



# City Commission Agenda

for  
**July 3, 2007**

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**Please Note:** The City Commission agenda format allows citizens to speak on each issue prior to Commission discussion. We encourage your participation. Please keep your remarks concise on the topic under consideration.

**\*\*REVISED\*\***

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

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**NEIGHBORHOOD COUNCILS**

1. Miscellaneous reports and announcements.

**PUBLIC HEARINGS**

2. Res. 9658, Conditional Use Permit for Duplex at 1401 1<sup>st</sup> Avenue Northwest. Action: Conduct public hearing and adopt or deny Res. 9658. **(Presented by: Ben Rangel)**
3. Res. 9661, Intent to Increase Property Tax. Action: Conduct public hearing and adopt or deny Res. 9661. **(Presented by: Melissa Kinzler)**
4. Res. 9662, 2007/2008 Budget. Action: Conduct public hearing and adopt or deny Res. 9662. **(Presented by: Melissa Kinzler)**
5. Business Improvement District 2007/2008 Budget and Work Plan. Action: Conduct public hearing and approve or deny Budget and Work Plan. **(Presented by: Tonya Jorgensen)**

**OLD BUSINESS**

- 5A. Animal Control Enforcement and Shelter Operations. Action: Authorize City Manager to take Necessary Steps with Regard to Animal Control Enforcement and Shelter Operations.

**NEW BUSINESS**

**ORDINANCES/RESOLUTIONS**

6. Ord. 2976, Unincorporated land being combined with the incorporated Lots 3-8, Block 3, 7<sup>th</sup> Supplement to Skyline Heights Addition. Assigns zoning classification of R-2 Single-family medium density district. Action: Accept Ord. 2976 on first reading and set public hearing for August 7, 2007. **(Presented by: Ben Rangel)**

**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.*

7. Minutes, June 19, 2007, Commission meeting.
8. Total Expenditures of \$2,264,329 for the period of June 5-27, 2007, to include claims over \$5000, in the amount of \$2,030,770.
9. Contracts list.
10. Set public hearing for July 17, 2007, on Res. 9675, Cost Recovery at 510 11<sup>th</sup> Street South.
11. Set public hearing for July 17, 2007, on Res. 9670, Nuisance Abatement at 4727 2<sup>nd</sup> Avenue North.
12. Award Construction Contract for Sunnyside Water Pressure Improvements – Piping, Phase 1, to United Materials in the amount of \$1,119,880.
13. Award Contract to Abaris Group in the amount of \$32,348 to develop plans, contracts, and ordinances for pre-hospital care.
14. Approve medical director contract with Dr. Vega in the amount of \$14,400 for fiscal year 2007/2008.
15. Appoint B.A.S.E. Trust Fund Trustees.

Action: Approve Consent Agenda or remove items for further discussion and approve remaining items.

#### **BOARDS & COMMISSIONS**

16. Appointments, Advisory Commission on International Relationships. Appoint two members for three-year terms through March 31, 2010.
17. Miscellaneous reports and announcements.

#### **CITY MANAGER**

18. Miscellaneous reports and announcements.

#### **CITY COMMISSION**

19. Miscellaneous reports and announcements.

**PETITIONS AND COMMUNICATIONS** *Please remember that remarks are limited to three minutes per speaker..*

20. Miscellaneous reports and announcements.

#### **MOTION TO ADJOURN**

**CITY OF GREAT FALLS, MONTANA**

**AGENDA #** 2

**A G E N D A   R E P O R T**

**DATE** July 3, 2007

**ITEM** Public Hearing - Resolution 9658 for a Conditional Use Permit for a Duplex at 1401 1<sup>st</sup> Ave NW

**INITIATED BY** Robert and Jane Young, Property Owner

**ACTION REQUESTED** Commission Adopt Resolution 9658

**PREPARED BY** Bill Walters, Senior Planner

**APPROVED & PRESENTED BY** Benjamin Rangel, Planning Director

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**RECOMMENDATION:**

The City Zoning Commission has recommended the City Commission grant a conditional use permit to allow a duplex to be constructed upon Lot 14, Block 35, West Great Falls, subject to specified terms and conditions.

**MOTION:**

“I move the City Commission adopt Resolution 9658.”

**SYNOPSIS:**

Resolution 9658 grants a conditional use permit to allow a duplex to be placed on Lot 14, Block 35, West Great Falls, addressed as 1401 1<sup>st</sup> Avenue Northwest.

**BACKGROUND:**

Robert and Jane Young have applied for a conditional use to permit construction of a two-family residence (duplex) on Lot 14, Block 35, West Great Falls, addressed as 1401 1<sup>st</sup> Avenue Northwest.

Subject property, is presently zoned R-3 single-family high density district wherein a two-family residence (duplex) is permitted upon processing and approval of a conditional use application.

A Vicinity/Zoning Map is attached to the accompanying Staff Report and Recommendation and the final site plan is attached to the accompanying Agreement.

The Zoning Commission on May 8, 2007, conducted a public hearing to consider the conditional use application. The only citizen who spoke at the Hearing was Robert Young, the applicant. Neighborhood Council No. 2 submitted a letter explaining their position regarding the project and the conditional use permit. At the conclusion of the Hearing, the Zoning Commission unanimously passed a motion recommending the City Commission grant a conditional use to allow a two-family residence (duplex) on Lot 14, Block 35, West Great Falls, subject to the applicant/property owner preparing a site plan drawn to scale and entering into an agreement with the City agreeing to develop subject property substantially in accordance with the site plan.

Attach:     Resolution 9658  
              Staff Report and Recommendation with Vicinity/Zoning Map  
              Communication from Neighborhood Council No. 2 received April 23, 2007  
              Agreement with final Site Plan (drawn to scale)  
              Communications dated May 4 & 24 from Kim McCleary, Parking Supervisor  
              Minutes of Zoning Commission Hearing May 8, 2007

Cc:     Robert and Jane Young, 3401 Jasper Road

RESOLUTION 9658

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT  
TO ALLOW A TWO-FAMILY RESIDENCE (DUPLEX), UPON  
LOT 14, BLOCK 35, WEST GREAT FALLS

\* \* \* \* \*

WHEREAS, Robert and Jane Young own Lot 14, Block 35, West Great Falls, addressed as 1401 1<sup>st</sup> Avenue Northwest; and

WHEREAS, Owner desires to construct a two-family residence (duplex), upon subject Lot 14; and

WHEREAS, subject Lot 14 is presently zoned as R-3 Single-family high density district wherein a two-family residence (duplex), is permitted upon processing and approval of a conditional use application; and

WHEREAS, Owner has applied for a conditional use permit to allow placement and construction of a two-family residence (duplex), upon subject Lot 14; and

WHEREAS, the Great Falls Zoning Commission conducted a public hearing on May 8, 2007, to consider said conditional use permit application and at the conclusion of said hearing, passed a motion recommending a conditional use permit be granted to allow a two-family residence (duplex), on subject Lot 14 subject to terms and conditions contained in the Agreement referenced hereinbelow.

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

That a conditional use permit to allow a two-family residence (duplex), to be constructed upon subject Lot 14 is hereby approved; and,

BE IT FURTHER RESOLVED BY THE COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:

That the use of subject Lot 14 for a two-family residence (duplex), shall be in accordance with City Codes, Ordinances and other requirements and the Agreement dated \_\_\_\_\_, 2007, between the City of Great Falls and Robert W. and Jane T. Young; and,

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that this Resolution shall become effective immediately upon its passage and approval.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on this 3<sup>rd</sup> day of July, 2007.

\_\_\_\_\_  
Dona R. Stebbins, Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

(SEAL OF CITY)

Approved for legal content:

\_\_\_\_\_  
David V. Gliko, City Attorney

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

I, \_\_\_\_\_, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution 9658 was placed on its final passage by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 3rd day of July, 2007, wherein it was approved by said Commission.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 3<sup>rd</sup> day of July, 2007.

\_\_\_\_\_  
City Clerk

(SEAL OF CITY)

**PUBLIC HEARING**   #2  

**AGENDA ITEM**   2.F.  

**HRG. DATE**   May 8, 2007  

## **GREAT FALLS ZONING COMMISSION**

### **STAFF REPORT AND RECOMMENDATION**

**ITEM:**   Conditional Use for Duplex on Lot 14, Block 35, West Great Falls  

**INITIATED BY:**   Robert and Jane Young, Owners  

**PRESENTED BY:**   Bill Walters, Senior Planner  

#### GENERAL INFORMATION:

Owner & Applicant: Robert & Jane Young  
3401 Jasper Road  
Great Falls, MT 59404

Address of Subject Property: 1401 1<sup>st</sup> Avenue Northwest

Legal Description of Property: Lot 14, Block 35, West Great Falls

Size/Area of Subject Property: 50ft x 125 ft = 6,250 sq ft

Zoning: R-3 Single-family high density district

Land Use: Garage structure

Requested Action and Purpose: Grant conditional use to permit a two-family residence (duplex)

#### Surrounding Zoning and Land Uses:

<u>Direction</u>	<u>Legal Description</u>	<u>Zoning Classification</u>	<u>Existing Land Use</u>		
North	Lot 1, Blk 35, WGF	R-3	Single family dwelling		
East	Lot 8, Blk 36, WGF	R-3	“	“	“
South	Lot 7, Blk 610, GF5	R-3	“	“	“
West	Lot 13, Blk 35, WGF	R-3	“	“	“

Attachments:

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Development Review Application for Conditional Use  
Preliminary Site Plan  
Picture of possible structure  
Vicinity/Zoning Map  
Communication from Neighborhood Council No. 2 received April 23, 2007

INFORMATION:

1. Robert and Jane Young have applied for a conditional use to permit construction of a two-family residence (duplex) on Lot 14, Block 35, West Great Falls, addressed as 1401 1<sup>st</sup> Avenue Northwest.
2. Subject property, is presently zoned R-3 single-family high density district wherein a two-family residence (duplex) is permitted upon processing and approval of a conditional use application.
3. The accompanying site plan (not drawn to scale) indicates the proposed location of the duplex on subject Lot 14. The applicant has indicated it is their present intent to remove the existing 24ft x 32ft garage on the premises. The required four off-street parking spaces for the duplex will be located on the northerly portion of the lot with access either from 14<sup>th</sup> Street NW or 2<sup>nd</sup> Alley NW.
4. A City water main is located in the abutting portion of 1<sup>st</sup> Avenue NW and a sanitary sewer main is located in the abutting portion of 2<sup>nd</sup> Alley NW.
5. Building requirements in a R-3 district include a minimum front yard setback of 20 ft; minimum side yard setback of 6 ft; minimum rear yard setback of 10 ft; and maximum lot coverage (corner lot) of 55%.
6. The Notice of Public Hearing was mailed to neighboring property owners on April 20, 2007, and was published in the Great Falls Tribune on April 22, 2007. A sign containing copies of the Notice of Public Hearing was placed on the property on April 30, 2007. At the time of writing this report, the only communication received by the Planning Department pertaining to the conditional use request was the attached letter from Neighborhood Council No. 2.

CONDITIONAL USE PERMIT:

The procedure for processing a conditional use is identical to that for a City zone change. Following a public hearing and recommendation by the Zoning Commission, the City Commission shall conduct a public hearing and arrive at a final decision regarding the conditional use application. The City Commission may, through a written agreement with the applicant, establish such conditions and restrictions upon the construction, maintenance and operation of the conditional use as is deemed necessary for the protection of the public interest and to secure compliance with standards and requirements.

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The City Zoning Code lists the seven following criteria to be applied to a request for a conditional use for evaluation purposes.

1. The conditional use is consistent with City's growth policy and applicable neighborhood plans, if any.
2. That the establishment, maintenance or operation of the conditional use will not be detrimental to, or endanger the health, safety, morals, comfort or general welfare.
3. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the neighborhood.
4. The conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
5. Adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.
6. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
7. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the City Commission.

Subject property is located in a predominately single family residential neighborhood one half block from the business district along Central Avenue West and one block from West Elementary School.

Access to the involved corner lot is readily available; public infrastructure exists to provide adequate service; and the development should not adversely affect surrounding properties.

Staff concludes no significant negative aspects, associated with the seven above mentioned criteria, should result from the approval of the conditional use, provided the conditions accompanying the recommendation are fulfilled and enforced.

CONCLUSION:

The end result of approval of the conditional use will be one additional dwelling unit which should not create any noticeable impact on the neighborhood. As the involved site is a corner lot, there should be sufficient area to accommodate the planned duplex structure and required four off-street parking spaces.



RECOMMENDATION:

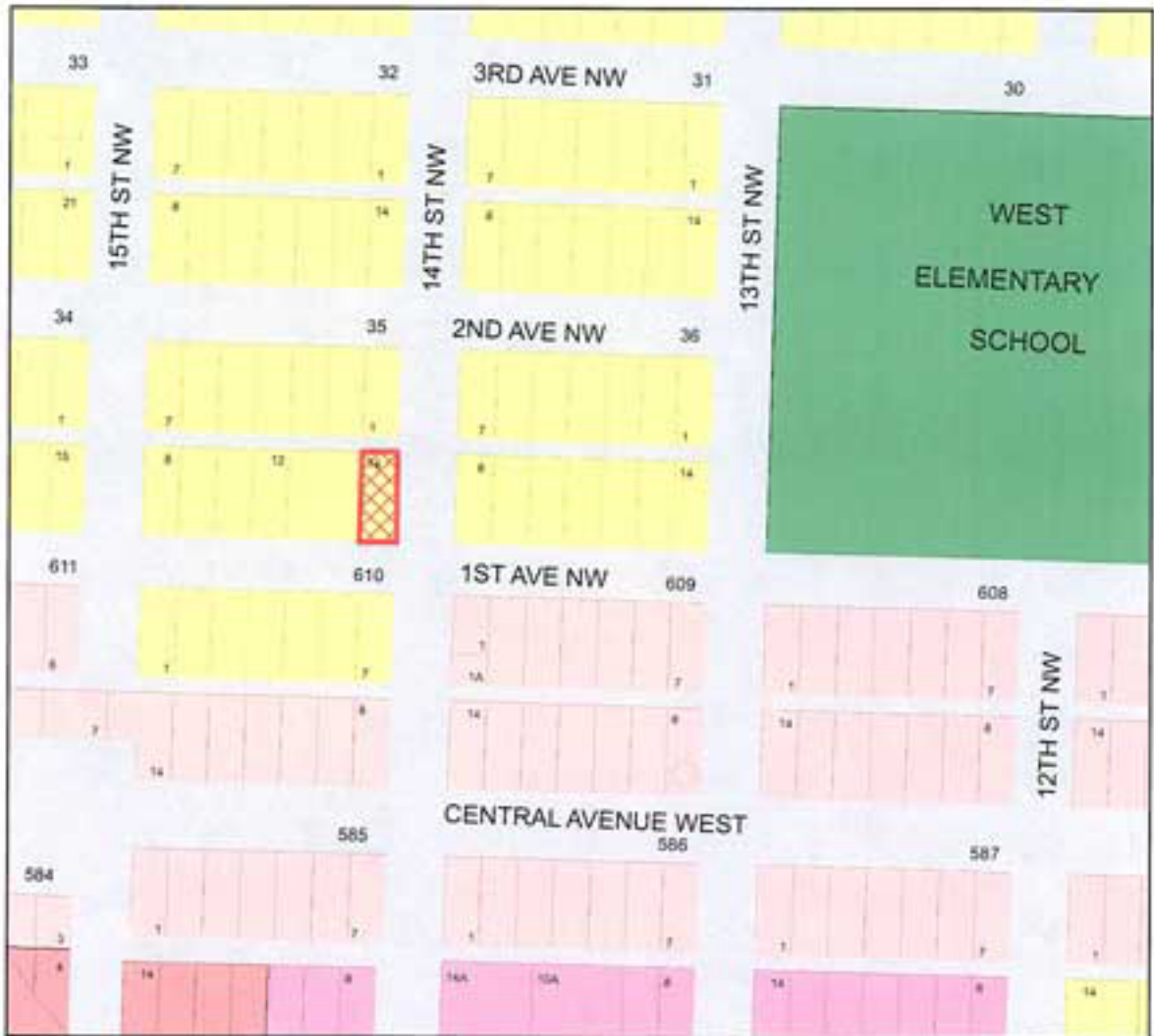
It is recommended that the Zoning Commission recommend to the City Commission that a conditional use be **granted** to allow a two-family residence (duplex) on Lot 14, Block 35, West Great Falls, subject to the applicant/property owner preparing a site plan drawn to scale and entering into an agreement with the City agreeing to develop subject property substantially in accordance with the site plan.


