



City Commission Agenda

for
May 15, 2007

Please Note: The City Commission agenda format allows citizens to speak on each issue prior to Commission discussion. We encourage your participation.

CALL TO ORDER: 7:00 P.M.

PRESENTATION OF COLORS

ROLL CALL

SWEARING IN

Dorothy Schmidt, Neighborhood Council #2

PROCLAMATION

Peace Officers' Memorial Day
National Public Works Week

NEIGHBORHOOD COUNCILS

1. Miscellaneous reports and announcements.

PUBLIC HEARINGS

2. Castle Pines Addition, Phase V, and a segment of 13th Street South between 24th Avenue South and 27th Avenue South. **(Presented by: Ben Rangel)**
 - A. Res. 9645, Annexes 11 lots and the roadways within Castle Pines Addition Phase V and the segment of 13th Street South between 24th Avenue South and 27th Avenue South. Action: Conduct joint public hearing and adopt or deny Res. 9645.
 - B. Res. 9649, Annexes the remaining 10 lots on which single-family self-help program houses will be constructed. Action: Conduct joint public hearing and adopt or deny Res. 9649.
 - C. Ord. 2969, Establishes zoning classification of R-3 Single family high density district. Action: Conduct joint public hearing and adopt or deny Ord. 2969.
3. Mount Olivet Minor Subdivision, Lots 1A1, 1B1, & 1B2, Block 1, & Lot 1, Block 2 of the Amended Plat of Lots 1A & 1B, Block 1. **(Presented by: Ben Rangel)**
 - A. Res. 9655, Annexes four lots. Action: Conduct joint public hearing and adopt or deny Res. 9655.
 - B. Ord. 2971, Assigns zoning classification of PLI Public lands and institutional district to property. Action: Conduct joint public hearing and adopt or deny Ord. 2971.

OLD BUSINESS

NEW BUSINESS

ORDINANCES/RESOLUTIONS

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.*

4. Minutes, May 1, 2007, Commission meeting.
5. Total Expenditures of \$1,084,867 for the period of April 27 thru May 9, 2007, to include claims over \$5000, in the amount of \$878,813.
6. Contracts list.
7. Grants list.
8. Set public hearing for June 5, 2007, on Res. 9659 pertaining to animal control fees.
9. Set public hearing for June 5, 2007, on Res. 9657, Establishing Sanitation Service Rates for FY 2008.
10. Approve request to raise subsidy amount in HOME Down Payment Assistance Program for Neighborhood Housing Services from \$10,000 to \$15,000.
11. Approve modification of existing Bay Drive Phase II CTEP Project Specific Agreement with the Montana Department of Transportation to include construction and construction oversight.
12. Approve Change Order #4 to NewMech Companies, Inc. for Contract 02 – General Construction for the Wastewater Treatment Plant Cogeneration Project in the amount of \$27,620.23.

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

BOARDS & COMMISSIONS

13. Transit District Board, correction. Approves correction to the term of Ann Marie Meade to expire on December 31, 2008.
14. Preliminary Plat, Upper River Road Estates Addition. Approves Preliminary Plat consisting of 12.01± acres located at the south end of Upper River Road where it intersects with 40th Avenue South.
Action: Approve or deny Plat.
15. Preliminary Plat, Meadowlark Addition No. 5. Approves Preliminary Plat consisting of 20 single-family residential lots. Action: Approve or deny Plat.
16. Miscellaneous reports and announcements.

CITY MANAGER

17. Miscellaneous reports and announcements.

CITY COMMISSION

18. Miscellaneous reports and announcements.

PETITIONS AND COMMUNICATIONS

19. Miscellaneous reports and announcements.

MOTION TO ADJOURN

AGENDA REPORT

DATE May 15, 2007

ITEM Public Hearing – Resolutions 9645 and 9649 to Annex and Ordinance 2969 to Establish City Zoning Upon Castle Pines Addition, Phase V

INITIATED BY Harold Poulsen, Property Owner and Developer

ACTION REQUESTED Commission Adopt Resolutions 9645 and 9649 and Ordinance 2969 and Approve Final Plat and Annexation Agreement all related to Castle Pines Addition, Phase V and a segment of 13th Avenue South

PREPARED BY Charles Sheets, Planner I

APPROVED & PRESENTED BY Benjamin Rangel, Planning Director

RECOMMENDATION:

The Planning Board has recommended the City Commission approve the final plat and annexation of Castle Pines Addition, Phase V, and a segment of 13th Street South between 24th Avenue South and 27th Avenue South, and assign a zoning classification of R-3 Single-family high density district, upon annexation to the City.

MOTION (Each motion to be separately considered):

“I move the City Commission adopt Resolution 9645 and approve the Final Plat and Annexation Agreement all related to Castle Pines Addition Phase V and a segment of 13th Street South.”

and

“I move the City Commission adopt Resolution 9649, annexing a portion of Castle Pines Addition Phase V.”

and

“I move the City Commission adopt Ordinance 2969.”

SYNOPSIS:

Resolution 9645 annexes 11 lots and the roadways within Castle Pines Addition Phase V and the segment of 13th Street South between 24th Avenue South and 27th Avenue South. Resolution 9649 annexes the remaining 10 lots in Castle Pines Addition Phase V on which single-family “self-help” program houses will be constructed. Resolution 9649 will not be filed until the single-family houses are completed and ready to be occupied, which is anticipated to be in July 2008. Ordinance 2969 assigns a zoning classification of R-3 Single-family high density district, to Castle Pines Addition, Phase V, upon annexation to City.

BACKGROUND:

Castle Pines Addition Phase V is located along the east side of 13th Street South and in the vicinity of 27th Avenue South. The preliminary plat of Castle Pines Addition Phase V was conditionally approved by the City Commission on March 6, 2007.

For review purposes, please refer to the vicinity maps attached to the Resolutions, as Exhibit “A” and the reduced copy of the final plat of Castle Pines Addition Phase V.

The subdivision consists of 21 lots for single-family residences. Similar to Castle Pines Addition Phase III, NeighborWorks (formerly Neighborhood Housing Services) is working to acquire 10 lots in the subdivision to accommodate construction of “self-help” program homes. Funding arrangements stipulate the homes be constructed outside the City Limits. Upon filing the final plat, these 10 lots will be sold, homes constructed and

infrastructure installed, with annexation becoming effective, probably in July, 2008, when the homes are ready for occupancy. The remaining 11 lots will be sold by the developer for single-family residences. These 11 lots will be annexed simultaneously with the filing of the final plat.

Access to the lots in the subdivision will be from 13th Street South at 27th Avenue South. Within the subdivision, Castle Pines Drive and Castle Pines Way will connect to the north with Castle Pines Addition Phase I. 27th Avenue South will connect to the east with Castle Pines Addition Phase III. Roadways in the subdivision will be improved to City standards with paving, curb and gutter.

City water and sewer mains exist in Castle Pines Way to the north and in 27th Avenue South to the east.

Based on land contours, the area generally slopes to the northwest. The Master Plan Agreement which accompanied Castle Pines Addition Phase I indicates the developer of Phase I and the City participated jointly in the construction of a surface drainage control facility (south of the Multi-Sports Complex) and storm drain piping in 13th Street South to serve the area being developed as Castle Pines Addition. City storm sewer will be extended south, with inlets in 27th Avenue South.

According to the Master Plan Agreement, the developer of Castle Pines Phase I paid to the City \$12,261 in lieu of dedicating park land for the area covered by the original master plan for Castle Pines Subdivision. Castle Pines Phase V is included within that original master plan area.

An Off-Site Improvement Trust Fund was established in conjunction with Castle Pines Phase I wherein as each lot is sold a monetary amount is deposited in the trust fund to assist in the eventual improvement of 13th Street South and 24th Avenue South, including water main installation and providing a secondary water source to the Castle Pines area.

Subject property borders both Castle Pines Addition Phases I and III, which are being developed as single-family residential subdivisions. Castle Pines Addition Phase V generally adheres to a conceptual plan that was prepared in 1995 for the area, in conjunction with Castle Pines Addition Phase I.

Annexation of subject property will enhance health, safety and welfare through application of City Codes and provision of municipal services.

It is anticipated the planned single-family residential use of the property will be compatible with neighboring uses.

The final engineering documents relative to the final plat of Phase V have been prepared by the project engineer and reviewed and approved by the City Engineer's Office. Staff concludes that the basic conditions set forth in the conditional approval of the preliminary plat are being met by the developer in the overall process of final plat, final engineering and Annexation Agreement preparation for Phase V.

Subject property is presently zoned in the County as R-2 Low Density Residential District and the applicant has requested the property be zoned R-3 Single-family high density district, upon annexation to the City.

Section 76-2-304 Montana Code Annotated lists criteria and guidelines which must be considered in conjunction with establishing municipal zoning on land:

- a) is designed in accordance with the growth policy (comprehensive plan);
- b) is designed to lessen congestion in the streets;
- c) will secure safety from fire, panic or other dangers;
- d) will promote health and the general welfare;
- e) will provide adequate light and air;
- f) will prevent overcrowding of land;
- g) will avoid undue concentration of population;
- h) will facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements;

- i) gives reasonable consideration to the character of the district;
- j) gives reasonable consideration to the peculiar suitability of the property for particular uses;
- k) will conserve the value of buildings; and
- l) will encourage the most appropriate use of land throughout the municipality.

The Zoning Commission at the conclusion of a public hearing held February 13, 2007, unanimously recommended the City Commission approve establishing a City zoning classification of R-3 Single-family high density district for Castle Pines Addition Phase V, upon filing the resolutions to annex the area contained therein.

The Planning Board during a meeting held March 13, 2007 unanimously recommended the City Commission approve the Final Plat and its annexation to the City of Great Falls of Castle Pines Addition Phase V, subject to the following conditions:

- 1) The final plat of Castle Pines Addition Phase V shall incorporate correction of any errors or omissions noted by staff.
- 2) The final engineering drawings and specifications for the required public improvements to serve Phase V shall be submitted to the City Public Works Department for review and approval.
- 3) An Annexation Agreement shall be prepared containing terms and conditions for annexation of Phase V, including agreement by applicant to:
 - a) install, within two years of the date of annexation of Phase V, the public improvements referenced in Paragraph 2) above,
 - b) adhere to the Agreement dated November 7, 1995, pertaining to the previously mentioned Off-Site Improvement Trust Fund, and
 - c) prohibit private driveway approaches to 13th Street South from abutting lots in Phase V.

The above stated conditions 2) & 3) have been fulfilled and condition 1) will be fulfilled prior to filing the final plat.

Attach: Resolution 9645
Resolution 9649
Ordinance 2969
Reduced Copy of Final Plat
Annexation Agreement (Not available online; on file in City Clerk's Office)

cc: Jim Rearden, Public Works Director
Dave Dobbs, City Engineer
Harold Poulsen, P.O. Box 1376
Woith Engineering, 1725 41st St S
Al Henry, NeighborWorks, 509 1st Ave S

RESOLUTION 9645

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO EXTEND THE BOUNDARIES OF SAID CITY TO INCLUDE CASTLE PINES ADDITION PHASE V, EXCEPT LOTS 1-8, 11 AND 13, BLOCK 1, LOCATED IN SECTION 19, TOWNSHIP 20 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA, AND A SEGMENT OF 13TH STREET SOUTH, BETWEEN 24TH AVENUE SOUTH AND 27TH AVENUE SOUTH, MORE PARTICULARLY DESCRIBED HEREINBELOW; ALL AS SHOWN ON THE MAP ATTACHED HERETO MARKED EXHIBIT "A" AND BY THIS REFERENCE MADE A PART HEREOF.

* * * * *

WHEREAS, the City of Great Falls is a city incorporated under the laws of the State of Montana, and having a population of more than ten thousand (10,000) is a city of the first class; and,

WHEREAS, there is contiguous to said City, but without the boundaries thereof, certain tracts or parcels of land situated in the County of Cascade, State of Montana, and described as follows:

Castle Pines Addition Phase V, except Lots 1-8, 11 and 13, Block 1, all located in Section 19, Township 20 North, Range 4 East, P.M.M., Cascade County, Montana, and containing 3.99 acres,

and,

A segment of 13th Street South, between 24th Avenue South and 27th Avenue South, in the Northwest ¼ Section 19, Township 20 North, Range 4 East, and Northeast ¼ Section 24, Township 20 North, Range 3 East M.P.M. Cascade County, Montana, described as follows:

Commencing at the Northwest corner of the South 25 feet of Lot 1, Block 35, Finlays Supplement to Prospect Park, being the true point of beginning;
Thence South 89°49' West along southerly right-of-way line extended of 24th Avenue South, a distance of 60 feet to a point which is on the easterly line of Block 16, Park Place Addition and the westerly right-of-way of 13th Street South;

Thence South 0°30' East a distance of 17.2 feet along the westerly right-of-way line of 13th Street South to the southeast corner of Block 16;

Thence continuing South 0°30' East a distance of 949.54 feet along the westerly right-of-way line of 13th Street South and parallel with and 30 feet westerly of the east section line of Section 24, Township 20 North, Range 3 East, to a point that is the southerly right-of-way line extended of 27th Avenue South;

Thence North 89°45'43" East a distance of 60 feet along the southerly right-of-way line extended of 27th Avenue South to the east right-of-way line of 13th Street South and 30 feet easterly of the westerly line of Section 19, Township 21 North, Range 4 East;

Thence north parallel with and 30 feet easterly of the easterly line of Section 19, Township 21 North, Range 4 East a distance of 977.29 feet to the point of beginning, and containing 1.30 acres more or less,

all as shown on the map attached hereto marked Exhibit "A" and by this reference made a part hereof, and according to the final plat of Castle Pines Addition, Phase V; and,

WHEREAS, Section 7-2-4601, Montana Code Annotated, provides that whenever the owners of real property contiguous to any incorporated city of the first class petition to have said property made a part of the municipal corporation, such lands may be embraced within the corporate limits thereof and the boundaries of such city of the first class extended so as to include the same; and,

WHEREAS, the owner of the hereinabove described property has submitted a petition to have said property annexed to the City of Great Falls.

NOW, THEREFORE, the City Commission now finds that it is to the best interest of the City of Great Falls and its inhabitants to proceed with the incorporation of said territory into the City of Great Falls; and,

WHEREAS, all of the proceedings herein have been conducted in strict compliance with and in conformity to the law and constitution of the State of Montana, and all conditions, acts, and things required to be done precedent to and in the passage and adoption of this resolution have been properly and legally done, and performed;

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

That the boundaries of the City of Great Falls, Montana, be and the same are hereby extended so as to embrace and include within the corporate limits of said city all of the land hereinabove described, included as: "CASTLE PINES ADDITION PHASE V, EXCEPT LOTS 1-8, 11 AND 13, BLOCK 1, LOCATED IN SECTION 19, TOWNSHIP 20 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA, AND A SEGMENT OF 13TH STREET SOUTH, BETWEEN 24TH AVENUE SOUTH AND 27TH AVENUE SOUTH."

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

The Cascade County Clerk and Recorder is hereby authorized and directed to change the appropriate district boundaries of the City of Great Falls, Montana, to include said tracts of land; and,

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that this Resolution shall become effective from and after the date of the filing of said document in the office of the Cascade County Clerk and Recorder.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on this 15TH day of May, 2007.

Dona R. Stebbins, Mayor

ATTEST:

Peggy J. Bourne, 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, Peggy J. Bourne, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution 9645 was placed on its final passage by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 15TH day of May, 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 15TH day of May, 2007.

Peggy J. Bourne, City Clerk

(SEAL OF CITY)

VICINITY/ZONING MAP









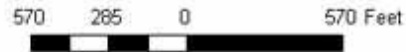
-  LOTS AND STREETS IN CASTLE PINES ADDITION PHASE V, BEING ANNEXED INTO THE CITY BY RESOLUTION 9645 WITH A CITY ZONING CLASSIFICATION OF R-3 SINGLE-FAMILY HIGH DENSITY DISTRICT
-  PORTION OF 13TH STREET SOUTH TO BE ANNEXED BY RESOLUTION 9645
-  City Limits
-  I-1 Light industrial
-  R-3 Single-family high density
-  Tracts of land outside City



EXHIBIT "A" RESOLUTION 9645



RESOLUTION 9649

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO EXTEND THE BOUNDARIES OF SAID CITY TO INCLUDE LOTS 1-8, 11 AND 13, BLOCK 1, CASTLE PINES ADDITION PHASE V, LOCATED IN SECTION 19, TOWNSHIP 20 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA, MORE PARTICULARLY DESCRIBED HEREINBELOW; ALL AS SHOWN ON THE MAP ATTACHED HERETO MARKED EXHIBIT "A" AND BY THIS REFERENCE MADE A PART HEREOF.

