment revenue. Due to overwhelming support for a Business Improvement District and concurrence with the assessment formula, the City Commission of the City of Great Falls hereby approves the levying of the assessment as indicated on the assessment projection summary attached to this resolution as Exhibit "A".

Section 3 – Assessment Due Date

Assessments are payable in two payments and will become delinquent at 5:00 o'clock p.m. on November 30, 2017 and May 31, 2018.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, this 19<sup>th</sup> day of September, 2017.

\_\_\_\_\_  
Bob Kelly, Mayor

ATTEST:

\_\_\_\_\_  
Darcy Dea, Deputy City Clerk

(Seal of the City)

APPROVED FOR LEGAL CONTENT:

\_\_\_\_\_  
Sara R. Sexe, City Attorney



GREAT FALLS BUSINESS IMPROVEMENT DISTRICT  
ASSESSMENTS FY 2018  
RESOLUTION #10189 - EXHIBIT "A"

PARCEL NO.	PROPERTY OWNER	SUB DIV	Land Use Code (125)	LOT	BLOCK	FLAT FEE	TOTAL SQ.FT.	SQ.FT.		VALUATION TOTAL	VALUATION COST 0.00165	TOTAL B.I.D. ANNUAL ASSESSMENT	
								COST 0.015	MARKET VAL. LAND				
1	156750 CHS INC	GFO		7,8,9	306	\$ 200	15,000	\$ 225.00	107,625	515,470	623,095	\$ 1,028.11	\$ 1,453.11
2	156950 SEVENS PRIME LLC	GFO		10-14	306	\$ 200	37,500	\$ 562.50	168,375	563,125	731,500	\$ 1,206.98	\$ 1,969.48
3	157400 COX DOUGLAS J & KENT D	GFO		8	307	\$ 200	7,500	\$ 112.50	46,875	148,620	195,495	\$ 322.57	\$ 635.07
4	157450 517 LLC	GFO		9,10	307	\$ 200	15,000	\$ 225.00	77,250	542,860	620,110	\$ 1,023.18	\$ 1,448.18
5	157500 RYSTED PETE	GFO		11	307	\$ 200	11,250	\$ 168.75	62,063	212,337	274,400	\$ 452.76	\$ 821.51
6	157600 KUNZ JASON R	GFO		W1/2 12	307	\$ 200	3,750	\$ 56.25	31,688	102,560	134,248	\$ 221.51	\$ 477.76
7	157650 BRANDENBERGER NED R & JENNIFER	GFO		E1/2 13	307	\$ 200	3,750	\$ 56.25	31,688	53,812	85,500	\$ 141.08	\$ 397.33
8	157750 EASTER SEALS GOODWILL N ROCKY MTN INC	GFO		5-10	308	\$ 200	22,500	\$ 337.50	198,750	2,771,750	2,970,500	\$ 4,901.33	\$ 5,438.83
9	157810 EASTER SEALS GOODWILL N ROCKY MTN INC	GFO		11	308	\$ 200	7,500	\$ 112.50	46,875	175,500	222,375	\$ 366.92	\$ 679.42
10	158100 THE PENNANT BUILDING LLC	GFO		8	309	\$ 200	7,500	\$ 112.64	46,875	716,425	763,300	\$ 1,259.45	\$ 1,572.08
11	158150 HANSON MICHAEL	GFO		9	309	\$ 200	7,507	\$ 112.61	46,875	277,525	324,400	\$ 535.26	\$ 847.87
12	158250 DESCHENES GARY S ETAL	GFO		W28'12	309	\$ 200	4,200	\$ 63.00	33,510	454,890	488,400	\$ 805.86	\$ 1,068.86
13	158300 CULVER FRANKLIN D ETAL	GFO		13,14	309	\$ 200	15,037	\$ 225.56	77,250	13,560	90,810	\$ 149.84	\$ 575.39
14	158950 TIGER SPRING PROPERTIES	GFO		8-9	311	\$ 200	15,000	\$ 225.00	77,250	1,475,850	1,553,100	\$ 2,562.62	\$ 2,987.62
15	159150 CAMBRIDGE INVESTORS ONE LP	GFO		11-14	311	\$ 200	37,546	\$ 563.19	168,375	1,609,825	1,778,200	\$ 2,934.03	\$ 3,697.22
16	159225 BUCHANAN-BYRNE BUILDING PARTNERSHIP	GFO		1,2,3	312	\$ 200	22,500	\$ 337.50	107,625	1,100,675	1,208,300	\$ 1,993.70	\$ 2,531.20
17	159450 REDEAU NICK & VERONICA	GFO		8	312	\$ 200	7,500	\$ 112.50	46,875	200,225	247,100	\$ 407.72	\$ 720.22
18	159500 RAMSEY ANN C	GFO		9,E1/2 10	312	\$ 200	11,250	\$ 168.75	62,063	189,637	251,700	\$ 415.31	\$ 784.06
19	159550 BENSLEY MARJORIE M	GFO		W1/2 10	312	\$ 200	3,750	\$ 56.25	31,688	11,512	43,200	\$ 71.28	\$ 327.53
20	159600 BENSLEY MARJORIE M	GFO		E1/2 11	312	\$ 200	3,750	\$ 56.25	31,688	34,012	65,700	\$ 108.41	\$ 364.66
21	159650 BENSLEY MARJORIE	GFO		W1/2 11	312	\$ 200	3,750	\$ 56.25	31,688	97,812	129,500	\$ 213.68	\$ 469.93
22	159700 MONTANA ACTORS THEATRE INC	GFO		E1/2 12	312	\$ 200	3,750	\$ 56.25	31,688	331,800	363,488	\$ 599.76	\$ 856.01
