



# City Commission Agenda

for  
**April 17, 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.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**PROCLAMATIONS AND PRESENTATIONS**

Equal Pay Day  
Distinguished Budget Award

**NEIGHBORHOOD COUNCILS**

1. Miscellaneous reports and announcements.

**PUBLIC HEARINGS**

2. Fair Guys Addition, consisting of a single 3.57 acre lot and segment of right-of-way for the abutting portion of 22<sup>nd</sup> Street Northwest.  
**(Presented by: Ben Rangel)**
  - A. Res. 9644, Annexes said property and dedicates the segment of right-of-way. Action: Conduct joint public hearing and adopt or deny Res. 9644.
  - B. Ord. 2966, assigns zoning classification of I-1 Light industrial district. Action: Conduct joint public hearing and adopt or deny Ord. 2966.
3. Community Development Block Grant 2007/2008 Annual Action Plan. Action: Conduct public hearing. **(Presented by: Chris Imhoff)**

**OLD BUSINESS**

**NEW BUSINESS**

4. Engage RW Beck as independent engineers related to the Highwood Generating Station project Phase II, r tasks 1-4, work for an estimated cost of \$100,000. Action: Approve engagement. **(Presented by: Coleen Balzarini)**

**ORDINANCES/RESOLUTIONS**

5. Ord. 2969, Establish City Zoning Upon Castle Pines Phase V. Assigns zoning classification of R-3 Single-family high density district to said property. Action: Accept Ord. 2969 on first reading and set public hearing for May 15, 2007. **(Presented by: Ben Rangel)**

6. Ord. 2971, Establish City Zoning Upon Mount Olivet Minor Subdivision. Action: Accept Ord. 2971 on first reading and set public hearing for May 15, 2007. (**Presented by: Ben Rangel**)

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

7. Minutes, April 3, 2007, Commission meeting.
8. Total Expenditures of \$792,639 for the period of March 30 through April 11, 2007, to include claims over \$5000, in the amount of \$608,660.
9. Contracts list.
10. Grant list.
11. Approve use of CTEP Funding for Purchase of Property for Scenic, Conservation and Trail Purposes.
12. Approve co-sponsorship for the Great Falls Community Ice Foundation Event, Frozen Explosion, by contributing up to \$500 for use of the Convention Center.

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

#### **BOARDS & COMMISSIONS**

13. Appointments, Police Commission. Action: Appoint three members to the Police Commission with staggered one-, two-, and three-year terms.
14. Appointment, Great Falls Transit District Board. Action: Appoint one member to fill the remainder of a term, expiring November 30, 2007.
15. Miscellaneous reports and announcements.

#### **CITY MANAGER**

16. Miscellaneous reports and announcements.

#### **CITY COMMISSION**

17. Miscellaneous reports and announcements.

#### **PETITIONS AND COMMUNICATIONS**

18. Miscellaneous reports and announcements.

#### **MOTION TO ADJOURN**

AGENDA REPORT

DATE April 17, 2007

ITEM Public Hearing – Resolution No. 9644, Ordinance No. 2966, Minor Plat and Annexation Agreement all related to Fair Guys Addition and abutting segment of 22<sup>nd</sup> Street Northwest

INITIATED BY Fair Guys’ LLC, Property Owner and Developer

ACTION REQUESTED Commission Adopt Resolution No. 9644 and Ordinance No. 2966, Approve Minor Plat and Annexation Agreement

PREPARED BY Charles Sheets, Planner I

APPROVED & PRESENTED BY Benjamin Rangel, Planning Director

**RECOMMENDATION:**

The Planning Board has recommended the City Commission approve the minor plat and annexation of Fair Guys Addition and the Zoning Commission has recommended the City Commission assign a zoning classification of I-1 Light industrial district to same, upon annexation to the City.

**MOTION:** (Each motion to be separately considered):

“I move the City Commission adopt Resolution No. 9644 and approve the Minor Plat, Findings of Fact and Annexation Agreement all related to Fair Guys Addition.”

and

“I move the City Commission adopt Ordinance No. 2966.”

**SYNOPSIS:**

Resolution No. 9644 annexes Fair Guys Addition, which consists of a single 3.57 acre lot and dedicates a segment of right-of-way for the abutting portion of 22<sup>nd</sup> Street Northwest.

Ordinance No. 2966 assigns a zoning classification of I-1 Light industrial district, to Fair Guys Addition, upon annexation to the City.

**BACKGROUND:**

Subject minor plat is located on the south boundary of Interstate 15 and just west of Forde’s Nursery. The minor plat consists of a single 3.57 acre lot and dedicates a segment of right-of-way for the abutting portion of 22<sup>nd</sup> Street Northwest.

The applicant intends to sell the lot. The applicant proposes to install water and sewer utility mains. The applicant agrees to waive his right to protest the prorated share of street improvements and storm drainage facilities when the City deems it necessary. Other than Central Avenue West, roadways serving the involved area are graveled. Storm drainage in the vicinity flows to the southwest to a pasture on the south side of 2<sup>nd</sup> Avenue Northwest.

City water and sanitary sewer mains are proposed to be installed to City standards. The final engineering documents relative to Fair Guys Addition are being prepared by the applicant’s engineer and are in the process of being submitted to the City Engineer.

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 the north by the Interstate 15 right-of-way, bordered on the east by Forde's Nursery, bordered on the south by two single-family residences and bordered on the west by a mobile home court and County property previously used as a baseball field.

Goals of the Economic Element of the Great Falls Growth Policy include:

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

A goal of the Land Use Element is to support and encourage efficient, sustainable development throughout the community.

Viable uses for subject property are somewhat limited. The property, bordering Interstate 15, is not an attractive site for residential uses. Commercial uses, particularly those that could be higher traffic generators, would not be appropriate due to the lack of fully improved access. It appears light industrial uses that are generally low traffic generators would be more compatible with the existing nursery operation located to the east and with suburban residential uses in the area.

The applicant presented plans for annexation and establishment of City zoning to Neighborhood Council #2. Staff has attached the communication received from Neighborhood Council #2 President, Robert Mehlhoff. The Council was in support of the subdivision and annexation but added that two restrictions be made where no bars or casinos and no polluting (including noise polluting) or hazard material businesses be allowed.

The Land Development Code allows bars and casinos in I-1 Light industrial zoning districts. However, Casino, type II can not be located within 350 feet of residentially zoned property and Casino, type I must meet stringent development and appearance standards. Additionally, by definition, the types of hazardous and offensive conditions of concern to Council #2 generally involve the types of processes allowed in I-2 Heavy industrial zoning district. These types of processes are not allowed in I-1 Light industrial zoning district. As such, staff believes the Land Development Code, along with other State and municipal codes applicable to these types of land uses should sufficiently address the Council's concerns.

At the public hearing held November 14, 2006, neighboring property Leo Mader, 2226 4<sup>th</sup> Avenue NW, expressed the need for road improvements on Central Avenue West and 22<sup>nd</sup> Street NW. Mr. Mader said the roads are in poor shape and will further deteriorate with any additional traffic and in previous years a portion

of 22<sup>nd</sup> Street NW has been inundated with storm water and runoff. Mr. Mader also expressed concerns about fences that have been constructed in the right-of-way of 22<sup>nd</sup> Street NW.

At the conclusion of said combined public hearing, the Planning Board/Zoning Commission made two separate recommendations, as follows:

The Planning Board unanimously recommended the City Commission approve the Minor Plat and its Annexation to the City of Great Falls of Fair Guys Addition, a subdivision in Section 4, Township 20 North, Range 3 East, Cascade County, Montana subject to the following conditions:

- 1) The applicant shall execute an Annexation Agreement acceptable to the City, including agreement:
  - to install public infrastructure within 2 years;
  - to pay proportionate share of paving, curb, gutter and sidewalk in abutting portion of 22<sup>nd</sup> Street Northwest, when deemed necessary by the City;
  - to submit plans to the Design Review Board and build structures in accordance with approved plans;
  - to submit the appropriate supporting documents referenced in the agreement.
- 2) All applicable fees and charges due as a consequence of either plat or annexation approval shall be paid by the applicant.
- 3) Any errors or omissions on the minor plat noted by staff shall be corrected.
- 4) Final engineering documents for required public improvements to serve the subdivision are subject to approval by the Public Works Department.

and;

The Zoning Commission unanimously recommended the City Commission approve establishing a City zoning classification of I-1 Light industrial district upon the Minor Plat of Fair Guys Addition upon annexation of the area contained therein.

The above stated conditions 1) and 2) have been fulfilled and condition 3) will be fulfilled prior to filing the minor plat. Condition 4) is in the process of being fulfilled by the developer.

Attachments: Resolution No. 9644  
Ordinance. No. 2966  
Reduced Copy of Drawing Portion of Minor Plat  
Findings of Fact  
Annexation Agreement (Not available online; on file in City Clerk's Office.)  
Letter from Neighborhood Council #2

cc: Fair Guys' L.L.C., 795 Ulm Vaughn Rd, Vaughn MT 59487  
NCI Engineering, 4509 N Star Blvd.