* * * * *

WHEREAS, the City of Great Falls is a city incorporated under the laws of the State of Montana, and having a population of more than ten thousand (10,000) is a city of the first class; and,

WHEREAS, there is contiguous to said City, but without the boundaries thereof, certain tracts or parcels of land situated in the County of Cascade, State of Montana, and described as follows:

Lots 1-8, 11 and 13, Block 1, Castle Pines Addition Phase V, located in Section 19, Township 20 North, Range 4 East, P.M.M., Cascade County, Montana, and containing 1.757 acres,

all as shown on the map attached hereto marked Exhibit "A" and by this reference made a part hereof, and according to the final plat of Castle Pines Addition, Phase V; and,

WHEREAS, Section 7-2-4601, Montana Code Annotated, provides that whenever the owners of real property contiguous to any incorporated city of the first class petition to have said property made a part of the municipal corporation, such lands may be embraced within

the corporate limits thereof and the boundaries of such city of the first class extended so as to include the same; and,

WHEREAS, the owner of the hereinabove described property has submitted a petition to have said property annexed to the City of Great Falls.

NOW, THEREFORE, the City Commission now finds that it is to the best interest of the City of Great Falls and its inhabitants to proceed with the incorporation of said territory into the City of Great Falls; and,

WHEREAS, all of the proceedings herein have been conducted in strict compliance with and in conformity to the law and constitution of the State of Montana, and all conditions, acts, and things required to be done precedent to and in the passage and adoption of this resolution have been properly and legally done, and performed;

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

That the boundaries of the City of Great Falls, Montana, be and the same are hereby extended so as to embrace and include within the corporate limits of said city all of the land hereinabove described, included as:

“LOTS 1-8, 11 AND 13, BLOCK 1, CASTLE PINES ADDITION, PHASE V, LOCATED IN SECTION 19, TOWNSHIP 20 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA.”

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

The Cascade County Clerk and Recorder is hereby authorized and directed to change the appropriate district boundaries of the City of Great Falls, Montana, to include said lots; and,

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that this Resolution shall become effective from and after the date of the filing of said document in the office of the Cascade County Clerk and Recorder.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on this 15TH day of May, 2007.

Dona R. Stebbins, Mayor

ATTEST:

Peggy J. Bourne, 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, Peggy J. Bourne, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution 9649 was placed on its final passage by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 15TH day of May, 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 15TH day of May, 2007.

Peggy J. Bourne, City Clerk

(SEAL OF CITY)

VICINITY/ZONING MAP

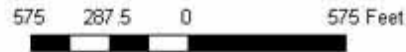


 LOTS 1-8, 11 AND 13, BLOCK 1, CASTLE PINES ADDITION PHASE V, BEING ANNEXED INTO THE CITY BY RESOLUTION 9649 WITH A CITY ZONING CLASSIFICATION OF R-3 SINGLE-FAMILY HIGH DENSITY DISTRICT

 City Limits  I-1 Light industrial
 R-3 Single-family high density  Tracts of land outside City



EXHIBIT "A" RESOLUTION 9649



ORDINANCE 2969

AN ORDINANCE ASSIGNING A ZONING CLASSIFICATION OF R-3 SINGLE-FAMILY HIGH DENSITY DISTRICT TO CASTLE PINES ADDITION PHASE V, IN SECTION 19, TOWNSHIP 20 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA

* * * * *

WHEREAS, Harold Poulsen, has petitioned the City of Great Falls to annex Castle Pines Addition Phase V, located in Section 19, Township 20 North, Range 4 East, P.M.M., Cascade County, Montana; and,

WHEREAS, Harold Poulsen, has petitioned said Castle Pines Addition Phase V, be assigned a City zoning classification of R-3 Single-family high density district, upon annexation to City; and,

WHEREAS, notice of assigning a zoning classification of R-3 Single-family high density district, to said Castle Pines Addition Phase V, was published in the Great Falls Tribune advising that a public hearing on this zoning designation would be held on the 15th day of May, 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 Castle Pines Addition Phase V, be designated as R-3 Single-family high density district classification.

Section 3. The zoning being assigned by this ordinance for Castle Pines Addition Phase V, excepting Lots 1-8, 11, and 13, Block 1, 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 said portion of Castle Pines Addition Phase V, into the corporate limits of the City of Great Falls, Montana, whichever event shall occur later; and the zoning being assigned by this ordinance for Lots 1-8, 11, and 13, Block 1, Castle Pines Addition Phase V, shall be in full force and effect upon filing in the office of the Cascade County Clerk and Recorder the resolution annexing said Lots 1-8, 11, and 13, Block 1, into the corporate limits of the City of Great Falls, Montana.

PASSED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, this 15th day of May, 2007.

Dona R. Stebbins, Mayor

ATTEST:

Peggy J. Bourne, 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, Peggy J. Bourne, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Ordinance 2969 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 15th day of May, 2007.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City on this 15th day of May, 2007.

Peggy J. Bourne, City Clerk

(SEAL OF CITY)

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

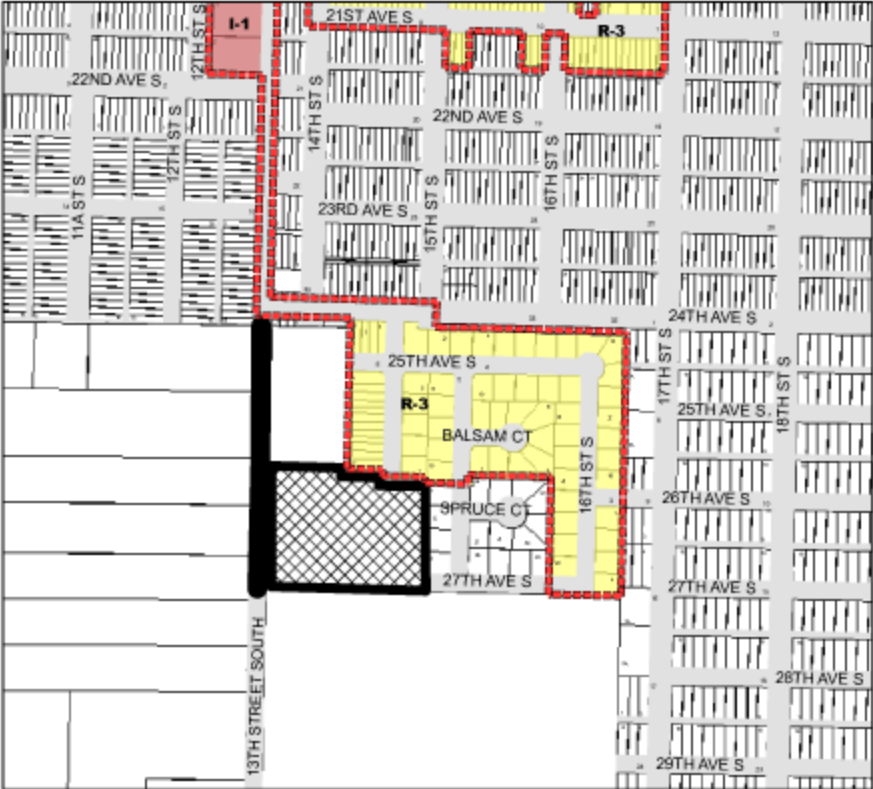
Peggy J. Bourne, being first duly sworn, deposes and says: That on the 15th day of May, 2007, and prior thereto, she was the City Clerk of the City of Great Falls, Montana; that as said City Clerk she did publish and post as required by law and as prescribed and directed by the Commission, Ordinance 2969 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

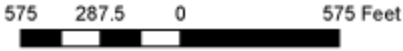
Peggy J. Bourne, City Clerk

(SEAL OF CITY)

VICINITY/ZONING MAP



-  PROPOSED CASTLE PINES PHASE V TO BE ANNEXED TO THE CITY AND BE ASSIGNED A CITY ZONING CLASS OF R-3 SINGLE-FAMILY HIGH DENSITY DISTRICT
-  PORTION OF 13TH STREET SOUTH PROPOSED TO BE ANNEXED
-  City Limits
-  I-1 Light industrial
-  R-3 Single-family high density
-  Tracts of land outside City



AGENDA REPORT

DATE May 15, 2007

ITEM Public Hearing – Resolution 9655 to Annex and Ordinance 2971 to Establish City Zoning Upon Lots 1A1, 1B1, & 1B2, Block 1, & Lot 1, Block 2, of the Amended Plat of Lots 1A & 1B, Block 1, Mount Olivet Minor Subdivision

INITIATED BY Catholic Diocese of Great Falls and Benefis Healthcare, Property Owners/Developers

-

ACTION REQUESTED Commission Adopt Resolution 9655 and Ordinance 2971 and Approve Amended Plat and Annexation Agreement Involving Portion of Mount Olivet Minor Subdivision

PREPARED BY Bill Walters, Senior Planner

APPROVED & PRESENTED BY Benjamin Rangel, Planning Director

RECOMMENDATION:

It is recommended the City Commission approve the Amended Plat of Lots 1A & 1B, Block 1, of the Amended Plat of Lot 1, Block 1, Mount Olivet Minor Subdivision and annex four of the lots contained therein, assigning a zoning classification of PLI Public lands and institutional district.

MOTION (Each motion to be separately considered):

“I move the City Commission adopt Resolution 9655 and approve the amended plat, Findings of Fact and Annexation Agreement all related to Lots 1A1, 1B1, & 1B2, Block 1, & Lot 1, Block 2, of the Amended Plat of Lots 1A & 1B, Block 1, Mount Olivet Minor Subdivision.”

and

“I move the City Commission adopt Ordinance 2971.”

SYNOPSIS:

Resolution 9655 annexes four lots in Mount Olivet Minor Subdivision and Ordinance 2971 assigns a zoning classification of PLI Public lands and institutional district to the lots, upon annexation of same to City. The accompanying Annexation Agreement contains terms and conditions associated with annexation and development of the involved property.

Said four lots in the involved portion of Mount Olivet Subdivision consisting of 92 acres are located east of 26th Street South along a segment of 18th Avenue South. Central Catholic High School is currently under construction on one of the lots to be annexed and uses for the other three lots being annexed have not been identified.

BACKGROUND:

The Planning Office is in receipt of applications from Benefis Healthcare and the Catholic Diocese of Great Falls - Billings regarding the following:

- 1) Amended Plat of Lot 1, Block 1, Mount Olivet Subdivision, located in the SW1/4 of Section 17, Township 20 North, Range 4 East, Cascade County, Montana.
- 2) Annexation to the City of Lots 1A1, 1B1, & 1B2, Block 1 and Lot 1, Block 2 of the above described Amended Plat.
- 3) Rezoning the above described four lots upon annexation to the City from the current County “OS” Open Space District to the City PLI Public Lands and Institutional District.

Mount Olivet Subdivision is located along the east side of 26th Street South between 17th and 24th Avenues South. The Amended Plat subdivides the existing 147.848 acres comprising the original Lot 1, Block 1 of Mount Olivet Subdivision into five lots.

For additional information, please refer to the Vicinity/Zoning Map attached to Resolution 9655 as Exhibit “A” and the reduced copy of the Amended Plat of Lot 1, Block 1, Mount Olivet Subdivision.

Lot 1A1, Block 1 and Lot 1, Block 2 of the attached Amended Plat are currently owned by Benefis Healthcare. Although Benefis has petitioned to annex both lots, no use for either lot has been identified. Lots 1B1, 1B2, & 1B3, Block 1 of the attached Amended Plat are currently owned by the Diocese of Great Falls – Billings. The Diocese has petitioned to annex Lots 1B1 & 1B2 but desires to leave Lot 1B3, occupied by Mount Olivet Cemetery, outside the City. Lot 1B1 is the site for the proposed Central Catholic High School. No development plans exist for Lot 1B2.

Access to the subdivision includes an 1860 ft segment of 18th Avenue South connected to 26th Street South and an 800 ft southerly extension of 29th Street South. Both segments of 18th Avenue South and 29th Street South will be improved to City standards. A private access easement is being provided at the east terminus of 18th Avenue South to serve the presently incorporated portion of Mount Olivet Addition occupied by the Poor Clares monastery.

City water and sanitary sewer mains will be installed to serve the four proposed lots to be annexed. The entire subdivision generally slopes to the north and west with the nearest storm sewer main located in 26th Street South at the northwest corner of the subdivision.

Although City staff would like to see the parcel occupied by Mount Olivet Cemetery (Lot 1B3, Block 1) annexed simultaneously with the other unincorporated lots in the Amended Plat, the Diocese opposes the annexation at this time. As the cemetery is currently served by City water, the annexation issue will be revisited as part of the City’s program to either annex or terminate service to unincorporated properties receiving water and/or sewer service.

Zoning Analysis:

Subject property is presently zoned in the County as “OS” Open Space District and it is proposed the property to be annexed to the City be zoned PLI Public Lands and Institutional District.

Section 76-2-304 Montana Code Annotated lists criteria and guidelines which must be considered in conjunction with establishing municipal zoning on land:

- a) is designed in accordance with the growth policy (comprehensive plan);
- b) is designed to lessen congestion in the streets;
- c) will secure safety from fire, panic or other dangers;
- d) will promote health and the general welfare;
- e) will provide adequate light and air;
- f) will prevent overcrowding of land;
- g) will avoid undue concentration of population;
- h) will facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements;
- i) gives reasonable consideration to the character of the district;
- j) gives reasonable consideration to the peculiar suitability of the property for particular uses;
- k) will conserve the value of buildings; and
- l) will encourage the most appropriate use of land throughout the municipality.

Subject property is bordered on three sides by medical related facilities and residential uses in the form of retirement/nursing homes, condominiums and conventional single family dwellings. The south side of the property proposed to be annexed and zoned PLI is occupied by a cemetery.

Goals of the economic element of the Great Falls Growth Policy include:

- Enhance, strengthen, and expand the existing economic base
- Attract new business and support expansion of existing businesses that tend to raise the median income level.
- Encourage businesses and industries that will utilize existing infrastructure.

Goals of the land use element include:

- To support and encourage efficient, sustainable development and redevelopment throughout the community.
- To support and encourage a compatible mix of land uses in newly developing areas.

Annexation of subject property will enhance health, safety and welfare through application of City Codes and provision of municipal services.

It is anticipated the educational facility (currently under construction) and anticipated health care use of the property will be compatible with neighboring uses. Therefore, staff concludes the above-cited criteria are substantially met.

Conclusion:

The proposed subdivision is in an area experiencing new development, including expansion of the Great Falls Clinic and Benefis Healthcare facilities to the north and completion of the initial phase of the Centene medical billing facility and initiation of the Forest Glen South condominium project along the west side of 26th Street South. Development of subject area requested to be annexed with educational and health care facilities is in character with this area of the community. The proposed development is also in concert with the overall vision presented in the Great Falls Medical District Master Plan which has been prepared for the area.

The City Zoning Commission on September 12, 2006, conducted a public hearing on the request to assign a zoning classification of PLI Public lands and institutional district to Lots 1A1, 1B1, & 1B2, Block 1, and Lot 1, Block 2, of the Amended Plat of Lots 1A & 1B, Block 1, of the Amended Plat Lot 1, Block 1, Mount Olivet Minor Subdivision being annexed to the City. No proponents or opponents spoke at the public hearing. At the conclusion of the hearing, the Zoning Commission unanimously passed a motion recommending the City Commission establish a City zoning classification of PLI Public lands and institutional district upon the described lots requested to be annexed.

The Planning Board at the conclusion of the same hearing held September 12, 2006, unanimously passed a motion recommending the City Commission approve the Amended Plat of Lots 1A & 1B, Block 1, of the Amended Plat of Lot 1, Block 1, Mount Olivet Minor Subdivision, and the accompanying Findings of Fact, subject to the following conditions being fulfilled by the applicant:

- 1) correcting any errors or omissions on the Amended Plat noted by staff;
- 2) submitting and obtaining approval of the City Public Works Department of the final engineering documents for the required public improvements to serve the project;
- 3) entering into an annexation agreement containing terms and conditions for annexation of subject property; and
- 4) paying applicable fees and reimbursements.

The above conditions 2), 3) and 4) have been fulfilled and condition 1) will be fulfilled prior to filing the final Amended Plat.