Prepared by: Bill Walters, Senior Planner  
Concurrence by: Benjamin Rangel, Planning Director

Attach: As noted hereinabove

cc: Jim Rearden, Public Works Director  
Dave Dobbs, City Engineer  
Mike Rattray, Community Development Director  
Robert & Jane Young, 3401 Jasper Road

# VICINITY/ZONING MAP



 LOT 14, BLOCK 35, WEST GREAT FALLS REQUESTED TO BE GRANTED CONDITIONAL USE PERMIT TO ALLOW DUPLEX RESIDENCE

- |  |  |
|--|--|
|  R-3 Single-family high density |  M-2 Mixed-use transitional         |
|  R-6 Multi-family high density  |  PLI Public Lands and Institutional |
|  C-2 General commercial         |  I-1 Light industrial               |



## AGREEMENT

THIS AGREEMENT made and entered into on this \_\_\_\_\_ day of \_\_\_\_\_, 2007, by and between ROBERT W. and JANE T. YOUNG, husband and wife, hereinafter referred to as "Owner," and the CITY OF GREAT FALLS, MONTANA, a municipal corporation of the State of Montana, hereinafter referred to as "City."

### WITNESSETH:

WHEREAS, Robert and Jane Young own Lot 14, Block 35, West Great Falls, addressed as 1401 1<sup>st</sup> Avenue Northwest; and

WHEREAS, Owner desires to construct a two-family residence (duplex), upon subject Lot 14; and

WHEREAS, subject Lot 14 is presently zoned as R-3 Single-family high density district wherein a two-family residence (duplex), is permitted upon processing and approval of a conditional use application; and

WHEREAS, Owner has applied for a conditional use permit to allow placement and construction of a two-family residence (duplex), upon subject Lot 14; and

WHEREAS, the Great Falls Zoning Commission conducted a public hearing on May 8, 2007, to consider said conditional use permit application and at the conclusion of said hearing, passed a motion recommending a conditional use permit be granted to allow a two-family residence (duplex), on subject Lot 14 subject to the following terms and conditions.

NOW, THEREFORE, IT IS MUTUALLY AGREED as follows:

1. Adherence to Site Plan  
Owner hereby agrees that development upon said Lot 14 shall be substantially in accordance with the Site Plan attached hereto as Exhibit "A" and by this reference made a part hereof and applicable City Codes.
2. City Acceptance  
City hereby agrees to approve Resolution No. 9658 granting a conditional use permit to allow a two-family residence (duplex), on subject Lot 14.
3. Unforeseen Potentialities  
It is mutually recognized, understood and agreed by City, Owner and Purchaser that subsequent to the time this agreement was entered into, events may occur and actions may be taken which were unforeseen by the hereinabove mentioned parties. In this perspective, it is, therefore, agreed that the parties may by mutual subsequent agreement modify the terms, conditions and covenants of this Agreement.
4. Expiration of Approval  
The conditional use permit authorized by Resolution No. 9658 shall expire one year after the date of this Agreement unless substantial work has commenced under the permit and continues in good faith to completion.
5. Binding Effect  
The provisions, covenants and terms of this Agreement shall be placed of record in the records of Cascade County, Montana, shall run with the land and shall be binding upon all devisees, heirs, successors and assigns of the signatories affixed hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year set forth on page one hereof.

THE CITY OF GREAT FALLS, MONTANA  
A Municipal Corporation of the State of Montana

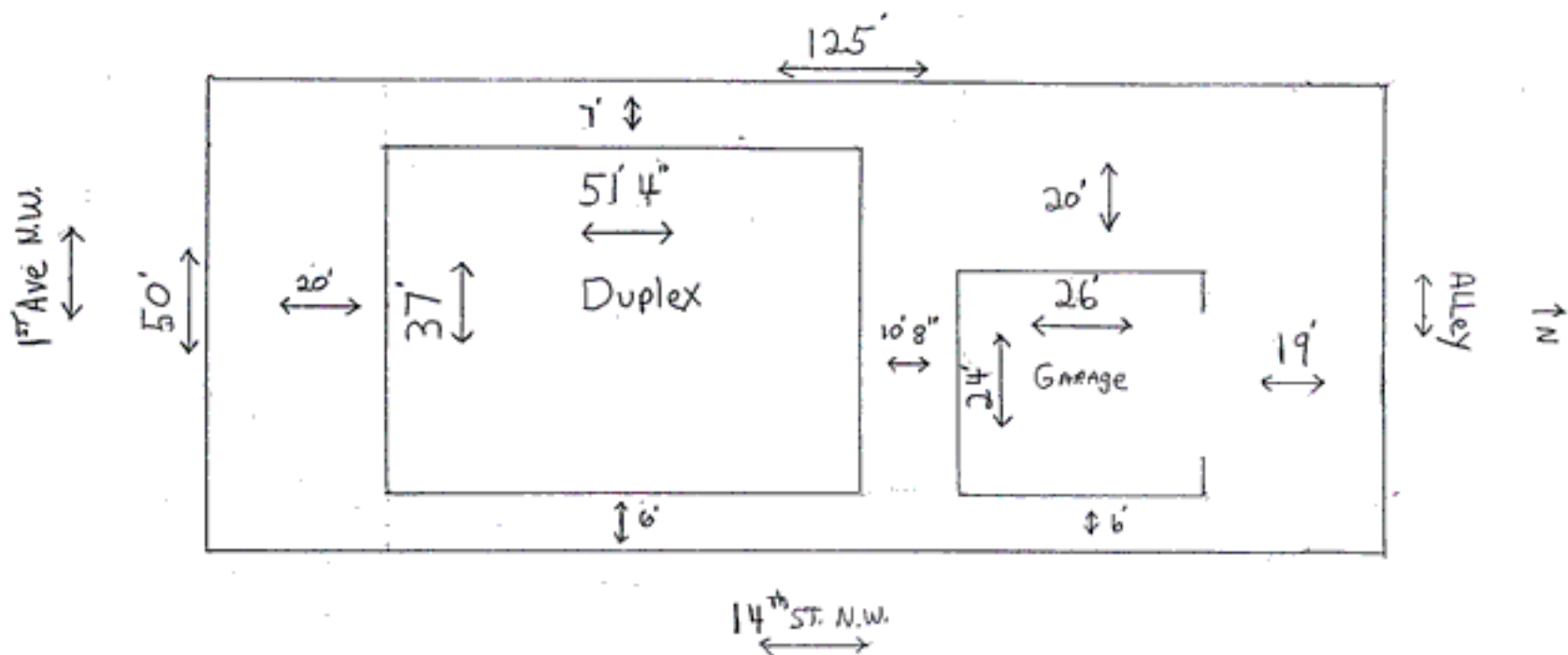
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John W. Lawton, City Manager





LOT 14, BLOCK 35 WEST GREAT FALLS



1401 1<sup>st</sup> Ave N.W.

Robert (Jabby) Young  
 Janey Young  
 799 5196

SCALE: 1/8" = 1'-0"	DATE: 5-23-07	DRAWN BY: J. Young	REVIEW:
PROJECT:		DATE:	
DRAWING NO.:		SHEET NO.:	

MAY 22 2007

## **GREAT FALLS ZONING COMMISSION**

### **MINUTES OF THE PUBLIC HEARING FOR CONDITIONAL USE FOR DUPLEX ON LOT 14, BLOCK 35, WEST GREAT FALLS**

May 8, 2007

The public hearing was called to order at 4:08 p.m. in the Commission Chambers of the Civic Center by Chairman John Harding.

#### **ROLL CALL & ATTENDANCE**

Zoning Commission Members present:

Mr. Art Bundtrock  
Ms. Danna Duffy  
Mr. John Harding  
Mr. Terry Hilgendorf  
Mr. Ron Kinder  
Dr. Greg Madson  
Mr. Bill Roberts  
Mr. Joe Schaffer

Zoning Commission Members absent:

Mr. Bill Bronson

Planning Staff Members present:

Mr. Andrew Finch, Senior Transportation Planner  
Ms. Deb McNeese, Administration Assistant  
Mr. Ben Rangel, Planning Director  
Mr. Bill Walters, Senior Planner

Others present:

Mr. Dave Dobbs, City Engineer

A copy of the attendance list, as signed by those present, is attached and incorporated by reference.



## **EXPLANATION OF HEARING PROCEDURES**

Mr. Harding advised that agendas are available on the table at the back of the room and the agenda will be followed. He requested that everyone present sign the attendance list, which was also on the table. There will be an opportunity for proponents and opponents to speak. Mr. Harding asked those intending to speak to come to the rostrum, state their name, address and whom they represent. He requested remarks be on the subject before the Board at this hearing and be limited to a reasonable length of time to allow everyone equal opportunity to speak. The Chairman reserves the right to determine reasonable time. The hearing is recorded on tape as an aid in preparing minutes. He asked that cell phones and electronic devices be turned off.

## **READING OF PUBLIC NOTICE**

As there was no response to Mr. Harding's question on whether anyone present wished to have the public notice read, the public notice was not read.

## **PLANNING STAFF REPORT & RECOMMENDATION**

After reviewing the staff report and recommendation, Mr. Walters said he would be glad to respond to any questions from the Board.

Mr. Harding asked if the Community Development memo requiring a handicap parking space was correct.

There followed more discussion on parking conditions. Mr. Walters said he would have the requirement checked.

## **PETITIONER'S PRESENTATION**

Mr. Robert Young, 3401 Jasper Road, owner of the property, said the parking requirement memo he had just been handed would require redesign of the project.

## **PROponents OPPORTUNITY TO SPEAK**

There were no proponents.

## **OPponents OPPORTUNITY TO SPEAK**

There were no opponents.

## **PETITIONER'S RESPONSE**

The petitioner did not provide a presentation.

### **OTHER PUBLIC COMMENT**

There was no other public comment.

### **ZONING COMMISSION DISCUSSION & ACTION**

**MOTION:** That the Zoning Commission recommend to the City Commission that a conditional use be granted to allow a two-family residence (duplex) on Lot 14, Block 35, West Great Falls, subject to the applicant/property owner preparing a site plan drawn to scale and entering into an agreement with the City agreeing to develop subject property substantially in accordance with the site plan.

Made by: Mr. Schaffer  
Second: Mr. Hilgendorf

Mr. Roberts voiced his concerns that allowing a duplex in this neighborhood might set a precedent. There followed further discussion on the conditional use process.

Vote: The motion passed.

Mr. Walters advised that Staff will verify the parking issue, and once an updated site plan and an agreement is received, the Zoning Commission recommendation will be forwarded to the City Commission for its consideration.

### **ADJOURNMENT**

The hearing adjourned at 4:33 p.m.

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CHAIRMAN

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SECRETARY



DEVELOPMENT REVIEW APPLICATION

Name of Project/Development: Young Duplex

Owner(s): Robert + Jane Young (Jabby)

Mailing Address: 3401 Jasper Rd.

Phone: 761-8092 E-mail: jabby.young@bresnan.net FAX: \_\_\_\_\_  
Cell: 799-5196

Agent(s): SAME

Mailing Address: \_\_\_\_\_

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_ FAX: \_\_\_\_\_

Legal Description: LOT 14 Block 35 WGF

Section: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_

Street Address: 1401 1st Ave. N.W.

Zoning: Current: R3 Proposed: Duplex in R-3 zoning

Land Use: Current: GARAGE Proposed: Duplex

Covenants or Deed Restriction on Property: Yes \_\_\_\_\_ No X  
If yes, please attach to application

Application Type (please check all that apply):

- Subdivision Preliminary Plat
- Subdivision Minor Plat
- Subdivision Mobile Home/RV Park
- Subdivision Final Plat
- Annexation
- Zoning Map Amendment
- Conditional Use Permit
- Establishment of Zoning with Annexation

I (We) the undersigned understand that the filing fee accompanying this application is not refundable. I (We) further understand that the fee pays for the cost of processing, and the fee does not constitute a payment for approval of the application.

I (We) also attest that the above information is true and correct to the best of my (our) knowledge.

Property Owner's Signature: Robert Young Date: 12 APR 07

Property Owner's Signature: Jane Young Date: 12 APR 07

City County Planning Board  
Attn. Ben Rangel

Neighborhood Council 2 has voted to send to you the proposed conditional use change of Mr. Young on first Ave N.W. and 14<sup>th</sup> street. We feel the neighborhood residents, as a whole, do not oppose this project. We as a council do have concerns about setting a precedent with this use change and how it will influence making other conditional use and zoning changes for other lots to allow further duplex development in that immediate area. We feel there could be adverse effects causing parking, traffic, and noise problems. Mr. Young's project is unique as it is a corner lot with no adjoining duplexes. We feel this will be a good use solution for that particular lot, but not necessarily other lots in that area. We would definitely request that any other conditional change in that area be considered on an individual basis and not be influenced by this change. We do not want this change to set precedence for the entire area.

We also see the value in an applicant seeking our approval, but a more reliable method needs to be developed by the councils and your department to ensure both the neighborhood residents and the developer interests are better served.

Council 2



Robert Mehlhoff  
Chairman



# Memo

**To:** Bill Walters, Senior Planner  
**From:** Kim McCleary, Parking Supervisor *Kim McCleary*  
**Date:** May 24, 2007  
**Re:** Young Conditional Use for Duplex on L 14, B 35, West Great Falls

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I have reviewed a revised site plan that Mr. Young has submitted, and found that all the City's parking requirements for the duplex have been met. Handicap parking is only required for four residential units or more. Therefore, no handicap parking is required for this project.

If you have any questions, please call me at 455-8405.



**CITY OF GREAT FALLS, MONTANA  
AGENDA REPORT**

**AGENDA #** 3  
**DATE** July 3, 2007

**ITEM** Resolution 9661 - Intent to Increase Property Tax

**INITIATED BY** Statutory Budget Requirements

**ACTION REQUESTED** Conduct the Public Hearing and Adopt the Tax Increase Resolution

**PRESENTED & PRESENTED BY** Melissa Kinzler, Budget Officer

**REVIEWED & APPROVED BY** Cheryl Patton, Assistant City Manager

**RECOMMENDATIONS**

Staff recommends the City Commission conduct the public hearing on the Intent to Increase Property Tax and adopt Resolution 9661.

**MOTIONS**

I move the City Commission adopt Resolution 9661.

**SYNOPSIS**

MCA 15-10-203, requires the City to hold a public hearing before passing a resolution stating its intent to increase property tax revenues. MCA 15-10-420, authorizes a property tax levy increase of "one-half of the average rate of inflation for the prior 3 years". The Consumer Price Index showed a 3.06% average increase. Therefore the City is allowed and is proposing a 1.53% property tax levy increase.

MCA 15-10-420 and 2-9-212(2a), also allow property tax levy increases for premium contributions for group benefits. The City is proposing an additional 3.1% property tax levy increase for health insurance premiums.

The total proposed allowable property tax levy increase is 4.63%.

The average cost of this increase for a house with a market value of \$100,000 would be approximately \$15.00 a year.

**BACKGROUND**

Attached is Notice of Budget Increase from Property Taxes  
Attached is Resolution 9661 - Intent to Increase Property Tax

**RESOLUTION NO. 9661**  
**INTENT TO INCREASE PROPERTY TAX RESOLUTION**  
**FOR THE FISCAL YEAR BEGINNING JULY 1, 2007 AND ENDING JUNE 30, 2008**

- A. MCA 15-10-203(1) requires the City to hold a public hearing and subsequently adopt a resolution of its intent to increase property tax revenue, prior to budgeting for any increase in property tax revenue from existing property.
- B. MCA 15-10-420(1) allows the City to increase its annual property tax levy by "one-half the rate of inflation for the prior 3 years".
- C. MCA 15-10-420(1c) provides for the average rate of inflation to be calculated "using the consumer price index, U.S. City average, all urban consumers, using the 1982-1984 base of 100, as published by the Bureau of Labor Statistics of the United States Department of Labor".
- D. The applicable consumer price indexes had a three year average of 3.06% and an allowed tax levy increase of **1.53%**.
- E. MCA 2-9-212(2a) excludes a portion of a governmental entity's property tax levy for premium contributions for group benefits from the mill levy calculation limitation provided for in 15-10-420.
- F. MCA 2-9-212(2a) allows additional mill levys for premium contributions for group benefits beyond the amount of contributions in effect.
- G. The applicable contributions increase allows the City to levy an additional 4 mills under MCA 2-9-212(2a), an allowed tax levy increase of **3.1%**.
- H. The notice of hearing on the City's intent to budget an increase in revenue from property taxation **by 4.63%**, was published in accordance with MCA 7-1-4127, as required by MCA 15-10-203, and MCA, 2-9-212.
- I. The hearing on the City's intent to budget an increase in revenue from property taxation was held in accordance with MCA 7-1-4131 and MCA 15-10-203.