RESOLUTION NO. 9644

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO EXTEND THE BOUNDARIES OF SAID CITY TO INCLUDE FAIR GUYS ADDITION, AND ABUTTING SEGMENT OF 22<sup>ND</sup> STREET NORTHWEST, LOCATED IN SECTION 4, TOWNSHIP 20 NORTH, RANGE 3 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:

Fair Guys Addition, and abutting segment of 22<sup>nd</sup> Street Northwest, located in Section 4, Township 20 North, Range 3 East, P.M.M., Cascade County, Montana, as described on the Minor Plat of Fair Guys Addition and containing 3.969 acres; and

abutting westerly ½ of 22<sup>nd</sup> Street Northwest between the former centerline of 3<sup>rd</sup> Ave Northwest and the southern right-of-way line of Interstate 15 Frontage Road, and containing 0.339 acres.

Containing in all 4.309 acres,

all as shown on the map attached hereto marked Exhibit "A" and by this reference made a part hereof, and according to the minor plat of Fair Guys Addition; 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; and,

WHEREAS, 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: "FAIR GUYS ADDITION AND ABUTTING SEGMENT OF 22<sup>ND</sup> STREET NORTHWEST, LOCATED IN SECTION 4, TOWNSHIP 20 NORTH, RANGE 3 EAST, P.M.M., CASCADE COUNTY, MONTANA."

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

That 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 tract of land; and,

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 17<sup>TH</sup> day of April, 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 No. 9644 was placed on its final passage by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 17<sup>th</sup> day of April, 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 17<sup>th</sup> day of April, 2007.


\_\_\_\_\_  
Peggy J. Bourne, City Clerk

(SEAL OF CITY)



# VICINITY/ZONING MAP



 FAIR GUYS ADDITION TO BE ANNEXED TO THE CITY AND BE ASSIGNED A CITY ZONING CLASSIFICATION OF "I-1" LIGHT INDUSTRIAL DISTRICT


 PORTION OF 22ND STREET NORTHWEST BEING ANNEXED INTO CITY LIMITS

 R-1 Single-family suburban


 I-1 Light industrial

 C-1 Neighborhood commercial

 I-2 Heavy industrial

 M-2 Mixed-use transitional

 Citylimit

 Tracts of land outside City

570 285 0 570 Feet

EXHIBIT "A"



ORDINANCE NO. 2966

AN ORDINANCE ASSIGNING A ZONING CLASSIFICATION OF I-1 LIGHT INDUSTRIAL ZONING DISTRICT TO FAIR GUYS ADDITION, IN THE SE1/4 OF SECTION 4, TOWNSHIP 20 NORTH, RANGE 3 EAST, P.M.M., CASCADE COUNTY, MONTANA

\* \* \* \* \*

WHEREAS, Fair Guys' L.L.C., has petitioned the City of Great Falls to annex Fair Guys Addition, located in the SE1/4 of Section 4, Township 20 North, Range 3 East, P.M.M., Cascade County, Montana; and,

WHEREAS, Fair Guys' L.L.C., has petitioned said Fair Guys Addition, be assigned a City zoning classification of I-1 Light industrial zoning district, upon annexation to City; and,

WHEREAS, notice of assigning a zoning classification of I-1 Light industrial zoning district, to said Fair Guys Addition, was published in the Great Falls Tribune advising that a public hearing on this zoning designation would be held on the 17<sup>th</sup> day of April, 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 Fair Guys Addition, be designated as I-1 Light industrial zoning district classification.

Section 3. This ordinance shall be in full force and effect either 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 Fair Guys Addition, into the corporate limits of the City of Great Falls, Montana, whichever event shall occur later.

PASSED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, this 17<sup>th</sup> day of April, 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 No. 2966 was placed on its final passage and passed by the Commission of the City of Great Falls, Montana at a meeting thereof held on the 17<sup>th</sup> day of April, 2007.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City on this 17<sup>th</sup> day of April, 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 17<sup>th</sup> day of April, 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 No. 2966 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

---

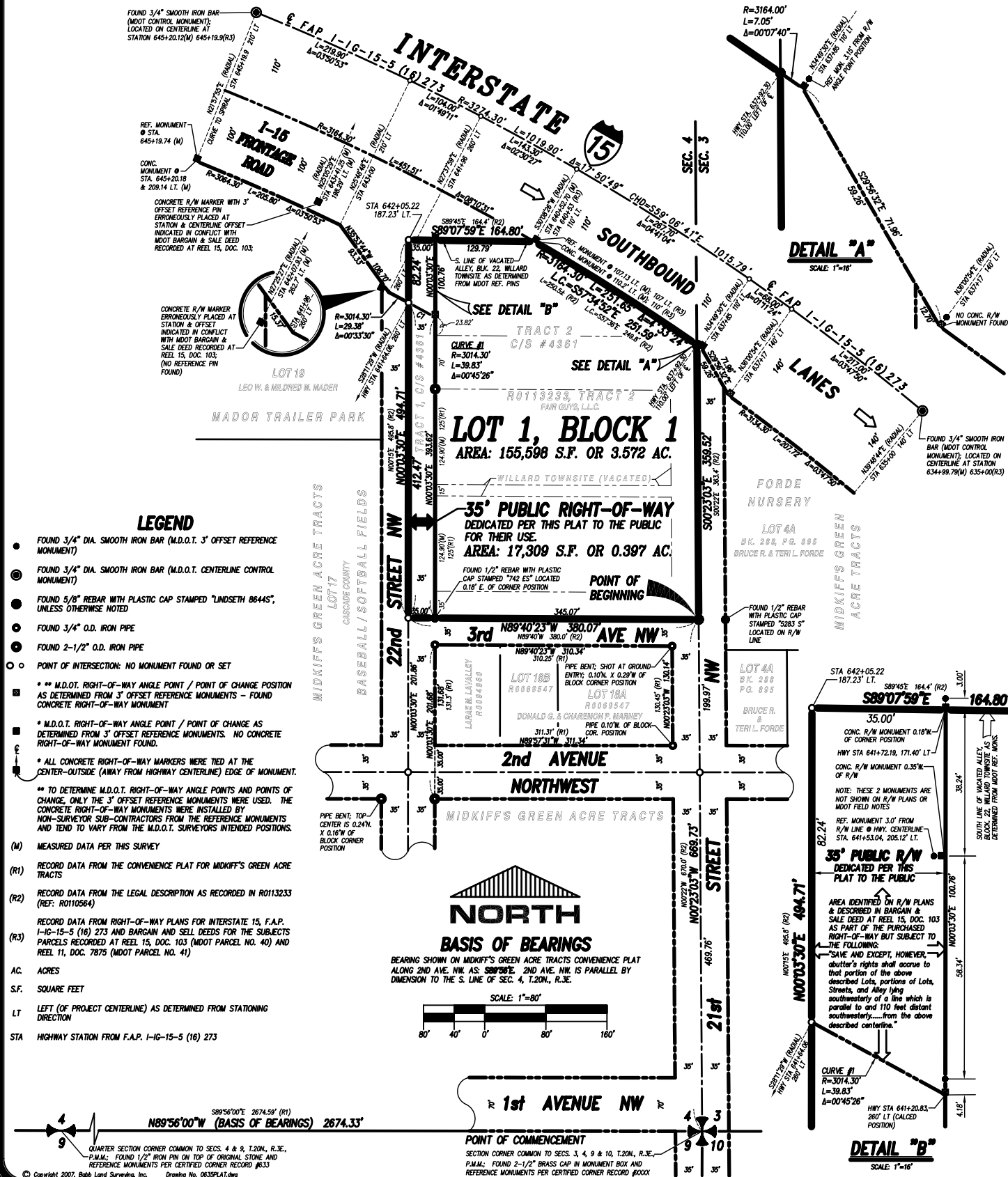
Peggy J. Bourne, City Clerk

(SEAL OF CITY)

# A MINOR SUBDIVISION PLAT OF THE FAIR GUYS ADDITION

## TO THE CITY OF GREAT FALLS, MONTANA

A DIVISION OF THE PARCEL DESCRIBED IN R0113233, SITUATED IN THE E1/2 SE1/4 SE1/4 OF SECTION 4, T.20N., R.3E., CASCADE COUNTY, MONTANA



### CERTIFICATE OF SURVEY & DEDICATION

WE, THE UNDERSIGNED AUTHORIZED REPRESENTATIVES OF FAIR GUYS, LLC AND CASCADE COUNTY, MONTANA, OWNERS, DO HEREBY CERTIFY THAT WE HAVE CAUSED TO BE SURVEYED AND PLATTED INTO A LOT, A BLOCK AND A PUBLIC RIGHT-OF-WAY, THE FOLLOWING DESCRIBED PROPERTY TO WIT:

#### LEGAL DESCRIPTION

A PARCEL OF LAND SITUATED IN THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (E1/2 SE1/4 SE1/4) OF SECTION 4, TOWNSHIP 20 NORTH, RANGE 3 EAST, OF THE PRINCIPLE MERIDIAN, MONTANA, CASCADE COUNTY, MONTANA, AND BEING ALL OF TRACT 2 DESCRIBED IN R0113233, RECORDS OF SAID CASCADE COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SECTION CORNER COMMON TO SECTION 3, SAID SECTION 4, AND SECTIONS 9 AND 10, TOWNSHIP 20 NORTH, RANGE 3 EAST, P.M.M., CASCADE COUNTY, MONTANA, FROM WHICH THE QUARTER SECTION CORNER COMMON TO SAID SECTIONS 4 AND 9 BEARS N89°56'00"W A DISTANCE OF 2674.33 FEET;