Attach: Resolution 9655
Ordinance 2971
Reduced Copy of Amended Plat
Annexation Agreement (Not Available online: on file in City Clerk's Office)
Findings of Fact

Cc: Joe Loncki, 121 23rd St So
Laura Goldhahn, Benefis Healthcare, 1101 26th St So
Jack Fisher, TD & H, 1200 25th St So, 59405

**FINDINGS OF FACT
FOR
AMENDED PLAT OF LOT 1, BLOCK 1,
MOUNT OLIVET MINOR SUBDIVISION
SECTION 17, T20N, R4E
CASCADE COUNTY, MONTANA
(PREPARED IN RESPONSE TO 76-3-608(3)MCA)**

I. PRIMARY REVIEW CRITERIA

Effect on Agricultural

The tract of land to be subdivided is not currently being utilized for agricultural purposes. The subdivision will not interfere with any irrigation system or present any interference with agricultural operations in the vicinity. A portion of the area within the subdivision is a cemetery while the remainder is vacant. Land uses abutting the subdivision include high density multi-family apartments, retirement facilities, medical complexes, single family residences, and suburban acreage tracts.

Effect on Local Services

The four lots in the amended plat proposed to be annexed to the City will connect to City water and sewer systems. The cost of extending the utility systems will be paid by the subdivider. The City should not experience an appreciable increase in maintenance and operating costs. The occupants of the four lots in the amended plat as they are developed will pay regular water and sewer charges.

The four lots in the amended plat proposed to be annexed will receive law enforcement and fire protection services from the City of Great Falls. The nearest fire station is two miles from the subdivision site. Providing these services to the lots proposed to be annexed to the City is expected to be a negligible cost to the City. Any increased costs likely will be covered by increased tax revenues from improved properties.

The subdivision is accessible from 26th and 29th Streets South, paved public roadways maintained by the City. 18th Avenue and 29th Street will be extended into the subdivision to serve the interior lots. The subdivision will have a negligible impact on cost of road maintenance.

As two of the lots within the proposed amended plat are owned by a non-profit religious organization, they are currently exempt from local property taxes.

Effect on the Natural Environment

Development of the lots in the amended plat are not expected to adversely affect soils or the water quality or quantity of surface or ground waters. Storm drainage from developed lots will be contained in on-site storm detention facilities with any excess released at pre-development rates into natural drainage courses.

Effect on Wildlife and Wildlife Habitat

The subdivision is in close proximity to urban development. The subdivision is not in an area of significant wildlife habitat and will not result in closure of public access to hunting or fishing areas, nor to public lands.

Effect on Public Health and Safety

Based on available information, the subdivision is not subject to abnormal potential natural hazards such as flooding, snow or rockslides, wildfire, nor potential man-made hazards such as nearby industrial or mining activity, or high traffic volumes.

II. REQUIREMENTS OF MONTANA SUBDIVISION AND PLATTING ACT, UNIFORM STANDARDS FOR MONUMENTATION, AND LOCAL SUBDIVISION REGULATIONS

The subdivision meets the requirements of the Montana Subdivision and Platting Act and the surveying requirements specified in the Uniform Standards for Monumentation, and conforms to the design standards specified in the local subdivision regulations. The subdivider and the local government have complied with the subdivision review and approval procedures set forth in the local subdivision regulations.

III. EASEMENT FOR UTILITIES

Utilities, existing at the borders of the subdivision, are readily available for extension. Within the subdivision, the subdivider will provide the necessary right-of-way dedication and easements as a part of the subdivision plat to accommodate utility extensions.

IV. LEGAL AND PHYSICAL ACCESS

Dedicated paved public roadways maintained by the City provide legal and physical access to the subdivision. Dedicated public roadways to be improved to City standards will be extended into the subdivision to serve interior lots.

RESOLUTION 9655

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO EXTEND THE BOUNDARIES OF SAID CITY TO INCLUDE LOTS 1A1, 1B1, & 1B2, BLOCK 1, AND LOT 1, BLOCK 2, OF THE AMENDED PLAT OF LOTS 1A AND 1B, BLOCK 1, OF THE AMENDED PLAT OF LOT 1, BLOCK 1, MOUNT OLIVET MINOR SUBDIVISION, AND THE ROAD RIGHT-OF-WAY BEING DEDICATED THEREIN, LOCATED IN THE SW1/4 OF SECTION 17, TOWNSHIP 20 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA, MORE PARTICULARLY DESCRIBED HEREINBELOW; ALL AS SHOWN ON THE MAP ATTACHED HERETO MARKED EXHIBIT "A" AND BY THIS REFERENCE MADE A PART HEREOF.

* * * * *

WHEREAS, the City of Great Falls is a city incorporated under the laws of the State of Montana, and having a population of more than ten thousand (10,000) is a city of the first class; and,

WHEREAS, there is contiguous to said City, but without the boundaries thereof, certain tracts or parcels of land situated in the County of Cascade, State of Montana, and described as follows:

Lots 1A1, 1B1, & 1B2, Block 1, and Lot 1, Block 2, of the Amended Plat of Lots 1A & 1B, Block 1, of the Amended Plat of Lot 1, Block 1, Mount Olivet Minor Subdivision, and the road right-of-way being dedicated therein, located in the SW1/4 of Section 17, Township 20 North, Range 4 East, Cascade County, Montana, containing a total of 92.275 acres, and

all as shown on the map attached hereto marked Exhibit "A" and by this reference made a part hereof and according to the Amended Plat of Lots 1A & 1B, Block 1, of the Amended Plat of Lot 1, Block 1, Mount Olivet Minor Subdivision; and,

WHEREAS, Section 7-2-4601, Montana Code Annotated, provides that whenever the owners of real property contiguous to any incorporated city of the first class petition to have said property made a part of the municipal corporation, such lands may be embraced within the corporate limits thereof and the boundaries of such city of the first class extended so as to include the same; and,

WHEREAS, the owners of the hereinabove described property have submitted a petition to have said property annexed to the City of Great Falls.

NOW, THEREFORE, the City Commission now finds that it is to the best interest of the City of Great Falls and its inhabitants to proceed with the incorporation of said territory into the City of Great Falls; and,

WHEREAS, all of the proceedings herein have been conducted in strict compliance with and in conformity to the law and constitution of the State of Montana, and all conditions, acts, and things required to be done precedent to and in the passage and adoption of this resolution have been properly and legally done, and performed;

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

That the boundaries of the City of Great Falls, Montana, be and the same are hereby extended so as to embrace and include within the corporate limits of said city all of the land hereinabove described, included as: "LOTS 1A1, 1B1, & 1B2, BLOCK 1, AND LOT 1, BLOCK 2, OF THE AMENDED PLAT OF LOTS 1A & 1B, BLOCK 1, OF THE AMENDED PLAT OF LOT 1, BLOCK 1, MOUNT OLIVET MINOR SUBDIVISION, AND THE ROAD RIGHT-OF-WAY BEING DEDICATED THEREIN, LOCATED IN THE SW1/4 OF SECTION 17, TOWNSHIP 20 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA."

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

The Cascade County Clerk and Recorder is hereby authorized and directed to change the appropriate district boundaries of the City of Great Falls, Montana, to include said tracts of land; and,

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that this Resolution shall become effective from and after the date of the filing of said document in the office of the Cascade County Clerk and Recorder.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on this 15th day of May, 2007.

Dona R. Stebbins, Mayor

ATTEST:

Peggy J. Bourne, 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, Peggy J. Bourne, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution 9655 was placed on its final passage by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 15th day of May, 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 15th day of May, 2007.

Peggy J. Bourne, City Clerk











(SEAL OF CITY)

VICINITY/ZONING MAP



 PORTION OF AMENDED PLAT OF LOTS 1A & 1B, BLOCK 1, MOUNT OLIVET SUBDIVISION TO BE ANNEXED TO THE CITY OF GREAT FALLS AND ZONED PU1 PUBLIC LANDS AND INSTITUTIONAL

 PORTION OF AMENDED PLAT OF LOTS 1A & 1B, BLOCK 1, MOUNT OLIVET SUBDIVISION TO REMAIN OUTSIDE THE CITY

- | | | |
|--|---|--|
|  City Limits |  R-6 Multi-family high density |  POS Parks and Open Space |
|  R-2 Single-family medium density |  M-1 Mixed-use district |  PUD Planned unit development |
|  R-5 Multi-family medium density |  PU Public Lands and Institutional |  U Unincorporated |
| | |  Tracts of land outside City |

1,100 550 0 1,100 Feet



EXHIBIT #4



ORDINANCE 2971

AN ORDINANCE ASSIGNING A ZONING CLASSIFICATION OF PLI PUBLIC LANDS AND INSTITUTIONAL DISTRICT TO LOTS 1A1, 1B1, & 1B2, BLOCK 1, AND LOT 1, BLOCK 2, OF THE AMENDED PLAT OF LOTS 1A & 1B, BLOCK 1, OF THE AMENDED PLAT OF LOT 1, BLOCK 1, MOUNT OLIVET MINOR SUBDIVISION, IN SECTION 17, TOWNSHIP 20 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA

* * * * *

WHEREAS, the Catholic Diocese of Great Falls – Billings and Benefis Healthcare have petitioned the City of Great Falls to annex Lots 1A1, 1B1, & 1B2, Block 1, and Lot 1, Block 2, of the Amended Plat of Lots 1A & 1B, Block 1, of the Amended Plat of Lot 1, Block 1, Mount Olivet Minor Subdivision, located in the SW1/4 of Section 17, Township 20 North, Range 4 East, P.M.M., Cascade County, Montana; and,

WHEREAS, the Catholic Diocese of Great Falls – Billings and Benefis Healthcare have petitioned Lots 1A1, 1B1, & 1B2, Block 1, and Lot 1, Block 2, of the Amended Plat of Lots 1A & 1B, Block 1, of the Amended Plat of Lot 1, Block 1, Mount Olivet Minor Subdivision, be assigned a zoning classification of PLI Public lands and institutional district, upon annexation to City; and,

WHEREAS, notice of assigning a zoning classification of PLI Public lands and institutional district to Lots 1A1, 1B1, & 1B2, Block 1, and Lot 1, Block 2, of the Amended Plat of Lots 1A & 1B, Block 1, of the Amended Plat of Lot 1, Block 1, Mount Olivet Minor Subdivision, upon annexation to the City, was published in the Great Falls Tribune advising that a public hearing on this zoning designation would be held on the 15th day of May, 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 Lots 1A1, 1B1, & 1B2, Block 1, and Lot 1, Block 2, of the Amended Plat of Lots 1A & 1B, Block 1, of the Amended Plat of Lot 1, Block 1, Mount Olivet Minor Subdivision, be designated PLI Public lands and institutional district.

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 Lots 1A1, 1B1, & 1B2, Block 1, and Lot 1, Block 2, of the Amended Plat of Lots 1A & 1B, Block 1, of the Amended Plat of Lot 1, Block 1, Mount Olivet Minor Subdivision, 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 15th day of May, 2007.

Dona R. Stebbins, Mayor

ATTEST:

Peggy J. Bourne, 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, Peggy J. Bourne, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Ordinance 2971 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 15th day of May, 2007.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City on this 15th day of May, 2007.

Peggy J. Bourne, City Clerk

(SEAL OF CITY)

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

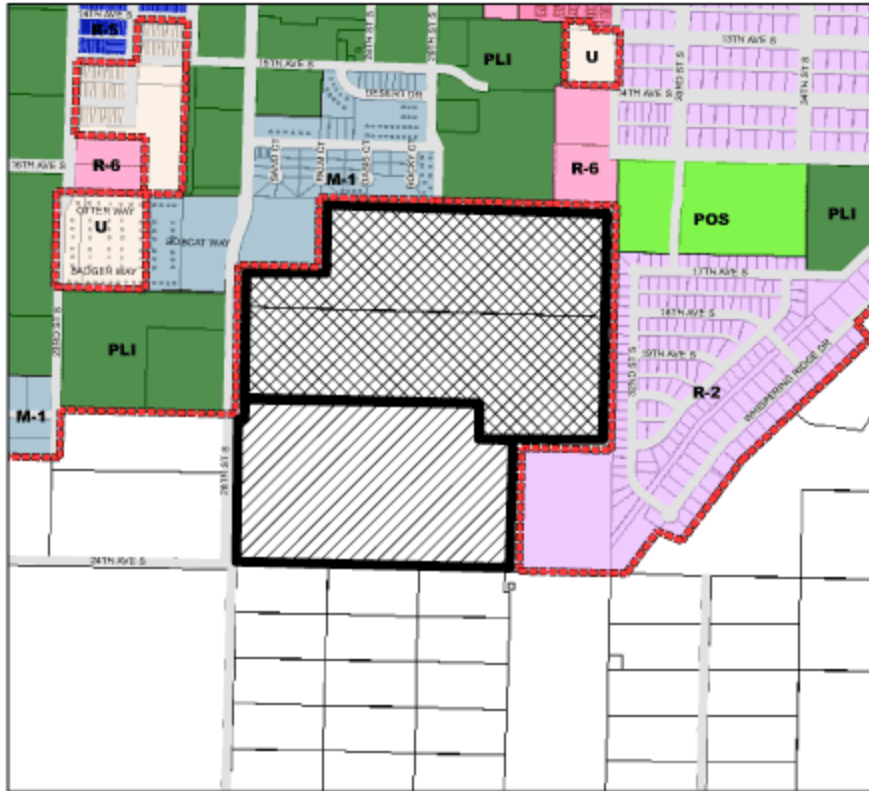
Peggy J. Bourne, being first duly sworn, deposes and says: That on the 15th day of May, 2007, and prior thereto, she was the City Clerk of the City of Great Falls, Montana; that as said City Clerk she did publish and post as required by law and as prescribed and directed by the Commission, Ordinance 2971 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









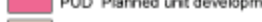

Peggy J. Bourne, City Clerk

(SEAL OF CITY)

VICINITY/ZONING MAP



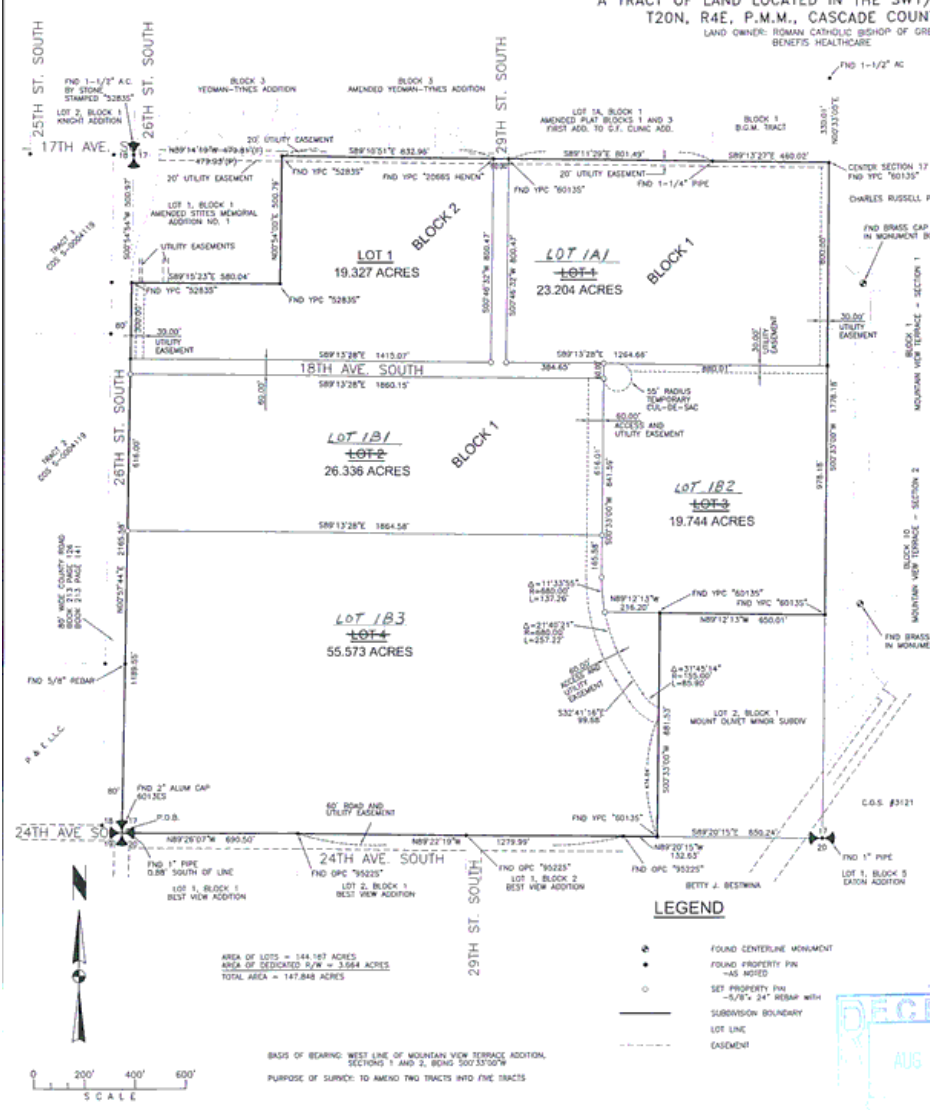
-  PORTION OF AMENDED PLAT OF LOTS 1A & 1B, BLOCK 1, MOUNT OLIVET SUBDIVISION TO BE ANNEXED TO THE CITY OF GREAT FALLS AND ZONED PLI PUBLIC LANDS AND INSTITUTIONAL
-  PORTION OF AMENDED PLAT OF LOTS 1A & 1B, BLOCK 1, MOUNT OLIVET SUBDIVISION TO BE ANNEXED TO REMAIN OUTSIDE THE CITY