23	159725 BUCHANAN BYRNE BUILDING PARTNERSHIP	GFO		W1/2 12 all 13	312	\$ 200	11,295	\$ 169.43	62,063	9,120	71,183	\$ 117.45	\$ 486.88
24	159735 BUCHANAN-BYRNE BUILDING PARTNERSHIP	GFO		14	312	\$ 200	7,500	\$ 112.50	46,875	209,425	256,300	\$ 422.90	\$ 735.40
25	159800 RELIGIOUS CONGRATATION OF BERLINER CONG	GFO		1-7	313	\$ 200	52,490	\$ 787.35	229,125	1,470,875	1,700,000	\$ 2,805.00	\$ 3,792.35
26	159850 DAVIDSON INVESTMENT PARTNERSHIP LLP	GFO		8-14	313	\$ 200	67,500	\$ 1,012.50	306,375	8,478,925	8,785,300	\$ 14,495.75	\$ 15,708.25
27	160200 21 3RD ST N LLC	GFO		1-3	314	\$ 200	22,500	\$ 337.50	107,625	1,073,075	1,180,700	\$ 1,948.16	\$ 2,485.66
28	160300 EKLUNDS APPLIANCE & TV	GFO		4-5	314	\$ 200	15,000	\$ 225.00	77,250	595,570	672,820	\$ 1,110.15	\$ 1,535.15
29	160450 DIEGEL THOMAS A ETAL	GFO		7	314	\$ 200	15,000	\$ 225.00	77,250	546,350	623,600	\$ 1,028.94	\$ 1,453.94
30	160500 321 ASSOCIATES LLC	GFO		8,9	314	\$ 200	15,000	\$ 225.00	77,250	2,796,400	2,873,650	\$ 4,741.52	\$ 5,166.52
31	160550 LERAY PROPERTIES LLC	GFO		10	314	\$ 200	7,500	\$ 112.50	46,875	365,025	411,900	\$ 679.64	\$ 992.14
32	160600 MARSH DOUG & DAWN	GFO		11	314	\$ 200	7,500	\$ 112.50	46,875	322,225	369,100	\$ 609.02	\$ 921.52
33	160650 BECKMANS BUILDING LLC	GFO		12	314	\$ 200	7,500	\$ 112.50	46,875	322,125	369,000	\$ 608.85	\$ 921.35
34	160900 STOCKMAN BANK OF MONTANA	GFO		6,7	315	\$ 200	15,000	\$ 225.00	77,250	228,710	305,960	\$ 504.83	\$ 929.83
35	160950 GARDNER & BALTHAZAR ENTERPRISES LLP	GFO		8,9	315	\$ 200	15,000	\$ 225.00	77,250	333,450	410,700	\$ 677.66	\$ 1,102.66
36	161050 HACKETT GARRY L & CHERYL D	GFO		11	315	\$ 200	7,500	\$ 112.50	46,875	729,125	776,000	\$ 1,280.40	\$ 1,592.90
37	161100 KAUFMAN MARY ANN & IRA M JR	GFO		12	315	\$ 200	7,500	\$ 112.50	46,875	358,025	404,900	\$ 668.09	\$ 980.59
38	161150 LEE ALAN B	GFO		13A	A315	\$ 200	3,750	\$ 56.25	31,688	112,012	143,700	\$ 237.11	\$ 493.36
39	161200 ENGE RICHARD C	GFO		13B	B315	\$ 200	3,750	\$ 56.25	31,688	72,470	104,158	\$ 171.86	\$ 428.11
40	161250 BIG BROTHERS HOLDING COMPANY LLC	GFO		14	315	\$ 200	7,500	\$ 112.50	46,875	297,925	344,800	\$ 568.92	\$ 881.42
41	161300 STOCKMAN BANK OF MONTANA	GFO		1,2	316	\$ 200	15,000	\$ 225.00	77,250	1,713,320	1,790,570	\$ 2,954.44	\$ 3,379.44
42	161450 MASON MARILYN ETAL	GFO		W1/2 3	316	\$ 200	3,750	\$ 56.25	31,688	116,020	147,708	\$ 243.72	\$ 499.97
43	161600 LITTLE WILLIAM L & SHONNA L	GFO		E1/2 3-5 W1/2 6	316	\$ 200	22,500	\$ 337.50	107,625	584,475	692,100	\$ 1,141.97	\$ 1,679.47
44	161650 SILVER STATE PARTNERS LLC	GFO		E1/2 6,7	316	\$ 200	11,250	\$ 168.75	62,063	667,537	729,600	\$ 1,203.84	\$ 1,572.59
45	161700 MONTANA TIMES SQUARE LLC	GFO		8-10	316	\$ 200	22,500	\$ 337.50	107,625	729,175	836,800	\$ 1,380.72	\$ 1,918.22
46	161750 EVERSON VICKI S	GFO		11	316	\$ 200	7,500	\$ 112.50	46,875	331,225	378,100	\$ 623.87	\$ 936.37
47	161800 HACKETT GARRY L & CHERYL D	GFO		12 & 13	316	\$ 200	15,000	\$ 225.00	77,250	188,450	265,700	\$ 438.41	\$ 863.41
48	162050 JOSCO PROPERTIES INC	GFO		8,9	317	\$ 200	15,000	\$ 225.00	77,250	1,225,050	1,302,300	\$ 2,148.80	\$ 2,573.80
49	162100 LEMIRE LESLIE	GFO		10	317	\$ 200	7,500	\$ 112.50	46,875	128,125	175,000	\$ 288.75	\$ 601.25
50	162150 LARSON EDWARD L	GFO		E30' 11	317	\$ 200	4,500	\$ 67.50	34,725	89,575	124,300	\$ 205.10	\$ 472.60
51	162200 LARSON EDWARD L	GFO		W20' 11	317	\$ 200	3,000	\$ 45.00	28,650	53,350	82,000	\$ 135.30	\$ 380.30

GREAT FALLS BUSINESS IMPROVEMENT DISTRICT  
ASSESSMENTS FY 2018  
RESOLUTION #10189 - EXHIBIT "A"