THENCE N00°23'03"W (N00°22'W RECORDED) ALONG THE EAST LINE OF SAID SECTION 4 AND THE CENTERLINE OF 21st STREET NORTHWEST, A DISTANCE OF 669.73 FEET (670.0 FEET RECORDED) TO THE INTERSECTION OF SAID CENTERLINE WITH THE FORMER CENTERLINE OF 3RD AVENUE NORTHWEST AS SHOWN ON THE VACATED PLAT OF WILLARD TOWNSHIP, SAID POINT BEING THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED;

THENCE N89°40'23"W (N89°40'W RECORDED) ALONG SAID FORMER CENTERLINE OF 3RD AVENUE NORTHWEST, A DISTANCE OF 380.07 FEET (380.0 FEET RECORDED) TO THE INTERSECTION OF THE FORMER CENTERLINE OF 22ND STREET NORTHWEST, AS SHOWN ON SAID PLAT OF WILLARD TOWNSHIP;

THENCE N00°03'30"E (N00°15'E RECORDED) ALONG SAID CENTERLINE, A DISTANCE OF 412.47 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF INTERSTATE 15 FRONTAGE ROAD, M.D.O.T. PROJECT FAP I-10-15-5 (16) 273, AND DESCRIBED IN BARGAIN AND SALE DEED FOR M.D.O.T. PARCEL 41 AS RECORDED IN REEL 11, DOCUMENT 7875, SAID POINT BEING AT HIGHWAY STATION 641+64.06 AND 260.00 FEET LEFT OF CENTERLINE;

THENCE CONTINUING ALONG SAID FORMER CENTERLINE OF 22ND STREET NORTHWEST, N00°03'30"E (N00°15'E RECORDED) A DISTANCE OF 82.24 FEET TO THE INTERSECTION OF SAID CENTERLINE WITH THE SOUTH LINE OF THE ALLEY IN BLOCK 22 OF SAID WILLARD TOWNSHIP, PROJECTED WESTERLY;

THENCE S89°07'56"E (S89°45'E RECORDED) ALONG SAID PROJECTED SOUTHERLY LINE AND THE SOUTHERLY LINE OF THE ALLEY IN BLOCK 22, A DISTANCE OF 164.80 FEET (164.4 FEET RECORDED) TO THE SOUTHERLY RIGHT-OF-WAY OF SAID INTERSTATE 15 AT HIGHWAY STATION 640+52.70 (640+53 RECORDED) AND 110.00 FEET LEFT OF CENTERLINE, SAID POINT BEING A POINT-ON-CURVE OF AN CIRCULAR CURVE TO THE RIGHT, WITH A RADIUS POINT WHICH BEARS S30°08'26"W A DISTANCE OF 3164.30 FEET;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY AND ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 4'33"24" AN ARC DISTANCE OF 251.85 FEET TO THE INTERSECTION OF SAID RIGHT-OF-WAY WITH THE FORMER CENTERLINE OF 21ST STREET NORTHWEST AS SHOWN ON SAID WILLARD TOWNSHIP;

THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY AND ALONG SAID FORMER CENTERLINE OF 21ST STREET NORTHWEST, S00°23'03"E (S00°22'E RECORDED) A DISTANCE OF 359.52 FEET (363.4 FEET RECORDED) TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED;

CONTAINING IN ALL 172,907 SQUARE FEET OR 3.969 ACRES; AND

#### DEDICATION STATEMENT

WE FURTHER CERTIFY THAT THE ABOVE DESCRIBED PARCEL IS TO BE KNOWN AND DESIGNATED AS THE MINOR SUBDIVISION PLAT OF THE FAIR GUYS ADDITION TO THE CITY OF GREAT FALLS, MONTANA;

AND THE 35.00 FOOT PUBLIC RIGHT-OF-WAY FOR 22ND STREET NORTHWEST, SHOWN HEREON, IS HEREBY DEDICATED TO THE PUBLIC FOR THEIR USE AS A PUBLIC ROADWAY AND UTILITIES EASEMENT IN PERPETUITY; AND

#### PURPOSE OF SURVEY

I FURTHER CERTIFY THAT THE PURPOSE OF THIS DIVISION IS TO PLAT AN EXISTING TRACT OF LAND TO FACILITATE THE ANNEXATION OF SAID PARCEL INTO THE LIMITS OF THE CITY OF GREAT FALLS, MONTANA, AND TO SEPARATE THE WEST 35.00 FEET FOR DEDICATION AS A PUBLIC RIGHT-OF-WAY.

SO DECLARED AND DEDICATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 200\_\_.

FOR: FAIR GUYS, L.L.C., OWNER

BY: CLINTON C. BUFORD, PRESIDENT

State of MONTANA )  
County of CASCADE )

#### ACKNOWLEDGED:

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 200\_\_, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC FOR THE STATE OF MONTANA, DID PERSONALLY APPEAR CLINTON C. BUFORD, KNOWN TO ME TO BE THE PERSON THAT EXECUTED THE FOREGOING INSTRUMENT, IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED BY OFFICIAL SEAL THE DAY AND YEAR HEREIN ABOVE FIRST WRITTEN.

NOTARY PUBLIC FOR THE STATE OF MONTANA  
MY COMMISSION EXPIRES: \_\_\_\_\_  
RESIDING AT: \_\_\_\_\_

SEAL

SO DECLARED AND DEDICATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 200\_\_.

FOR: CASCADE COUNTY, OWNER OF TRACT 1, CERTIFICATE OF SURVEY 4361

BY: PRINTED NAME: \_\_\_\_\_ TITLE: \_\_\_\_\_

#### ATTEST:

FOR: RINA FONTANA MOORE, CASCADE COUNTY CLERK AND RECORDER

BY: \_\_\_\_\_

### CERTIFICATE OF MORTGAGEE

I, KIM WOLDSTAD, authorized representative for FIRST INTERSTATE BANK, holder of a mortgage on the properties included within the boundaries of the accompanying Subdivision Plat, do hereby, in and consent to plating of the property and the dedication of the public right-of-way shown on the accompanying Subdivision Plat. Nothing herein shall be construed as a satisfaction, release or waiver of Mortgagee's interest in the remaining undedicated subject property, whether in whole or in part.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

For: FIRST INTERSTATE BANK, Mortgagee

By: KIM WOLDSTAD, authorized representative of FIRST INTERSTATE BANK

### CERTIFICATE DISPENSING WITH PARK OR PLAYGROUND

I, John W. Lawton, City Manager of the City of Great Falls, Cascade County, Montana, do hereby certify that the City Commission of the City of Great Falls, Cascade County, Montana, found that no cash donation or dedication of any park or playground is required within the platted area of the Minor Subdivision Plat of the FAIR GUYS ADDITION TO THE CITY OF GREAT FALLS, MONTANA, in accordance with Section 76-3-821(3)(a)(b)(c) M.C.A.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

John W. Lawton, City Manager, City of Great Falls, Montana

### CERTIFICATE OF GREAT FALLS PLANNING BOARD

We, the undersigned, William O. Bronson, President of the said Great Falls Planning Board, Great Falls, Montana, and Benjamin M. Rangel, Secretary of said Great Falls Planning Board, do hereby certify that the accompanying minor subdivision plat of the FAIR GUYS ADDITION TO THE CITY OF GREAT FALLS, MONTANA, has been submitted to the said Great Falls Planning Board for examination by them and was found by them to conform to law and was approved at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

William O. Bronson, President

ATTEST: Benjamin M. Rangel, Secretary  
Great Falls Planning Board

### CERTIFICATE OF CITY COMMISSIONERS

I, John W. Lawton, City Manager of the City of Great Falls, Cascade County, Montana, do hereby certify that the accompanying minor subdivision plat of the FAIR GUYS ADDITION TO THE CITY OF GREAT FALLS, MONTANA, was duly examined and approved by the Commission of the City of Great Falls at its regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

John W. Lawton, City Manager, City of Great Falls, Montana

### CERTIFICATE OF AVAILABILITY OF MUNICIPAL SERVICES

I, John W. Lawton, City Manager of the City of Great Falls, Cascade County, Montana, do hereby certify that City Commission of Great Falls, Montana, at its regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_, found that adequate municipal facilities for the supply of water and disposal of sewage and solid waste are available to the land contained within the boundaries of LOT 1, BLOCK 1, of the accompanying minor subdivision plat of the FAIR GUYS ADDITION TO THE CITY OF GREAT FALLS, MONTANA, namely the facilities of the City of Great Falls, Montana. 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 this plat.

John W. Lawton, City Manager, City of Great Falls, Montana

### CERTIFICATE OF PUBLIC SERVICE DIRECTOR

I, Jim Reardon, Public Service Director for the City of Great Falls, Cascade County, Montana, do hereby certify that I have examined the accompanying plat and the survey which it represents, and find the same conforms to regulations governing the plating of lands and to presently adjacent land, as near as circumstances will permit, and hereby approve the same.