- | | | |
|--|--|---|
|  City Limits |  R-6 Multi-family high density |  POS Parks and Open Space |
|  R-2 Single-family medium density |  M-1 Mixed-use district |  PUD Planned unit development |
|  R-5 Multi-family medium density |  PLI Public Lands and Institutional |  U Unincorporated |
| | |  Tracts of land outside City |

1,100 550 0 1,100 Feet



AN AMENDED PLAT OF AMENDED PLAT OF LOT 1, BLOCK 1, MOUNT OLIVET MINOR SUBDIVISION
 A TRACT OF LAND LOCATED IN THE SW1/4 OF SECTION 17,
 T20N, R4E, P.M.M., CASCADE COUNTY, MONTANA
 LAND OWNER: ROMAN CATHOLIC BISHOP OF GREAT FALLS
 BENEFIT: HEALTHCARE



CERTIFICATE OF OWNERSHIP

We, the undersigned property owners, do hereby certify that we have caused to be surveyed, subdivided, and plotted into lots, blocks, and easements as shown by the within described plat, the following described tract of land to wit:

A tract of land located in the SW1/4 of Section 17, Township 20 North, Range 4 East, P.M.M., Cascade County, Montana, and being more particularly described as follows:

Beginning at the Southwest Corner of said Section 17; thence North 02°57'44" East along the West line of said Section 17 and being the Eastern right-of-way of 26th Street South, a distance of 2185.58 feet to the Southwest corner of Block 1 of the Amended Plat of State Memorial Addition No. 1; thence South 89°15'23" East along the South boundary of said Block 1, a distance of 580.24 feet; thence North 02°54'00" East along the Eastern boundary of said Block 1, a distance of 508.79 feet to a point on the Southern boundary of the Teaman-Times Addition; thence South 89°10'51" East along said Southern boundary, a distance of 832.36 feet to the Western right-of-way of 29th Street South and the Southwest corner of the Amended Plat of Block 1 and 3, First Addition to the Great Falls Clinic Addition; thence South 89°12'27" East along the Southern boundary of said Amended Plat, a distance of 851.49 feet to the Southwest corner of the B.G.M. Tract; thence South 89°13'27" East along the Southern boundary of said B.G.M. Tract, a distance of 480.02 feet to the center of said Section 17; thence South 02°33'00" West along the westerly boundary of the Mountain View Terrace Addition, a distance of 1778.18 feet to the Northeast corner of Lot 2, Block 1, Mount Olivet Minor Subdivision; thence North 89°12'13" West along the Northern boundary of said Lot 2, a distance of 650.01 feet; thence South 02°33'00" West along the Western boundary of said Lot 2, a distance of 881.53 feet to the South line of said Section 17; thence North 89°22'15" West along the South line of said Section 17, a distance of 222.22 feet to the Northeast corner of the Best View Addition; thence North 89°22'13" West along the Northern boundary of the Best View Addition, a distance of 1278.99 feet; thence North 89°20'17" West along the West boundary, a distance of 690.50 feet to the True Point of Beginning and containing 147.848 acres.

The above described tract of land is to be known and designated as An Amended Plat of Amended Plat of Lot 1, Block 1, Mount Olivet Minor Subdivision, Cascade County, Montana.

Dated this _____ day of _____ A.D. _____

Roman Catholic Bishop of Great Falls Benefis Healthcare
 State of Montana)
 County of Cascade)

On this _____ day of _____ before me, the undersigned, a Notary Public for the State of Montana, personally appeared, _____ known to me to be the person who executed the Certificate of Declaration as witness WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Notary Public for the State of Montana (Notarial Seal)
 Residing at Great Falls, Montana
 My commission expires _____

State of Montana)
 County of Cascade)

On this _____ day of _____ before me, the undersigned, a Notary Public for the State of Montana, personally appeared, _____ known to me to be the person who executed the Certificate of Declaration as witness WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Notary Public for the State of Montana (Notarial Seal)
 Residing at Great Falls, Montana
 My commission expires _____

State of Montana)
 County of Cascade)

CERTIFICATE OF GREAT FALLS PLANNING BOARD

We, the undersigned, _____ President of the Great Falls Planning Board of the City of Great Falls, Cascade County, Montana, and _____ Secretary of said Great Falls Planning Board, do hereby certify that the accompanying plat of An Amended Plat of Amended Plat of Lot 1, Block 1, Mount Olivet Minor Subdivision to the City of Great Falls, Cascade County, Montana, has been submitted to the Planning Board for examination by them, and was found by them to conform to law, and was approved at their regular meeting held on the _____ day of _____, 20____.

President, Great Falls Planning Board _____
 Secretary, Great Falls Planning Board _____

CERTIFICATE OF CITY COMMISSION

I, John W. Lawton, City Manager of the City of Great Falls, Montana, do hereby certify that the accompanying plat of An Amended Plat of Amended Plat of Lot 1, Block 1, Mount Olivet Minor Subdivision, was fully examined and approved by the City Commission of the City of Great Falls, at its regular meeting held on the _____ day of _____, 20____.

City Manager, City of Great Falls, Montana _____

CERTIFICATE DISPENSING WITH PARK OR PLAYGROUND

Whereas, since An Amended Plat of Amended Plat of Lot 1, Block 1, Mount Olivet Minor Subdivision is a minor subdivision and the parcels larger than 5 acres, no park dedication is required pursuant to 76-3-621(3)(a)(i) M.C.A. Therefore the City Commission of Cascade County, Montana, dispenses with any park or playground requirements, during its regular meeting held on the _____ day of _____, 20____.

Chairman, Board of Cascade County Commissioners _____
 County Clerk & Recorder, Cascade County, Montana _____

CERTIFICATE OF COUNTY TREASURER

I, _____ County Treasurer of Cascade County, Montana, do hereby certify that I have examined the records covering the area included in the accompanying plat of An Amended Plat of Amended Plat of Lot 1, Block 1, Mount Olivet Minor Subdivision, Cascade County, Montana, and find that taxes on same have been paid for the last five years.

Dated this _____ day of _____ A.D. _____

County Treasurer, Cascade County, Montana _____

CERTIFICATE OF SURVEYOR

I, the undersigned, _____ Professional Land Surveyor, Montana registration No. _____ do hereby certify that I supervised the survey of this An Amended Plat of Amended Plat of Lot 1, Block 1, Mount Olivet Minor Subdivision, Cascade County, Montana, and plotted same as shown on the accompanying plat and as described in accordance with the provisions of the Montana Subdivision and Plating Act, Sections 76-3-101 through 76-3-614, M.C.A., and Cascade County.

Dated this _____ day of _____ A.D. _____

Montana Reg. No. _____

CERTIFICATE OF COUNTY COMMISSIONERS

We, the undersigned, _____ Chairman of the Board of County Commissioners of Cascade County, Montana, and _____ Clerk and Recorder of said county, do hereby certify that the accompanying Subdivision plat has been submitted to the Board of County Commissioners of Cascade County, Montana, for examination and has been found by them to conform to law and was approved on the _____ day of _____, 20____.

Chairman, Board of Cascade County Commissioners _____
 County Clerk & Recorder, Cascade County, Montana _____

CERTIFICATE OF AVAILABILITY OF MUNICIPAL SERVICES

I, John W. Lawton, City Manager for the City of Great Falls, Montana, do hereby certify that adequate municipal facilities for the supply of water and disposal of sewage and solid waste are available to Lot 1, Block 2 and Lot 1, 2 and 3, Block 1, namely, the said facilities of the City of Great Falls, Montana, and this certificate is made pursuant to Section 76-4-124, M.C.A., thereby permitting the Clerk and Recorder of Cascade County, Montana, to record the accompanying plat.

Dated this _____ day of _____ A.D. 20____

City Manager - City of Great Falls, Montana _____

CERTIFICATE OF PUBLIC SERVICE DIRECTOR

I, Jim Reardon, Public Service Director for the City of Great Falls, Montana, do hereby certify that I have examined the accompanying plat of An Amended Plat of Lot 1, Block 1, Mount Olivet Minor Subdivision, Cascade County, Montana, and the survey if represents, and find the same conforms to regulations governing the plotting of lands, and to presently plotted adjacent land, as near as circumstances will permit, and I hereby approve the same.

Dated this _____ day of _____ A.D. 20____

Public Works Director, City of Great Falls, Montana _____

CERTIFICATE OF PUBLIC SERVICE DIRECTOR

I, Jim Reardon, Public Service Director for City of Great Falls, Montana, do hereby certify that I have examined the accompanying plat of An Amended Plat of Lot 1, Block 1, Mount Olivet Minor Subdivision, Cascade County, Montana, and the survey if represents, and find the same conforms to regulations governing the plotting of lands, and to presently plotted adjacent land, as near as circumstances will permit, and I hereby approve the same.

Dated this _____ day of _____ A.D. _____

Public Works Director, City of Great Falls, Montana _____



TD&H THOMAS, DEAN & HOSKINS, INC.
 ENGINEERING CONSULTANTS
 GREAT FALLS - BOZEMAN - HAULPPELL - HELENA
 MONTANA
 DRAMBY BY: TWC DATE: 7/20/06 QUALITY CHECK: JLD/SLD
 DESIGNED BY: JLD/SLD

Regular City Commission Meeting

Mayor Pro-Tempore Hinz presiding

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

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

PROCLAMATIONS: Mayor Pro-Tempore Hinz read proclamations for National Day of Prayer, Older Americans and the Day of Community Celebration.

NEIGHBORHOOD COUNCILS**NC 4 Updates.**

1. **Audrey Finlayson**, NC 4, stated that Neighborhood Council 4 has been looking into community decay issues. She added that several high school students attended their meeting and had some ideas on graffiti issues at the Skate Park.

PUBLIC HEARINGS

Res. 9646 and Ord. 2970, annexation and zoning for Hilton Garden Inn Minor Subdivision. Adopted.

- 2A. **RESOLUTION 9646, ANNEXATION OF HILTON GARDEN INN MINOR SUBDIVISION.**
- 2B. **ORDINANCE 2970, ZONING FOR HILTON GARDEN INN MINOR SUBDIVISION.**

Planning Director Ben Rangel reported that Resolution 9646 annexes the unincorporated portion of the proposed Hilton Garden Inn Minor Subdivision. Ordinance 2970 assigns a zoning classification of C-2 general commercial district to Lots 1 and 2, Block 1, and R-5 multi-family residential medium density district to the unincorporated portion of Lot 1, Block 2. Ordinance 2970 also rezones a portion of Lot 1, Block 2, from R-2 single-family medium density district to R-5 multi-family residential medium density district.

The Planning Board at the conclusion of the public hearing held November 14, 2006, passed a motion recommending the City Commission annex the unincorporated portion of what is now being platted as Hilton Garden Inn Minor Subdivision, subject to the following conditions being fulfilled by the applicant provide the appropriate easements to accommodate necessary utilities; submit and obtain approval of the Public Works Department of the final engineering documents for the required public improvements to serve the project; sign an annexation agreement; and pay applicable fees and reimbursements.

In addition, the Planning Board during a meeting held March 27, 2007, passed a motion recommending the City Commission approve the Plat of the Hilton Garden Inn Minor Subdivision and the accompanying Findings of Fact subject to correction of any errors or omissions noted by staff.

The Zoning Commission, at the conclusion of the public hearing, passed a motion recommending the City Commission assign the requested zoning.

Mayor Pro-Tempore Hinz declared the public hearing open. Those speaking in support included **Mark Macek**, representative for Erck Hotels, **Phyllis Erck**, Erck Hotels and **Brett Doney**, Great Falls Development Authority.

Laura Gustafson spoke in opposition to Resolution 9646 and Ordinance 2970.

There being no one further to address the Commission, Mayor Pro-tempore Hinz declared the public hearing closed.

Commissioner Jovick-Kuntz moved, seconded by Commissioner Beecher, that the City Commission adopt Resolution 9646 and approve the minor plat, Findings of Fact and Agreement all related to Hilton Garden Inn Minor Subdivision.

Commissioner Jovick-Kuntz asked if the anticipated density for the condominiums could increase. She also asked what would happen to the easement that ran along the back of the abutting property owners land. Ben Rangel explained that one structure could be built per 1078 square feet. Given that parameter and the height restriction of 20 feet, only 30 units could be constructed. He also explained that the easement in question was dedicated to be an alley. However, it had never been developed as an alley nor were there any plans for it to be. He suggested that the area may be landscaped in conjunction with this project.

Commissioner Beecher moved, seconded by Commissioner Jovick-Kuntz, that the City Commission adopt Ordinance 2970.

Motion carried 4-0.

OLD BUSINESS

2007/2008 CDBG & HOME Funds Annual Action Plan. Approved.

3. 2007/2008 COMMUNITY DEVELOPMENT BLOCK GRANT / HOME ANNUAL ACTION PLAN.

CDBG Coordinator Chris Imhoff reported that the Consolidated Plan is a five-year planning and reporting document required by the U.S. Department of Housing and Urban Development which was completed and Commission approved in April 2005. The Plan includes a community needs assessment, housing market analysis, strategic plan and an Annual Action Plan. The

Annual Action Plan portion of the Consolidated Plan includes the proposed use of CDBG and HOME funds for the approaching fiscal year. Community Development Block Grant and HOME Grant project applications were received in February 2007. The Community Development Council reviewed the applications and made funding recommendations.

Commissioner Jovick-Kuntz moved, seconded by Commissioners Beecher and Rosenbaum, that the City Commission adopt the Annual Action Plan including the 2007/2008 Community Development Block Grant and HOME Program funds as recommended.

Motion carried 4-0.

NEW BUSINESS

Res. 9654, Annual Special Improvement District Revolving Fund Analysis. Adopted.

4. RESOLUTION 9654, ANNUAL SPECIAL IMPROVEMENT DISTRICT REVOLVING FUND ANALYSIS.

Fiscal Services Director Coleen Balzarini reported that Analysis of the Special Improvement District (SID) Revolving Fund and Subsidiary Debt Service Funds showed that one SID Subsidiary Fund (SID 1248) was complete and ready for closure to the SID Revolving Fund, that one SID Subsidiary Fund (SID 1248) had funds available for a partial repayment of a prior year loan and required a write-off of the loan balance, and that sufficient cash balance existed in the SID Revolving Fund to release \$100,000 to the General Fund.

The projected June 30, 2007, SID Revolving Fund balance was projected to be \$184,193. This was \$138,193 above the minimum balance required by State Statute, and \$152,307 below the maximum amount allowed by IRS Arbitrage Standards related to maximum debt service reserves.

Commissioner Beecher moved, seconded by Commissioner Rosenbaum, that the City Commission adopt Resolution 9654.

Motion carried 4-0.

Res. 9656, Relating to \$2,270,000 General Obligation Swimming Pool Bonds, Series 2007. Adopted.

5. RESOLUTION 9656, RELATING TO \$2,270,000 GENERAL OBLIGATION SWIMMING POOL BONDS SERIES 2007 (OF 1501).

Fiscal Services Director Coleen Balzarini reported that on August 15, 2006, the City Commission adopted Resolution 9605 which called for the submission of the question to issue up to \$2,270,000 of general obligation bonds to pay for the costs of improving and upgrading to facilities at the Jaycee, Mitchell, and Water Tower facilities to the qualified voters of the City.

Resolution 9656 awards the sale of general obligation bonds in the amount

of \$2,270,000 to Stifel Nocolaus, Hanifen Imhoff Div., of Denver, Colorado, who bid the lowest net interest cost payable on the bonds of 3.855117 percent. The City received seven bids. The bond proceeds will be used to pay for upgrading and improving certain City swimming facilities as approved by Great Falls voters on November 7, 2006.

Commissioner Rosenbaum moved, seconded by Commissioner Beecher, that the City Commission adopt Resolution 9647.

Fiscal Services Director asked the Commission to amend the motion to read "Adopt Resolution 9656."

Commissioner Beecher moved, seconded by Commissioner Jovick-Kuntz to amend the motion to read, "That the Commission adopt Resolution 9656."