**NOW, THEREFORE,**

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

**Section 1. - Intent to budget additional property tax revenue**

The City Commission intends to budget the **4.63 percent** increase in property tax revenue allowed by MCA 15-10-420.

PASSED by the Commission of the City of Great Falls, Montana, on this \_\_\_\_ day of \_\_\_\_\_, 2007.

Dona Stebbins, Mayor

ATTEST:

Peggy Bourne, City Clerk

(SEAL OF CITY)

Approved as to form: City Attorney

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

I, Peggy Bourne, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution No. 9661 was placed on its final passage and passed by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the \_ day of \_\_\_\_\_, 2007, and approved by the Mayor of said City on the \_\_\_ day of \_\_\_\_\_, 2007.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this \_\_\_ day of \_\_\_\_\_, 2007.

Peggy Bourne, City Clerk

(SEAL OF CITY)



**NOTICE OF BUDGET INCREASE FROM PROPERTY TAXES**

The City of Great Falls intends to budget an increase in revenue from property taxation by approximately **4.63%**, as allowed by State statute 15-10-420.

All concerned persons are invited and encouraged to attend a public hearing on budgeting the increased property tax revenue and on the budget as a whole to be held on July 3, 2007, at 7:00 p.m., City Commission Chambers, Civic Center Building.

A decision on budgeting the increased property tax revenue will be made after considering comments made at this hearing.

For further information, please contact: City Clerk's Office, Room 202, Civic Center, 455-8451.

Peggy J. Bourne  
City Clerk

.....  
**FOR OFFICE USE ONLY**

Publication Dates: June 24, 2007  
July 1, 2007

**DISPLAY AD**

THIS ADVERTISEMENT MAY NOT BE PLACED IN THAT PORTION OF THE NEWSPAPER WHERE LEGAL NOTICES AND CLASSIFIED ADVERTISEMENTS APPEAR. (15-10-203, MCA)

## NOTICE OF BUDGET HEARING

NOTICE is hereby given that the City Commission of the City of Great Falls has:

- completed its preliminary budget;
- placed the preliminary budget on file and open to public inspection at the City Clerk's Office, Room 202, Civic Center Building; and,
- set the public hearing on the City of Great Falls 2007 / 2008 Annual Operating Budget for 7 PM, Tuesday, July 3, 2007, at the City Commission Chambers, Civic Center Building.

All persons desiring to be heard are invited to appear and provide written or oral comments concerning the budget. For further information, please contact: City Clerk's Office, Room 202, Civic Center, 455-8451.

Peggy J. Bourne  
City Clerk

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### FOR OFFICE USE ONLY

Publication Dates:     June 24, 2007  
                                  July 1, 2007

**LEGAL AD**

**CITY OF GREAT FALLS, MONTANA  
A G E N D A   R E P O R T**

**AGENDA #** 4  
**DATE** July 3, 2007

**ITEM** Resolution 9662 – 2007/2008 Budget

**INITIATED BY** Statutory Budget Requirements

**ACTION REQUESTED** Conduct Public Hearing and Adopt Resolution

**PREPARED & PRESENTED BY** Melissa Kinzler, Budget Officer

**REVIEWED & APPROVED BY** Cheryl Patton, Assistant City Manager

**RECOMMENDATIONS**

Staff recommends the City Commission:

1. Conduct the budget hearing;
2. Consider any budget changes which may be recommended during the budget hearing; and
3. Adopt Resolution 9662 or postpone action on Resolution 9662 until July 17, 2007.

**MOTIONS**

I move the City Commission adopt Resolution 9662.

OR

I move the City Commission schedule action on Resolution 9662 for July 17, 2007.

**SYNOPSIS**

Prior to adoption of the City's annual budget the City is required to hold two public hearings on:

1. the proposed annual budget, and
2. its intent to budget an increase in revenue from property taxation ( a separate agenda item).

The City is developing its annual budget.

- The City started the annual budget process with a series of public work sessions.
- The budget is developed in accordance with City Commission direction.
- The proposed budget was presented by the City Manager at the City Commission Work Session on June 19, 2007.
- The public hearing on the budget is proposed for July 3, 2007.
- The budget adoption is proposed for July 3, 2007 or July 17, 2007.
- Setting of the tax levies is proposed for August 7, 2007 or when the Montana Department of Revenue certifies the taxable values of the City of Great Falls.

## **BACKGROUND**

Attached is Resolution 9662 - Proposed Annual Budget Resolution

All budgets will be closely administered to assure that the City will not deficit spend. There is always some flexibility when dealing with a large operation. The City conducts Mid-year budget reviews to determine budget adjustments which may be needed. Careful administration and budget flexibility along with Mid-year adjustment potential provide assurance that the City will avoid operation or service cuts.

In accordance with 7-6-4021 and 7-1-4127 MCA the City Commission has:

- a. completed its preliminary budget for the upcoming fiscal year;
- b. placed the budget on file, open to public inspection; and,
- c. published notices of preliminary budget hearing.

7-1-4131 and 7-6-4024, MCA prescribe the required public hearing process.

Tax levies cannot be set until the City receives the Assessor's Certification of Taxable Valuation in the beginning of August.

### Notices of Hearings

Notices of hearings were published in accordance with MCA 7-1-4127, which requires notice of budget hearing:

- a. be published two times;
- b. contain the date, time and place at which the hearing will occur;
- c. a brief statement of the action to be taken; and,
- d. the address and telephone number of the City's contact person for further information.

**RESOLUTION NO. 9662**

**ANNUAL BUDGET RESOLUTION**

A RESOLUTION RELATING TO FINAL BUDGETS AND ANNUAL  
APPROPRIATIONS FOR THE FISCAL YEAR  
BEGINNING JULY 1, 2007 AND ENDING JUNE 30, 2008

- A. Montana Code Annotated, 7-6-4024, requires that the budget be approved and adopted by resolution by the later of the second Monday in August or 45 calendar days of receiving certified taxable values from the Department of Revenue.
- B. the notice of hearing on budget increase from property taxes was published in accordance with MCA, 15-10-203,
- C. the notice of hearing on preliminary budget was published in accordance with MCA, 7-1-4127, as required by MCA, 7-6-4021; and,
- D. the hearing on preliminary budget and budget increase from property taxes was held in accordance with MCA, 7-1-4131 and 7-6-4024.

**NOW, THEREFORE,**

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

Section 1. - Legal Spending Limits

The legal spending limits of the City of Great Falls are established at the fund level.  
Appendix A establishes each funds level. (7-6-4030,MCA)

Section 2. - Implementation Authority

2.1 The City Manager is hereby delegated appropriation authority for the expenditure of funds from any or all of the following:

- a. debt service funds;
- b. trust funds;
- c. federal, state, local or private grants accepted and approved by the governing body;
- d. special assessments;
- e. proceeds from the sale of land;
- f. any fund for gifts or donations; and,
- g. money borrowed during the fiscal year. (7-6-4006,MCA)

2.2 The City Manager is hereby delegated authority to adjust appropriations funded by

fees throughout the fiscal year in any or all of the following:

- a. proprietary funds (enterprise and internal service funds);
- b. general fund for fee supported services;
- c. planning fund for fee supported mapping services;
- d. natural resources fund for fee supported forestry services;
- e. permits fund; and,
- f. licenses fund.

(7-6-4012,MCA)

2.3 The City Manager is hereby delegated the authority to make transfers or revisions within appropriations of any fund.

2.4 The City Manager may delegate to his department directors the authority to make transfers or revisions within or among appropriations of specific operations within a fund, limited to the division level of accountability.

2.5 Joint operating agreements approved by the governing body; insurance recoveries or dividends; hazardous material recoveries and, refunds or reimbursements of expenditures shall automatically amend the annual appropriations or reduce recorded expenditures whichever is correct in accordance with Generally Accepted Accounting Principles (GAAP).

### Section 3. - Appropriation Carryovers

Generally accepted accounting principles (GAAP) require expenditures to be recognized in the fiscal year in which the goods or services are received.

3.1 Previous fiscal year appropriations for incomplete improvements in progress of construction, or segments thereof, are hereby declared authorized appropriations in addition to the appropriations set out in Appendix A., provided they meet the following criteria:

- a. related financing was provided in the prior fiscal year;
- b. the appropriations were not obligated by year end;
- c. the purpose was not included, or rejected, in current budget financing or appropriations; and,
- d. the City Manager determines the appropriation is still needed.

3.2 Outstanding purchase orders and other obligations, representing a City obligation to pay the claim after receipt of the goods or services, are recognized as "claims incurred". They are hereby declared authorized "carryover" appropriations in addition to the appropriations set out in Appendix A., provided they meet the following criteria:

- a. related financing was provided in the prior fiscal year;
- b. the appropriations were not otherwise obligated by year end;
- c. the purpose was not included, or rejected, in current budget financing or appropriations; and,
- d. the City Manager determines the appropriation is still needed.

#### Section 4. - Appropriated Reserves

Reserves which have been established for specific purposes, such as Equipment Revolving Scheduled (ERS) reserves, are hereby declared to be appropriations available for expenditure according to the reserve purpose. They shall be acknowledged as current appropriations upon the determination by the City Manager that they are currently needed to serve their intended purpose. Unexpended reserves shall be carried forward to meet future needs in accordance with their purpose.

#### Section 5. Contingency Account

5.1 Contingency account appropriations are provided by the City Commission as flexible appropriations. They are intended to provide the City Manager with an effective management tool for adjusting to changing circumstances throughout the budgetary year.

5.2 The City Manager is delegated the authority to transfer part or all of any contingency appropriation and related financing. Use of contingency appropriations is restricted to transfers of that appropriation authority to specific operating budgets. Proper classification of expenditures to specific operations is required. Accordingly, charging of expenditures directly to Contingency accounts is prohibited.

5.3 The Contingency appropriation is a two part authorization, determined on whether cash funding has been allocated in the General Fund during budget development:

- a. General Fund financed; and,
- b. Unfunded - a specific fund cash balance, additional revenue, or other funding source must be identified before the "unfunded" contingency appropriation may be used.

#### Section 6. - Classification and Pay Plan

6.1 The objective of the City's Classification and Pay Plan is to enable the City to retain, and when necessary, recruit competent employees. Therefore, the Plan must be a dynamic tool which is continuously updated.

6.2 The City Manager is authorized to administratively change the Classification and Pay Plan. Annual pay surveys, continual or periodic review of positions with changed duties or responsibilities, and additions to the classification plan of changed and new classes of work will assure that the Classification and Pay Plan remains current and equitably meets the needs of the City and its employees.

#### Section 7. - Budgetary Authority

References to statutes, or to consistency with statutory authority, are for information purposes only. Nothing in this resolution shall be considered to mitigate or compromise the City's self-governing authority.

Section 8. - Accounting Structure

Staff is hereby directed to establish and maintain City accounting structure in accordance with Generally Accepted Accounting Principles (GAAP). Statutes, ordinances, resolutions or other authoritative sources shall be implemented according to their intent and GAAP. Staff shall provide for conformance with the Commission's limits for financing and appropriation under authorized budgets whenever making proper modifications to accounting structure.

PASSED by the Commission of the City of Great Falls, Montana, on this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

Dona Stebbins, Mayor

ATTEST:

Peggy Bourne, City Clerk

(SEAL OF CITY)

Approved as to form: City Attorney

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

I, Peggy Bourne, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution No. 9662 was placed on its final passage and passed by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the \_ day of \_\_\_\_, 2007, and approved by the Mayor of said City on the\_\_ day of \_\_\_\_\_, 2007.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of  
said City this \_\_\_ day of \_\_\_\_\_, 2007.

(SEAL OF CITY)

Peggy Bourne, City Clerk

## Appendix A. Balances & Changes by Fund for Year Ending June 30, 2008

	Estimated Beginning Balance	(+ Working Capital Sources			(-) Working Capital Uses			Estimated Ending Balance	Reserved Balance	Available Balance
		Revenue	Transfers In	Total Sources	Appropri.	Transfers Out	Total Uses			
<b>General Fund</b>	2,919,606	21,404,517	236,000	21,640,517	18,823,690	2,814,186	21,637,876	2,922,247	301,032	2,621,215
<b>Special Revenue Funds</b>										
Tax Increment Fund	0	473,066	0	473,066	175,039	297,935	472,974	92	0	92
Planning Fund	68,077	552,364	143,564	695,928	689,598	6,330	695,928	68,077	0	68,077
CTEP Projects Fund	12,069	0	0	0	11,232	0	11,232	837	0	837
Lighting Districts Fund	781,870	1,193,418	0	1,193,418	1,205,032	0	1,205,032	770,256	0	770,256
Historic Bridge Fund	(23,284)	0	0	0	0	0	0	(23,284)	0	(23,284)
Support & Innovation Fund	21,715	163,060	375,879	538,939	536,566	0	536,566	24,088	0	24,088
911 Special Revenue Fund	478,197	392,000	0	392,000	39,279	282,112	321,391	548,806	0	548,806
Police Special Revenue Fund	271,412	32,000	0	32,000	119,682	0	119,682	183,730	183,730	0
Fire Special Revenue Fund	33,337	5,600	0	5,600	515	0	515	38,422	0	38,422
Public Works Special Revenue Fund	47,712	0	0	0	536	0	536	47,176	0	47,176
Street District Fund	489,121	4,238,232	0	4,238,232	4,506,025	20,642	4,526,667	200,686	0	200,686
Library Fund	390,886	422,850	765,000	1,187,850	1,197,004	13,450	1,210,454	368,282	115,580	252,702
Library Foundation Fund	105,563	261,100	0	261,100	258,732	0	258,732	107,931	0	107,931
Park & Recreation Special Revenue Fund	399,886	100,500	25,000	125,500	123,629	0	123,629	401,757	294,996	106,761
River's Edge Trail Special Revenue Fund	23,499	0	0	0	22	0	22	23,477	0	23,477
Natural Resources Fund	29,855	340,825	265,982	606,807	601,963	4,747	606,710	29,952	0	29,952
Portage Meadows Fund	20,664	22,990	0	22,990	27,458	0	27,458	16,196	0	16,196
Housing Authority Fund	0	1,040,276	0	1,040,276	1,025,639	14,637	1,040,276	0	0	0
Federal Block Grants Fund	4,688	1,283,857	0	1,283,857	1,285,851	1,931	1,287,782	763	0	763
Federal Home Grant Fund	12,690	410,374	0	410,374	421,846	316	422,162	902	0	902
Community Development Fund	58,462	234,560	0	234,560	234,559	1,851	236,410	56,612	0	56,612
Economic Revolving Fund	11,446	191,985	0	191,985	201,952	0	201,952	1,479	0	1,479
Permits Fund	236,619	786,570	0	786,570	852,362	7,754	860,116	163,073	0	163,073
Licenses Fund	830	221,717	0	221,717	221,717	823	222,540	7	0	7
Ag Tech Park Fund	50,863	0	0	0	0	0	0	50,863	0	50,863
<b>Total Special Revenue Funds</b>	<b>3,526,177</b>	<b>12,367,344</b>	<b>1,575,425</b>	<b>13,942,769</b>	<b>13,736,238</b>	<b>652,528</b>	<b>14,388,766</b>	<b>3,080,180</b>	<b>594,306</b>	<b>2,485,874</b>
<b>Debt Service Funds</b>										
Master Debt SILD	(5,796)	12,087	0	12,087	25,628	0	25,628	(19,337)	0	(19,337)
Improvement Districts Revolving Fund	641,111	218,813	0	218,813	141,264	0	141,264	718,660	718,660	0
Soccer Park Bonds	94,118	194,900	0	194,900	187,950	0	187,950	101,068	0	101,068
Swim Pool Rehab GO Bond	0	280,000	0	280,000	260,800	0	260,800	19,200	0	19,200
Tax Increment Bond Fund	2,871,507	2,352,000	0	2,352,000	2,519,019	454,000	2,973,019	2,250,488	2,250,488	0
<b>Total Debt Service Funds</b>	<b>3,600,940</b>	<b>3,057,800</b>	<b>0</b>	<b>3,057,800</b>	<b>3,134,661</b>	<b>454,000</b>	<b>3,588,661</b>	<b>3,070,079</b>	<b>2,969,148</b>	<b>100,931</b>
<b>Capital Project Funds</b>										
General Capital Fund	1,398,665	10,000	348,000	358,000	352,469	0	352,469	1,404,196	0	1,404,196
City Lighting Construction	1,748	0	0	0	0	0	0	1,748	0	1,748
Improvement District Projects Fund	0	0	0	0	0	0	0	0	0	0
Hazard Removal Fund	49,889	50,000	0	50,000	51,667	0	51,667	48,222	0	48,222
Sidewalk Hazard Removal Fund	59	0	0	0	59	0	59	0	0	0
<b>Total Capital Project Funds</b>	<b>1,450,361</b>	<b>60,000</b>	<b>348,000</b>	<b>408,000</b>	<b>404,195</b>	<b>0</b>	<b>404,195</b>	<b>1,454,166</b>	<b>0</b>	<b>1,454,166</b>