Jim Reardon, Public Service Director, City of Great Falls, Montana

Date

### CERTIFICATE OF COUNTY TREASURER

I, Jess Anderson, County Treasurer of Cascade County, Montana, do hereby certify that I have examined the records covering the areas included within the accompanying plat, and I find that all real property taxes and special assessments levied on the land being subdivided have been paid.

County Treasurer of Cascade County, Montana

Dated \_\_\_\_\_  
By: \_\_\_\_\_  
Deputy

### CERTIFICATE OF SURVEYOR

I, STEPHEN D. BABB, PROFESSIONAL LAND SURVEYOR, LICENSED AND REGISTERED IN THE STATE OF MONTANA, DO HEREBY CERTIFY THAT DURING THE MONTH OF FEBRUARY, 2007, THAT THIS PLAT AND THE SURVEY WHICH IT REPRESENTS WAS COMPLETED BY ME, OR UNDER MY SUPERVISION; AND THAT THE MONUMENTS SHOWN AND DESCRIBED HEREON ARE OF THE TYPE AND CHARACTER AND OCCUPY THE POSITIONS INDICATED; AND THAT THIS SURVEY IS IN COMPLIANCE WITH THE PROVISIONS OF 76-3-401 M.C.A.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

STEPHEN D. BABB, PROFESSIONAL LAND SURVEYOR, MONTANA REGISTRATION NO. 11699 LS

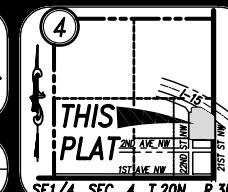
REVIEW COPY

SHEET  
1  
OF  
1

A MINOR SUBDIVISION PLAT OF  
FAIR GUYS ADDITION  
TO THE CITY OF GREAT FALLS, MONTANA  
SITUATED IN E1/2 SE1/4 SE1/4 SEC. 4, T.20N., R.3E., P.M.M.  
CASCADE COUNTY, MONTANA

DATE FEB. 25, 2007  
JOB NO. 0635

SCALE 1" = 80'  
DRAWN S. BABB



**BABB**  
LAND SURVEYING, INC.

622 ALICE DRIVE GREAT FALLS MONTANA 59405  
(406) 286-1188 • (406) 286-1188 FAX • (406) 788-0896 CELL • EMAIL: BABBSURVEY@BRESNAN.NET

**FINDINGS OF FACT**  
**FOR MINOR PLAT OF THE FAIR GUYS ADDITION,**  
**A SUBDIVISION LOCATED IN THE SE¼, SECTION 4, TOWNSHIP 20,**  
**NORTH, RANGE 3 EAST TO GREAT FALLS**  
**CASCADE COUNTY, MONTANA**  
(PREPARED IN RESPONSE TO 76-3-608(3)MCA)

I. PRIMARY REVIEW CRITERIA

**Effect on Agricultural**

The subdivision site is bordered on two sides by urban development and has not been used for agricultural purposes for many years. 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 subdivider will pay the cost of extending the utility system. The City should not experience an appreciable increase in maintenance and operating costs. The businesses locating within the subdivision will pay regular water and sewer charges.

The subdivision will receive law enforcement and fire protection service from the City of Great Falls. The nearest fire station is two miles from the subdivision site. Providing these services to the light industrial uses that are planned within the subdivision is expected to be a negligible cost to the City. Increased tax revenues from improved properties will likely cover any increase in costs associated with providing City services.

**Effect on the Natural Environment**

The subdivision is not expected to adversely affect soils or the water quality or quantity of surface or ground waters. Any excess surface runoff will be retained on site and controlled to percolate into the soil on site. The owners agree to waive their right to protest any area wide plan to install storm drainage facilities to the area.

**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, wildfire, snow or rockslides, nor potential man-made hazards such as high voltage power lines, high-pressure gas lines, high traffic volumes, or mining activity. The subdivision does abutt an interstate highway with 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

Within the subdivision, the subdivider will provide the necessary utility easements as a part of the subdivision plat. The subdivider grants those duly licensed persons providing or offering to provide telephone, electric power, natural gas, cable television, water and sewer service, or other similar service, the right to the joint use of the utility easements shown on said plat for the construction, maintenance, repair, or removal of their lines and other facilities upon advance notice to the affected landowners and consistent with requirements as may be imposed by the City of Great Falls now or in the future.

IV. LEGAL AND PHYSICAL ACCESS

Legal and physical access to the subdivision is provided by 21<sup>st</sup> and 22<sup>nd</sup> Streets Northwest, dedicated right-of-way maintained by the City of Great Falls and the private ingress and egress easement provided on the plat. The private drive will be provided and maintained by the owners of subject lots within the minor plat.


To whom it may concern:

Westside Neighborhood Council 2 would like to go in record in support of Clint Buford's South West Side project to both annex county land into the city and then rezone to light commercial, with some restrictions.

- 1.) We want no Bars or Casinos put as one restriction.
- 2.) We want no polluting (including noise polluting) or hazard material businesses on this land as a second restriction.

It is the will of the neighbors that the businesses that come in are businesses that will blend with their quit neighborhood as much as possible. This is also the will of the council.

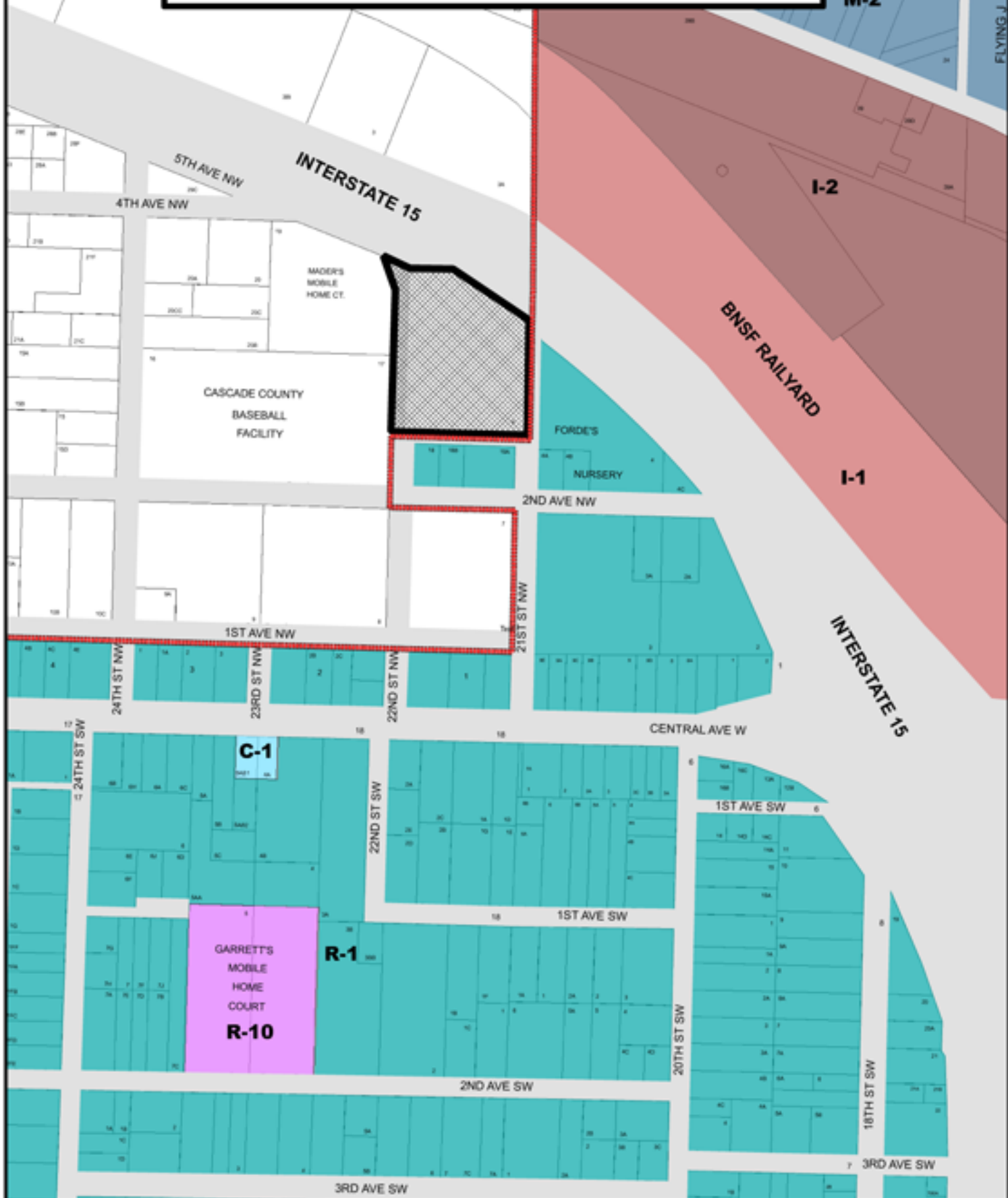
Sincerely,













Robert Mehlhoff  
Neighborhood Council 2 President



# VICINITY / ZONING MAP



	FAIR GUYS ADDITION		C-1 Neighborhood commercial		I-2 Heavy industrial		STREETS
	R-1 Single-family suburban		M-2 Mixed-use transitional		PARCELS		CITY LIMITS
	R-10 Mobile home park		I-1 Light industrial				

AGENDA REPORT

DATE April 17, 2007

ITEM 2007/2008 Annual Action Plan Public Hearing

INITIATED BY Community Development Staff

ACTION REQUESTED Hold Public Hearing and Approve Motion

PREPARED & PRESENTED BY Chris Imhoff, CDBG/HOME Administrator

REVIEWED & APPROVED BY Mike Rattray, Community Development Director

**RECOMMENDATION:**

Staff recommends the City Commission conduct the public hearing to receive citizen input on the HUD required Proposed Annual Action Plan including the proposed use of 2007/2008 Community Development Block Grant and HOME Investment Partnership program funds and take comments heard under consideration for final action on May 1, 2007.