PARCEL NO.	PROPERTY OWNER	SUB DIV	Land Use Code (125)	LOT	BLOCK	FLAT FEE	TOTAL SQ.FT.	SQ.FT.		VALUATION TOTAL	VALUATION COST		TOTAL B.I.D. ANNUAL ASSESSMENT
								COST 0.015	MARKET VAL. LAND		MARKET VAL. IMPS.	0.00165	
52	162250 HACKETT GARRY L & CHERYL D	GFO		12	317	\$ 200	7,500	\$ 112.50	46,875	758,525	805,400	\$ 1,328.91	\$ 1,641.41
53	162300 ROCKY MTN BLDG DEVELOPMENT VENTURE LLC	GFO		13,14	317	\$ 200	15,000	\$ 225.00	77,250	93,810	171,060	\$ 282.25	\$ 707.25
54	189100 STROMBERG ROBERT C & MARY D	GFO		1,2 & 11-14	362	\$ 200	45,000	\$ 675.00	198,750	1,953,550	2,152,300	\$ 3,551.30	\$ 4,426.30
55	189150 MURPHY REAL ESTATE LLC	GFO		3	362	\$ 200	7,500	\$ 112.50	46,875	667,325	714,200	\$ 1,178.43	\$ 1,490.93
56	189200 KISER PROPERTIES LLC	GFO		4	362	\$ 200	7,500	\$ 112.50	46,875	135,625	182,500	\$ 301.13	\$ 613.63
57	189250 SPENCER TIMOTHY W	GFO		E1/2 5	362	\$ 200	3,750	\$ 56.25	31,688	128,480	160,168	\$ 264.28	\$ 520.53
58	189300 NORDRUM ORVILLE M & JOSEPHINE A	GFO		W1/2 5	362	\$ 200	3,750	\$ 56.25	31,688	75,790	107,478	\$ 177.34	\$ 433.59
59	189350 HARRIS DORIS J	GFO		E1/2 6	362	\$ 200	3,750	\$ 56.25	31,688	131,812	163,500	\$ 269.78	\$ 526.03
60	189400 HAUGEN LESLIE N & V ARLENE	GFO		W1/2 6	362	\$ 200	3,750	\$ 56.25	31,688	131,180	162,868	\$ 268.73	\$ 524.98
61	189450 SPENCER TIMOTHY	GFO		7	362	\$ 200	7,500	\$ 112.50	46,875	237,910	284,785	\$ 469.90	\$ 782.40
62	189500 CENTER FOR MENTAL HEALTH INC OF GF MT	GFO		8,9	362	\$ 200	15,000	\$ 225.00	77,250	707,750	785,000	\$ 1,295.25	\$ 1,720.25
63	189550 CENTER FOR MENTAL HEALTH INC OF GF MT	GFO		10	362	\$ 200	7,500	\$ 112.50	46,875	520,125	567,000	\$ 935.55	\$ 1,248.05
64	189700 FLY AWAY LLC	GFO		1,2	363	\$ 200	15,000	\$ 225.00	77,250	246,450	323,700	\$ 534.11	\$ 959.11
65	189750 SCHUBARTH SANDRA	GFO		3	363	\$ 200	7,500	\$ 112.50	46,875	299,220	346,095	\$ 571.06	\$ 883.56
66	189800 NOISHT PROPERTIES LLC	GFO		4	363	\$ 200	7,500	\$ 112.50	46,875	222,825	269,700	\$ 445.01	\$ 757.51
67	189850 HEISHMAN CARL D ETAL	GFO		5	363	\$ 200	7,500	\$ 112.50	46,875	330,190	377,065	\$ 622.16	\$ 934.66
68	189900 ELMORE ROBERTS LLC	GFO		6,7	363	\$ 200	15,000	\$ 225.00	77,250	2,312,350	2,389,600	\$ 3,942.84	\$ 4,367.84
69	190000 BOLAND MARGUERITE D	GFO		PT8	363	\$ 200	566	\$ 8.49	18,323	25,777	44,100	\$ 72.77	\$ 281.26
70	190050 KEILMAN & TRUNKLE ENTERPRISES LLC	GFO		PT8	363	\$ 200	5,535	\$ 83.03	38,978	227,322	266,300	\$ 439.40	\$ 722.42
71	190150 ELMORE ROBERTS LLC	GFO		9	363	\$ 200	7,500	\$ 112.50	46,875	7,650	54,525	\$ 89.97	\$ 402.47
72	190200 ELMORE ROBERTS LLC	GFO		10	363	\$ 200	7,500	\$ 112.50	46,875	7,650	54,525	\$ 89.97	\$ 402.47
73	190250 CENTER FOR MENTAL HEALTH	GFO		11	363	\$ 200	7,500	\$ 112.50	46,875	505,660	552,535	\$ 911.68	\$ 1,224.18
74	190350 MADILL JASON C & TAMARA L	GFO		1-3,9-14	364	\$ 200	67,500	\$ 1,012.50	302,025	1,009,175	1,311,200	\$ 2,163.48	\$ 3,375.98
75	190450 MONTANA LANDWORKS LLC	GFO		4	364	\$ 200	7,500	\$ 112.50	46,875	309,150	356,025	\$ 587.44	\$ 899.94
76	190500 GREAT FALLS CENTRAL LLC	GFO		W1/2 5	364	\$ 200	3,750	\$ 56.25	31,688	269,412	301,100	\$ 496.82	\$ 753.07
77	190550 LOVAAS KRISTEN L	GFO		E1/2 5,6	364	\$ 200	11,250	\$ 168.75	62,063	365,537	427,600	\$ 705.54	\$ 1,074.29