## Appendix A. Balances & Changes by Fund for Year Ending June 30, 2008

	Estimated Beginning Balance	(+ Working Capital Sources			(-) Working Capital Uses			Estimated Ending Balance	Reserved Balance	Available Balance
		Revenue	Transfers In	Total Sources	Appropri.	Transfers Out	Total Uses			
<b>Enterprise Funds</b>										
Water Fund	4,469,583	10,003,080	0	10,003,080	10,005,862	24,100	10,029,962	4,442,701	3,632,768	809,933
Sewer Fund	4,518,013	7,260,279	0	7,260,279	7,912,324	8,181	7,920,505	3,857,787	3,810,337	47,450
Storm Drain Fund	3,392,853	1,831,800	0	1,831,800	2,455,924	158	2,456,082	2,768,571	1,028,595	1,739,976
Sanitation Fund	211,511	3,169,122	0	3,169,122	2,956,376	14,510	2,970,886	409,747	126,371	283,376
Electric Utility Fund	(971,490)	6,166,000	0	6,166,000	6,723,891	0	6,723,891	(1,529,381)	0	(1,529,381)
Safety Services Fund	179,489	1,013,643	271,216	1,284,859	1,350,257	14,503	1,364,760	99,588	0	99,588
Parking Fund	230,660	558,750	0	558,750	702,003	665	702,668	86,742	64,266	22,476
Golf Courses Fund	(1,274,266)	1,294,582	79,600	1,374,182	1,368,406	5,317	1,373,723	(1,273,807)	237,718	(1,511,525)
Swim Pools Fund	(166,980)	324,491	566,504	890,995	864,335	2,049	866,384	(142,369)	0	(142,369)
Recreation Fund	69,784	392,875	220,438	613,313	570,895	5,629	576,524	106,573	0	106,573
Civic Center Events Fund	109,297	352,220	216,352	568,572	581,256	2,326	583,582	94,287	5,251	89,036
<b>Total Enterprise Funds</b>	<b>10,768,454</b>	<b>32,366,842</b>	<b>1,354,110</b>	<b>33,720,952</b>	<b>35,491,529</b>	<b>77,438</b>	<b>35,568,967</b>	<b>8,920,439</b>	<b>8,905,306</b>	<b>15,133</b>
<b>Internal Service Funds</b>										
Administrative Services Fund	(7,886)	299,162	0	299,162	295,950	3,212	299,162	(7,886)	0	(7,886)
Central Communications Fund	80,349	82,950	0	82,950	83,015	1,028	84,043	79,256	0	79,256
Health and Benefits Fund	(637,081)	5,018,960	350,000	5,368,960	5,018,960	0	5,018,960	(287,081)	0	(287,081)
Insurance & Safety Fund	98,122	1,413,190	0	1,413,190	1,413,190	831	1,414,021	97,291	0	97,291
Fiscal Services Fund	56,007	1,698,775	0	1,698,775	1,684,708	14,067	1,698,775	56,007	0	56,007
Information Tech Fund	444,793	1,172,093	21,792	1,193,885	1,110,705	6,883	1,117,588	521,090	439,630	81,460
Central Garage Fund	1,325,396	1,735,471	0	1,735,471	1,442,674	8,039	1,450,713	1,610,154	940,528	669,626
Engineering Fund	205,124	1,035,634	162,710	1,198,344	1,150,619	10,286	1,160,905	242,563	104,823	137,740
Public Works Administration Fund	78,446	430,341	0	430,341	429,666	2,374	432,040	76,747	7,000	69,747
Civic Center Facility Services Fund	142,873	460,264	0	460,264	481,765	3,165	484,930	118,207	97,116	21,091
<b>Total Internal Service Funds</b>	<b>1,786,143</b>	<b>13,346,840</b>	<b>534,502</b>	<b>13,881,342</b>	<b>13,111,252</b>	<b>49,885</b>	<b>13,161,137</b>	<b>2,506,348</b>	<b>1,589,097</b>	<b>917,251</b>
<b>Trust &amp; Agency Funds</b>	<b>0</b>		<b>0</b>	<b>0</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Trust & Agency Fund transactions are made in accordance with specific trust or agency agreements, covenants or other regulations. Accordingly, annual budgets are not prepared.										
<b>Total Trust &amp; Agency Funds</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Total All Budgeted Funds</b>	<b>24,051,681</b>	<b>82,603,343</b>	<b>4,048,037</b>	<b>86,651,380</b>	<b>84,701,565</b>	<b>4,048,037</b>	<b>88,749,602</b>	<b>21,953,459</b>	<b>14,358,889</b>	<b>7,594,570</b>

AGENDA REPORT

DATE July 3, 2007

ITEM B.I.D. 2007/2008 Budget and Work Plan

INITIATED BY Business Improvement District

ACTION REQUESTED Conduct Public Hearing and approve the 2007/2008 BID Budget

PRESENTED BY Tonya Jorgensen, Business Improvement District

- - - - -

**RECOMMENDATION:** It is recommended that the City Commission conduct a public hearing on the 2007/2008 B.I.D. budget and work plan.

**MOTION:** I move the City Commission approve the 2007/2008 Business Improvement District budget and work plan.

**SYNOPSIS:** The Business Improvement District submitted their 2007/2008 budget for approval by the City Commission. According to State statute, the City Commission must hold a public hearing to hear any objections to the budget. Following the public hearing, the City Commission may approve the plan or request that amendments be made to it prior to levying an assessment on all properties within the district to defray the costs. The assessment will be according to the formula approved with the creation of the district.

cc: Coleen Balzarini, Fiscal Services Director

A G E N D A   R E P O R T

DATE July 3, 2007

**ITEM AUTHORIZE CITY MANAGER TO TAKE NECESSARY STEPS WITH REGARD TO ANIMAL CONTROL ENFORCEMENT AND SHELTER OPERATIONS**

INITIATED BY CITY MANAGER

ACTION REQUESTED APPROVE AUTHORIZATION

PRESENTED BY JOHN LAWTON, CITY MANAGER

- - - - -

**RECOMMENDATION:** Staff recommends the City Commission consider the following motion:

**MOTION:** I move the City Commission authorize the City Manager to take all steps necessary for the City to assume direct responsibility for animal control, enforcement and shelter operations for an interim period and to work with animal welfare groups and individuals to encourage a suitable community-based organization to take over animal welfare programs.

**SYNOPSIS:** Staff is recommending that the City terminate the current phase of discussions with the Humane Society of Cascade County to renew the contract for animal control and shelter operations. The City Manager, with the support of the Police Chief, recommends that the City take over animal enforcement and shelter operations for a three to six month interim period until the HSCC is able to rehabilitate itself, until a new organization emerges, or until the City can form a new 501 C (3) organization to handle animal control and shelter operations.

**BACKGROUND:** In 2002, the City of Great Falls and Humane Society of Cascade County entered into a five-year agreement through June 30, 2007. At their June 19, 2007, meeting, the City Commission approved an extension of that agreement through July 31, 2007. Since that time, staff has been in discussions with Board members of the HSCC and, as a result of those discussions, is recommending the City take over animal operations.

The reasons for this recommendation are as follows:

1. The HSCC does not have a functional board of directors or adequate community involvement. At this time there are just three active members out of a total of nine positions. This has been an ongoing problem and we know of no plan to correct it.
2. The HSCC has not had an executive director for over a year. Management and supervision is inadequate. We have received a variety of complaints from employees about mismanagement and wrongdoing. We are also receiving complaints from the public.
3. We are about to start a new year of licensing with a new fee schedule and we question whether there is an adequate record keeping system to ensure accountability for public funds.
4. We have attempted to work out the problems with the HSCC and proposed solutions have been rejected. Enclosed are minutes of a meeting between City staff and two HSCC board members, a proposed memorandum of understanding which would

enable us to renew the agreement for the temporary period approved by the City Commission, and the HSCC Chairman's letter of refusal.

If you approve this action our plan is as follows:

1. On Thursday, July 5, staff will go to the shelter with Human Resources representatives and interview available employees to determine job duties and responsibilities and to review their qualifications and employment history. Our intent is to hire needed employees from among the present employees to the extent practicable, although it is not possible to guarantee at this time that every current employee will be hired.
2. The Police Chief will appoint one of the Captains to supervise enforcement and shelter operations.
3. Park and Recreation staff will help in equipping and getting the shelter into operational condition since the HSCC has indicated they will strip the building of all furnishings, equipment, cages, etc., and leave the building bare.
4. Staff will evaluate the need for computers, record keeping systems, etc. since the HSCC has indicated to the Chief that they will take all records and computer equipment. The Police Chief will take necessary steps to preserve City records.

The City has budgeted \$115,000 for animal control for the FY beginning July 1. In addition to that we will have revenues from licensing and fees. This could amount to as much as \$100,000. We will have plenty of time to evaluate budgetary needs well before we have a budget problem.

Attachments: Meeting Minutes

Proposed Memorandum of Understanding

HSCC Letter of Refusal

(These attachments are not available online; on file in the City Clerk's Office.)

**A G E N D A   R E P O R T**

**DATE** July 3, 2007

**ITEM** Ordinance No. 2976 to Establish City Zoning Upon a Narrow Strip of Land Abutting the South Boundary of Lots 3 – 8, Block 3, 7<sup>th</sup> Supplement to Skyline Heights Addition

**INITIATED BY** City Commission

**ACTION REQUESTED** Commission Accept Ordinance No. 2976 on First Reading and Set Hearing

**PREPARED BY** Charles Sheets, Planner I

**APPROVED & PRESENTED BY** Benjamin Rangel, Planning Director

**RECOMMENDATION:**

The City Zoning Commission has recommended the City Commission assign a zoning classification of R-2 Single-family medium density district upon the unincorporated land being combined with the incorporated Lots 3-8, Block 3, 7<sup>th</sup> Supplement to Skyline Heights Addition upon annexation to the City.

**MOTION:**

“I move the City Commission accept Ordinance No. 2976 on first reading and set a public hearing for August 7, 2007, to consider adoption of Ordinance No. 2976.”

**SYNOPSIS:**

Ordinance No. 2976 assigns a zoning classification of R-2 Single-family medium density district upon the unincorporated land being combined with the incorporated Lots 3-8, Block 3, 7<sup>th</sup> Supplement to Skyline Heights Addition upon annexation of same to City.

**BACKGROUND:**

Woith Engineering has prepared an Amended Plat of Lots 3-8, Block 3, 7<sup>th</sup> Supplement to Skyline Heights Addition adding a narrow strip of land which was inadvertently not included on the original subdivision plat.

Please refer to the attached vicinity/zoning map and a reduced copy of the amended plat.

The amended plat will not result in any additional lots.

As the annexation and accompanying rezoning of the narrow strip of land will be identical to the balance of the lots to which the strip is added, whose zoning assignment was previously evaluated and approved in conjunction with the original plat of 7<sup>th</sup> Supplement to Skyline Heights Addition, staff concludes that the 12 criteria listed in Section 76-2-304 Montana Code Annotated, are substantially met.

The Zoning Commission on June 26, 2007 recommended assigning a zoning classification of R-2 Single-family medium density upon annexation to the City.

It is anticipated the City Commission, following the public hearing on August 7, will also consider an annexation resolution for the narrow strip of land abutting the south boundary of Lots 3 – 8, Block 3, 7<sup>th</sup> Supplement to Skyline Heights Addition, simultaneously with Ordinance No. 2976.

Attach: Ord. No. 2976, Vicinity/Zoning Map, Reduced copy of the amended plat

cc: Skyline Heights Addition LLC, P.O. Box 7326, Great Falls MT 59403  
Woith Engineering, P.O. Box 7326, Great Falls MT 59406

ORDINANCE NO. 2976

AN ORDINANCE ASSIGNING A ZONING CLASSIFICATION OF R-2 SINGLE-FAMILY MEDIUM DENSITY DISTRICT, TO THE NARROW STRIP OF LAND ABUTTING THE SOUTH BOUNDARY OF LOTS 3 – 8, BLOCK 3, 7<sup>TH</sup> SUPPLEMENT TO SKYLINE HEIGHTS ADDITION, GREAT FALLS, MONTANA

\* \* \* \* \*

WHEREAS, Skyline Heights Addition, LLP., represented by Woith Engineering, has petitioned the City of Great Falls to annex the unincorporated land being combined with the incorporated Lots 3-8, Block 3, 7<sup>th</sup> Supplement to Skyline Heights Addition; and,

WHEREAS, Skyline Heights Addition, LLP., has petitioned the said unincorporated land being combined with the incorporated Lots 3-8, be assigned a City zoning classification to accommodate single-family residences, upon annexation to City; and,

WHEREAS, notice of assigning a zoning classification of R-2 Single-family medium density district on the unincorporated land being combined with the incorporated Lots 3-8, was published in the Great Falls Tribune advising that a public hearing on this zoning designation would be held on the 7<sup>th</sup> day of August, 2007, before final passage of said Ordinance herein; and,

WHEREAS, following said public hearing, it was found and recommended that the said zoning designation be made, NOW THEREFORE,

BE IT ORDAINED BY THE COMMISSION OF THE CITY OF GREAT FALLS, STATE OF MONTANA:

Section 1. It is determined that the herein requested zoning designation will meet the criteria and guidelines cited in Section 76-2-304 Montana Code Annotated, and Section 17.16.40.030 of the Unified Land Development Code of the City of Great Falls.

Section 2. That the zoning of the unincorporated land being combined with the incorporated Lots 3-8, be designated as R-2 Single-family medium density district classification.

Section 3. This ordinance shall be in full force and effect thirty (30) days after its passage and adoption by the City Commission or upon filing in the office of the Cascade County Clerk and Recorder the resolution annexing unincorporated land being combined with the incorporated Lots 3-8, Block 3, 7<sup>th</sup> Supplement to Skyline Heights Addition into the corporate limits of the City of Great Falls, Montana whichever event shall occur later.

PASSED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, this 7<sup>th</sup> day of August, 2007.

---

Dona R. Stebbins, Mayor



ATTEST:

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

(SEAL OF THE CITY)

APPROVED FOR LEGAL CONTENT:

\_\_\_\_\_  
David V. Gliko, City Attorney

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

I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Ordinance 2976, was placed on its final passage and passed by the Commission of the City of Great Falls, Montana and approved by the Mayor of said City on the 7<sup>th</sup> day of August, 2007.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 7<sup>th</sup> day of August, 2007.