**MOTION:**

I move to close the public hearing and schedule action on the Final Annual Action Plan for May 1, 2007.

**SYNOPSIS:**

HUD regulations require one public hearing on the Proposed Annual Action Plan which includes the use of 2007/2008 CDBG and HOME funds. The public is also encouraged to comment on the City's overall Community Development Block Grant & HOME program performance and policies.

**BACKGROUND:**

The Consolidated Plan is a five year planning and reporting document required by the U.S. Department of Housing & Urban Development which was completed and Commission approved in April, 2005. This 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 to the City Commission on March 20, 2007. A 30-day comment period beginning March 23, 2007 and ending April 21, 2007 has been established to receive citizen views on the Proposed Annual Action Plan, the proposed use of 2007/2008 CDBG and HOME funds, and program performance and policies. No written comments have been received to date.

At the end of the 30-day comment period, the City Commission must accept or amend the Proposed Annual Action Plan and authorize submittal of the Plan which HUD must receive on or before May 15, 2007. A copy of the Proposed Annual Action Plan is available for review in the City Community Development Office, the Great Falls Public Library, and the City of Great Falls web page.

Attachment: CDBG and HOME Program Proposed use of funds



**2007/2008 PROPOSED USE OF FEDERAL GRANT FUNDS  
COMMUNITY DEVELOPMENT BLOCK GRANT**

***AFFORDABLE HOUSING***

	<u>Requested</u>	<u>Proposed</u>
<p><b>GREAT FALLS CITY COMMUNITY DEVELOPMENT— EMERGENCY WATER/SEWER FUND</b> City-wide no/low interest loan program for low income homeowners to construct or replace water and sewer lines</p>	\$50,000	\$50,000
<p><b>GREAT FALLS CITY COMMUNITY DEVELOPMENT— REHABILITATION SPECIALIST</b> Provision of rehab counseling, loan processing, inspections and construction monitoring for all CDBG-funded revolving loan housing programs for low income people</p>	\$60,000	\$57,624
<p><b>NEIGHBORHOOD HOUSING SERVICES, INC.— NEIGHBORHOOD REVITALIZATION</b> Revolving loan fund for new construction or renovation of nine houses, purchase and rehabilitation of blighted properties, purchase of lead-based paint analyzer tool and other activities addressing neighborhood revitalization activities on citywide basis</p>	\$196,000	\$138,376

***PUBLIC FACILITY IMPROVEMENTS***

<p><b>BOYS &amp; GIRLS CLUB OF NORTH CENTRAL MONTANA</b> Renovations in gymnasium of building located at 600 1<sup>st</sup> Avenue Southwest which has programs to serve at-risk youth; renovation to include asbestos abatement and ceiling and flooring repairs Agency lowered request to \$13,500 as found did not need asbestos abatement</p>	\$17,800	\$13,500
<p><b>CENTER FOR MENTAL HEALTH</b> Renovations in kitchen at New Directions Center located at 915 1<sup>st</sup> Avenue South which has day treatment programs; renovation to include new flooring, shelving, appliances and sinks; firewall behind ranges, electrical supply changes, install fire suppression hood; and paint walls</p>	\$50,000	\$50,000
<p><b>GATEWAY COMMUNITY SERVICES</b> Replace boiler system in facility located at 1220 Central Avenue which houses agency that provides comprehensive community-based alcohol and drug abuse treatment services Proposed funding Gateway &amp; IFHC % of purchase</p>	\$125,000	\$68,975

	<u>Requested</u>	<u>Proposed</u>
<p><b>GREAT FALLS CITY PARK &amp; RECREATION— BLOOMINGDALE PARK</b></p> <p>Purchase and install handicap accessible play structure and two benches at Bloomingdale Park located south of Northwest Bypass between Watson Coulee Road and 14<sup>th</sup> Street Northwest</p>	\$25,000	\$25,000
<p><b>GREAT FALLS CITY PARK &amp; RECREATION— COMMUNITY RECREATION CENTER</b></p> <p>Purchase and install limited use, limited access elevator at Community Recreation Center located at 801 2<sup>nd</sup> Avenue North</p>	\$96,800	\$96,800
<p><b>GREAT FALLS CITY PARK &amp; RECREATION—GIBSON PARK</b></p> <p>Install handicap accessible sidewalk from parking lot to Vinegar Jones Historic Cabin and flower gardens; install handicap accessible boardwalk around Vinegar Jones Cabin; provide curb cuts from parking areas; and replace irrigations lines and turf; park located at Park Drive from 1<sup>st</sup> Avenue North to 8<sup>th</sup> Avenue North</p> <p style="padding-left: 40px;">Proposed funding top 3 priorities (curb cuts and parking lot walkways) plus balance of \$3,374 toward general project</p>	\$38,406	\$26,319
<p><b>GREAT FALLS CITY PARK &amp; RECREATION— WEST KIWANIS PARK</b></p> <p>Purchase and install handicap accessible play structure at West Kiwanis Park located at 1<sup>st</sup> Avenue Northwest and 7<sup>th</sup> Street Northwest</p>	\$25,000	\$0
<p><b>GREAT FALLS CITY PUBLIC WORKS—HANDICAP RAMPS</b></p> <p>Install handicap ramps (curb cuts) to provide handicap accessibility on 8<sup>th</sup> Avenue North from 16<sup>th</sup> Street to 38<sup>th</sup> Street and other areas at request of disabled citizens</p>	\$75,000	\$75,000
<p><b>GREAT FALLS CITY PUBLIC WORKS— SIDEWALK REPLACEMENT</b></p> <p>Grant program to provide assistance to low income homeowners to remove and replace hazardous sidewalks in Census Tracts 3, 4 and 5 (Park Drive to 15<sup>th</sup> Street North between Central Avenue and 8<sup>th</sup> Avenue North) and other areas at request of low income homeowners</p>	\$50,000	\$50,000
<p><b>GREAT FALLS SENIOR CITIZENS CENTER</b></p> <p>Replace sidewalk on west side and replace sidewalk and install curb cut on northeast side of facility located at 1004 Central Avenue which houses programs to serve the elderly</p>	\$13,500	\$13,500

**PUBLIC SERVICE ACTIVITIES**

	<u>Requested</u>	<u>Proposed</u>
<b>SPECIAL OLYMPICS MONTANA</b> Renovations at facility located at 701 1 <sup>st</sup> Avenue North which has programs to provide people with disabilities with year round sports activities; renovations to include repairing exterior wall, gutter seam seals, replacing flashing, painting exterior, installing new water line, and replacing exterior signage Propose funding all project activities except painting exterior	\$31,291	\$12,091
<b>URSULINE CENTRE HISTORICAL FOUNDATION</b> Purchase backboards, scoreboard, and light fixtures for Ursuline Gymnasium, a nationally recognized historic building, located at 2300 Central Avenue	\$22,189	\$22,189
<b>AREA VIII AGENCY ON AGING</b> Purchase food for Meals on Wheels, a citywide home delivery meal program for seniors who are handicapped or unable to prepare meals	\$25,000	\$25,000
<b>BIG BROTHERS BIG SISTERS OF GREAT FALLS</b> Purchase three computer stations (desktop computer, printer and software) to update technology systems of professionally supported volunteer mentoring program to prevent risk factors in children; program located at 18 6 <sup>th</sup> Street North	\$6,000	\$6,000
<b>BOYS &amp; GIRLS CLUB OF NORTH CENTRAL MONTANA</b> Recreational/educational scholarships for summer program for children from low income families; project administered at two Weed & Seed Safe Haven locations (Great Falls Housing Authority, 1722 Chowen Springs Loop and Westside Unit, 600 1 <sup>st</sup> Avenue Southwest)	\$18,000	\$18,000
<b>CASA-CAN CHILDREN'S ADVOCATE NETWORK</b> Purchase projector, scanner/copier and training manuals to expand volunteer program located at 325 2 <sup>nd</sup> Avenue North which provides advocates for abused and neglected children in the legal system	\$7,300	\$7,300
<b>CASCADE COUNTY RETIRED AND SENIOR VOLUNTEER PROGRAM</b> Purchase Neighborhood Watch and Business Watch materials (decals, signs, handbooks, engraver) to develop Neighborhood Watches in Census tracts 3, 4, 5, 6 and Block 4 of Census Tract 22	\$6,250	\$6,250
<b>FAMILY CONNECTIONS</b> Provide child care scholarships for low income families; program administered through agency located at 600 Central Plaza	\$13,500	\$13,500