78	190600 M & L RENTALS LLC	GFO		7	364	\$ 200	7,500	\$ 112.50	46,875	675,362	722,237	\$ 1,191.69	\$ 1,504.19
79	190650 SEMANSKY JOHN S & LISA SWAN	GFO		N1/2 8	364	\$ 200	3,750	\$ 56.25	31,688	129,350	161,038	\$ 265.71	\$ 521.96
80	190700 WONG MING & SU	GFO		S1/2 8	364	\$ 200	3,750	\$ 56.25	31,688	189,012	220,700	\$ 364.16	\$ 620.41
81	190800 FIRST BUILDING CORPORATION	GFO		1-3	365	\$ 200	22,500	\$ 337.50	107,625	-	107,625	\$ 177.58	\$ 715.08
82	190950 ATLANTIC FINANCIAL GROUP LTD	GFO		IMPS 1-3	365	\$ 200	-	\$ -	-	6,518,200	6,518,200	\$ 10,755.03	\$ 10,955.03
83	191050 ALLEY STEPHEN J	GFO		4,5	365	\$ 200	15,000	\$ 225.00	77,250	757,150	834,400	\$ 1,376.76	\$ 1,801.76
84	191100 WHITE BELLY PROPERTIES LLC	GFO		6	365	\$ 200	7,492	\$ 112.38	46,875	505,925	552,800	\$ 912.12	\$ 1,224.50
85	191150 JOVICK LEPARD LLC	GFO		7	365	\$ 200	7,500	\$ 112.50	46,875	680,525	727,400	\$ 1,200.21	\$ 1,512.71
86	191300 FIRST NATIONAL BANK	GFO		13-14	365	\$ 200	15,000	\$ 225.00	77,250	20,930	98,180	\$ 162.00	\$ 587.00
87	191400 RICHARDS PHILLIP	GFO		1,2	366	\$ 200	15,000	\$ 225.00	77,250	478,150	555,400	\$ 916.41	\$ 1,341.41
88	191450 TOVSON LLC	GFO		3	366	\$ 200	7,500	\$ 112.50	46,875	236,890	283,765	\$ 468.21	\$ 780.71
89	191500 JJS WORLD ENTERPRISES LLC	GFO		4-7	366	\$ 200	30,000	\$ 450.00	138,000	1,062,000	1,200,000	\$ 1,980.00	\$ 2,630.00
90	191550 FIRST NATIONAL BANK	GFO		8-14	366	\$ 200	52,500	\$ 787.50	229,125	756,840	985,965	\$ 1,626.84	\$ 2,614.34
91	191600 MONTANA INSTITUTE OF FAMILY LIVING	GFO		1-3	367	\$ 200	22,500	\$ 337.50	107,625	3,582,740	3,690,365	\$ 6,089.10	\$ 6,626.60
92	191700 MURPHY REAL ESTATE LLC	GFO		4,5 W1/2 6	367	\$ 200	18,750	\$ 281.25	92,438	560,062	652,500	\$ 1,076.63	\$ 1,557.88
93	191750 MURPHY TIMOTHY M & DEBORAH S	GFO		E1/2 6,7	367	\$ 200	11,250	\$ 168.75	62,063	66,937	129,000	\$ 212.85	\$ 581.60
94	191950 MONTANA INSTITUTE OF FAMILY LIVING	GFO		10,11	367	\$ 200	15,000	\$ 225.00	77,250	3,960	81,210	\$ 134.00	\$ 559.00
95	192100 BLANKENSHIP BOBBI	GFO		1,2	368 AA	\$ 200	15,333	\$ 230.00	87,642	1,402,958	1,490,600	\$ 2,459.49	\$ 2,889.49
96	192150 GLACIER STATE ELECTRIC SUPPLY COMPANY	GFO		3 W1/2 4	368	\$ 200	11,250	\$ 168.75	62,063	511,637	573,700	\$ 946.61	\$ 1,315.36
97	192200 ARVON BLOCK DEVELOPMENT VENTURE LLC	GFO		E1/2 4,5	368	\$ 200	11,237	\$ 168.56	62,063	3,529,337	3,591,400	\$ 5,925.81	\$ 6,294.37
98	192300 MURPHY REAL ESTATE LLC	GFO		6,7	368	\$ 200	15,000	\$ 225.00	77,250	2,580,600	2,657,850	\$ 4,385.45	\$ 4,810.45
99	192350 WEIGAND JOHN W & PEGGY LOU ETAL	GFO		8 & 9	368	\$ 200	15,000	\$ 225.00	77,250	758,950	836,200	\$ 1,379.73	\$ 1,804.73
100	192450 JENNINGS LAND LIMITED PARTNERSHIP	GFO		10	368	\$ 200	7,500	\$ 112.50	46,875	101,810	148,685	\$ 245.33	\$ 557.83
101	192500 BAROCH SUSAN M ETAL	GFO		11,12	368	\$ 200	20,016	\$ 300.24	94,527	280,820	375,347	\$ 619.32	\$ 1,119.56
102	192700 MURPHY REAL ESTATE LLC	GFO		4 & PT 5-7	369	\$ 200	46,241	\$ 693.62	173,235	29,980	203,215	\$ 335.30	\$ 1,228.92
103	192850 MURPHY REAL ESTATE LLC	GFO		S41.6'5'-7	369	\$ 200	6,229	\$ 93.44	41,711	294,650	336,361	\$ 555.00	\$ 848.43
104	192950 LAWYERS GUNS & MONEY LLC	GFO		N90' 8-9	369	\$ 200	9,017	\$ 135.26	52,950	1,108,150	1,161,100	\$ 1,915.82	\$ 2,251.07