Commissioner Jovick-Kuntz asked about the construction schedule. Park and Recreation Director Jim Sullivan reported that the bids will open May 16, 2007. The timeline for the project involves working on one neighborhood pool this summer and then beginning the improvements at the second neighborhood pool and Mitchell Pool in the fall. He added that kids will be able to use one of the neighborhood pools this summer.

Motion carried as amended 4-0.

**Consent Agenda.
Approved as printed.**

CONSENT AGENDA

6. Minutes, April 17, 2007, Commission meeting.
7. Total Expenditures of \$1,479,168 for the period of April 11 - 25, 2007, to include claims over \$5000, in the amount of \$1,302,555.
8. Contracts List.
9. Set public hearing for June 5, 2007, on Resolution 9648, Establish Electric City Power utility rates through June 30, 2011, for Block One customers. (O.F. 1472.1)
10. Cancellation of checks that remain outstanding and unpaid for the period of one year or longer.
11. Final payment to Advanced Earthwork and the State Miscellaneous Tax Division in the amount of \$55,193.61 for the 2nd Avenue SW Storm Drain Extension. (O.F. 1449)
12. Change Order 1 in the amount of \$59,666 to Stanley Consultants, Inc. for Renewable Energy Design Services for the Wastewater Treatment Plant Co-Generation Project. (O.F. 1404)
13. Bid Award for Liquid Aluminum Sulfate in the amount of \$295.51 per dry ton to Thatcher Company for the Water Treatment Plant.
14. Bid Award for Liquid Chlorine in the amount of \$619 per ton to DPC Industries, Inc. for the Water Treatment Plant.
15. Bid Award for Anhydrous Ammonia in the amount of \$145 per 147-lb cylinder to DPC Industries, Inc., for the Water Treatment Plant.

Commissioner Beecher moved, seconded by Commissioners Jovick-Kuntz and Rosenbaum, that the City Commission approve the Consent Agenda as presented.

Ron Gessaman, 1006 36th Avenue NE, asked how the City Commission could set a public hearing on electric power rates when the Electric City Power Board has not had a chance to review them yet. City Manager John Lawton explained that the Electric City Power Board will have two meetings to review the rates before the City Commission holds a public hearing on them.

Motion carried 4-0.

BOARDS & COMMISSIONS

Regional Airport Authority Board Appointment Procedure. Adopted.

16. REGIONAL AIRPORT AUTHORITY BOARD.

Airport Manager Cynthia Schultz explained that the Airport Authority requested the City Commission adopt an appointment procedure to be used when filling vacancies on the Airport Board. The intent is to cultivate and select qualified Board members who can fill gaps in the knowledge base as well as select members who recognize the importance the Airport has in economic development and growth for the community and the region and to ensure fiscal responsibility of the airport functions.

Commissioners Beecher and Jovick-Kuntz worked with Airport Board members Jeff Mangan and Ray Wahlert in drafting this appointment procedure.

Commissioner Beecher moved, seconded by Commissioner Rosenbaum, that the City Commission adopt the Airport Authority Appointment Procedure.

Motion carried 4-0.

PETITIONS AND COMMUNICATIONS

Electric City Power and citizen input.

20A. Ron Gessaman, 1006 36th Avenue NE, thanked Mayor Pro-tempore Hinz for asking for citizen comment on each issue prior to Commission action. He explained that the Commission’s agenda includes a statement that allows for this, however, it typically has not been done. He also expressed concern over the staff report related to Resolution 9648. He explained that the staff report states that this resolution was initiated by the Electric City Power Board. However, the Board has not had an opportunity to discuss the proposed rates.

Economic Development

20B. Brett Doney, Great Falls Development Authority, explained that the staff from the Office of Economic Adjustment from the Department of

Update.

Defense will be arriving in Great Falls to study the economic impact related to the loss of the missile mission at Malmstrom. He also stated he would pass on an article he recently read related to the cost impact a CO2 tax will have on electricity generated by coal plants.

Climate Protection Agreement.

20C. Kathleen Gessaman, 1006 36th Avenue NE, encouraged the City to join other cities by signing the Climate Protection Agreement. She added that she too read an article recently about global warming and that it is on the top ten list of issues to address.

Adjourn.

ADJOURNMENT

There being no further business to come before the Commission, **Commissioner Beecher moved, seconded by Commissioner Rosenbaum, that the regular meeting of May 1, 2007, be adjourned at 8:07 p.m.**

Motion carried 4-0.

Mayor Pro-Tempore Hinz

Peggy Bourne, 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:

MASTER ACCOUNT CHECK RUN FOR MAY 2, 2007	526,251.01
MASTER ACCOUNT CHECK RUN FOR MAY 9, 2007	278,967.58
MUNICIPAL COURT ACCOUNT CHECK RUN FOR APRIL 27, 2007	4,317.40
MUNICIPAL COURT ACCOUNT CHECK RUN FOR APRIL 30, 2007	74,486.50
WIRE TRANSFERS FROM MAY 1-7 2007	148,414.01
WIRE TRANSFERS FROM MAY 2, 2007	<u>52,430.84</u>
TOTAL: \$	<u><u>1,084,867.34</u></u>

GENERAL FUND

CITY COMMISSION

CROWLEY HAUGHEY HANSON TOOLE	LOBBYIST FEES	7,365.00
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SPECIAL REVENUE FUND

PLANNING

GREAT FALLS TRANSIT DISTRICT	REIMBURSEMENT 2ND QTR TRANSIT	18,220.72
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LIGHTING DISTRICT

NORTHWESTERN ENERGY	APRIL 2007 CHARGES	5,262.39
NORTHWESTERN ENERGY	APRIL 2007 CHARGES	7,732.69
NORTHWESTERN ENERGY	APRIL 2007 CHARGES	55,650.16

911 SPECIAL REVENUE

QWEST	MONTHLY PHONE CHARGES (SPLIT)	631.52
GRABAR VOICE & DATA	16 CHANNEL NICELOG	7,960.00

LIBRARY

DELL MARKETING	12 COMPUTERS	11,339.52
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SPECIAL REVENUE FUND CONTINUED

FEDERAL BLOCK GRANTS

CLAY LONEY CONCRETE CONSTR	1/2 DOWN FOUNDATION, JOY RESIDENCE	6,568.00
MEALEY CONSTRUCTION INC	CONSTRUCT HANDICAP RESTROOM	28,175.04
CHINOOK WINDOWS	WINDOWS 903 CARLOS (RESIDENCE)	7,455.00
LAPKE CONSTRUCTION	PMT #3 FOR 2006 SIDEWALK OF #1453.2	30,129.96

ECONOMIC REVOLVING

CAPITOL DECISIONS INC	MARCH/APR RETAINER FEE	17,600.00
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ENTERPRISE FUNDS

WATER

BISON FORD CO INC	2007 1/2 TON TRUCK	15,237.72
NORTHWESTERN ENERGY	MARCH 2007 CHARGES	5,379.05

SEWER

NEWMECH COMPANIES INC	PMT #5 OF1404	218,809.83
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ELECTRIC UTILITY

DORSEY & WHITNEY	BOND COUNCIL ATTY #3421 SERVICES	18,902.84
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SAFETY SERVICES

QWEST	MONTHLY PHONE CHARGES (SPLIT)	6,116.90
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RECREATION

CORPORATE IMAGES INC	SHIRTS FOR ICE BREAKER RACE	13,603.68
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CIVIC CENTER

GREAT FALLS SYMPHONY	MIDORI/YOUTH ORCHESTRA TKT PROC	20,660.00
GREAT FALLS COMM CONCERT ASSOC	TICKET PAYOUT, 6 SHOWS	47,610.00

INTERNAL SERVICES FUND

HEALTH INSURANCE

BLUE CROSS BLUE SHIELD	GROUP & HMO CLMS 4/24-4/30 2007	52,430.84
BLUE CROSS BLUE SHIELD	GROUP & HMO CLMS 5/01-5/07 2007	148,414.01

CENTRAL INSURANCE

MONTANA MUNICIPAL INS AUTHORITY	GEN LIAB INS DEDUCTIBLE PMTS 4-07	11,733.83
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INFORMATION TECHNOLOGY

HEWLETT PACKARD	LAPTOPS SCANNERS CASES	12,976.00
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CENTRAL GARAGE

MOUNTAIN VIEW COOP	UNLEADED/ DIESEL FUEL	33,274.50
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MUNICIPAL COURT

CITY OF GREAT FALLS	FINES AND FORFEITURES	58,758.50
CASCADE COUNTY TREASURER	FINES AND FORFEITURES	10,815.00

CLAIMS OVER \$5000 TOTAL: \$ 878,812.70

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

**AGENDA: 6
DATE: May 15, 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: Peggy J. Bourne, City Clerk

ACTION REQUESTED: Ratification of Contracts through the Consent Agenda

MAYOR'S SIGNATURE: _____

CONTRACT LIST

	DEPARTMENT	OTHER PARTY (PERSON OR ENTITY)	PERIOD	FUND	AMOUNT	PURPOSE
A	Community Development	Kone, Inc.	May 2007	551	\$1,855	Install ADA telephones in north parking garage elevators
B	Community Development	Dick Olson Construction	ASAP to July 2007	671-7161-575-9399 Project 270701	\$49,995	Men's Restroom Modifications – Main Floor of Civic Center (O.F. 1512)
C	Community Development	Greenup Lawn & Sprinklers	May 1, 2007 through November 30, 2008	551	\$1,125	Lawn sprinkler maintenance at City parking lots and garage.
D	Park & Recreation	Great Falls Tribune	January 2007 through December 2009	564-0000-346-3045	\$5,000	In-kind advertising for Ice Breaker Road Race.
E	Park & Recreation	Benefis	January 1, 2007 through December 31, 2009	564-0000-346-3045	\$5,000	Corporate Sponsor Agreement for Ice Breaker Road Race.

F	Park & Recreation	Tetra Tech, Inc.	February 1, 2007 through December 31, 2007	561 (Golf Course)	Not to Exceed \$11,500	Anaconda Hills Environmental Study (O.F. 1429)
G	Police Department	Banik Communication	Immediate	100-219-1522-3599	\$20,000 (2007 Grant) \$28,760 (2008 Grant)	Website/Construction Development for 0013 Grant.
H	Public Works	Cascade County Historical Society	Immediate	N/A	None	Local Records Transfer Receipt for Water Department related news articles dating back to 1963.

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

**AGENDA: 7
DATE: May 15, 2007**

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

PRESENTED BY: Peggy Bourne, City Clerk

ACTION REQUESTED: Ratification of Grants through the Consent Agenda

MAYOR'S SIGNATURE: _____

GRANTS

	DEPARTMENT	OTHER PARTY (PERSON OR ENTITY)	PERIOD	AMOUNT REQUESTED	CITY MATCH (INCLUDE FUND MATCH TO BE PAID OUT OF)	PURPOSE
A	Park and Recreation Mansfield Events Office	State of Montana Montana Agriculture Development Council	12/31/06 through 4/30/07	\$9,850	\$10,000 – General Fund \$2,000 – Sponsorship from ColorWorld \$1,000 – Big Sky Commerce \$500 – Sponsorship from Farmers Union	Made in Montana MarketPlace.
B	Fire Rescue	Town Pump Charitable Foundation P O Box 6000 Butte, MT 59702-6000	04/18/07 through 05/18/08	\$6,000	None	To purchase firefighting equipment. Item purchased: Fast Attack Monitors Nozzles

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

DATE May 15, 2007

ITEM Resolution 9659 - Animal Control Fees

ACTION REQUESTED Set Public Hearing for June 5, 2007

PREPARED BY Peggy Bourne, City Clerk

PRESENTED BY: Kory Larsen, Chief Prosecuting Attorney

RECOMMENDATION:

Staff recommends the City Commission set a public hearing for June 5, 2007, on Resolution 9659 pertaining to animal control fees.

MOTION:

I move that the City Commission set a public hearing on Resolution 9659 for June 5, 2007 at 7 pm.

SYNOPSIS:

The City Commission recently adopted an animal control ordinance. Incorporated within the ordinance are a number of fees that are to be set by resolution. A group of individuals have been working to establish the fee structure and presented the draft fee proposal to the City Commission at a Work Session on May 1, 2007. Due to schedule conflicts, the Committee has scheduled their final meeting on May 17, 2007. Due to the fact that the resolution is not in final form, yet the public hearing needed to be set and advertised, the City Commission is asked to set the public hearing without benefit of having the final resolution to review. Staff will make the resolution available to the City Commission and the public as soon as the Committee finalizes their recommendation.

PUBLIC HEARING

The City Commission will hold a public hearing on Resolution 9659 which pertains to animal control fees. The public hearing will be held June 5, 2007 at 7:00 p.m. in the Commission Chambers of the Civic Center located at 2 Park Drive South. Copies of Resolution 9659 are available in the City Clerk's office located at 2 Park Drive South, Room 202 or by calling 455-8451.

/s/ Peggy J. Bourne, City Clerk

Publication Date: June 3, 2007

CITY OF GREAT FALLS, MONTANA

AGENDA # 9

AGENDA REPORT

DATE May 15, 2007

ITEM Set Public Hearing for Resolution 9657, Establishing Sanitation Service Rates

INITIATED BY Fiscal Services Department and Public Works Operations Department

ACTION REQUESTED Set Public Hearing for June 5, 2007

PREPARED BY Martha Cappis, Operations Supervisor

APPROVED & PRESENTED BY Coleen Balzarini, Fiscal Services Director

RECOMMENDATION: Staff recommends the City Commission set a public hearing for June 5, 2007 for Resolution 9657, Establishing Sanitation Service Rates for FY 2008.

MOTION: "I move the City Commission set a public hearing for June 5, 2007 for Resolution 9657, Establishing Sanitation Service Rates for FY 2008.

SYNOPSIS: OCCGF 8.32.350 requires the Commission to adopt a resolution establishing rates to defray the costs of sanitation services for the fiscal year. All sanitation rates will increase by approximately 4.5%. These rates will go into effect June 6, 2007.

BACKGROUND: Staff proposes adjusting the sanitation rates to adequately provide sanitation service while covering the expenses largely due to the increase in fuel and equipment costs. Staff recommends the sanitation rates increase 4.5% for FY 2008. This is a \$0.42 increase for residential service. The last increase was 3% for residential and commercial. The attached Exhibit recaps existing and proposed rates. The rates were proposed, discussed and included in the FY 06/07 budget development process.

RESOLUTION 9657
AS AMENDED

A RESOLUTION TO ESTABLISH RATES IN ACCORDANCE WITH TITLE 8, CHAPTER 8.32, OCCGF, FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE COLLECTED FROM CUSTOMERS OF THE CITY OF GREAT FALLS EFFECTIVE JUNE 6, 2007

WHEREAS, The City Commission of the City of Great Falls, having met and conducted the hearing this day in regular session at the Civic Center, Great Falls, Montana, at 7:00 p.m., and having considered the cost of operation, equipment and facilities for the solid waste collection and disposal system do hereby establish the basic monthly collection rates charged City customers for, once per week, full service, as follows:

RESIDENTIAL

per		
month	Regular 65 Gallon	8.10
	Regular 96 Gallon	9.67
	Additional 96 Gallon	5.49
	Senior Citizen	6.74
	Extra Pickup	
	96 Gallon	5.50

COMMERCIAL

per		
month	90 Gallon	18.40
	300 Gallon (shared) or 1 yard	25.25
	300 Gallon (sole use) or 1.5 yard	29.60
	2 yard	35.40
	3 yard	50.80
	Over 3 yard (per yard)	16.80
	6 yard loose	100.63
	6 yard compacted	226.00
	8 yard loose	134.40

Extra Pickup

300 Gallon	7.85
plus extra's - \$1.50 2.00/minute	

Charges for other commercial pickup frequencies per week shall be the rate times the number of pickups per week. Large accumulation of material placed for collection may be charge to the customer @ ~~\$1.50~~ 2.00 per minute if it takes longer than 2 minutes to load the material.

Special Pickup

Large appliances	6.00
Large appliances-with freon	26.00

DROP BOX

per		
pickup	3 yard loose	32.50
	20 yard loose	235.00
	30 yard loose	265.00
	40 yard loose	290.00
	30 yard compacted	175.00
	40 yard compacted	175.00

Per Day Rental

permanent w/ fixed pickup schedule	2.00
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short term rental 4.00
after 5 days 2.00

Rates do not include the disposal fee as set forth in the Solid Waste Disposal Agreement between the City of Great Falls and Montana Waste Systems. Disposal costs will be assessed by actual weight and volumes in accordance with the agreement.