	<u>Requested</u>	<u>Proposed</u>
<p><b>GREAT FALLS CITY PARK &amp; RECREATION— COMMUNITY RECREATION CENTER</b></p> <p>Provide scholarships for low income children to attend after school and summer programs which provide structured recreational/ physical activities for children; programs offered at community center located at 801 2<sup>nd</sup> Avenue North</p>	\$5,920	\$5,920
<p><b>HANDS, INC.</b></p> <p>Provide child care scholarships for children from low income families for before school, after school, and summer child care; program offered at all Great Falls elementary schools</p>	\$20,000	\$20,000
<p><b>PARIS GIBSON SQUARE MUSEUM OF ART</b></p> <p>Purchase and installation of Braille and large print signage; purchase adaptive equipment, curriculum materials, and class supplies to provide accessibility for people with physical disabilities to the museum and to art education workshops; and move side entrance buzzer at museum located at 1400 1<sup>st</sup> Avenue North</p>	\$12,382	\$12,382
<p><b>QUALITY LIFE CONCEPTS</b></p> <p>Purchase used vehicle equipped with ramp and purchase computer equipment (three computers, software, printers) for life long learning project for people with developmental disabilities; program administered through agency located at 215 Smelter Avenue Northeast</p> <p style="padding-left: 40px;">Propose funding computer equipment purchase only.</p>	\$34,274	\$5,274
<p><b>YOUNG PARENTS EDUCATION CENTER</b></p> <p>Provide day care scholarships and emergency housing scholarships for low income teen or young adult parents completing high school or GED programs; programs located at alternative high school at 3300 3<sup>rd</sup> Street Northeast</p>	\$15,000	\$15,000
<b>ADMINISTRATION</b>		
<p><b>CDBG PROGRAM ADMINISTRATION</b></p> <p>General oversight, promotion, financial accountability, monitoring, reporting, and coordination of the CDBG program including activities to further fair housing and the Continuum of Care for Homelessness</p>	\$196,075	\$196,000

<b>TOTAL CDBG FUNDING REQUESTED</b>	<b>\$1,235,687</b>	
<b>TOTAL CDBG FUNDING RECOMMENDATION</b>		<b>\$1,030,000</b>
<b>TOTAL ANTICIPATED CDBG GRANT</b>		<b>\$980,000</b>
<b>TOTAL CDBG FUNDS AVAILABLE FROM PREVIOUS YEARS</b>		<b>\$50,000</b>
<b>TOTAL AVAILABLE CDBG FUNDS</b>		<b>\$1,030,000</b>

**2007/2008 PROPOSED USE OF FEDERAL GRANT FUNDS  
HOME INVESTMENT PARTNERSHIP PROGRAM**

	<u>Requested</u>	<u>Proposed</u>
<b>GREAT FALLS HOUSING AUTHORITY—SAND HILLS</b> Land acquisition and site improvements to develop phased construction of three affordable, handicap accessible, four-plex apartment complexes at 1501, 1509 and 1517 23 <sup>rd</sup> Street South	\$310,000	\$310,000
<b>NEIGHBORHOOD HOUSING SERVICES, INC.—NEW HOME CONSTRUCTION &amp; MAJOR REHABILITATION</b> Owners in Partnership XV —construct or rehabilitate three single family houses (including two high school houses) for low income buyers	\$80,000	\$64,276
<b>HOME PROGRAM ADMINISTRATION</b> General oversight, management, promotion, financial accountability, monitoring, and coordination of the HOME program	\$40,000	\$40,000
<b>TOTAL HOME FUNDING REQUESTED</b>	<b>\$430,000</b>	
<b>TOTAL HOME FUNDING RECOMMENDATION</b>		<b>\$414,276</b>
<b>TOTAL ANTICIPATED HOME GRANT</b>		<b>\$410,586</b>
<b>TOTAL HOME FUNDS AVAILABLE FROM PREVIOUS YEARS</b>		<b>\$3,690</b>
<b>TOTAL AVAILABLE HOME FUNDS</b>		<b>\$414,276</b>

CITY OF GREAT FALLS, MONTANA

AGENDA# 4

AGENDA REPORT

DATE April 17, 2007

ITEM: Engage RW Beck As Independent Engineer for Phase Two of the Highwood Generating Station Project Review (OF 1472.5)

INITIATED BY: Electric City Power, Inc. and City Staff

ACTION REQUESTED: Approve Phase Two of the RW Beck Review of the Highwood Generating Project

PRESENTED BY: Coleen Balzarini, Fiscal Services Director

-----

**RECOMMENDATION:** The ECPI Board and City Staff recommend the City Commission approve engaging RW Beck as an independent engineer for Phase Two, tasks 1 – 4, of the Highwood Generating Station Project.

**MOTION:** I move the City Commission approve engaging RW Beck as independent engineers for Phase Two of the review of the Highwood Generating Station project for an estimated cost of \$103,500 inclusive of professional fees and direct expenses, and authorize the City Manager to execute the contract.

**SYNOPSIS:** The City Commission is asked to authorize the first four tasks of Phase Two which involve completion of the Phase One work and then helping develop offering packages, pricing, and terms for long term contracts beginning in 2012. The cost for this work is estimated to be \$103,500. The Electric City Power Board reviewed the Phase II tasks on April 1, and recommends approval of the proposed scope of work. The remainder of Phase Two tasks will involve due diligence work for the actual bond issue and will be presented to the City Commission for consideration at a later date.

**BACKGROUND:** In November 2006, requests for independent engineering proposals were sent out to five nationally qualified firms: (R.W. Beck, Black & Veatch, Burns & Roe, HDR, and Sargent & Lundy). As a result of the responses and phone interviews, ECPI Board and City Staff recommended the City Commission engage RW Beck for Phase One which focused on capital costs, fuel supply, timing of construction and other matters as they may relate to the City's share of the Highwood Generating Station project. The City Commission approved that contract on December 19, 2006. RW Beck released their findings and recommendations March 2007 in written and oral reports.

Southern Montana Electric G&T should soon receive the Record of Decision on the EIS from the Rural Utility Service, followed thereafter by the Air Quality Permit from the Department of Environmental Quality. There are some immediate steps the City needs to take as well. ECPI's existing customers now have or soon will have electricity supply contracts through 2011. It is important to concentrate on the longer term contracts that will go into effect with the beginning of Highwood Generating Station operations. This is also true for the prospective customers. To do this the City needs to authorize RW Beck to continue with Phase Two of their work. Specifically, the City needs to authorize the first four tasks of Phase Two which involve completion of the Phase One work and then helping develop offering packages, pricing, and terms for long term contracts beginning in 2012. The cost for this work is estimated to be \$103,500. The remainder of Phase Two will involve due diligence work for the actual bond issue and will be presented to the City Commission at a later date.

At this time, all indications are that the City's participation in the Highwood Generating Station will go forward although some adjustments in the project structure could be made. To deal with any uncertainties that come up with respect to City participation in the Highwood Generating Station, the follow-on contract with RW Beck will be written so that the City can stop work at any time it appears to be infeasible to continue. Costs will stop if work stops. Because of a variety of pending decisions, the most significant risk period will be during the next three weeks while various project components are in a fluid state. City staff will monitor pending decisions daily, inform the Commission, and if it appears there is a negative development, adjustments can be made accordingly.

### **Funding**

At this point the City has paid R. W. Beck \$78,000 for Phase One. Their work to finish this phase plus the additional work described above amounts to a total of \$181,500. At this time, the payment for these two phases will be included within the \$2 million already approved by the City Commission for Highwood Generating Station development work. When bonds are sold for the City's share of Highwood Generating Station, these funds will be repaid.

In the event the bonds are not sold for some reason, or if the City Commission chooses to fund the RW Beck work from another source, the cost can be paid from balances residing in several funds including the Economic Development Revolving fund. This possibility can be minimized in that the RW Beck work can be stopped at any time it appears that the City's participation in the project will not go forward.



## AGENDA REPORT

DATE April 17, 2007ITEM Ordinance No. 2969 to Establish City Zoning Upon Castle Pines Phase VINITIATED BY Harold Poulsen, Property Owner and DeveloperACTION REQUESTED Commission Accept Ordinance No. 2969 on First Reading and Set HearingPREPARED BY Charles Sheets, Planner IAPPROVED & PRESENTED BY Benjamin Rangel, Planning Director**RECOMMENDATION:**

The City Zoning Commission has recommended the City Commission assign a zoning classification of R-3 Single-family high density district, to Castle Pines Phase V, upon annexation to the City.

**MOTION:**

"I move the City Commission accept Ordinance No. 2969 on first reading and set a public hearing for May 15, 2007, to consider adoption of Ordinance No. 2969."

**SYNOPSIS:**

Ordinance No. 2969 assigns a zoning classification of R-3 Single-family high density district, to Castle Pines Phase V, upon annexation of same to City. The proposed development consists of 21 single-family residential lots located in the vicinity of 27<sup>th</sup> Avenue South and 13<sup>th</sup> Street South.