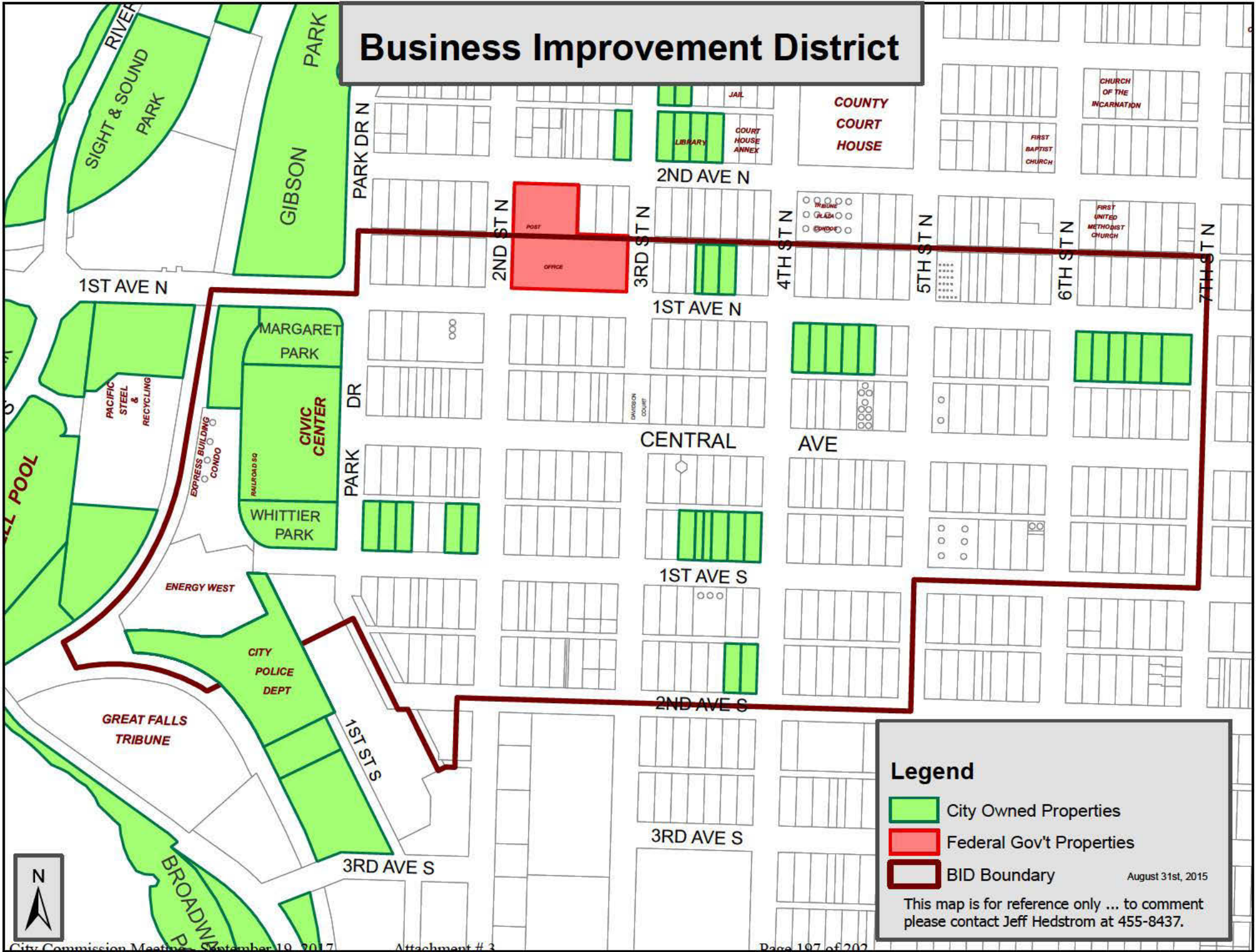
GREAT FALLS BUSINESS IMPROVEMENT DISTRICT  
ASSESSMENTS FY 2018  
RESOLUTION #10189 - EXHIBIT "A"