CONVENIENCE CENTER

per load	Car (minimum)	4.00
	Truck (1cubic yard)	8.00
	Truck (1.5 cubic yard)	11.00
	Trailer (single axle)	8.00
	Trailer (large load - 12' limit)	10.00
	Handling Fee	20.00
	Heavy or Bulky Loads (asphalt shingles)	
	Refrigerators & Air Conditioners	20.00
	Used Oil (5 gallon limit)	2.00
	White Goods	2.00

PASSED by the Commission of the City of Great Falls, Montana, on this 5th day of June, 2007.

Sandy Hinz, Mayor Pro-tempore

ATTEST:

Peggy Bourne, City Clerk

(SEAL OF CITY)

Approved as for legal content:

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 9657 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 5th day of June 2007, and approved by the Mayor of said City on the 5th day of June 2007.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 5th day of June 2007.

Peggy Bourne, City Clerk

(SEAL OF CITY)

AGENDA REPORT

DATE May 15, 2007

ITEM Request to Raise Subsidy Amount in HOME Down Payment Assistance Program

INITIATED BY Sheila Rice, Executive Director, Neighborhood Housing Services, Inc.

ACTION REQUESTED Approve Recommendation

PREPARED & PRESENTED BY Chris Imhoff, CDBG/HOME Administrator

REVIEWED & APPROVED BY Mike Rattray, Community Development Director

- - - - -

RECOMMENDATION:

The Housing Authority Board recommends approval of an increase in the maximum subsidy for Neighborhood Housing Services, Inc.'s Down Payment Assistance Program from \$10,000 to \$15,000.

MOTION:

I move to approve an increase in the maximum subsidy for Neighborhood Housing Services, Inc.'s Down Payment Assistance Program from \$10,000 to \$15,000.

SYNOPSIS:

The City of Great Falls has allocated HOME funds to Neighborhood Housing Services (NHS) to assist lower income first time homebuyers with down payment and closing cost assistance. NHS is requesting the City to allow them to raise the maximum subsidy assistance to \$15,000 for down payment, closing cost, and gap financing assistance. The Community Development Department asked the Housing Authority Board to review and make a recommendation to the City Commission on this HOME grant-funded housing loan program policy change. The Housing Authority Board met on April 19, 2007 and voted to recommend the increase in the maximum subsidy.

BACKGROUND:

The City of Great Falls receives federal HOME Program grant funds through the US Department of Housing & Urban Development to be allocated for community housing projects that benefit low income people. The purpose of the HOME program is to provide decent, safe, and affordable housing primarily for low income people. The City of Great Falls has allocated HOME funds to NHS to assist lower income first time homebuyers with down payment and closing cost assistance.

Currently in this program, NHS will loan an eligible first-time homebuyer a maximum of \$10,000 for down payment and closing cost assistance. This is a 0% interest deferred loan that is paid back to NHS plus equity share when the property ownership is transferred or when the first mortgage is satisfied. The homebuyer must contribute \$500 toward the down payment; however, the homeowner does not have to make payments to NHS for the loan,

until the first mortgage is satisfied. At that time, the homeowner makes payments at the same level as their prior first mortgage payments.

NHS has made the request for a larger assistance level of \$15,000 (See attached letter from Sheila Rice) because: the median price of a home sold in Great Falls has risen to \$144,300 in 2006; NHS would like to be able to continue to assist lower income households; and due to required HQS and home inspections, HOME funds are only being used to purchase homes meeting HQS standards which effects the cost.

Attachments: NHS Request Letter



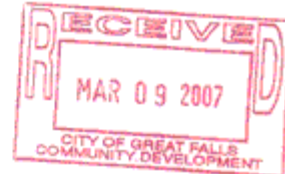
CHARTERED MEMBER

Neighborhood Housing Services, Inc. OF GREAT FALLS
509 1ST AVENUE SOUTH • GREAT FALLS, MONTANA 59401-3604 • PHONE (406) 761-5861 • FAX (406) 761-5852



March 6, 2007

Ms. Chris Imhoff
City of Great Falls
Great Falls, MT 59401



Dear Chris,

The purpose of the letter is to request an increase in down payment assistance from \$10,000 to \$15,000 per family. Prior to 2003, the homebuyer assistance amount was \$5,000; then it was moved to \$10,000, where it has been for four years.

During that same period of time, the median price of a home sold in Great Falls has risen from \$107,000 in calendar 2004 to \$135,000 in calendar 2006, an increase of \$28,000 or 22%.

In 2003, NHS sold seven two bedroom, full basement homes in the 1800 block of 9th Avenue South for \$81,000. We recently sold a minor rehab, NHS-built (same floor plan as the 1800 9th Av S units) home for \$105,000. The difference between the 2003 price and the 2007 price is \$24,000 or 30%.

The requirements for a home inspection and for an HQS inspection have been successful in allowing HOME funds to be used only for homes which are of high quality. However, the higher quality comes at a price and we find that the lower cost homes are no longer available to our customers below 80% of AMI, because the homes will not pass the inspections. Out of five purchases that NHS has reviewed in the past three months, two have fallen through because of the HQS inspections.

In order to make the HOME funding attractive to realtors and lenders (with the recent changes in HQS requirements and corresponding inspections) the Down Payment Assistance must be increased. Increasing the amount would also allow us to serve lower income families, as the gap between their affordable amortizing mortgage and the price of the home can be bridged with higher amounts.

NHS proposes the following:

- 1) An increase in the maximum down payment assistance from \$10,000 to \$15,000.
- 2) The homebuyers will continue to meet the 29% ratio to avoid over-subsidization.

Please feel free to call me if you would like additional information or have questions.

Sincerely,

Sheila Rice
Executive Director

AGENDA REPORT

DATE May 15, 2007

ITEM Bay Drive Phase II CTEP Project, O.F. 1126.9 - Standard Agreement Modification with Montana Department of Transportation

INITIATED BY City Planning Department

ACTION REQUESTED Approve CTEP Agreement

PREPARED & PRESENTED BY Andrew Finch, Great Falls CTEP Administrator

APPROVED BY Benjamin Rangel, Planning Director

- - - - -

RECOMMENDATION:

Staff recommends the City Commission approve the following motion.

MOTION:

"I move the City Commission approve and authorize the modification of the existing Bay Drive Phase II CTEP Project Specific Agreement with the Montana Department of Transportation to include construction and construction oversight."

SYNOPSIS & BACKGROUND:

A CTEP project to design a pedestrian/bicycle trail adjacent to the Missouri River and under the Central Avenue West Bridge in Great Falls was approved by the City Commission in January of 2005 and an agreement between the City and Montana Department of Transportation (for the design phase only) was entered into on January 18, 2005.

The use of CTEP funds for the construction phase of the trail project was approved by the City Commission on September 5, 2006. This agreement modification will formally add the construction phase to the project scope of work and costs.

The estimated cost for the project is \$637,724. The Community Transportation Enhancement Program (CTEP) will provide \$552,142, and Recreational Trails Inc. will provide the required \$85,582 matching dollars. There will be no financial impact to the City as a result of this Agreement.

The attached agreement modification between the City and the Montana Department of Transportation (MDT) is a standard agreement, and is necessary to earmark the construction phase funds.

Attachment: Modification to the CTEP Project Specific Agreement – General: STPE 5299(66), Bay Drive Bike/Ped Path II – GTF (2)

cc: Doug Wicks, Recreational Trails, Inc.



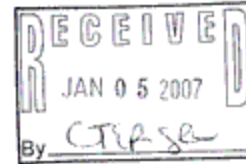
Montana Department of Transportation

2701 Prospect Avenue
PO Box 201001
Helena MT 59620-1001

Jim Lynch, Director
Brian Schweitzer, Governor

January 3, 2007

Andrew Finch
Senior Planner
PO Box 5021
Great Falls, MT 59403



Subject: Modification to the CTEP Project Specific Agreement

Project No.: STPE 5299(66)
Project Name: Bay Drive Bike/Ped Path II - GTF
Control No.: 5555

The Montana Department of Transportation has received your request for a revised budget and scope of work for this project. The requested revisions are contained the body of these two letters.

Have both letters signed and sealed by the City Manager. Retain one copy for your records and return one of the originals to the CTEP office. Changes to the Project Specific Agreement are shown in **bold type**.

Please contact LeRoy Wosoba at 444-6156 if you need additional information.


for Michael Wherley, P.E.
CTEP Engineer

Enc.

cc: Michael P. Johnson Great Falls District Administrator
Project file

Under WITNESSETH, fourth paragraph:

WHEREAS, the total estimated cost of the project development and construction totals \$637,724; and,

After NOW, THEREFORE, ...

Sections 1, 4, 5 and 12, will be modified to read:

1. The City will develop a CTEP project described as: design **and construction** of a pedestrian/bicycle trail and trail structure adjacent to the Missouri River and under a bridge in Great Falls, Montana, in accordance with ADA requirements.
4. The federal-aid program to be requested for the development and construction of this project, by federal-aid account, is as follows:

Federal-Aid Program Account (maximum FHWA match rate) Total by account

[9102] Preliminary Engineering (86.58%) (including environmental documentation)	\$	55,900
[9202] Right-of-Way/Easement Acquisition (86.58%)	\$	-0-
[9302] Incidental Construction (64.93%) (utility relocation involvement)	\$	-0-
[9402] Construction Engineering (86.58%) (including contract administration and inspections)	\$	44,400
[9502] Construction (86.58%)	\$	537,424
Total	\$	637,724

	Project	CTEP Funds	Local Match	ADD. Contribution
City of Great Falls	\$ 637,724	\$ 552,142	\$ 85,582	\$ -0-
TOTAL	\$ 637,724	\$ 552,142	\$ 85,582	\$ -0-

5. The general method of development includes: The City will engage a project engineer for preliminary engineering, contract bid document preparation, **and construction engineering. Construction must be by competitive bid. The State will perform a final inspection to ensure substantial compliance with project plans, specifications and estimates.**

12. The City will be responsible for \$85,582 and Federal participation will be \$552,142 of the estimated total project cost of \$637,724. The City will be responsible for 100% of any costs exceeding the proposed \$637,724, that may be required to complete the project.

All other terms of the original agreement will remain in full force.

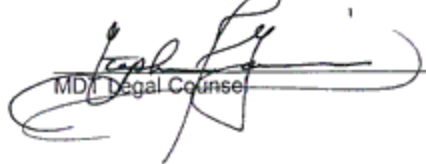
IN WITNESS WHEREOF, the Director of Transportation or his authorized representative has signed his name on behalf of the State of Montana and the City Manager of the City of Great Falls, has signed his name and affixed hereto the seal of the City.

STATE OF MONTANA, DEPARTMENT OF TRANSPORTATION

Jim Lynch
Director of Transportation

BY  _____, 2007
Chief Engineer, Engineering Division

APPROVED FOR LEGAL CONTENT

 _____
MDJ Legal Counsel

CITY OF GREAT FALLS

ATTEST

CITY MANAGER

Peggy J. Bourne, City Clerk

By _____
John W. Lawton, City Manager

I, Peggy J. Bourne, Great Falls City Clerk, hereby certify that this agreement was regularly adopted by the Great Falls City Council at a meeting held on the _____ day of _____, 2007, and that the Council authorized the City Manager to sign this agreement on behalf of the City.

[OFFICIAL SEAL] _____
Peggy J. Bourne, City Clerk

APPROVED FOR LEGAL CONTENT

David V. Gliko, City Attorney

AGENDA REPORT

DATE May 15, 2007

ITEM: CHANGE ORDER NO. 4 – CONTRACT 02, GENERAL CONSTRUCTION FOR THE WASTEWATER TREATMENT PLANT COGENERATION PROJECT, O. F. 1404

INITIATED BY: PUBLIC WORKS DEPARTMENT / ENGINEERING DIVISION

ACTION REQUESTED: APPROVE CHANGE ORDER NO. 4

PRESENTED BY: JIM REARDEN, PUBLIC WORKS DIRECTOR

- - - - -

RECOMMENDATION: Staff recommends approval of Change Order No. 4 to NewMech Companies, Inc. (NewMech) for Contract 02 – General Construction for the Wastewater Treatment Plant Cogeneration Project, O. F. 1404.

MOTION: “I move the City Commission approve Change Order No. 4 for \$27,620.23 and a contract time extension of 15 days to the substantial completion date to NewMech Companies, Inc. for Contract 02 – General Construction for the Wastewater Treatment Plant Cogeneration Project, O. F. 1404, and authorize the City Manager to execute the agreements.”

SYNOPSIS: At the contractor’s request and with our consultant’s (Stanley Group) concurrence, \$27,620.23 is requested to be added to the contract for an upgrade involving a switch in the wastewater plant’s electric vault. The existing switch was installed thirty years ago and the exact information for it was not available to the design engineers. Without powering down the entire plant and removing the switch it was not possible to know that it was a specialized one of-a-kind part. A new part initially ordered to modify the switch for the project will not work because after the electricity was powered down and the existing switch removed it was found to be a specially modified part that cannot be tied into with new parts. The electrical subcontractor has proposed replacing the old switch with a new system that will work with the project. A credit of \$2,212.00 is included with this proposal which was the price to complete the work per the original design. Upgrading the electrical system now will also avoid high repair costs and shut downs in operations in the future if the current switch failed. The original contract price of \$1,143,000.00 which was increased by \$42,750.62 with change orders Nos. 2 and 3 will be increased by \$27,620.23 for a total contract price of \$1,213,370.85. Due to this change an additional 15 days to the contract time is being requested as well.

BACKGROUND: On November 21, 2006, the City Commission awarded a contract to NewMech for general construction and installation of equipment that will use methane gas produced in the treatment process at the wastewater treatment plant to generate electricity and heat to meet part of the plant’s energy requirements. Construction is currently wrapping up on the project, and the equipment supplier is scheduled to arrive at the end of the month to begin start up procedures.

Change Order

No. 04 _____

Date of Issuance: May 11, 2007 _____ Effective Date: May 15, 2007 _____

Project: Great Falls WWTP Cogeneration	Owner: City of Great Falls	Owner's Contract No.: O.F. 1404
Contractor: NewMech Companies, Inc.		Date of Contract: November 22, 2006
Contractor: Parsons Electric, LLC		Engineer's Project No.: 18580.02.00

The Contract Documents are modified as follows upon execution of this Change Order:

Description: Manhole Modular Connections; twelve (12) terminations, six (6) cable splices, demo existing G&W cable junction box, safety and shutdown procedures, and credit for original bid to install directly to existing G&W junction box.

Attachments: (List documents supporting change):

NewMech Change Order Cover PCO #18 – Modular Switch
Parsons Change Order CCN #31 – Manhole Modular Connections
Parsons Change Order Credit CCN #31 – Credit for original bid to install directly to existing G&W junction box

CHANGE IN CONTRACT PRICE:

Original Contract Price:

\$ 1,143,000.00 _____

Increase from previously approved Change

Orders No. 01 _____ to No. 03 _____:

\$ 42,750.62 _____

Contract Price prior to this Change Order:

\$1,185,750.62 _____

Increase of this Change Order:

\$ 27,620.23 _____

Contract Price incorporating this Change Order:

\$ 1,213,370.85 _____

CHANGE IN CONTRACT TIMES:

Original Contract Times:

Working days Calendar days

Substantial completion (days or date): February 28, 2007 _____

Ready for final payment (days or date): March 14, 2007 _____

Increase from previously approved Change Orders

No. 01 _____ to No. 03 _____:

Substantial completion (days): 65 days _____

Ready for final payment (days): 93 days _____

Contract Times prior to this Change Order:

Substantial completion (days or date): May 4, 2007 _____

Ready for final payment (days or date): May 18, 2007 _____

Increase of this Change Order:

Substantial completion (days or date): 15 days _____

Ready for final payment (days or date): 29 days _____

Contract Times with all approved Change Orders:

Substantial completion (days or date): May 19, 2007 _____

Ready for final payment (days or date): June 2, 2007 _____

RECOMMENDED:

By: _____
Engineer (Authorized Signature)

Date: _____

Approved by Funding Agency (if applicable): _____

ACCEPTED:

By: _____
Owner (Authorized Signature)

Date: _____

ACCEPTED:

By: _____
Contractor (Authorized Signature)

Date: _____

Date: _____

Change Order

Instructions

A. GENERAL INFORMATION

This document was developed to provide a uniform format for handling contract changes that affect Contract Price or Contract Times. Changes that have been initiated by a Work Change Directives must be incorporated into a subsequent Change Order if they affect Price or Times.

Changes that affect Contract Price or Contract Times should be promptly covered by a Change Order. The practice of accumulating Change Orders to reduce the administrative burden may lead to unnecessary disputes.

If Milestones have been listed in the Agreement, any effect of a Change Order thereon should be addressed.

For supplemental instructions and minor changes not involving a change in the Contract Price or Contract Times, a Field Order should be used.