**BACKGROUND:**

Last month the City Commission conditionally approved the preliminary plat of Castle Pines Phase V a subdivision consisting of 21 lot single family residential subdivision located in the vicinity of 27<sup>th</sup> Avenue South and 13<sup>th</sup> Street South.

For review purposes, please find attached:

- vicinity/zoning map
- reduced copy of final plat of Castle Pines Phase V

The subdivision consists of 21 lots for single-family residences. Similar to Castle Pines Addition Phase III, Neighborhood Housing Services is working with NeighborWorks to acquire 13 lots in the subdivision to accommodate construction of "self-help" homes. Funding arrangements stipulate the homes be constructed outside the City Limits. Therefore, although the subdivision and annexation will be processed simultaneously, upon filing the final plat, the lots will be sold, homes constructed and infrastructure installed, with annexation becoming effective, probably in late fall, when the homes are ready for occupancy. The remaining 8 lots will be sold by the developer to others to build single-family residences. These 8 lots will be annexed simultaneously with the filing of the final plat.

Access to the lots in the subdivision will be from 13<sup>th</sup> Street South at 27<sup>th</sup> Avenue South. Within the subdivision, Castle Pines Drive and Castle Pines Way will connect to the north with Castle Pines Phase I. 27<sup>th</sup> Avenue South will connect to the east with Castle Pines 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 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 Subdivision. City storm sewer will be extended south, with inlets in 27<sup>th</sup> 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 13<sup>th</sup> Street South and 24<sup>th</sup> Avenue South, including water main installation and providing a secondary water source to the Castle Pines area.

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

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

In conjunction with the Preliminary Plat for Castle Pines Phase V, the Zoning Commission on February 13, 2007 recommended assigning a zoning classification of R-3 Single-family high density upon annexation to the City.

It is anticipated the City Commission, following the public hearing on May 15, will consider an annexation resolutions, annexation agreement and final plat for Castle Pines Phase V, simultaneously with Ordinance No. 2969.

Attach: Ord. No. 2969  
Vicinity/Zoning Map  
Reduced Copy of Final Plat

cc: Harold Poulsen, P O Box 1376  
Spencer Woith, Woith Engineering, 1725 41<sup>st</sup> St S  
Sheila Rice, NHS, 509 1<sup>st</sup> Ave S

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 15<sup>th</sup> 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 15<sup>th</sup> 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 15<sup>th</sup> day of May, 2007.

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

\_\_\_\_\_  
Peggy J. Bourne, City Clerk

(SEAL OF CITY)

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

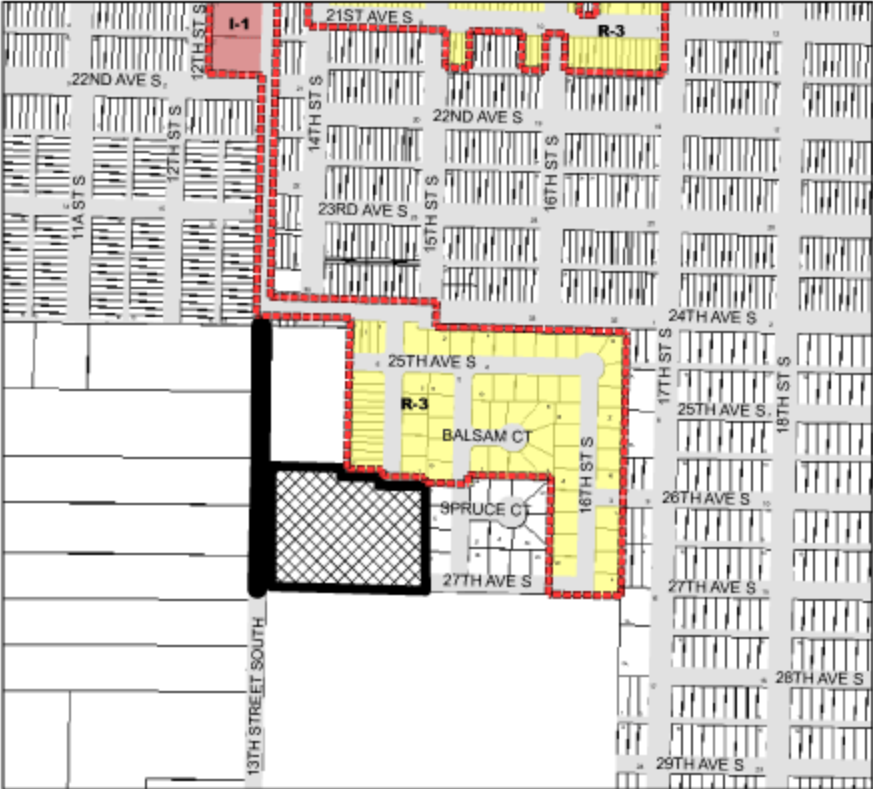
Peggy J. Bourne, being first duly sworn, deposes and says: That on the 15<sup>th</sup> day of May, 2007, and prior thereto, she was the City Clerk of the City of Great Falls, Montana; that as said City Clerk she did publish and post as required by law and as prescribed and directed by the Commission,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

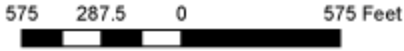
\_\_\_\_\_  
Peggy J. Bourne, City Clerk

(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 April 17, 2007

ITEM Ordinance No. 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 Accept Ordinance No. 2971 on First Reading and Set Hearing

PREPARED BY Bill Walters, Senior Planner

APPROVED & PRESENTED BY Benjamin Rangel, Planning Director

**RECOMMENDATION:**

It is recommended the City Commission 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 of Lot 1, Block 1, Mount Olivet Minor Subdivision being annexed to the City.

**MOTION:**

“I move the City Commission accept Ordinance No. 2971 on first reading and set a public hearing for May 15, 2007, to consider adoption of Ordinance No. 2971.”

**SYNOPSIS:**

Ordinance No. 2971 assigns 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 of same to City.

Said four lots in the involved portion of Mount Olivet Subdivision consisting of 92 acres are located east of 26<sup>th</sup> Street South along a segment of 18<sup>th</sup> 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 26<sup>th</sup> Street South between 17<sup>th</sup> and 24<sup>th</sup> 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 attached Vicinity/Zoning Map and 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 18<sup>th</sup> Avenue South connected to 26<sup>th</sup> Street South and an 800 ft southerly extension of 29<sup>th</sup> Street South. Both segments of 18<sup>th</sup> Avenue South and 29<sup>th</sup> Street South will be improved to City standards. A private access easement is being provided at the east terminus of 18<sup>th</sup> 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 26<sup>th</sup> 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 26<sup>th</sup> 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.

It is anticipated the City Commission, following the public hearing on May 15, will consider an annexation resolution, annexation agreement, the Amended Plat of Mount Olivet Minor Subdivision and accompanying Findings of Fact, simultaneously with Ordinance No. 2971.

Attach: Ord. No. 2971  
Vicinity/Zoning Map  
Reduced Copy of Amended Plat

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

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    )

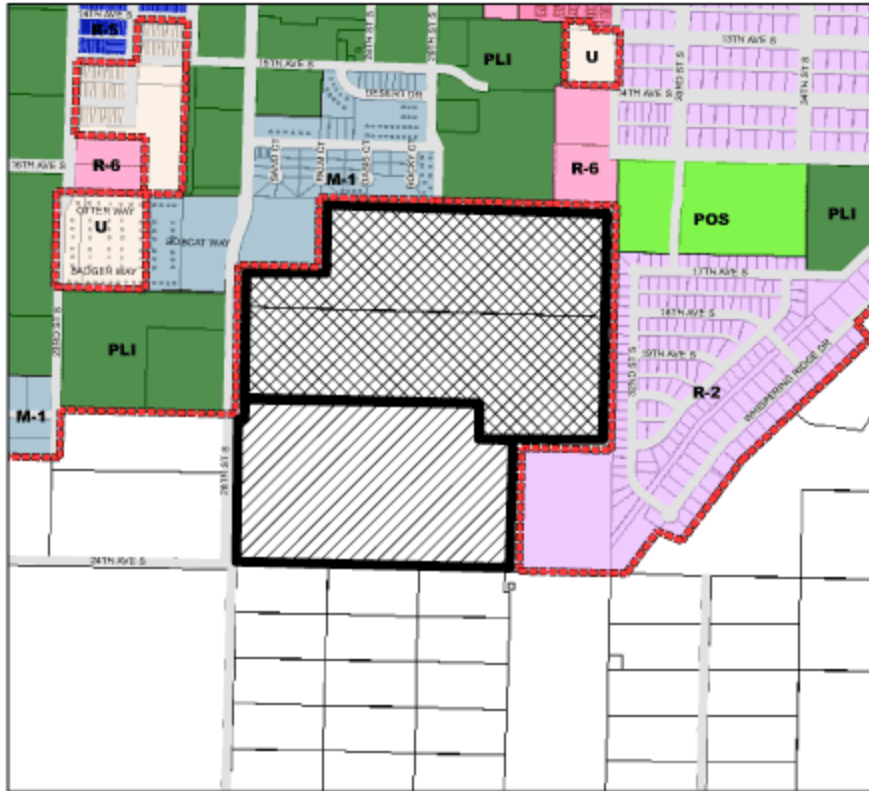
Peggy J. Bourne, being first duly sworn, deposes and says: That on the 15th day of May, 2007, and prior thereto, she was the City Clerk of the City of Great Falls, Montana; that as said City Clerk she did publish and post as required by law and as prescribed and directed by the Commission, Ordinance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