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

(SEAL OF CITY)

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

I, Lisa Kunz, being first duly sworn, deposes and says: That on the 7<sup>th</sup> day of August, 2007, and prior thereto, I was the City Clerk of the City of Great Falls, Montana; that as said City Clerk, I did publish and post as required by law and as prescribed and directed by the Commission, Ordinance 2976 of the City of Great Falls, 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

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

(SEAL OF CITY)

# VICINITY/ZONING MAP



 LOTS 3-8, BLOCK 3, 7TH SUPPLEMENT TO SKYLINE HEIGHTS ADDITION


 UNINCORPORATED STRIP OF LAND TO BE COMBINED WITH ABUTTING LOTS 3-8 AND ASSIGNED R-2 SINGLE-FAMILY MEDIUM DENSITY ZONING DISTRICT TO MATCH SAID LOTS

 City Limits

 PLI Public Lands and Institutional

 Tracts of land outside City

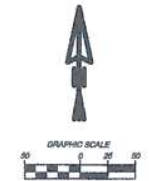
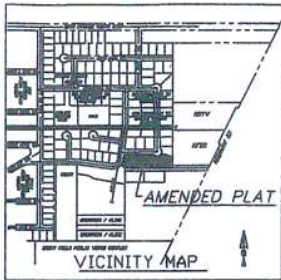
 R-2 Single-family medium density

 POS Parks and Open Space

510 255 0 510 Feet



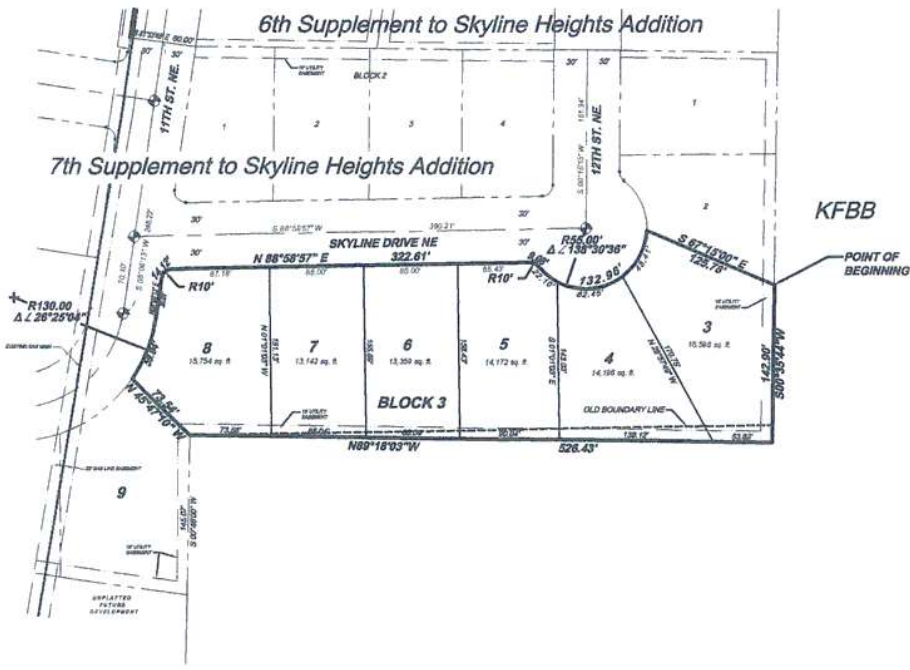
**AMENDED PLAT OF  
LOTS 3, 4, 5, 6, 7 & 8, BLOCK 3,  
7TH SUPPLEMENT TO SKYLINE HEIGHTS ADDITION  
TO THE CITY OF GREAT FALLS  
A SUBDIVISION IN THE NE1/4, SECTION 36  
T.21N, R.3E., P.M.M.T., CASCADE COUNTY, MONTANA**



Note: 1/4" = 20' for pin and cap set of all new property corners.

AREA ADDED BY THIS AMENDED PLAT  
4163 sq. ft. = 0.095 acres

AMENDED PLAT TOTAL AREA  
87,221 sq. ft. = 2.00 acres



**CERTIFICATE OF SURVEY**

We, the undersigned property owners, do hereby certify that we have caused to be surveyed and plotted into lots and blocks, as shown by the attached plat, the tract of land to be known as the AMENDED PLAT OF LOTS 3, 4, 5, 6, 7, & 8, BLOCK 3, 7TH SUPPLEMENT TO SKYLINE HEIGHTS ADDITION to the City of Great Falls, a subdivision in the NE1/4, Section 36, T21N, R3E, P.M.M.T., Cascade County, Montana, more fully described as follows:

Beginning at the Southeast corner of Lot 2, Block 3, 7TH SUPPLEMENT TO SKYLINE HEIGHTS ADDITION, an addition to the City of Great Falls, Montana as well in the office of the Clerk and Recorder of Cascade County, Montana, thence S02°30'44"N, 142.50 feet, thence N89°18'03"W, 526.43 feet, thence S67°16'00"E, 125.78 feet to the westerly Right of Way of 11th Street NE, thence westerly along said Right of Way and along a circular curve to the left with a radius of 150.00 feet, a distance of 62.81 feet, thence N89°18'03"W, 55.01 feet, thence along a circular curve to the right with a radius of 10.00 feet, a distance of 14.12 feet to the southerly Right of Way of Skyline Drive NE, thence N89°18'03"W, 322.61 feet, thence along a circular curve to the right with a radius of 10.00 feet, a distance of 9.00 feet, thence along a circular curve to the left with a radius of 55.00 feet, a distance of 132.90 feet, the previous three courses being along said Right of Way of Skyline Drive NE, thence S67°16'00"E, 125.78 feet, and thus to the POINT OF BEGINNING containing 2.00 acres.

The above described tract of land is to be known and designated as the AMENDED PLAT OF LOTS 3, 4, 5, 6, 7, & 8, BLOCK 3, 7TH SUPPLEMENT TO SKYLINE HEIGHTS ADDITION to the City of Great Falls, Cascade County, Montana, and the land included in all streets and easements shown on said plat are hereby granted and devoted to the use of the public forever.

**SKYLINE HEIGHTS ADDITION, L.L.P.**

GENE BRUMAKER \_\_\_\_\_ JOE ALINE \_\_\_\_\_

STATE OF MONTANA  
County of Cascade )

This instrument was acknowledged before me on \_\_\_\_\_, 2007, by GENE BRUMAKER and JOE ALINE as owner of the above described property.

SEAL

NOTARY PUBLIC, State of Montana  
Residing at Great Falls, Montana  
My Commission Expires \_\_\_\_\_  
Print Notary Public Name \_\_\_\_\_

**CERTIFICATE OF SURVEYOR**

I, DALE E. SCHAEFFER, Professional Engineer and Land Surveyor, Montana Reg. No. 52065, do hereby certify that on July, 2005, I supervised the survey of the tract of land shown on the attached AMENDED PLAT OF LOTS 3, 4, 5, 6, 7, & 8, BLOCK 3, 7TH SUPPLEMENT TO SKYLINE HEIGHTS ADDITION to the City of Great Falls, Cascade County, Montana, as described in the Certificate of Dedication and that the survey was made in accordance with the profession of Title 76, Chapter 3, Part 4, MCA.



DALE E. SCHAEFFER PE & LS  
Montana Reg. No. 52065

**CERTIFICATE OF COUNTY TREASURER**

I, JESS ANDERSON, County Treasurer of Cascade County, Montana, do hereby certify that I have examined the records covering the taxes included in the accompanying AMENDED PLAT OF LOTS 3, 4, 5, 6, 7, & 8, BLOCK 3, 7TH SUPPLEMENT TO SKYLINE HEIGHTS ADDITION to the City of Great Falls, Cascade County, Montana, and find that the taxes on the same have been paid for the last five years. Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

JESS ANDERSON Cascade County Treasurer



**WIRTH ENGINEERING, INC.**  
SURVEYING & ENGINEERING  
1100 10th St NE  
Great Falls, MT 59405  
406-761-1111

Regular City Commission Meeting

Mayor Stebbins presiding

**CALL TO ORDER:** 7:00 PM**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** City Commissioners present: Dona Stebbins, Bill Beecher, Sandy Hinz, Diane Jovick-Kuntz and John Rosenbaum. Also present were the City Manager, Assistant City Manager, City Attorney, Directors of Community Development, Park and Recreation, Public Works, Planning, Acting Fiscal Services Director, Police Chief, Fire Chief and the Acting City Clerk.

**NEIGHBORHOOD COUNCILS****Vandalism and Graffiti in area.**

- 1A. **Aaron Weissman, Chairman** NC 7, noted that there had been recurrent problems with vehicle break-ins, gang graffiti and evidence of drug use within their neighborhood. Mr. Weissman reminded residents that using common sense rules such as not leaving valuables in the car, locking the car, and parking inside or in well-lit areas would help to prevent problems. Their Council had been in contact with the Neighborhood Watch.

**PUBLIC HEARINGS****Res. 9660 Nuisance Abatement, GF 11<sup>th</sup>, B337, L3. Adopted.**

2. **RESOLUTION 9660, NUISANCE ABATEMENT, L3, B337, GF 11<sup>th</sup> ADD., 2608 1<sup>st</sup> AVENUE NORTH.**

Community Development Director Mike Rattray reported that the complaint process had been on-going on the property for about one year. Within that year, several citations had been issued. Staff was recommending Resolution 9660 be adopted, allowing the property to be abated.

Mayor Stebbins declared the public hearing open.

Those speaking in favor of Resolution 9660 were as follows:

**Larry Gouldy**, adjacent property owner, noted that the property's condition was a result of the owner's choices, and cited examples of various issues with the property.

Those speaking in opposition to Resolution 9660 were as follows:

**Maria Laverdure**, owner of said property, stated her husband had just come out of the nursing home and they were unable to pay for a battery or license for the vehicle. Ms. Laverdure added that everything else has been taken care of. They were waiting for her son to come home Saturday to help haul items with his truck.

There being no one further to address the City Commission, Mayor Stebbins declared the public hearing closed.

**Commissioner Rosenbaum moved, seconded by Commissioner Beecher, that the City Commission adopt Resolution 9660.**

Motion carried 5-0.

**Res. 9668, Vacate Segment of Sunset Road. Adopted.**

**3. RESOLUTION 9668, VACATE SEGMENT OF SUNSET ROAD.**

Planning Director Ben Rangel reported that the Planning Department had received a petition to abandon the diagonal segment of Sunset Road extending between 20<sup>th</sup> Street SW and 5<sup>th</sup> Avenue SW. Mr. Rangel also reported that the small triangular parcel (Lot 6) located at the northwest corner of the intersection of 20<sup>th</sup> Street SW and 5<sup>th</sup> Avenue SW was owned by Cascade County which had provided an affidavit expressing no objection to the abandonment of the involved segment of Sunset Road.

Mayor Stebbins declared the public hearing open. Those speaking in support of Resolution 9668 were as follows:

**Mike McPherson**, 2001 5<sup>th</sup> Avenue SW, noted that this particular section was no longer needed and it created a traffic hazard responsible for many “near misses.” Mr. McPherson also advised the Commission an Amended Plat would be drafted upon vacation of this segment of road.

**Patsy Worsley**, 2013 5<sup>th</sup> Avenue SW, shared that she was one of the “near misses” Mr. McPherson referred to and concurred it would be in the best interest of the neighborhood to vacate this segment of Sunset Road.

There being no one further to address the Commission, Mayor Stebbins closed the public hearing.

**Commissioner Hinz moved, seconded by Commissioner Rosenbaum, that the City Commission adopt Resolution 9668 subject to the applicant causing the appropriate amended plat to be prepared, executed and filed.**

Motion carried 5-0.

**Res. 9669, Engineering Division Construction Inspection Revised Fees. Adopted.**

**4. RESOLUTION 9669, ENGINEERING DIVISION CONSTRUCTION INSPECTION REVISED FEES.**

Public Works Director Jim Rearden reported that the current rates for inspection fees charged by the Engineering Division of the Public Works Department for the inspection of public infrastructure being built by private developers for future acceptance into the City systems was established along with the Inspection Policy in 2004. Fees were intentionally kept low at that

time in order to ease the transition into the new policy. The City is now in the fourth year of performing these inspections. Operating costs have gradually increased over the years. This action will bring these fees more in line with the actual costs of performing the inspections and enforcing the Policy. The Engineering Division is requesting fee revisions to \$45 per hour for inspectors (plus a \$12 per hour surcharge for overtime) and \$75 per hour for engineers. These fees would be close to the actual cost of providing service, which is \$48.16 for inspectors and around \$78 for engineers and are calculated using the gross hourly wage multiplied by the Division multiplier.

Mayor Stebbins declared the public hearing open. No one spoke in support of or opposition to Resolution 9669. Mayor Stebbins closed the public hearing.

**Commissioner Rosenbaum moved, seconded by Commissioners Beecher and Jovick-Kuntz, that the City Commission adopt Resolution 9669.**

Motion carried 5-0.

### **OLD BUSINESS**

### **NEW BUSINESS**

### **ORDINANCES/RESOLUTIONS**

**Res. 9652, Intent to Create Special Improvement Lighting District – City-Owned Residential Lighting No. 1308, Eagles Crossing Phase II and Phase III. Adopted.**

**5. RESOLUTION 9652, INTENT TO CREATE SPECIAL IMPROVEMENT LIGHTING DISTRICT – CITY OWNED RESIDENTIAL LIGHTING NO. 1308 IN EAGLES CROSSING PHASE II AND PHASE III – FIRST PHASE CONSTRUCTION.**

Budget Director Melissa Kinzler reported that Staff had received a signed letter/petition from the developer of the Eagles Crossing Phase II and Phase III Addition requesting street lights be installed. The letter/petition was for the installation of thirteen (13) 150 watt HPS street lighting units on 20 foot steel poles with underground wiring. There are forty-one (41) properties being constructed within the boundaries of the Special Improvement Lighting District in Eagles Crossing Phase II and Phase III Addition – First Phase Construction.

**Commissioner Hinz moved, seconded by Commissioner Jovick-Kuntz, that the City Commission adopt Resolution 9652 and set a public hearing for July 17, 2007.**

Motion carried 5-0.

**Consent Agenda.  
Approved as printed.**

**CONSENT AGENDA**

6. Minutes, June 5, 2007, Commission meeting.
7. Total Expenditures of \$1,504,912 for the period of May 25 through June 13, 2007, to include claims over \$5000, in the amount of \$1,262,338.
8. Contracts List.
9. Set public hearing for July 3, 2007, on Res. 9661, Intent to Increase Property Tax, and Res. 9662, Annual Budget Resolution.
10. Set public hearing for July 3, 2007, for the 2007/2008 Business Improvement District budget and work plan.
11. Authorize distribution of the FY 2006/2007 surplus for the Tax Increment Bond Fund.
12. Approve Housing Rehab to add a Water/Sewer program to the current loan programs.
13. Approve 2008 Agreement with the Montana Department of Transportation for Maintenance of Traffic Signals on State Routes.
14. Award bid for Asphaltic Concrete Materials to Great Falls Redi-Mix Inc. of Great Falls in the amount of \$547,900.
15. Approve Professional Services Agreement for the 9<sup>th</sup> Street Northeast Storm Drain Extension to HKM Engineering in the amount of \$19,222.
16. Award bid for the 10<sup>th</sup> Street Bridge Beautification to Liberty Electric, Inc. in the amount of \$139,500.
17. Approve purchase of new I-Series model 525 from Pacific Software of Spokane, Washington, in the amount of \$141,322.85 and any additional costs.
18. Approve addendum to the 911 Center Inter-local Agreement with Cascade County.
19. Approve Extension of Animal Control/Shelter Operation Contract with the Cascade County Humane Society through June 30, 2007.

Commissioner Jovick-Kuntz asked if Chief Grove could give a report could be given on Item 18. Chief Grove explained that by combining the computer operations into one system, law enforcement services would be enhanced, allowing the officers to respond with more accurate and up-to-date information.

**Commissioner Beecher moved, seconded by Commissioner Rosenbaum, that the City Commission approve the Consent Agenda as presented.**

Commissioner Hinz noted that the term of the Animal Control/Shelter Contract should have read July 31, 2007, rather than June 30, 2007.

**Commissioner Beecher amended his motion to reflect the change.**

Motion carried 5-0.

**BOARDS & COMMISSIONS**

**Business Improvement District. Reappoint Fried and Longin. Appoint Alley.**

**20. APPOINTMENT, BUSINESS IMPROVEMENT DISTRICT.**

Allison Fried was appointed on July 1, 2003, and Anthony Longin was appointed on February 21, 2006. Both Ms. Fried and Mr. Longin were interested in and eligible for reappointment. Andrew Davidson was appointed in 1998. Mr. Davidson was not eligible for reappointment; therefore, it was necessary to appoint one new member to fill his position on the Board.

**Commissioner Hinz moved, seconded by Commissioners Beecher and Jovick-Kuntz, that the City Commission reappoint Allison Fried and Anthony J. Longin to the Business Improvement District for four-year terms through June 30, 2011; and appoint Steve Alley to a four-year term beginning July 1, 2007, and expiring June 30, 2011.**

Motion carried 5-0.

**Library Board. Reappoint Kelly.**

**21. REAPPOINTMENT, LIBRARY BOARD.**

Library Board member Paul Comer passed away on December 17, 2006. On April 3, 2007, Sheila Kelly was appointed to fill the remainder of Mr. Comer's term through June 30, 2007. Ms. Kelly is interested in reappointment.

**Commissioner Jovick-Kuntz moved, seconded by Commissioners Beecher and Hinz, that the City Commission reappoint Sheila Kelly to the Library Board for a five-year term through June 30, 2012.**

Motion carried 5-0.

**CITY COMMISSION**

**4<sup>th</sup> of July Ordinance.**

**24.** Commissioner Beecher reminded the public that the new Fireworks ordinance stipulates dates and times for setting off legal fireworks. July 2-3-4 from 8:00 a.m. to Midnight.

**PETITIONS AND COMMUNICATIONS**

Mayor Stebbins opened the meeting to Petitions and Communications, and asked that comments be confined to three minutes.

**Toxic Waste Sites.**

**25A.** John Hubbard distributed a map to the City Commission concerning alleged toxic waste dump sites. He also expressed his concern for the state lottery and funding for the schools.