B. COMPLETING THE CHANGE ORDER FORM

Engineer normally initiates the form, including a description of the changes involved and attachments based upon documents and proposals submitted by Contractor, or requests from Owner, or both.

Once Engineer has completed and signed the form, all copies should be sent to Owner or Contractor for approval, depending on whether the Change Order is a true order to the Contractor or the formalization of a negotiated agreement for a previously performed change. After approval by one contracting party, all copies should be sent to the other party for approval. Engineer should make distribution of executed copies after approval by both parties.

If a change only applies to price or to times, cross out the part of the tabulation that does not apply.

Change Order Request



1633 EUSTIS ST
ST PAUL, MN 55108
Phone: 651-645-0451

PCO Item Description	Amount	Owner CO#	NM RFI#	Genl RFI#	Request Submitted
Project : 270003- Great Falls WWTP-CoGen		Proj. Mgr.: Rich Budde			

PCOType : RCO Request for Change Order

PCO:	18	Modular Switch	\$27,620.23
<i>CCN#31 Modular Switch</i>			
<i>Details Attached</i>			
		<i>Parsons (CCN #31) Modular Switch Extra Work</i>	<i>\$26,740.01</i>
		<i>Parsons (CCN #31) G & W Credit</i>	<i>-\$2,212.00</i>
		<i>Fee on Subcontractor work @ 5%</i>	<i>\$1,226.40</i>
		<i>Supervision 0 Hrs @ \$51.48</i>	<i>\$0.00</i>
<i>(Time to be worked out with other changes)</i>			
		<i>Prepare Change Order 2 Hrs @ \$65.00</i>	<i>\$130.00</i>
		<i>Fee on Contractors work</i>	<i>\$19.50</i>
		<i>Directs @ 3.5% (Owner provides partial services)</i>	<i>\$906.64</i>
		<i>Bond @ 2% = \$69.32</i>	<i>\$536.21</i>
		<i>State Taxes @ 1% = \$35.35</i>	<i>\$273.47</i>
		Total	\$27,620.23
<i>Additional Time Requested</i>		<i>15 Days</i>	
18) Modular Switch			\$27,620.23
Total For Request for Change Order:			\$27,620.23

The above quoted amount covers the direct costs of this change order. It excludes costs associated with the impact of the change order upon the project schedule, labor productivity, or other factors affecting the cost of performance. It also excludes any schedule impact that this change may cause. NewMech reserves the right to amend this quotation when such impact costs and schedule delays have been determined.

Approved By: City of Great Falls Signed: _____ Date: _____ (Printed) _____ Title: _____	Submitted By: NEWMECH COMPANIES INC Signed: _____ Date: _____ Rich Budde - Project Manager
--	---

Parsons Electric

489 Hayward Avenue N
St. Paul, MN 55128
Telephone: 763-586-1125
Fax: 651-735-2196
E-mail: skarshbaum@parsonscorp.com
NewMech Companies, Inc.
Contact: Rich Budde
1833 Eustis Street
St. Paul, MN 55108
E-mail: rbudde@newmech.com



CCN# 31
CCN Date 1/26/2007
Date: 5/8/2007
Project Name: Great Falls WWTP Coge
Project Number: Great Falls WWTP Coge
Contract #: 41343
Page Number: 1

Work Description

Credit for original bid to install directly to existing G&W junction box.

THIS IS A CREDIT

Itemized Breakdown

Description	Qty	Net Price U	Total Mat(\$)	Labor U
MANHOLE CONNECTIONS	1	800.00 E	800.00	16.00 E
Totals			800.00	

Description	Total Hours
MANHOLE CONNECTIONS	16.00
Totals	16.00

Summary

General Materials		800.00
Material Tax (@ 6.500 %)		52.00
Material Total		852.00
JOURNEYMAN (16.00 Hrs @ \$85.00)		1,360.00
Final Amount		\$2,212.00

CLIENT ACCEPTANCE

CCN#: 31	_____
Final Amount: \$2,212.00	_____
Name:	_____
Date:	_____
Signature:	_____
Change Order #:	_____
<small>I hereby accept this quotation and authorize the contractor to complete the above described work.</small>	

Parsons Electric

489 Hayward Avenue N
 St. Paul, MN 55128
 Telephone: 763-586-1125
 Fax: 651-735-2196
 E-mail: skarshbaum@parsonscorp.com

NewMech Companies, Inc.

Contact: Rich Budde
 1633 Eustis Street
 St. Paul, MN 55108
 E-mail: rbudde@newmech.com



CCN# 30
 CCN Date 1/10/2007
 Date: 5/10/2007
 Project Name: Great Falls WWTP (
 Project Number: Great Falls WWTP (
 Contract #: 41343
 Page Number: 1

Work Description

Manhole Modular Connections
 -(12) Terminations.
 -(6) Cable splices.
 -Demo existing G&W cable junction box.
 -Safety and shutdown procedures.

Itemized Breakdown

Description	Qty	Net Price U	Total Mat(\$)	Labor U
750-1C 5KV CU CABLE (1.46")	50	13,500.00M	675.00	87.00M
750MCM 5KV 3-SPLICE KIT	2	2,340.00 E	4,680.00	10.42 E
#750 5KV 3-TERM KIT	4	1,688.30 E	6,753.20	9.79 E
Support Cable and Terminations	1	300.00 E	300.00	8.00 E
Safety and Shutdown Procedure	1	106.10 E	106.10	24.00 E
Demo Outdated Termination Switch	1	0.00 E	0.00	7.00 E
MISC MATERIAL	1	10.00 E	10.00	0.00 E
Research	1	0.00 E	0.00	8.00 E

Totals **12,524.30**

Description	Total Hours
750-1C 5KV CU CABLE (1.46")	4.35
750MCM 5KV 3-SPLICE KIT	20.84
#750 5KV 3-TERM KIT	39.16
Support Cable and Terminations	8.00
Safety and Shutdown Procedure	24.00
Demo Outdated Termination Switch	7.00
MISC MATERIAL	0.00
Research	8.00

Totals **111.35**

Summary

General Materials		12,524.30
Material Tax	(@ 6.500 %)	814.08
Material Total		13,338.38
JOURNEYMAN	(111.35 Hrs @ \$88.00)	9,798.80
Markup	(@ 15.000 %)	3,487.83

CHANGE ORDER

Parsons Electric

Project Name: Great Falls WWTP Co
Page Number: 2

Summary (Cont'd)

Subtotal 26,740.01

Final Amount \$26,740.01

CLIENT ACCEPTANCE

CCN#: 30	_____
Final Amount: \$26,740.01	_____
Name:	_____
Date:	_____
Signature:	_____
Change Order #:	_____

I hereby accept this quotation and authorize the contractor to complete the above described work.

AGENDA REPORT

DATE: May 15, 2007

ITEM Great Falls Transit District Board Appointment Term Correction

ACTION REQUESTED Correct Appointment Term

PRESENTED BY City Commission

- - - - -

RECOMMENDATION: It is recommended that the City Commission correct the board term of Ann Marie Meade.

MOTION: I move the City Commission correct the board term for Ann Marie Meade on the Great Falls Transit District Board so it expires December 31, 2008.

SYNOPSIS: On April 17, 2007, the City Commission appointed Ann Marie Meade to the Great Falls Transit District to fill the vacancy of an elected member who resigned. The term date in the motion was incorrect and should have read December 31, 2008 instead of November 30, 2007. It is requested that the City Commission officially correct the term dates.

CITY OF GREAT FALLS, MONTANA

AGENDA # 14

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

DATE May 15, 2007

ITEM Preliminary Plat of Upper River Road Estates Addition

INITIATED BY Gene Thayer, Property Owner and Developer and John Stewart, Property Owner

ACTION REQUESTED Commission Conditionally Approve Preliminary Plat and Findings of Fact

PREPARED BY Charles Sheets, Planner I

APPROVED & PRESENTED BY Benjamin Rangel, Planning Director

- - - - -

RECOMMENDATION:

The Great Falls Planning Board has recommended the City Commission approve the Preliminary Plat of Upper River Road Estates Addition, and the accompanying Findings of Fact subject to fulfillment of stipulated conditions.

MOTION:

“I move the City Commission approve the Preliminary Plat of Upper River Road Estates Addition and the accompanying Findings of Fact subject to fulfillment of conditions stipulated by the Planning Board.”

SYNOPSIS:

Upper River Road Estates Addition consists of 12.01± acres located at the south end of Upper River Road where it intersects with 40th Avenue South.

BACKGROUND:

Woith Engineering, representing the owners, has submitted applications regarding the following:

- 1) Preliminary Plat of Upper River Road Estates Addition, located in the SE ¼ Section 23, SW¼ Section 24, NW¼ Section 25, and NE¼ Sections 26, Township 20 North, Range 3 East, Cascade County, Montana.
- 2) Rezoning the property contained within said preliminary plat and adjoining remainder portion of the property described in Certificate of Survey 3391 from the existing City zoning classification of R-1 Single-family suburban district to PUD Planned unit development district.

Upper River Road Estates Addition includes 20 single-family residential lots and one lot wherein 12 residential condominium units are proposed. The remainder portion of the property described in Certificate of Survey 3391 consisting of 5.25± acres is to be rezoned simultaneously with Upper River Road Estates Subdivision.

For additional information, please refer to the attached Vicinity/Zoning Map and Preliminary Plat.

Access to the lots in the subdivision will be from Upper River Road and 40th Avenue South. Within the subdivision, the yet to be named street will be dedicated as public right-of-way and will provide access to all of the single-family lots. The cul-de-sacs are proposed to add curb length to accommodate access to the lots in the corners of the subdivision. The roadway within the subdivision will be improved to City standards with paving, curb and gutter with the exception of the driveways within Southridge Condominiums and the private drives to the two existing homes that are provided by existing easements.

The developer has been advised of a feasibility study and the current route alignment study being conducted by the Montana Department of Transportation for the South Arterial. Until the study is completed, staff does not know what direct impact, if any, a future possible South Arterial may have on the site or the subdivision. The site was within the alignment recommended in a previous route study conducted in 1979-80.

City water and sewer mains were extended into the vicinity as part of the Upper/Lower River Road Water and Sewer District, Phase 1 project and will be extended to provide services to all parcels within this subdivision. The proposed subdivision generally slopes from east to west. Surface drainage collected in the subdivision roadway will be directed to the southwest corner of the subdivision. The developer will be required to prepare a storm drainage plan to the satisfaction of the Public Works Department.

To fulfill the subdivision's park obligation, the developer proposes to pay a fee in lieu of dedicating land.

The developer intends to retain ownership of a larger remainder parcel, described in Certificate of Survey 3391. He proposes to combine a portion of the parcel with a smaller parcel upon which his home site is located. The remainder will be retained as an undeveloped area to preserve views from the two existing home sites.

It is recommended, in conjunction with approval of this subdivision, that the owners be required to waive their rights to protest creation of any future special improvement district to assist in financing their proportionate share of the cost to improve Upper River Road and 40th Avenue South, when deemed necessary by the City.

The Planning Board conducted a public hearing on the preliminary plat on April 24, 2007. Speaking in support of the subdivision were Mr. Roland Leitheiser and Mr. John Stephenson-Love, stating the subdivision would be an asset to the area and that the development will benefit the surrounding area, as well as, be an additional source of revenue for the Upper Lower River Road Water and Sewer District. At the conclusion of the public hearing, the Planning Board unanimously passed a motion recommending the City Commission approve the Preliminary Plat of Upper River Road Estates Addition and the accompanying Findings of Fact, subject to the following conditions being fulfilled by the applicant:

- 1) The final plat of Upper River Road Estates Addition shall incorporate correction of any errors or omissions noted by staff.
- 2) The final engineering drawings and specifications for the required public improvements to serve Upper River Road Estates Addition shall be submitted to the

City Public Works Department for review and approval prior to consideration of the final plat.

- 3) A revised building envelope plan showing maximum building heights and lot coverage, as well as, the setbacks for principal and accessory buildings shall be submitted to the City Planning Department for review and approval prior to consideration of the final plat.
- 4) Combining a portion of the large remainder parcel of property in Certificate of Survey 3391 with the smaller parcel labeled as "Thayer" on the preliminary plat.
- 5) A Development Agreement shall be prepared containing terms and conditions for development of Upper River Road Estates Addition, including agreement by applicant to:
 - a) install within two years of the filing of the final plat of Upper River Road Estates Addition, the public improvements referenced in Paragraph 2) above;
 - b) waive right to protest creation of any future special improvement district for improvements to Upper River Road and 40th Avenue South;
 - c) hold the City harmless for any fire damage resulting from substandard water pressure and volumes associated with the water system serving the subdivision.
- 6) All applicable fees owed as a condition of plat or annexation approval shall be paid upon final platting and annexation, including:
 - a) final plat fee 200.00
 - b) development agreement fee 200.00
 - c) recording fees for development agreement documents (\$11 per page) to be determined









The zoning for the subdivision will be further addressed as the final plat and accompanying annexation documents are considered.

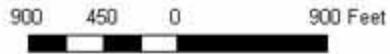
Attach: Vicinity/Zoning Map
Preliminary Plat
Findings of Fact

Cc: Eugene & Jane Thayer, 220 40th Ave S
Woith Engineering, 1725 41st St S

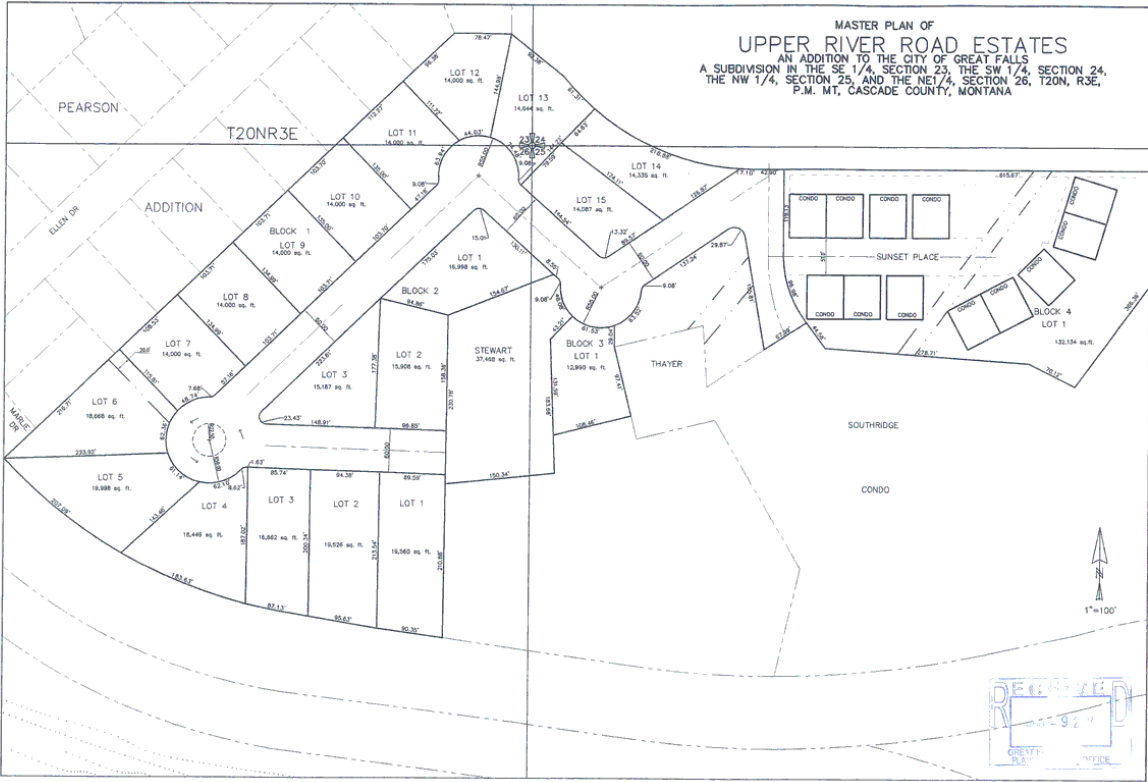
VICINITY/ZONING MAP



-  PROPOSED UPPER RIVER ROAD ESTATES SUBDIVISION AND REZONING FROM "R-1" SINGLE-FAMILY SUBURBAN TO "PUD" PLANNED UNIT DEVELOPMENT
-  REMAINDER OF CERTIFICATE OF SURVEY 3391 AND 4403 TO BE REZONED FROM "R-1" SINGLE-FAMILY SUBURBAN TO "PUD" PLANNED UNIT DEVELOPMENT
-  CITY LIMITS
-  R-1 Single-family suburban
-  R-3 Single-family high density
-  R-10 Mobile home park
-  PUD Planned unit development
-  Tracts of land outside City



MASTER PLAN OF
UPPER RIVER ROAD ESTATES
AN ADDITION TO THE CITY OF GREAT FALLS
A SUBDIVISION IN THE SE 1/4, SECTION 23, THE SW 1/4, SECTION 24,
THE NW 1/4, SECTION 25, AND THE NE 1/4, SECTION 26, T20N, R3E,
P.M. MT, CASCADE COUNTY, MONTANA



FINDINGS OF FACT
FOR SUBDIVISION PLAT OF THE UPPER RIVER ROAD ESTATES ADDITION LOCATED
IN SE ¼ SECTION 23, SW¼ SECTION 24, NW¼ SECTION 25, AND NE¼ SECTION 26,
TOWNSHIP 20 NORTH, RANGE 3 EAST, CASCADE COUNTY, MONTANA
(PREPARED IN RESPONSE TO 76-3-608(3)MCA)

I. PRIMARY REVIEW CRITERIA

Effect on Agricultural

The subdivision site was recently annexed into the City of Great Falls and is attracting residential development. Most of the subdivision is located on an extreme slope and that has never been used for agricultural purposes. The subdivision will not interfere with any irrigation system or present any interference with agricultural operations in the vicinity.