PARCEL NO.	PROPERTY OWNER	SUB DIV	Land Use Code (125)	LOT	BLOCK	FLAT FEE	TOTAL SQ.FT.	SQ.FT.		MARKET VAL. LAND	MARKET VAL. IMPS.	VALUATION TOTAL	VALUATION COST 0.00165	TOTAL B.I.D. ANNUAL ASSESSMENT
								COST 0.015						
105	193050 CTA BUILDING LLP	GFO		S60' 8-9,E44'10	369	\$ 200	12,606	\$ 189.09		67,530	2,614,570	2,682,100	\$ 4,425.47	\$ 4,814.56
106	193100 CTA BUILDING LLP ETAL	GFO		W6'10E6' OF 11	369	\$ 200	1,800	\$ 27.00		23,790	-	23,790	\$ 39.25	\$ 266.25
107	193150 KELMAN ZOLLIE ETAL	GFO		W6'10 & 11,12	369	\$ 200	14,100	\$ 211.50		73,605	234,350	307,955	\$ 508.13	\$ 919.63
108	193200 KELMAN ZOLLIE ETAL	GFO		13,14	369	\$ 200	15,000	\$ 225.00		77,250	738,750	816,000	\$ 1,346.40	\$ 1,771.40
109	193250 THIRD STREET BUILDING EST LLC	GFO		1	370	\$ 200	7,500	\$ 112.50		46,875	553,125	600,000	\$ 990.00	\$ 1,302.50
110	193300 ROTHSCILLER VERNON	GFO		2	370	\$ 200	7,500	\$ 112.50		46,875	322,125	369,000	\$ 608.85	\$ 921.35
111	193350 FERRIN WILLIAM E & MARY SUZANNE TRUST	GFO		3	370	\$ 200	7,500	\$ 112.50		46,875	291,125	338,000	\$ 557.70	\$ 870.20
112	193450 GREAT FALLS TRANSIT DISTRICT	GFO		6,7	370	\$ 200	15,000	\$ 225.00		77,250	258,230	335,480	\$ 553.54	\$ 978.54
113	193550 GREAT FALLS RESCUE MISSION	GFO		10, 11	370	\$ 200	15,000	\$ 225.00		77,250	659,320	736,570	\$ 1,215.34	\$ 1,640.34
114	193650 FERRIN WILLIAM E & MARY SUZANNE TRUST	GFO		12	370	\$ 200	7,500	\$ 112.50		46,875	262,725	309,600	\$ 510.84	\$ 823.34
115	193700 INTERMOUNTAIN MANAGEMENT & MARKETING INC	GFO		13,14	370	\$ 200	15,000	\$ 225.00		77,250	15,030	92,280	\$ 152.26	\$ 577.26
116	193900 NEIGHBORHOOD HOUSING SERVICES INC	GFO		5	371	\$ 200	7,500	\$ 112.50		46,875	13,660	60,535	\$ 99.88	\$ 412.38
117	193950 PLACID RENTALS LLC	GFO		6,7	371	\$ 200	15,000	\$ 225.00		77,250	167,690	244,940	\$ 404.15	\$ 829.15
118	194100 CASCADE COUNTY ETAL	GFO		8-10	371	\$ 200	60,000	\$ 900.00		259,500	2,126,700	2,386,200	\$ 3,937.23	\$ 5,037.23
119	224650 PORTNEY ABBY KELMAN	GFO		1-3	417	\$ 200	19,483	\$ 292.25		98,658	445,342	544,000	\$ 897.60	\$ 1,389.85
120	616205 STAM TODD R ETAL	503			UNIT 101	\$ 200	574	\$ 8.61		3,165	173,970	177,135	\$ 292.27	\$ 500.88
121	616210 FRANK-PLUMLEE KAREN V & ROBERT P	503	125		UNIT 301	\$ 50	450	\$ 6.75		2,483	175,017	177,500	\$ 292.88	\$ 349.63
122	616215 HAGAN ROGER A	503	125		UNIT 401	\$ 50	308	\$ 4.62		1,701	132,399	134,100	\$ 221.27	\$ 275.89
123	616220 ROBERTS AARON P	503	125		UNIT 402	\$ 50	291	\$ 4.37		1,607	128,893	130,500	\$ 215.33	\$ 269.69
124	616225 WORKMAN THOMAS R	503	125		UNIT 403	\$ 50	500	\$ 7.50		2,756	180,140	182,896	\$ 301.78	\$ 359.28
125	616230 JOHNSTON JOHN T & ANGELA L	503	125		UNIT 404	\$ 50	476	\$ 7.14		2,625	174,909	177,534	\$ 292.93	\$ 350.07
126	616235 ROY RUSSEL E & GWEN E	503	125		UNIT 405	\$ 50	469	\$ 7.04		2,588	172,512	175,100	\$ 288.92	\$ 345.95
127	616240 TAMCKE JANET A ETAL	503	125		UNIT 406	\$ 50	268	\$ 4.02		1,477	124,023	125,500	\$ 207.08	\$ 261.10
128	616245 RAWLINS MICHAEL S	503	125		UNIT 407	\$ 50	416	\$ 6.24		2,296	158,060	160,356	\$ 264.59	\$ 320.83
129	616250 STAM TODD R	503			UNIT 103	\$ 200	608	\$ 9.12		3,351	228,800	232,151	\$ 383.05	\$ 592.17
130	616255 STAM TODD R	503			UNIT 105	\$ 200	311	\$ 4.67		1,713	102,087	103,800	\$ 171.27	\$ 375.94
131	616260 STAM TODD R	503			UNIT 107	\$ 200	441	\$ 6.62		2,433	173,267	175,700	\$ 289.91	\$ 496.52
132	616265 STAM TODD R	503			UNIT 109	\$ 200	444	\$ 6.66		2,451	141,449	143,900	\$ 237.44	\$ 444.10
133	616270 SICK PROPERTIES LLC	503			UNIT 111	\$ 200	574	\$ 8.61		3,165	188,260	191,425	\$ 315.85	\$ 524.46
134	616275 UNDERWOOD JASON M	503	125		UNIT 201	\$ 50	450	\$ 6.75		2,483	171,140	173,623	\$ 286.48	\$ 343.23
135	616280 DIAMOND R ELAINE ETAL	503	125		UNIT 202	\$ 50	549	\$ 8.24		3,029	197,256	200,285	\$ 330.47	\$ 388.71
136	616285 WILSON CANDICE & LAURANCE WILSON	503	125		UNIT 203	\$ 50	444	\$ 6.66		2,451	170,570	173,021	\$ 285.48	\$ 342.14
137	616290 YEON JENEE S	503	125		UNIT 204	\$ 50	417	\$ 6.26		2,303	162,730	165,033	\$ 272.30	\$ 328.56
138	616295 ROBERTS DUSTIN E	503	125		UNIT 205	\$ 50	509	\$ 7.64		2,805	186,290	189,095	\$ 312.01	\$ 369.64
139	616300 SUK JONG HOON	503	125		UNIT 206	\$ 50	416	\$ 6.24		2,296	158,604	160,900	\$ 265.49	\$ 321.73
140	616305 QUINN SUSAN E	503	125		UNIT 302	\$ 50	549	\$ 8.24		3,029	197,256	200,285	\$ 330.47	\$ 388.71
141	616310 EULTGEN DARREN & CINDY	503	125		UNIT 303	\$ 50	444	\$ 6.66		2,451	170,570	173,021	\$ 285.48	\$ 342.14
142	616315 EULTGEN DARREN & DINCY	503	125		UNIT 304	\$ 50	417	\$ 6.26		2,303	162,310	164,613	\$ 271.61	\$ 327.87
143	616320 LYNES RANDY R	503	125		UNIT 305	\$ 50	509	\$ 7.64		2,805	186,290	189,095	\$ 312.01	\$ 369.64
144	616325 FITLE DEREK J	503	125		UNIT 306	\$ 50	416	\$ 6.24		2,296	158,104	160,400	\$ 264.66	\$ 320.90
145	617100 WILLIAMS DONALD E TRUST ETAL	FP1			UNIT A	\$ 200	6,665	\$ 99.98		41,578	1,202,469	1,244,047	\$ 2,052.68	\$ 2,352.65
146	617150 WARD KRAIG ALLAN	FP1			UNIT B	\$ 200	871	\$ 13.07		5,297	174,903	180,200	\$ 297.33	\$ 510.40
147	620650 A & J PROPERTIES LP	CAP			UNIT A	\$ 200	3,615	\$ 54.23		18,563	111,520	130,083	\$ 214.64	\$ 468.86
148	620660 WILSON TOM	CAP			UNIT B	\$ 200	4,574	\$ 68.61		23,523	141,318	164,841	\$ 271.99	\$ 540.60
149	620670 QHG LLP	CAP			UNIT C	\$ 200	6,839	\$ 102.59		35,164	211,258	246,422	\$ 406.60	\$ 709.18
150	628625 SEIDLITZ JOHN E JR & PAMELA	HBC			UNIT 1A	\$ 200	713	\$ 10.70		11,186	71,314	82,500	\$ 136.13	\$ 346.82
151	628630 CORDEIRO, CHRIS A	HBC			UNIT 2A	\$ 200	713	\$ 10.70		11,186	71,314	82,500	\$ 136.13	\$ 346.82
152	647400 A&E RENTALS LLC	EBC			UNIT A	\$ 200	10,336	\$ 155.04		101,427	441,275	542,702	\$ 895.46	\$ 1,250.50
153	647402 UAZ BUILDING PARTNERSHIP	EBC			UNIT B	\$ 200	4,386	\$ 65.79		49,142	310,458	359,600	\$ 593.34	\$ 859.13
154	647404 RAILROAD SQUARE LLC	EBC			UNIT C	\$ 200	11,903	\$ 178.55		110,857	447,343	558,200	\$ 921.03	\$ 1,299.58
155	647406 UAZ BUILDING PARTNERSHIP	EBC			UNIT D	\$ 200	4,699	\$ 70.49		49,795	316,005	365,800	\$ 603.57	\$ 874.06
156	650100 MARTIN SCHULKE & ST JOHN LLP	HBB			UNIT A	\$ 200	10,000	\$ 150.00		46,000	359,116	405,116	\$ 668.44	\$ 1,018.44
157	650200 MARTIN SCHULKE & ST JOHN LLP	HBB			UNIT A1	\$ 200	10,000	\$ 150.00		46,000	359,116	405,116	\$ 668.44	\$ 1,018.44
158	650300 MARTIN SCHULKE & ST JOHN LLP	HBB			UNIT B	\$ 200	10,000	\$ 150.00		46,000	359,116	405,116	\$ 668.44	\$ 1,018.44