**Animal Control/Shelter Contract Extension.**

**25B. Susan Overfelt, 251 Gordon Road, Vaughn, Montana,** stated her dissatisfaction with the awarding of the contract extension for Animal Control/Shelter. Ms. Overfelt contended there were ties to City officials that may have manipulated the bid and awarding process.

Mayor Stebbins reminded Ms. Overfelt to conclude her presentation within the three-minute time frame allotted.

After Officers Schalin and Brooks admonished Ms. Overfelt that she must follow the rules, she continued to attempt speaking and resisted the Officers efforts to escort her from the chambers. Whereupon the Officers used reasonable force to remove Ms. Overfelt from the Commission Chambers.

**Thank you to Peggy Bourne.**

**25C. Catherine Gessaman, 1006 36<sup>th</sup> Avenue NE,** commended Peggy Bourne on the excellent service she had provided in her years of service with the City.

**Adjourn.**

**ADJOURNMENT**

There being no further business to come before the Commission, **Commissioner Beecher moved, seconded by Commissioner Rosenbaum, that the regular meeting of June 19, 2007, be adjourned at 7:48 p.m.**

Motion carried 5-0.

\_\_\_\_\_  
Mayor Stebbins

\_\_\_\_\_  
Acting City Clerk

**ITEM:** \$5000 Report  
 Budget or Contract Claims in Excess of \$5000

**PRESENTED BY:** City Controller

**ACTION REQUESTED:** Approval With Consent Agenda

**APPROVAL:** \_\_\_\_\_

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

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MASTER ACCOUNT CHECK RUN FOR JUNE 20, 2007	592,199.93
MASTER ACCOUNT CHECK RUN FOR JUNE 22, 2007	762,280.00
MASTER ACCOUNT CHECK RUN FOR JUNE 27, 2007	627,223.41
MUNICIPAL COURT ACCOUNT CHECK RUN FOR JUNE 15, 2007	58,108.50
WIRE TRANSFERS FROM 6-05-07 THRU 6-11-07	168,954.79
WIRE TRANSFERS FROM 6-12-07 THRU 6-18-07	55,562.77
<b>TOTAL: \$</b>	<b><u>2,264,329.40</u></b>

**SPECIAL REVENUE FUND**

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**SUPPORT & INNOVATION FUND**

GREAT FALLS BUSINESS DISTRICT	REIM BID MAY 2007 TAX DIST	48,488.01
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**FIRE SPECIAL**

HEIMAN FIRE EQUIPMENT	12 SETS FIRE COATS & PANTS	16,896.00
HEIMAN FIRE EQUIPMENT	TURNOUT COATS AND PANTS	42,240.00

**LIBRARY**

CENTRAL FLOOR COVERING	BASEMENT CARPET	8,200.00
GAYLORD BROTHERS INC	COMPUTER CENTERS 2ND FLOOR	17,356.43

**FEDERAL BLOCK GRANTS**

AT KLEMENS & SONS	LABOR FOR DUNN BROWN BLDG	6,862.00
CLAY LONEY CONCRETE	JOY FOUNDATION, 609 9TH AVE S	5,500.00

**DEBT SERVICE**

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**TAX INCREMENT BOND**

GREAT FALLS PUBLIC SCHOOLS	TAX INCREMENT SURPLUS DIST	317,470.00
CASCADE COUNTY TREASURER	TAX INCREMENT SURPLUS DIST-CNTY	205,010.00
CASCADE COUNTY TREASURER	TAX INCREMENT SURP ST FOR SCHOOL	239,800.00

**CAPITAL PROJECTS**

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**GENERAL CAPITAL**

INTERSTATE ENGINEERING INC	PMT #1 OF#1501.1 SPLASHDECKS JAYCEE AND WATER TOWER	17,730.00
INTERSTATE ENGINEERING INC	PMT #1 OF#1501 MITCHELL/JAYCEE/ WATER TOWER POOLS	86,850.00

**HAZARD REMOVAL**

LIGGETT CONSTRUCTION	DEMO HOUSE 826 2ND AVE S	6,200.00
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**ENTERPRISE FUNDS**

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**WATER**

THOMAS DEAN & HOSKINS	PMT #14 OF 1332.2 FLOCCULATION	5,310.75
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**SEWER**

PLANNED & ENGINEERED CONST VEOLIA WATER NORTH AMERICA STANLEY CONSULTANTS INC	PMT #2 OF #1425.6 SANITARY SEWER OPERATION & MAINT JUNE 2007 PMT #19 OF#1404 RENEWABLE ENERGY	27,660.10 204,781.92 14,935.80
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**SANITATION**

MONTANA WASTE SYSTEMS I STATE TRUCK CENTER	MONTHLY CHARGES SIDE LOADING SANITATION TRUCKS (2)	93,942.02 344,100.00
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**PARKING**

APCOA/STANDARD PARKING	JULY 2007 COMPENSATION	18,508.67
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**RECREATION**

NORMONT EQUIPMENT	T-TOP AND POSTS FOR ICE BREAKER	5,198.00
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**INTERNAL SERVICES FUND**

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**HEALTH INSURANCE**

BLUE CROSS BLUE SHIELD	GROUP & HMO CLAIMS 6/5-6/11 2007	168,954.79
BLUE CROSS BLUE SHIELD	GROUP & HMO CLAIMS 6/12-6/18 2007	55,562.77

**CENTRAL GARAGE**

MOUNTAIN VIEW CO-OP	DIESEL FUEL	20,379.56
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**MUNICIPAL COURT**

CITY OF GREAT FALLS	FINES AND FORFEITURES	52,833.50
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**CLAIMS OVER \$5000 TOTAL:**

**\$ 2,030,770.32**

**CITY OF GREAT FALLS, MONTANA  
COMMUNICATION TO THE CITY COMMISSION**

**AGENDA: 9  
DATE: July 3, 2007**

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

**PRESENTED BY:** City Clerk

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

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

**CONTRACT LIST**

	<b>DEPARTMENT</b>	<b>OTHER PARTY (PERSON OR ENTITY)</b>	<b>PERIOD</b>	<b>FUND</b>	<b>AMOUNT</b>	<b>PURPOSE</b>
<b>A</b>	Community Development	Northwest Boiler, Inc. Billings, Montana	July FY 2007/2008	671-7161-575-9399	\$15,700	10 Gauge Boiler Retubing Project
<b>B</b>	City Clerk	Cascade County Historical Society	June 14, 2007	None	None	Local Records Transfer Receipt
<b>C</b>	Park & Recreation	Montana Department of Commerce, Travel Montana	FY 2007	261-0000-346-3093 Project 640703	(\$8,000)	Special Events Grant Program for RiverFest Commerce Contract No. 07- 52-0031

<b>D</b>	Park & Recreation	Dick Olson Construction	August 10-29, 2007	411-6271-565-9221 Project 620704  571-6271-562-9399	\$20,000  \$2,519	Upstage load-in door between theater and Convention Center (O.F. 1521)
<b>E</b>	Planning	Montana Department of Fish, Wildlife & Parks Recreational Trails Inc.	June 15, 2007	Transit Trust Fund	\$2,633	Cost share, asphalt overlay of trail in Giant Springs State Park.
<b>F</b>	Public Works	Montana Department of Transportation	May 2005 through December 2008	None	No cost unless work exceeds \$25,000. Estimated Cost is \$13,200.	Construction agreement for adjusting water valves and manholes in 2 <sup>nd</sup> Avenue South during reconstruction from 7 <sup>th</sup> to 9 <sup>th</sup> Street.
<b>G</b>	Public Works	Auction Way Services	August 11, 2007		9.7% Commission on gross sales.	Agreement for City Auction August 11, 2007
<b>H</b>	City Manager	Energy West	July 1, 2007 through June 30, 2008		\$7.88/MMBtu for all volumes delivered to the sales meter	Natural Gas Agreement #GFCITY062207
<b>I</b>	Public Works-Engineering	Montana Department of Transportation	Immediate		None	2000 Safety Improvement Great Falls – East STPHS 60-2(67)70 Right-turn acceleration lane from 57 <sup>th</sup> Street South onto 10 <sup>th</sup> Avenue South. O.F. 1427.1
<b>J</b>	Park & Recreation	All Star, LLC	July 14, 2007	261-6419-561-3979	\$2,900	RiverFest Skate Board Competition
<b>K</b>	City Manager	ICMA-RC	Five Year Period	N/A	None	Amendment to Existing Administrative Services Agreements. (Plan Numbers 300538, 109229, 300088)

CITY OF GREAT FALLS, MONTANA

AGENDA # 10

**A G E N D A R E P O R T**

**DATE: July 3, 2007**

**ITEM** Res. 9675, Cost Recovery, L7, B462, GF 1st ADD., 510 11<sup>th</sup> St S

**INITIATED BY** Community Development Department

**ACTION REQUESTED** Set Public Hearing for July 17, 2007

**PREPARED BY** Heather Rohlf, Code Enforcement

**REVIEWED & APPROVED BY** Mike Rattray, Community Development Director

- - - - -

**RECOMMENDATION:**

Staff recommends the City Commission set July 17, 2007, at 7:00 P.M. for a public hearing to assess costs for clean up of the nuisance property located at 510 11<sup>th</sup> St S, Lot 7, Block 462, Great Falls 1st Addition, Great Falls, Cascade County, Montana and that the charge shall be assessed against the property itself.

A public hearing for assessing said costs is mandated by the Official Codes for the City of Great Falls, Nuisance Abatement Code, Section 8.49.070.

**MOTION:**

I move a public hearing be set for July 17, 2007, at 7:00 P.M., on Resolution 9675.

**SYNOPSIS:**

The owner(s): Gary Witsoe (owner's agent Michael Witsoe), of the property at Lot 7, Block 462, Great Falls 1st Addition, Great Falls, Cascade County, Montana, was issued a notice of hearing before the City Commission of Great Falls to appear at 7:00 P.M., July 17, 2007. The hearing is to show cause why the owner of the property should not be held liable for the costs incurred in cleanup of the property known as 510 11<sup>th</sup> St S.

**BACKGROUND:**

Staff has taken the following action:

<u>Action</u>	<u>Date</u>
Initial complaint taken by staff	7/12/2006
Initial inspection of property	7/12/2006
1 <sup>st</sup> letter sent certified, with 14 & 30-day time period	7/13/2006
Copy of letter faxed to owner in Glendive,	8/11/2006

Gary Witsoe

1 <sup>st</sup> 30 day Extension day given	8/18/2006
Final inspection and approval by staff	10/3/2006
Property abatement done by Gordon Construction	1/19/2007
Photograph's taken after the property abatement	1/19/2007
Received another property complaint and performed another property inspection and took photograph's	2/22/2007
Cost Recovery went before City Commission, Resolution 9625 assessing \$540 against the property; and in the event the City has to revisit the property, then the remaining \$539 would be assessed against the property	3/6/2007
2 <sup>nd</sup> property abatement done by Gordon Construction	6/8/2007
Photograph's taken before, during, and after property abatement	6/8/2007

Cost for cleanup as follows:

Administrative Fee	\$ 260.00
Recording Fees	\$ 24.00
Publishing – Legal Ad	\$ 35.00
Cleanup by Gordon Construction including landfill fee	\$ 400.00
<b>TOTAL COSTS INCURRED</b>	<b>\$ 719.00</b>

Resolution 9675 would allow staff to assess the abatement cost against the property itself.

RESOLUTION 9675

A RESOLUTION ASSESSING THE COSTS INCURRED IN THE NUISANCE ABATEMENT OF PROPERTY LOCATED AT LOT 7, BLOCK 462, GREAT FALLS 1ST ADDITION, GREAT FALLS, CASCADE COUNTY, MONTANA, ADDRESSED AS 510 11<sup>TH</sup> ST S, AGAINST SAID PROPERTY.

WHEREAS, the owner of the property located at Lot 7, Block 462, Great Falls 1st Addition, Great Falls, Montana, 510 11<sup>th</sup> St S was issued a notice to abate the property.

WHEREAS, after due notice the property owner did not abate the property.

WHEREAS, staff hired a contractor to abate and clean the property.

WHEREAS, the contractor completed abating & cleanup with staff approving the work.

WHEREAS, the City Commission set July 17, 2007, at 7:00 p.m. for this hearing, to show cause why the property owner(s): Gary Witsoe (owner's agent Michael Witsoe), should not be held liable for the costs incurred in abating and cleanup of said property.

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

The amount of \$ 719.00 cleanup costs incurred in the abatement of a nuisance at Lot 7, Block 462, Great Falls 1st Addition, Great Falls, Montana, described as 510 11<sup>th</sup> St S, be assessed against the property itself, with interest and penalties on the unpaid balance.

PASSED by the Commission of the City of Great Falls, Montana, on this 17th day of July, 2007.

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Dona R. Stebbins, Mayor

ATTEST:



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Acting City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

---

David V. Gliko, City Attorney

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

I, \_\_\_\_\_, Acting City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution 9675 was placed on its final passage and adoption, and was passed and adopted by the City Commission of said City at a Regular Meeting thereof held on the 17th day of July, 2007, and approved by the Mayor of said City, on the 17th day of July, 2007.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City, this 17th day of July, 2007.

---

Acting City Clerk

(SEAL OF CITY)



**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the City Commission will hold a public hearing on July 17, 2007, at 7:00 p.m., in the Commission Chamber of the Civic Center for assessing cleanup costs on the following property in the amount set forth:

510 11<sup>th</sup> St S . . . . . \$ 719.00

Any person interested or affected by the proposed charge may file written protests or objections, containing the description of the property and the grounds for such protest or objections, with the Clerk's office prior to the time set for the hearing.

BY ORDER OF THE CITY COMMISSION

Acting City Clerk

---

OFFICE USE ONLY

Publication July 7, 2007

cc: Acting City Clerk

Account # 451-7121-572-3599

Owner(s): GARY WITSOE & MICHAEL WITSOE (owner's agent)  
510 11<sup>th</sup> St S  
Great Falls MT 59405

(Attach itemized account)

Post on Property  
Property File

## ITEMIZED ACCOUNT FOR RECOVERY OF ABATEMENT COSTS

The following expenses were incurred during the cleanup of property at Lot 7, Block 462, Great Falls 1st Addition, Great Falls, Montana, more commonly known as 510 11<sup>th</sup> St S.

Administrative Fee	\$ 260.00
Recording Fee	\$ 24.00
Publishing – Legal Ad	\$ 35.00
Cleanup by Gordon Construction including landfill fee	\$ 400.00
TOTAL EXPENSES INCURRED	<u>\$ 719.00</u>

AGENDA REPORT

DATE July 3, 2007

ITEM Res. 9670, Nuisance Abatement, L3, B3, Heren Add., 4727 2<sup>nd</sup> Ave. N

INITIATED BY Community Development Department

ACTION REQUESTED Set Public Hearing for July 17, 2007 at 7:00 p.m.

PREPARED & PRESENTED BY Heather Rohlf, Code Enforcement

REVIEWED & APPROVED BY Mike Rattray, Community Development Director

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**RECOMMENDATION:**

It is recommended the City Commission set the public hearing for July 17, 2007, Resolution 9670, which will enable the Community Development Department staff to hire a contractor and abate the ongoing nuisance at 4727 2<sup>nd</sup> Ave. N.

**MOTION:**

I move a public hearing be set for July 17, 2007, at 7:00 p.m., in the City Commission Chambers, on Resolution 9670.

**SYNOPSIS:**

As prescribed by Chapter 8.49.040, a "Notice of Public Hearing" before the City Commission will be posted on the property July 6, 2007.