Effect on Local Services

The subdivision is in the City Limits of the City of Great Falls and is served by the Great Falls Police and Fire Departments. Response distance for emergency fire vehicles is 3.25 miles. It is noted current fire flow associated with the portion of the water system serving the subdivision does not meet the minimum requirements for residential flow of 1,000 gpm. City water and sanitary sewer mains were extended to the site as part of the Upper/Lower River Road Water and Sewer District, Phase 1 project. Access to subject property is provided by the abutting 40th Avenue South and Upper River Road which are now maintained by the City.

Effect on the Natural Environment

Based upon preparation and implementation of an acceptable surface storm drainage plan, the subdivision is not expected to adversely affect soils or the water quality or quantity of surface or ground waters. Subject property is presently vacant. The purpose of the subdivision is to create 20 lots for residential development and 1 lot for 12 condominium units.

Effect on Wildlife and Wildlife Habitat

The subdivision borders existing urban development that is attracting residential development. The subdivision is not in an area of significant wildlife habitat and will not result in closure of public access to hunting or fishing areas, nor to public lands.

Effect on Public Health and Safety

Based on available information, the subdivision is not subject to abnormal potential natural hazards such as flooding, wildfire, snow or rock slides, nor potential man-made hazards such as high pressure gas lines, high traffic volumes, or mining activity. However, the subdivision does abut an active railway line and high voltage power lines.

II. REQUIREMENTS OF MONTANA SUBDIVISION AND PLATTING ACT, UNIFORM STANDARDS FOR MONUMENTATION, AND LOCAL SUBDIVISION REGULATIONS

The subdivision meets the requirements of the Montana Subdivision and Platting Act and the surveying requirements specified in the Uniform Standards for Monumentation, and conforms to the design standards specified in the local subdivision regulations. The subdivider and the local government have complied with the subdivision review and approval procedures set forth in the local subdivisions regulations.

III. EASEMENT FOR UTILITIES

Utilities are and can be accommodated in existing abutting public street rights of way and easements and proposed rights of way and easements within the subdivision plat.

IV. LEGAL AND PHYSICAL ACCESS

Legal and physical access to the subdivision is provided by the abutting 40th Avenue South and Upper River Road that are public rights of way, maintained by the City.

CITY OF GREAT FALLS, MONTANA

AGENDA # 15

AGENDA REPORT

DATE May 15, 2007

ITEM Preliminary Plat of Meadowlark Addition No. 5

INITIATED BY Meadowlark Partners, LLP, Property Owner and Developer

ACTION REQUESTED Commission Conditionally Approve Preliminary Plat and Findings of Fact

PREPARED BY Charles Sheets, Planner I

APPROVED & PRESENTED BY Benjamin Rangel, Planning Director

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RECOMMENDATION:

The Great Falls Planning Board has recommended the City Commission approve the Preliminary Plat of Meadowlark Addition No. 5, and the accompanying Findings of Fact subject to fulfillment of stipulated conditions.

MOTION:

"I move the City Commission approve the Preliminary Plat of Meadowlark Addition No. 5 and the accompanying Findings of Fact subject to fulfillment of conditions stipulated by the Planning Board."

SYNOPSIS:

Meadowlark Addition No. 5 is located southwest of Grande Vista Park and immediately east of Flood Road.

BACKGROUND:

Owner/developer Tom Skovron, representing Meadowlark Partners, LLP, has submitted applications regarding the following:

- 1) Preliminary Plat of Meadowlark Addition No. 5, located in the SE ¼ of Section 22, Township 20 North, Range 3 East, Cascade County, Montana.
- 2) Rezoning the addition from the current County "R-2" Low Density Residential District to the City zoning classification of R-3 Single-family high density district, when annexed to the City.

Meadowlark Addition No. 5 consists of 20 single-family residential lots ranging in size from 9,156.80 sq. ft. to 12,276.88 sq. ft.

For additional information, please refer to the attached Vicinity/Zoning Map and Preliminary Plat.

Lots in the subdivision will be accessed by Ferguson Drive to the north and Flood Road to the west. The developer will install standard City paving, curb and gutter in DeLea Drive and Ferguson Drive being dedicated on the subdivision plat.

City water and sanitary sewer mains are proposed to be installed in DeLea Drive and Ferguson Drive. A water main will also be installed in Flood Road right-of-way to loop the water mains in DeLea Drive and Camas Drive.

Surface drainage from the subdivision will flow northeasterly on Ferguson Drive to Alpine Drive and then on to the east side of Grande Vista Park. Any additional obligations on the part of the developer for storm drainage improvements will be clarified by the Public Works Department.

It is proposed the portion of Flood Road abutting the development be annexed simultaneously with the subdivision. In addition, the developer will dedicate an additional 10 feet for Flood Road and escrow sufficient funds to pay for 50 percent of the costs of a standard City minor roadway section and 100 percent of the remaining

segment of an 8 inch water main to be installed in the abutting portion of Flood Road when deemed necessary by the City. The developer will be entitled to reimbursement of a proportionate share of said water main if abutting property on the west side of Flood Road connects to the water main.

To fulfill the park obligation, the developer proposes to pay a fee in lieu of dedicating land.

The Planning Board conducted a public hearing on the preliminary plat on April 24, 2007. The development has generated no public comment. At the conclusion of the public hearing, the Planning Board unanimously passed a motion recommending the City Commission approve the Preliminary Plat of Meadowlark Addition No. 5 and the accompanying Findings of Fact subject to the following conditions being fulfilled by the applicant:

- 1) The final plat of Meadowlark Addition No. 5 shall incorporate correction of any errors or omissions noted by staff.
- 2) The final engineering drawings and specifications for the required public improvements to serve Meadowlark Addition No. 5 shall be submitted to the City Public Works Department for review and approval prior to consideration of the final plat.
- 3) An Annexation Agreement shall be prepared containing terms and conditions for annexation of Meadowlark Addition No. 5, including agreement by applicant to:
 - a) install, within two years of the date of annexation of Meadowlark Addition No. 5, the public improvements referenced in Paragraph 2) above; and
 - b) prohibit private driveway approaches to Flood Road from abutting lots in Meadowlark Addition No. 5.
- 4) All applicable fees owed as a condition of plat or annexation approval shall be paid upon final platting and annexation, including:

a) annexation resolution fee	\$ 100.00
b) annexation agreement fee	200.00
c) final plat fee	200.00
d) storm sewer fee (\$250/acre)	to be determined
e) park fee (11% x net acres x current fair market value of unsubdivided, unimproved land)	to be determined
f) recording fees for annexation documents (\$11 per page)	to be determined
- 5) A financial surety (i.e. certificate of deposit) shall be established in the name of the owner/developer and City to cover the Subdivision's proportionate share of the costs for future roadway and remaining water main in the abutting portion of Flood Road. The amount of said surety shall be based upon 50 percent of the estimated costs of a standard City minor roadway section and remaining segment of 8-inch water main bordering the 292 feet west boundary of Meadowlark Addition No. 5.







The zoning for the subdivision will be further addressed as the final plat and accompanying annexation documents are considered.

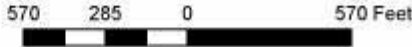
Attach: Vicinity/Zoning Map
Preliminary Plat
Findings of Fact

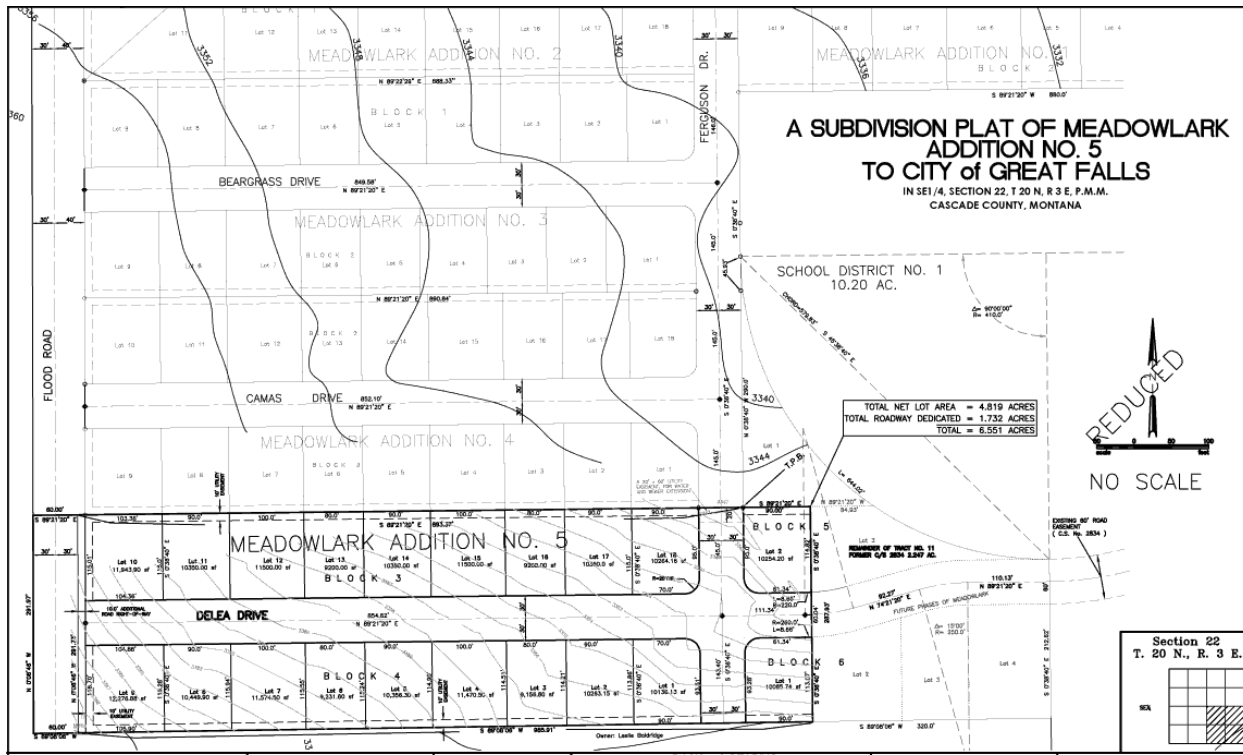
cc w/o attach: Meadowlark Partners, 1333 Alpine Dr.
William Miller, HKM Engineering, P.O. Box 49, Black Eagle MT 59403

VICINITY/ZONING MAP



-  PRELIMINARY PLAT OF MEADOWLARK ADDITION NO. 5
-  PORTION OF FLOOD ROAD TO BE ANNEXED SIMULTANEOUSLY WITH MEADOWLARK ADDITION NO. 5
-  City Limits
-  Tracts of land outside City
-  R-2 Single-family medium density
-  R-3 Single-family high density





<p>LEGEND</p>	<p>County Treasurer's Certification</p> <p>I hereby certify that no real property taxes assessed and listed on the land being divided are delinquent.</p> <p>_____ Cascade County Treasurer</p>	<p>Filed this _____ day of _____, 2007 A.D. at _____, Montana.</p> <p>_____ Cascade County Clerk and Recorder</p> <p>Envelope # _____ Document # _____</p>	<p>BASIS of BEARING</p> <p>Basis of bearing, north was obtained from previous addition to Meadowlark Subdivision.</p> <p>Distances shown are surface distances in International feet. True origin point at the southeast corner of Addition No. 4 to Meadowlark as shown.</p> <p>Drawn by: S.L.A. Checked by: _____ Project No. 88826A10</p>	<p>HCM</p> <p>ENGINEERING</p> <p>3701 16th Street NE P.O. Box 49 Great Falls, MT 59403 Phone: (406) 453-4000 Fax: (406) 453-5388</p>	<p>COUNTY OF Cascade, Montana CERTIFICATE OF SURVEY No. _____ S.L.A. has 20 Acres of North Range 3 East of the Falls</p> <p>Prepared by: TOM SKOVRON MEADOWLARK PARTNERS LLC. 1333 ALPINE DRIVE GREAT FALLS, MT. 59404</p> <p>Page 1 of 2</p>
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**FINDINGS OF FACT
FOR PRELIMINARY PLAT OF
MEADOWLARK ADDITION NO. 5
SECTION 22, T20N, R3E
CASCADE COUNTY, MONTANA
(PREPARED IN RESPONSE TO 76-3-608(3)MCA)**

I. PRIMARY REVIEW CRITERIA

Effect on Agricultural

Utilization of the subdivision site for dryland crop production has diminished due to its proximity to urban residential development. The subdivision will not interfere with any irrigation system or present any interference with agricultural operations in the vicinity.

Effect on Local Services

The subdivision will connect to City water and sewer systems. The cost of extending the utility systems will be paid by the subdivider. The City should not experience an appreciable increase in maintenance and operating costs. The occupants of eventual homes within the subdivision will pay regular water and sewer charges.

The subdivision will receive law enforcement and fire protection services from the City of Great Falls. The nearest fire station is one and a half miles from the subdivision site. Providing these services to the single-family residential lots in the subdivision is expected to be a negligible cost to the City. Any increased costs likely will be covered by increased tax revenues from improved properties.

Public streets will be extended into the subdivision to serve the proposed residential lots, but the subdivision will have a negligible impact on cost of road maintenance. The subdivider will have responsibility to install curb, gutter and paving in the roadways within the subdivision. The subdivider will also incur an obligation to participate in the costs of improving the abutting portion of Flood Road.

The tract of land upon which the proposed subdivision is located pays less than \$100.00 annually in local property taxes. After full improvement of the subdivision, the 20 involved lots, each with a new single-family residence, are expected to pay in excess of \$ 40,000.00 annually in local property taxes to the County, City, State, School District and other taxing entities at current mill levies.

Effect on the Natural Environment

The subdivision, which consists of 20 lots ranging in area from 9159± to 12,279± sq ft, is not expected to adversely affect soils or the water quality or quantity of surface or ground waters. Any excess surface runoff will flow northeasterly to Alpine Drive and then east to Ferguson Drive on the east side of Grande Vista Park for eventual discharge into the City's underground storm drain system.

Effect on Wildlife and Wildlife Habitat

The subdivision is in close proximity to urban development. The subdivision is not in an area of significant wildlife habitat and will not result in closure of public access to hunting or fishing areas, nor to public lands.

Effect on Public Health and Safety

Based on available information, the subdivision is not subject to abnormal potential natural hazards such as flooding, snow or rockslides, nor potential man-made hazards such as high voltage power lines, high pressure gas lines, nearby industrial or mining activity, or high traffic volumes. The subdivision does border open fields which under certain conditions (high, dry grass) creates potential for prairie fires.

II. REQUIREMENTS OF MONTANA SUBDIVISION AND PLATTING ACT, UNIFORM STANDARDS FOR MONUMENTATION, AND LOCAL SUBDIVISION REGULATIONS

The subdivision meets the requirements of the Montana Subdivision and Platting Act and the surveying requirements specified in the Uniform Standards for Monumentation, and conforms to the design standards specified in the local subdivision regulations. The subdivider and the local government have complied with the subdivision review and approval procedures set forth in the local subdivision regulations.

III. EASEMENT FOR UTILITIES

No permanent easements will be necessary to extend utilities to the subdivision. Within the subdivision, the subdivider will provide the necessary utility easements as a part of the subdivision plat.

IV. LEGAL AND PHYSICAL ACCESS

Dedicated public roadways improved to municipal standards and maintained by the City provide legal and physical access to the subdivision. A secondary access to the subdivision is provided by Flood Road, a paved public road where portions are presently maintained by both the City and Cascade County.