GREAT FALLS BUSINESS IMPROVEMENT DISTRICT  
ASSESSMENTS FY 2018  
RESOLUTION #10189 - EXHIBIT "A"

PARCEL NO.	PROPERTY OWNER	SUB DIV	Land Use Code (125)	LOT	BLOCK	FLAT FEE	TOTAL SQ.FT.	SQ.FT.	MARKET VAL. LAND	MARKET VAL. IMPS.	VALUATION TOTAL	VALUATION	TOTAL B.I.D. ANNUAL ASSESSMENT
								COST 0.015				COST 0.00165	
159	651010 MEYER KATTIE & KIRKLEN A	JHC			UNIT 1A	\$ 200	936	\$ 14.04	5,906	320,394	326,300	\$ 538.40	\$ 752.44
160	651020 MONTCARE INC	JHC			UNIT M1B	\$ 200	588	\$ 8.82	3,656	29,915	33,571	\$ 55.39	\$ 264.21
161	651030 CONNER DENNIS & JANIS	JHC			UNIT 1C	\$ 200	542	\$ 8.13	2,719	86,681	89,400	\$ 147.51	\$ 355.64
162	651040 TRIPP LESLIE	JHC			UNIT 2A	\$ 200	560	\$ 8.40	3,234	209,366	212,600	\$ 350.79	\$ 559.19
163	651050 SUTTON DANNIE R SR	JHC			UNIT 2B	\$ 200	596	\$ 8.94	4,453	285,747	290,200	\$ 478.83	\$ 687.77
164	651090 GT FALLS BUSINESS IMPROVEMENT DISTRICT	JHC			UNIT 3A	\$ 200	1,430	\$ 21.45	10,080	472,320	482,400	\$ 795.96	\$ 1,017.41
165	651100 OLSON KENNETH R ETAL	JHC			UNIT 4A	\$ 200	1,424	\$ 21.36	9,000	473,400	482,400	\$ 795.96	\$ 1,017.32
166	651115 MARR LIVING TRUST	LJC	125		UNIT 501	\$ 50	474	\$ 7.11	3,000	328,380	331,380	\$ 546.78	\$ 603.89
167	651120 MCCURRY BEATRICE C	LJC	125		UNIT 502	\$ 50	474	\$ 7.11	3,000	238,056	241,056	\$ 397.74	\$ 454.85
168	651125 WADSWORTH HEIDI	LJC	125		UNIT 503	\$ 50	474	\$ 7.11	3,000	236,135	239,135	\$ 394.57	\$ 451.68
169	651501 L'HEUREUX PAGE WERNER PC	KAT			UNIT 1	\$ 200	7,601	\$ 114.02	39,025	690,475	729,500	\$ 1,203.68	\$ 1,517.69
170	651502 MONTANA HOMEOWNERSHIP NETWORK INC	KAT			UNIT 2	\$ 200	1,668	\$ 25.02	8,653	153,147	161,800	\$ 266.97	\$ 491.99
171	651503 SILVERTIP LLC	KAT			UNIT 3	\$ 200	2,224	\$ 33.36	11,624	205,676	217,300	\$ 358.55	\$ 591.91
172	651504 NEIGHBORHOOD HOUSING SERVICES INC	KAT			UNIT 4	\$ 200	1,112	\$ 16.68	5,726	122,374	128,100	\$ 211.37	\$ 428.05
173	651505 NEIGHBORHOOD HOUSING SERVICES INC	KAT			UNIT 5	\$ 200	2,966	\$ 44.49	15,229	269,571	284,800	\$ 469.92	\$ 714.41
174	651506 DANSON DEVELOPMENT ETAL	KAT			UNIT 6	\$ 200	2,966	\$ 44.49	27,369	484,331	511,700	\$ 844.31	\$ 1,088.80
175	1888300 ENERGY WEST MONTANA INC	SEC 11, T20N, R3E			22H	\$ 200	91,000	\$ 1,365.00	385,158	1,338,700	1,723,858	\$ 2,844.37	\$ 4,409.37
176	1888310 MCMANUS PROPERTIES LLC	SEC 11, T20N, R3E			22K	\$ 200	31,363	\$ 470.45	226,564	596,880	823,444	\$ 1,358.68	\$ 2,029.13
177	1921200 NORTHWESTERN CORP TRANSMISSION & DISTR	GF		W1/2-12&13		\$ 200	26,250	\$ 393.75	-	2,217,192	2,217,192	\$ 3,658.37	\$ 4,252.12
178	1921700 QWEST CORPORATION	GF		14		\$ 200	30,000	\$ 450.00	-	2,174,960	2,174,960	\$ 3,588.68	\$ 4,238.68
<b>178</b>	<b>TOTALS</b>					<b>\$32,300</b>	<b>1,915,201</b>	<b>\$ 28,728.03</b>	<b>\$ 10,036,735</b>	<b>\$ 102,637,964</b>	<b>112,674,699</b>	<b>\$ 185,913.26</b>	<b>\$ 246,941.27</b>

# Business Improvement District



**Legend**

- City Owned Properties
- Federal Gov't Properties
- BID Boundary

August 31st, 2015

This map is for reference only ... to comment please contact Jeff Hedstrom at 455-8437.





**Item:** Resolution 10190 to Levy and Assess Properties within the Tourism Business Improvement District

**From:** Judy Burg, Taxes and Assessments

**Initiated By:** Annual Assessment Process

**Presented By:** Melissa Kinzler, Fiscal Services Director

**Action Requested:** City Commission Adopt Resolution 10190

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**Suggested Motion:**

1. Commissioner moves:

"I move that the City Commission (adopt/deny) Resolution 10190."