**BACKGROUND:**

The following action has been taken:

<u>ACTION</u>	<u>DATE</u>
Initial complaint taken	3/22/2007
Initial inspection of property	3/23/2007
2 <sup>nd</sup> complaint taken	4/3/2007
Photographs taken	4/3/2007
3 <sup>rd</sup> complaint taken	4/6/2007
Photographs taken	4/6/2007
1 <sup>st</sup> letter sent certified, with 14 & 30-day time period	4/6/2007

Copy of letter sent regular mail, with 14 & 30-day time period	4/6/2007
Photographs of violations included in letter sent regular mail	4/6/2007
Copy of letter faxed to property owner, with 14& 30-day time period	4/6/2007
Mr. Frates called and discussed property	5/7/2007
Photographs taken	5/8/2007
Left a voicemail for Mr. Frates concerning re-inspection results and gave extension until May 23, 2007	5/16/2007
4 <sup>th</sup> complaint taken	5/23/2007
Telephone message left on the property owners voice mail advising that a list of Contractors was faxed to him to move the mobile homes from the property, etc gave 7 day extension and then abatement proceedings would move forward	6/1/2007
Photographs taken	6/1/2007 6/8/2007 6/11/2007
Ownership and encumbrance report ordered	6/18/2007

**BACKGROUND CONTINUED**

<u>ACTION</u>	<u>DATE</u>
30-day inspection	5/8/2007
“Notice of Hearing” posted on property	7/6/2007
“Notice of Hearing” mailed certified to Larry Frates	7/6/2007
“Notice of Hearing” published in GF TRIBUNE	7/7/2007

RESOLUTION 9670

A RESOLUTION DETERMINING CERTAIN  
PROPERTY LOCATED AT 4727 2<sup>nd</sup> Ave. N, LOT 3,  
BLOCK 3, HEREN ADDITION, CASCADE  
COUNTY, MONTANA, TO BE A NUISANCE

\* \* \* \* \*

WHEREAS, Larry Frates, owner(s) of certain personal and real property located at 4727 2<sup>nd</sup> Ave. N, Lot 3, Block 3, Heren Addition, Cascade County, Montana, was given notice pursuant to Section 8.49.040, OCCGF, of a hearing before the City Commission on July 17, 2007, wherein said property owner was ordered to show cause why the alleged property should not be declared a nuisance and abated, and

WHEREAS, City staff presented photographs of the subject premises and gave testimony regarding the following described property alleged to be a nuisance under City Code, to wit:

1. Mobile Homes (dilapidated) – two mobile homes in poor condition that have had the exterior weatherproofing partially or totally removed (specifically trailer #10 & #112).
2. Rubbish – numerous items of rubbish throughout the mobile home park
3. Junk Vehicles

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

1. That the property owner(s), Larry Frates, has failed to show cause why the subject property should not be declared a nuisance and abated; and
2. Staff having presented evidence of the condition of the subject property and having described the illegal and deplorable condition of the subject property, the City Commission does hereby find the same to be a nuisance pursuant to Section 8.49.040, OCCGF, and hereby directs the owner(s) to commence the abatement within ten (10) days of the date of this resolution.

3. It is further ordered that, if owner(s) fails to abate said nuisance as ordered and within the time allowed, the City is directed to take any and all steps necessary to abate the nuisance with all expenses to attach as a lien against the personal and real property owner.

4. City staff shall serve said owner(s) with a copy of this resolution by regular mail as required by Section 8.49.050, OCCGF. This order shall be in effect for a six (6) month period from date of Resolution 9670.

PASSED by the Commission of the City of Great Falls, Montana, on this 17th day of July 2007.

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Dona R. Stebbins, Mayor

ATTEST:

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Cindy Kenczka, Deputy Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

---

David V. Gliko, City Attorney

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

I, Cindy Kenczka, Deputy Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution 9670 was placed on its final passage and passed by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 17 day of July 2007, and approved by the Mayor of said City, on the 17th day of July 2007.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City, this 17th day of July 2007.

---

Cindy Kenczka, Deputy Clerk

(SEAL OF CITY)



Date July 6, 2007

CERTIFIED MAIL

Name: Larry Frates  
Address: PO Box 1493  
City: Great Falls MT 59403

RE: Lot 3, Block 3, Heren Addition  
4727 2<sup>nd</sup> Ave. N, Great Falls, Cascade County, Montana

**NOTICE OF HEARING BEFORE CITY COMMISSION OF GREAT FALLS**

The owner of the real property located at 4727 2<sup>nd</sup> Avenue North is hereby notified to appear before the City Commission of the City of Great Falls at a meeting to be held July 17, 2007, in the Commission Chambers, Civic Center Building, # 2 Park Drive, Great Falls, Montana, at the hour of 7:00 p.m., or as soon thereafter as he/she may be heard, and to show cause why the items listed in the City's letter of April 6, 2007, should not be declared a nuisance, the nuisance required to be abated by removal and the cost thereof charged to the owner.

The items listed are:

1. Dilapidated Mobile Homes
2. Rubbish – numerous items of rubbish throughout the property
3. Junk Vehicles

Consequently, you are hereby notified to appear before the City Commission at 7:00 p.m. on July 17, 2007.

Respectfully,

Heather Rohlf, Code Enforcement  
Code Enforcement, Building Inspectors Office

cc: Read File  
Property File  
Post on Property

## PUBLIC NOTICE

NOTICE of hearing before the City Commission of the City of Great Falls, Montana.

The owner of the real property located at 4727 2<sup>nd</sup> Ave N is hereby notified to appear before the City Commission of the City of Great Falls at a meeting to be held July 17, 2007 at the City Commission Chambers, Civic Center Building, Great Falls, Montana, at 7:00 p.m., and show cause why Lot 3, Block 3, Heren Addition, 4727 2<sup>nd</sup> Ave. N should not be declared a nuisance and the nuisance be abated by removal or other appropriate act and charge the cost thereof to the owner(s).

PUBLICATION DATE: July 7, 2007

**CITY OF GREAT FALLS, MONTANA**

**AGENDA #** 12

**A G E N D A R E P O R T**

**DATE** July 3, 2007

**ITEM:** CONSTRUCTION CONTRACT AWARD: SUNNYSIDE WATER PRESSURE IMPROVEMENTS – PIPING, PHASE 1, O.F. 1494.1

**INITIATED BY:** PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION

**ACTION REQUESTED:** AWARD CONTRACT

**PRESENTED BY:** JIM REARDEN, PUBLIC WORKS DIRECTOR

R \_ E \_ V \_ I \_ S \_ E \_ D \_

**MOTION:** "I move the City Commission award a contract in the amount of \$1,119,880 to United Materials for the Sunnyside Water Pressure Improvements – Piping, Phase 1, O.F. 1494.1, and authorize the City Manager to sign the construction contract documents, and authorize use of \$155,000 available from Special Improvement District (SID)1285, Castle Pines, originally created to finance water, sewer, and storm drain improvements."

**PROJECT TITLE:** Sunnyside Water Pressure Improvements – Piping, Phase 1, O.F. 1494.1

**RECOMMENDED CONTRACTOR:** United Materials

**CONTRACT AMOUNT:** \$1,119,880

**ENGINEER'S ESTIMATE:** \$1,327,920

**START DATE:** August 1, 2007

**COMPLETION DATE:** February 28, 2008 (210 Calendar Days)

**PENALTY/INCENTIVE TERMS:** Liquidated Damages, \$400.00/Day

**SYNOPSIS:** This project will install approximately 10,000 feet of new water mains in the Sunnyside neighborhood and will shift the entire area from the Main Pressure District into the East Booster District. When the project is completed water pressures will increase by about 37 psi from the current 40 or 50 psi to 80 or 90 psi. Fire flows will also increase. The project is bounded by 10<sup>th</sup> Avenue South to the north, 26<sup>th</sup> Avenue South to the south, 13<sup>th</sup> Street South to the west, and 20<sup>th</sup> Street South to the east.

The bid opening was held on June 20, 2007 with 5 bids submitted. The project was divided into two schedules with each schedule having a possible low bidder. United Materials submitted the low bid for both schedules in the amount of \$589,760 for schedule one and \$530,120 for schedule two for a total price of \$1,119,880. The bid tabulation summary is attached. Funding for this project will

come from the Water Fund and Castle Pines Special Improvement District Fund.

**BACKGROUND:** The Sunnyside neighborhood is the largest of several areas in Great Falls that have lower than desired water pressure. The Water Master Plan has recommended that a series of improvements be made to remedy the situation. The installation of new transmission mains will connect the Sunnyside area to the East Booster District greatly increasing the pressure in the area. Subdivisions affected by this project include Sunnyside Heights, Fairview, Prospect Park, Finley Supplement, and Castle Pines Additions. Future expansion will also be possible with the annexation of existing homes and with new developments in the southern part of the area. Other future improvements could include a pump station, elevated water tank, and other transmission mains.

When the Castle Pines Subdivision was created a Special Improvement District (SID) was created to make water, wastewater, and storm drain improvements to the area. At that time it was acknowledged in a separate trust fund agreement that additional adjacent off-site improvement work would be needed in the future and monies have been held in reserve to assist in the funding of these additional improvements. The anticipated work included (a) roadway improvements to 13<sup>th</sup> Street South; (b) roadway improvements to 24<sup>th</sup> Avenue South; (c) a second source watermain on 16<sup>th</sup> Street South; (d) a 13<sup>th</sup> Street South watermain; and (e) a 24<sup>th</sup> Avenue South watermain. The O.F. 1494.1 project will assist in accomplishing the anticipated Castle Pine watermain improvements and there is \$155,000 available to contribute to this project.

Thomas, Dean & Hoskins, Inc. (TDH) completed the preliminary route design and water pressure studies. City Engineering Staff completed the final project design and will perform construction inspection and administration.

Attachment: Bid Tabulation Summary

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

BID TABULATION SUMMARY

Sunnyside Water Pressure Improvements Piping, Phase I  
 O.F. 1494.1

Project Number \_\_\_\_\_  
 Bids Taken at Civic Center  
 Date: June 20, 2007  
 Tabulated By: Kari Wambach

	Name & Address of Bidder	Acknowledge Add. #1 & Add. #2	10% Bid Security	Affidavit of Non-Collusion	Certificate of Non-Segregated Facilities	Certificate of Compliance with Insurance Req.	Total Bid Schedule 1	Total Bid Schedule 2
1	Ed Boland Construction 4601 7th Ave. So. Great Falls, MT 59405	√ / √	√	√	√	√	\$790,750.00	No Bid
2	United Materials, Inc. P.O. Box 1690 Great Falls, MT 59403	√ / √	√	√	√	√	\$589,760.00	\$530,120.00
3	Shumaker Trucking Company P.O. Box 1279 Great Falls, MT 59403-1279	√ / √	√	√	√	√	\$722,905.00	\$681,646.00
4	Phillips Construction 795 Ulm-Vaughn Rd. Great Falls, MT 59404	√ / √	√	√	√	√	\$734,343.00	\$596,420.00
5	Swank Enterprises PO Box 568 Valier, MT 59486	√ / √	√	√	√	√	\$699,935.00	\$572,990.00
6								
7								
8								
9								
10	<b>Engineer's Estimate</b>						<b>\$711,875.00</b>	<b>\$616,045.00</b>

**CITY OF GREAT FALLS, MONTANA**

**AGENDA # 13**

**AGENDA REPORT**

**DATE July 03, 2007**

**ITEM: AWARD CONTRACT TO ABARIS GROUP CONSULTANT TO DEVELOP PLANS, CONTRACTS AND ORDINANCES FOR PRE-HOSPITAL CARE**

**INITIATED BY: RANDY MCCAMLEY, FIRE CHIEF**

**ACTION REQUESTED: APPROVAL OF CONTRACT**

**PRESENTED BY: RANDY MCCAMLEY, FIRE CHIEF**

**RECOMMENDATION:**

Staff recommends that the City Commission approve the contract submitted by The Abaris Group EMS Consulting firm to provide the City with a plan to complete the project to stabilize the EMS system and to incorporate the system's components. The contractor agrees to: draft a performance contract for an ambulance transport provider, draft an EMS ordinance, and develop a plan that embraces all the recommendations in the initial Abaris Group Report.

**MOTION:** "I move the City Commission approve the contract submitted by the Abaris Group and the City Manager be authorized to execute the same."

**SYNOPSIS:** The City Commission has determined that the initial Abaris Group Report on this City's prehospital Emergency Medical Care has identified the appropriate changes that will make the system safer and more dependable. To finalize the project the Abaris Group shall consult in the development of an implementation plan, draft an ambulance performance contract and re-write the City's ordinance on EMS. Once the implementation plan has been drafted and approved by the Commission, the EMS improvement project will be well on its way to completion.

The city received a quote from the Abaris Group for \$30,874 to provide these products and information. The implementation plan will have provisions that ensure quality patient care for 911 emergency medical patients for the City's medical emergencies as detailed in the contract. This implementation plan shall develop the City's EMS components into a cohesive system.

**BACKGROUND:** The City of Great Falls is located in Northcentral Montana and has a resident population of 56,560 living within a 22 square mile area. Additionally, the City Fire Department (Great Falls Fire Rescue) provides fire and medical response to 16 contracted fire districts with a collective area of four square miles and approximately 4,600 residents. Historically, prehospital emergency care has consisted of first response by fire based EMS responders and private ambulance companies. Patients are then transported to the receiving health care (Benefis Healthcare) facility by private ambulance. In 2006, Great Falls Fire Rescue responded to 2,905 emergency medical service calls within the city. Consistently this number grows larger every year. However, this statistic is not the whole EMS picture. To provide our

community with a safe and stable EMS service, we must have the ability to respond to any disaster or emergency with the proper training, equipment, and staff.

Since 1998, the private ambulance companies have been licensed under the requirements set forth in Title 5 (Emergency Medical Services Licenses) of the Great Falls Municipal Code. While there are minimal response standards noted in the ordinance, it doesn't address several very important community needs and appropriate standards that would ensure the safety and stability of the EMS system. Additionally there is no means to compel an ambulance service to abide by predetermined EMS standards. The new ordinance will address the communities EMS needs and impose penalties for failure to follow standards. Additionally the ordinance shall provide a means to ensure continuity of operations should the transport agency decide to cease operations.

Another important facet to this project is the EMS 911 ambulance transport contract, which develops a partnership with City emergency responders and a private ambulance service. This contract shall clearly describe the rights, restrictions, roles, and responsibilities for both the EMS ambulance service and the City of Great Falls. This agreement will improve stability for both the community and the private transport agency. Also, the contract will identify the standards mentioned in the previous paragraph, provide a means to correct deficiencies and offer a means for the city to collect monetary penalties when the ambulance service fails to take corrective action.

The transport agency shall reap the security of having a contract with the City to provide EMS ambulance transport service to the City's EMS customers.

Additionally there will be a City EMS administrator assigned to oversee the system. This shall create greater stability, continuity of care and improve system efficiencies, which again adds to the community's safety and the stabilization of the EMS system.

In conclusion, due to the superb cooperation of the stakeholders and the work done by Abaris Group, our community's EMS system will finally have a well thought out plan to make the long overdue improvements necessary to stabilize EMS and to improve community safety. Great Falls Fire Rescue staff would also like to thank the Commissioners for their vision and their focus on this important issue.

Attachments: The Abaris Group Contract



June 27, 2007

John Lawton, City Manager  
Great Falls Fire & Rescue  
City of Great Falls  
P.O. Box 5021  
#2 Park Drive South  
Civic Center Building  
Great Falls, Montana 59403-5021

Dear Mr. Lawton,

SUBJECT: Authorization for Pre-hospital Emergency Care System Implementation

The Abaris Group is pleased to serve the City of Great Falls. We believe a beneficial relationship with a client is based on a clear and concise statement of expectations and terms. We hope the following description will meet your needs.

#### Services and Payment

The services of *The Abaris Group*, to assist with implementation of the prehospital care plan as defined on Attachment A. The total fee for this service is **\$30,874**. The number of site visits will be two with telephonic follow up. The first site visit is to interview and collect background documents. The second visit will be to present draft documents per the deliverables.

#### Access to Books and Records

*The Abaris Group* agrees to make its books and records available to the City and to appropriate government auditing agencies in compliance with state and federal law and to affirm such in the form of standard language to be provided by the City under separate cover as necessary.

#### Billing

1. Services will begin immediately upon receipt of a signed agreement.
2. Billings will be submitted as follows:
  - Review of ordinance - \$10,291
  - Submission of implementation plan - \$10,291
  - Approval of draft EMS contract - \$10,291
3. Payment is due upon receipt and is considered late if not paid within thirty (30) days of their receipt.
3. A service charge will be applied on all delinquent accounts [over thirty (30) days from the invoice date] at the rate of 2% of the invoice per month.





A B A R I S   G R O U P

- 4. Other City approved services beyond the scope of this project shall be billed monthly.
- 5. Out-of-pocket expenses for those approved additional services such as telephone, travel, photocopies, postage, printing, and delivery, and will be charged at 1.1 times their cost to *The Abaris Group*. Mileage is billed at \$0.455 per mile.

Additional Services

If *The Abaris Group* and *City of Great Falls* in writing or through verbal authorization wishes additional services in addition to those described, such additional services shall be provided and paid for on an hourly basis in accordance with the following schedule:

<u>Title</u>	<u>Hourly Rate Schedule</u>
President	\$425
VP/Consultant	\$275
Research Staff	\$145
Clerical Staff	\$ 55

Performance and Termination

*The City of Great Falls* and *The Abaris Group* agree to cooperate in every way necessary to promote the successful completion of this project. Should either party fail substantially to perform this agreement in accordance with its terms, or should the City of Great Falls decides not to continue with the project, this agreement may be terminated by either party giving to the other thirty (30) days written notice thereof. Fees of services not completed will be billed at the appropriate hourly rate. In the event it becomes necessary for either party to employ an attorney to enforce the terms of this agreement, the prevailing party shall be entitled to recover reasonable attorney's fees and court costs.

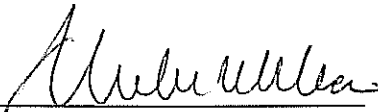
This document represents the entire and integrated Agreement between the *City of Great Falls* and *The Abaris Group* and supersedes all prior negotiations or agreements, either written or oral.



A B A R I S   G R O U P

APPROVED AND ACCEPTED:

\_\_\_\_\_  
John Lawton, City Manager  
City of Great Falls

  
\_\_\_\_\_  
Mike Williams  
The Abaris Group

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

6/22/07

ATTESTED this 21<sup>st</sup> day of June 2007

\_\_\_\_\_  
Cindy Kenczka, Acting City Clerk

REVIEWED FOR LEGAL CONTENT:

\_\_\_\_\_  
David Gliko, City Attorney  
City of Great Falls

\_\_\_\_\_  
Date



## Attachment A

### I. General Information

- I. Introduction: The City of Great Falls is seeking a well qualified Emergency Medical Service (EMS) Consultant to develop an implementation plan that will address and improve the City's EMS system. The plan will have provisions that ensure quality patient care for 911 emergency medical patients for the City's medical emergencies as detailed in this scope of work. This draft implementation plan shall develop the City's EMS components into a cohesive system.

The Consultant shall;

- 1) Review and revise a draft of a City EMS ordinance ensuring all pertinent issues are addressed.
- 2) Review and revise a draft of a implementation plan for City of Great Falls' EMS system
- 3) Review and revise a draft of a 911 EMS performance contract to have an ambulance service provide ground transport for the City's 911 EMS customers.

- B. Background: Based on the history of the EMS system in Great Falls, the City Commissioners expressed a desire to have the current system evaluated by a third party EMS expert. They wanted the City's EMS issues identified and recommendations made that would correct short-falls or problems with the system.

City staff hired The Abaris Group to conduct a comprehensive analysis and provide recommendations for correction. In August of 2006, the Abaris Group provided the, "Prehospital Emergency Care System Evaluation." This report clearly identified deficiencies and provided several recommendations and corrective actions.

Since the report was published, the EMS stakeholders have been working to improve the system. These improvements include:

- 1) 911 EMS transport providers and Fire Department first responders are utilizing the same radio frequency.
- 2) The interpersonal and formal communications between the fire department and the ambulance staff have improved.
- 3) Data gathering and total quality improvement are being addressed with improvements forth coming.
- 4) Progress is being made with interoperability and joint training.



- C. Outcome: The City of Great Falls will execute a plan that will improve community 911 EMS safety, delivery of dependable and safe EMS care and treatment of the sick and injured. The goal of the 911 EMS system improvements is to enhance efficiency of managing patient care to national standards and industry best practices.
- D. Scope of Work: The EMS Consultant will act as the prehospital emergency medical treatment and transport subject matter expert for the City of Great Falls.

The EMS Consultant will;

- 1) Review a draft of the City's new EMS ordinance to ensure the City has oversight of the EMS system and to ensure that the ordinance appropriately stipulates that the City has the ability to weigh financial penalty as provided by the EMS contract (RFP) if the ambulance service fails to comply with the contractual agreement.
- 2) Develop an implementation plan to enhance the EMS system which emulates best practices and national standards by those executing patient care and treatment at City EMS incidents.
- 3) Draft a contract for 911 Emergency EMS ground transport to transport patients from City medical emergencies. The contract shall identify operational performance, standards for patient care, response, and operational effectiveness. It shall require the EMS transport provider to abide by the performance contract with the City.

## II. Work Requirements:

### A. Ambulance Ordinance:

The City's current ambulance ordinance (§ 5.03.700 - 5.03.760) that covers the requirements for a ambulance service business license has no means for the City to correct or to performance of the 911 EMS transport providers if they fail to meet standards.

The Consultant will work with the City to review and make changes that will enhance an EMS system ordinance that will give the City authority for the EMS system and that requires all EMS components to cohesively work within the EMS system as designed.

The Consultant will seek improvements and enhancements to ensure the EMS system's effectiveness and efficiencies. Improvements to be



considered include, consolidation of EMS guides, & protocols, a single medical director, consolidation of the quality improvement practices, and standard minimum operational and medical training requirements.

B. City of Great Falls EMS system:

The Consultant shall assist the City to design an EMS system that fits the EMS market and operational components of the City's EMS system. The design shall comply with local ordinances, state laws, and EMS regulations. The system shall create an efficient and cost effective EMS system that allows for financial viability; prehospital EMS care stability and safety; and shall require nationally recognized standards for patient care. Additionally the City's EMS system should be postured to participate in a county or regional expansion and enhancements should the opportunity become available.

As recognized by the Abaris Group Report (AGR), the City of Great Falls has all the components of an EMS system but no real system. The Consultant shall review the current components and assist the City (to include first responders and dispatch), the transport provider, Medical Director, and the hospital in the development of a cohesive EMS system.

The system design should embrace consolidating standard operational guides, medical protocols, and quality improvement policies. There should be one medical director that will serve all agencies involved in EMS within the jurisdictional boundaries of Great Falls Fire Rescue.

The Consultant will provide for a single EMS System Administrator shall conduct system oversight. The Consultant will identify the EMS Administrators position, duties, and responsibilities.

Also, an EMS advisory committee will be designed to provide a voice from the community and its charter shall address medical treatment/care, customer service, and operational issues. The Consultant shall advise the City on the EMS advisory board's roles and responsibilities. The Consultant will draft the initial by-laws that will govern the board.

The AGR had provided specific tasks that were to be accomplished to pull the components into a cohesive system. The Consultant shall implement those recommendations through the new City EMS ordinance and the performance contract as request in this scope of work. The plan shall comprehensively address any enhancements that improve the EMS components or improve the cohesiveness of the system. From the time a customer dials 911 to the time the receiving medical facility assumes patient care, the system is opened to improve.



C. Performance Contract for Emergency EMS Transport:

The Consultant shall review a draft EMS transport performance contract that constitutes a partnership between the City of Great Falls and a private ambulance service.

The 911 EMS transport provider contract shall be drafted so that the community has a safe and reliable EMS system. The contract shall also reflect that standard patient care is administered according to national standards, local protocol, and at the direction of the Medical Director.

Additionally, assurances must be instituted that provide the EMS transport provider with financial viability and shall also ensure that our customers are receiving EMS service at a fair price. Billing and collections shall be the responsibility of the transport provider.

The 911 EMS transport provider contract shall stipulate that the provider furnish performance security in the form of an annual performance bond of an amount to be determined.

The following performance standards must be addressed:

- 1) Response times
- 2) 24 hour ambulance availability
- 3) Medical protocol compliance
- 4) Safety practices
- 5) Billing, Collections and Recording
- 6) Records
- 7) Surge capacity for man-made and natural disaster
- 8) Equipment and vehicle standards
- 9) Stocking and supplies levels to meet demand
- 10) Training compliance both medical certification and operational training

The EMS transport contract shall identify appropriate performance security/bonds that can be utilized if the EMS transport provider fails to comply with the contract agreement. The contract shall also include:

- 1) A mechanism to conduct corrective actions for agreement violations.
- 2) A performance violation matrix depicting the charges for infractions of the contract
- 3) Contract monitoring and administrative oversight.



## ABARIS GROUP

A complete Quality Improvement (QI) program shall be mandated in the contract. QI shall be a collaborative between the firefighter first responders, ambulance, and hospital emergency room staff.

### D. Deliverables:

- 1) Completed ground ambulance transport contract that complies with national standards, state law, and City/County ordinances
- 2) Completed strategic implementation plan for the City of Great Falls' EMS system
- 3) City Commission approved 911 Emergency Transport Provider Ordinance.

AGENDA REPORT

DATE July 3, 2007

ITEM: MEDICAL DIRECTOR CONTRACT

INITIATED BY: RANDY MCCAMLEY, FIRE CHIEF

ACTION REQUESTED: APPROVE MEDICAL DIRECTOR CONTRACT

PRESENTED BY: RANDY MCCAMLEY, FIRE CHIEF

**RECOMMENDATION:**

Staff recommends that the City Commission approve the Medical Director Contract with Dr. Vega for fiscal year 2007/08 in the total amount of \$14,400.00. This is the same amount of last year's contract.

**MOTION:**

"I move the City Commission approve the Medical Director Contract with Dr. Vega for fiscal year 2007/08 and that the City Manager be authorized to execute the same."

**SYNOPSIS:**

For Great Falls Fire Rescue to respond at the Advance Life Support level, it is necessary to have an agreement with a Physician who functions as the department's medical director. The Medical Director is responsible for providing medical polices, protocol and procedures and quality improvement for the fire department's personnel during and after prehospital medical emergencies.

**BACKGROUND:**

Dr. Vega has been Great Falls Fire Rescue's Offline Medical Director since July of 2001. We enjoy a positive working relationship with Dr. Vega and consider him an important part of our team. Dr. Vega has graciously agreed to continue on as our departments Medical Director at last years contract rate, even though his personal malpractice insurance rates have increase this last year. Dr. Vega is sensitive to the City of Great Falls current budget situation, and is willing to stay on as our Medical Director for this fiscal year.



6/29/2007

SECTION: JOB DESCRIPTIONS

TITLE: EMS - MEDICAL DIRECTOR

POSITION DESCRIPTION:

This position encompasses the medical oversight for Advanced Life Support (ALS) and Basic Life Support (BLS) prehospital emergency medical care within the EMS service area of the City of Great Falls. This position has official medical authority of Off-line (prospective and retrospective) and On-line (concurrent) medical care of patients treated by pre-hospital EMS providers in the City's jurisdiction. Additional duties shall include but are not limited to involvement with the EMS system design, operation, evaluation, and on-going quality improvement. Also, this position will establish patient care & medical protocols, procedures and policies according to national best practices and established EMS standards.

ESSENTIAL JOB FUNCTIONS: The following are essential job functions for the EMS Medical Director:

- Licensed to practice medicine or osteopathy
- Familiarity with the design and operation of prehospital EMS systems
- Experience or training in the prehospital emergency care of the acutely ill or injured
- Experience or training in medical direction of prehospital units
- Active participation in the Emergency Department (ED) management of the acutely ill or injured patient
- Experience or training in the instruction of prehospital personnel
- Experience or training in quality improvement process
- Knowledge of Montana EMS laws and regulations
- Knowledge of Cascade County consolidated dispatch and Montana mutual aid radio communications
- Knowledge of City and County mass casualty plans and other pertinent plans that affect the EMS system.

DESIRABLE:

- Board certification in emergency medicine

RESPONSIBILITIES:

- Serve as patient advocates in the EMS system
- Set and ensure compliance with patient care standards including communications standards and dispatch and medical protocols
- Develop and implement protocols and standing orders under which the prehospital care provider functions
- Develop and implement the process for the provision of concurrent medical direction, (on-line)

6/29/2007

- Ensure the appropriateness of initial qualification of prehospital personnel involved in patient care and dispatch
- Ensure the qualifications of prehospital personnel involved in patient care and dispatch are maintained on an ongoing basis through education, testing and credentialing according to National and State requirements
- Assist in the development and implementation of a quality improvement program for continuous system and patient care improvement
- Support EMS research projects by EMS staff to assist with patient information.
- Maintain a solid relationship with all providers, and EMS stakeholders, particularly those providing service within the City's boundaries and EMS service areas.
- Interact with state and local EMS authorities to ensure that standards, needs, and requirements are met and resource utilization is optimized.
- Promulgate public education and information on the prevention of emergencies
- Maintain knowledge levels appropriate for an EMS medical director through continued education
- Provide assistance to the authority having jurisdiction to hire EMS and firefighting staff.

AUTHORITY:

Unless otherwise defined or limited by Montana State or the City of Great Falls requirements, the Medical Director must have the authority over all clinical and patient care aspects of the EMS system including but not limited to, the following:

- Recommend certification, recertification, and decertification of prehospital EMS providers
- Establish, implement, revise, and authorize system-wide protocols, policies, and procedures for all patient care activities from dispatch through triage, treatment, and transport.
- Recommend criteria for level of initial emergency response within the jurisdiction
- Ensure competency of personnel who provide concurrent (on-line) medical direction to prehospital staff.
- Recommend to the authority having jurisdiction to remove an EMS provider from medical care duties for due cause, using appropriate review, and appeals mechanism.
- Set and approve hiring standards of EMS providers
- Set and approve standards for equipment used in patient care



AGENDA REPORT

DATE July 3, 2007

ITEM Appoint Trustees of B.A.S.E. Funds

INITIATED BY City Staff

ACTION REQUESTED Establish and Approve Trustees for B.A.S.E. Funds

PRESENTED BY John Lawton, City Manager

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**RECOMMENDATION:** Staff recommends the City Commission consider the following motion.

**MOTION:** I move the City Commission appoint Mayor Stebbins, Brett Doney, County Commissioner Joe Briggs, Cynthia Schultz, Warren Wenz and Cheryl Patton as Trustees of the B.A.S.E. Funds held in trust by the City of Great Falls.

**SYNOPSIS:** The appointment of six trustees is recommended to oversee and administer the fiduciary responsibilities of the remaining \$130,000 in B.A.S.E. Funds raised by the community and held in trust by the City.

**BACKGROUND:** In 2004 the community undertook an effort to prepare for the Congressionally mandated Base Realignment and Closure (BRAC) process. The community initiative was called B.A.S.E. for Building Alliances for Strategic Enhancement and \$251,000 in cash contributions were raised to finance the effort. The result of the BRAC process did not harm Malmstrom and the Montana Air National Guard's flying mission will be upgraded to a F-15 unit. The community effort, with the assistance of our Congressional delegation, accomplished its mission.

Of the \$251,000 raised \$141,375 was spent on the B.A.S.E. initiative with the largest amount, \$80,455, for a study on Malmstrom's strengths and opportunities for future missions that was prepared by S.A.I.C., a Virginia consulting firm experienced in Department of Defense issues. The study identified many opportunities for the community to pursue as we go forward to ensure a sound economy for Great Falls and north central Montana.

The B.A.S.E. fund has a remaining cash balance of \$121,348. The steering committee that originally oversaw the funds placed the remaining money in an interest bearing trust account, held and invested by the City of Great Falls on behalf of B.A.S.E. , so it would be available to prepare for the next BRAC process or related activities to enhance the military presence in our region. The original steering committee no longer exists and in order to oversee the fiduciary responsibilities of the trust account it is recommended that six members be appointed as trustees.

**CITY OF GREAT FALLS, MONTANA  
AGENDA REPORT**

**AGENDA # 16  
DATE July 3, 2007**

**ITEM** Appointments, Advisory Commission on International Relationships

**INITIATED BY** City Commission

**ACTION REQUESTED** Appoint Two Members

**PRESENTED BY** City Commission

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**RECOMMENDATION:** It is recommended that the City Commission appoint two members to the Advisory Commission on International Relationships.

**MOTION:** I move the City Commission appoint \_\_\_\_\_ and \_\_\_\_\_ to the Advisory Commission on International Relationships for three-year terms through March 31, 2010.

**SYNOPSIS:** There are currently four openings on the Advisory Commission on International Relationships. Vacancies are available for the following member positions: Robert Harris, Virginia "Lee" Niebuhr, Jamie C. Smith, and Sara Hopkins Schoenenberger (deceased). After advertising in the Tribune and on the City's website, only two applications were received.

**BACKGROUND:** International programs are growing for many reasons. Rapid changes in communications technology, globalization of the marketplace, and political changes in the last decade have all contributed to an increasing awareness these trends will accelerate in the future. Communities, as well as individuals, businesses, and institutions will need to learn to participate in the "global village," or be left behind economically or in other ways. In order for the City to take a leadership role in nurturing and coordinating some of the international efforts, the Advisory Commission on International Relationships was created by Ordinance 2788 on November 8, 2000, and amended by Ordinance 2863 on October 21, 2003. The Commission provides support, coordination, and exchange of information for international programs in the community. The Commission consists of nine to eleven members.

Current members include:

Robin Baker  
Jay Buckley  
Vandana Damany  
Aart Dolman  
Ella Mae Howard  
Sandra Erickson  
Charles Tyler

Citizens interested in serving on this board:

Carol Lindseth  
Matthew Murray