2. Mayor requests a second to the motion, Commission discussion, public comment and calls for the vote.

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**Staff Recommendation:**

Staff recommends the City Commission adopt Resolution 10190 to levy and assess properties within the Tourism Business Improvement District (TBID).

**Background:**

The TBID was established by Resolution 9792 on December 2, 2008, for a period of ten years by petition of the property owners within the District. Its overall purpose is to utilize assessments through the TBID tax assessment and direct those monies for the purpose of promoting tourism, conventions, trade show and travel to the City of Great Falls.

As required by MCA §7-12-1132, the TBID presented a proposed Work Plan and Budget and recommended a method of levying an assessment on the properties within the district that best ensures the assessment on each lot or parcel is equitable in proportion to the benefits to be received from Fiscal Year 2017/2018. Following the public hearing held on July 18, 2017, the City Commission moved to adopt the Fiscal Year 2017/2018 Work Plan and Budget for the TBID.

**Fiscal Impact:**

The assessment formula as presented to the property owners and recommended to the City Commission

is as follows:

- The applicable hotels shall be subject to an annual assessment of one dollar (\$1.00) per occupied room night as prescribed in MCA §7-12-1133 (c).

The assessment amount requested by the TBID through their Work Plan and Budget was \$400,000. The actual assessment for Fiscal Year 2017/2018 based on the above assessment formula will generate \$389,882 in assessment revenue. The reduction of \$10,118 in this year's assessment revenue is attributed to decreased lodging during the assessment time frame. The Fiscal Year 2017/2018 estimated assessment per lot or parcel is indicated on the assessment projection summary as Exhibit "A" incorporated and made a part of Resolution 10190.

**Alternatives:**

The City Commission could choose to deny Resolution 10190 to assess the property owners within the TBID. However, on July 18, 2017, the City Commission approved the TBID Budget which identifies the TBID assessment as 72% of the operating revenues. Denial of Resolution 10190 will prevent the TBID from carrying out the City Commission previously approved Budget.

**Concurrences:**

The TBID partners with several organizations, such as the 4-Seasons Sports Foundation, Great Falls Public Schools, and the Great Falls Convention and Visitors Bureau to carry out the overall purpose of promoting tourism, conventions, trade shows and travel to the City of Great Falls. Fiscal Services staff is responsible for assessing and collecting the revenues.

ATTACHMENTS:

- Resolution 10190

## **RESOLUTION 10190**

### **A RESOLUTION LEVYING AN ASSESSMENT ON ALL PROPERTIES WITHIN THE GREAT FALLS TOURISM BUSINESS IMPROVEMENT DISTRICT (TBID) NO. 1307**

**WHEREAS**, the City Commission, is authorized to create and administer a business improvement district as provided by § 7-12-1101 through § 7-12-1151 MCA; and,

**WHEREAS**, the City Commission is authorized, more specifically by § 7-12-1101 through § 7-12-1144 MCA, to create a Tourism Business Improvement District (TBID) to promote tourism, conventions, trade shows, and travel to the City of Great Falls; and,

**WHEREAS**, the City Commission received petitions signed by more than the minimum requirement of 60 percent of the owners of the property proposed to be included in the district, and are on file in the City Clerk's office; and,

**WHEREAS**, the City Commission conducted a public hearing to consider establishing the Tourism Business Improvement District as provided for in State Statute; and,

**WHEREAS**, on December 2, 2008, the City Commission approved Resolution 9792 creating the Tourism Business Improvement District No. 1307 in Great Falls, Montana for a duration of ten (10) years; and,

**WHEREAS**, a Board of Directors for the Tourism Business Improvement District has been appointed and said Board has developed and submitted a Work Plan and Proposed Budget to the City Commission; and,

**WHEREAS**, the City Commission is required by § 7-12-1132(b) MCA to conduct a public hearing to hear objections to the work plan and budget, and may modify as it considers necessary and appropriate; and,

**WHEREAS**, the City Commission, is authorized to require all or any portion of the cost of funding all uses and projects for tourism promotion within Great Falls, as specified in the Great Falls Tourism Business Improvement District budget, be paid by the owners of the property embraced within the boundaries of such a district; and,

**WHEREAS**, the City Commission, is authorized to annually assess and collect the entire cost of the district against the entire district using a method, which best ensures that the assessment on each lot or parcel is equitable in proportion to the benefits to be received as provided by § 7-12-1133 MCA.



**NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, that:**

Section 1 – Adoption of Work Plan and Budget

On July 18, 2017, the City Commission held a public hearing on any objections to the Work Plan and Proposed Budget with the understanding that approval of the two documents would necessitate the levying of an assessment on all the property in the district.

Section 2 – Assessment Method

All parcels with hotels, with six or more rooms, 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, within the boundaries of the district are to be assessed for the costs of operating the Tourism Business Improvement District. Stays by persons who are otherwise exempt from paying a transient occupancy tax (a.k.a lodging facility use tax), as provided in § 15-65-101 through § 15-65-136 MCA, shall be exempt from the assessment.

The assessment formula recommended to the City Commission will be a flat fee of one dollar (\$1.00) per occupied room night as prescribed in § 7-12-1133(c) MCA.

The assessment requested for Fiscal Year 2017/2018 is based on the above assessment formula and will generate THREE HUNDRED EIGHTY-NINE THOUSAND EIGHT HUNDRED EIGHTY-TWO DOLLARS (\$389,882) in assessment revenue.

Due to overwhelming support for a Tourism Business Improvement District and concurrence with the assessment formula, the City Commission hereby approves the levying of the assessment as indicated on the assessment projection summary attached to this resolution as Exhibit “A”<sup>1</sup>.

Section 3 – Assessment Due Date

Assessments are payable in two payments and will become delinquent at 5:00 o’clock p.m. on November 30, 2017 and May 31, 2018.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, this 19<sup>th</sup> day of September, 2017.

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Bob Kelly, Mayor

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<sup>1</sup> Exhibit not available online; on file in City Clerk’s Office.

ATTEST:

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Darcy Dea, Deputy City Clerk

(Seal of the City)

APPROVED FOR LEGAL CONTENT:

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Sara R. Sexe, City Attorney