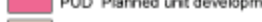

\_\_\_\_\_  
Peggy J. Bourne, City Clerk

(SEAL OF CITY)

# VICINITY/ZONING MAP



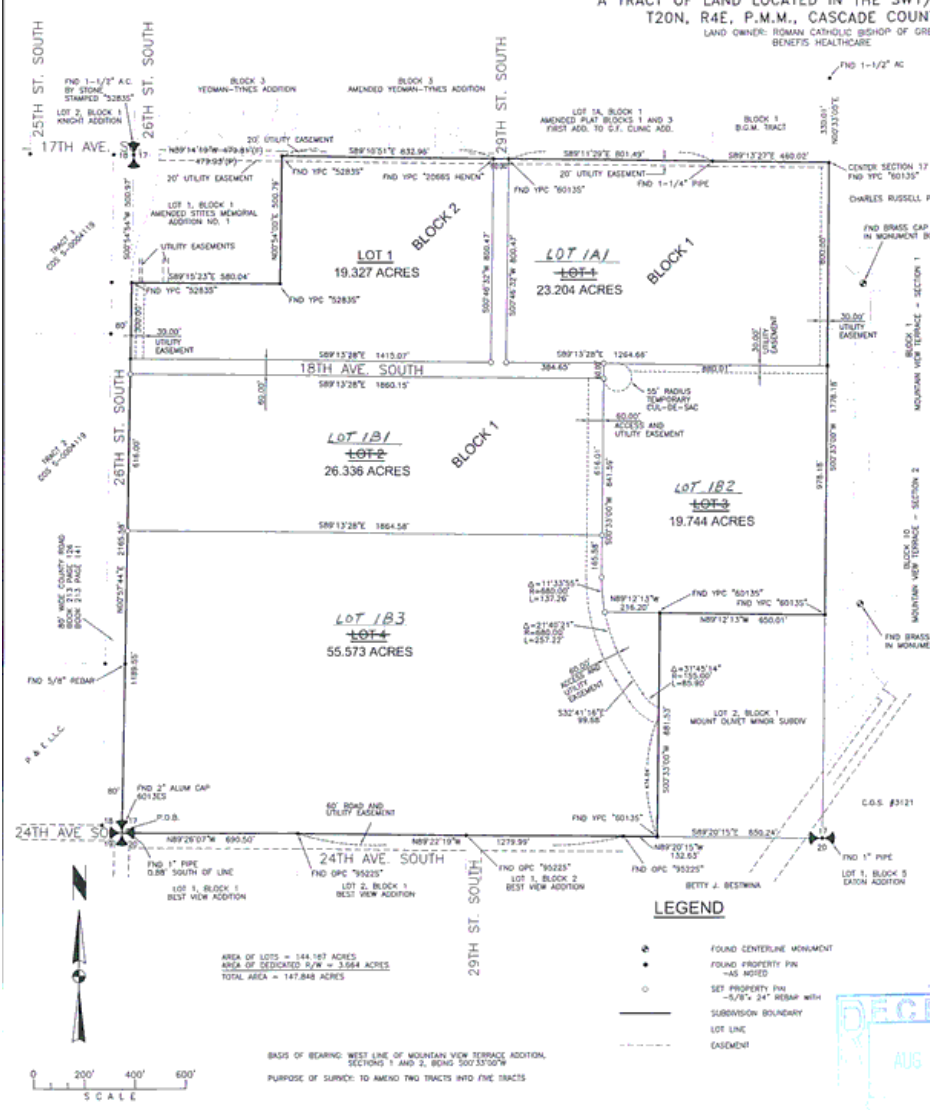
-  PORTION OF AMENDED PLAT OF LOTS 1A & 1B, BLOCK 1, MOUNT OLIVET SUBDIVISION TO BE ANNEXED TO THE CITY OF GREAT FALLS AND ZONED PLI PUBLIC LANDS AND INSTITUTIONAL
-  PORTION OF AMENDED PLAT OF LOTS 1A & 1B, BLOCK 1, MOUNT OLIVET SUBDIVISION TO BE ANNEXED TO REMAIN OUTSIDE THE CITY

- |  |  |   |
|--|--|---|
|  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°51'44" 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 55th 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 the Eastern boundary of said Block 1, 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 460.02 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 22.22 feet to the Northeast corner of the Best View Addition; thence North 89°22'15" 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      Benefit Healthcare

State of Montana )  
 ) ss  
 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 )  
 ) ss  
 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 )  
 ) ss  
 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 Platting 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 it represents, and find the same conforms to regulations governing the platting 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 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 it represents, and find the same conforms to regulations governing the platting 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 - HAULSEL - HELENA  
 MONTANA  
 DRAMBY BY: TWC DATE: 7/20/06 QUALITY CHECK: JLD/ELI  
 DESIGNED BY: JLD/ELI

Regular City Commission Meeting

Mayor Stebbins presiding

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

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

**PROCLAMATIONS:** Mayor Stebbins read the following proclamations: 2007 Days of Remembrance, Community Development Week, Donate Life Month and Fair Housing Month.

**NEIGHBORHOOD COUNCIL SWEARING IN:** Mayor Stebbins swore-in Jim Porter Senior as a new representative in Neighborhood Council 8.

**NEIGHBORHOOD COUNCILS**

**New meeting date for NC 8.** **1A. Karen Grove, NC8,** stated that Neighborhood Council 8 changed their meetings to the 3<sup>rd</sup> Thursday of the month.

**PUBLIC HEARINGS**

**Res. 9641 and Ord. 2963, annexation and zoning for Northview Add., Phase 2. Adopted.** **2. RESOLUTION 9641 AND ORDINANCE 2963, ANNEXATION AND ZONING FOR NORTHVIEW ADDITION PHASE 2.**

Bill Walters, Planning Department, reported that Northview Phase 2 is a portion of the Preliminary Plat of Northview Addition Phases 2 – 7 which was conditionally approved by the City Commission on February 6, 2007. The preliminary plat consists of 80 internal lots for single-family residences and 3 lots around the perimeter to contain a total of 21 duplex condos. The developer requested as part of the preliminary plat that the zoning be changed from the current County “A” Agricultural District to PUD (planned unit development) as each phase was annexed. The Zoning Commission approved the PUD zoning request on January 9, 2007.

The primary reason the applicant requested the PUD zoning classification was to provide for a larger front yard setback than the minimum front yard setback (20 feet) required by the R-3 zoning district which Phase 2 would normally be based upon.

The Planning Board during a meeting held February 13, 2007, unanimously recommended the City Commission approve the Final Plat and its annexation subject to the following conditions: the applicant sign an annexation agreement, pay applicable fees, correct any errors or omissions on the final plat; provide a financial surety (i.e. certificate of deposit) in the

name of the owner/developer and the City to cover the costs for a roadway and an 8-inch water main; and all final engineering documents are to be approved by Public Works.

The Zoning Commission at the conclusion of a public hearing held January 9, 2007, unanimously recommended the City Commission approve establishing a City zoning classification of PUD planned unit development district upon the Final Plat of Northview Addition Phase 2, upon annexation of the area contained therein.

Mayor Stebbins declared the public hearing open. **Ron and Kathleen Gessaman**, 1006 36<sup>th</sup> Avenue NE, asked several questions regarding 36<sup>th</sup> Avenue NE and 9<sup>th</sup> Street NE. They expressed concern about the increased traffic on the roadways and that the current configuration and size were dangerous. There being no one further to address the Commission, Mayor Stebbins declared the public hearing closed.

**Commissioner Hinz moved, seconded by Commissioner Rosenbaum, that the City Commission adopt Resolution 9641 and approve the final plat and Annexation Agreement all related to Northview Addition Phase 2.**

Motion carried 5-0.

**Commissioner Rosenbaum moved, seconded by Commissioner Beecher, that the City Commission adopt Ordinance 2963.**

Motion carried 5-0.

**Res. 9642 and Ord. 2964, annexation and zoning for Cottage Grove Add., Phase 2. Adopted.**

**3. RESOLUTION 9642 AND ORDINANCE 2964, ANNEXATION AND ZONING FOR COTTAGE GROVE ADDITION PHASE 2.**

Bill Walters, Planning Department, reported that in 2001, the City Commission conditionally approved the preliminary plat of Discovery Meadows Addition, located immediately north of Portage Meadows Addition. The applicant wants to proceed with the final portion of the Discovery Meadows Addition Phase 3 under the new title of Cottage Grove Addition Phase 2 consisting of 10 lots along the northerly extension of 49<sup>th</sup> Street North. The applicant also desires to have Cottage Grove Addition Phase 2 zoned PUD, planned unit development district, to accommodate a mix of residential lots ranging in size from 4,608 to 11,107 square feet.

The Great Falls City-County Planning Board previously recommended the subdivision be assigned a zoning classification of "A" Residence Use, "B" Area District on the preliminary plat. With the adoption of the Unified Land Development Code the compatible classification would be "R-3" single-family high density. However, the applicant instead requested it be assigned the PUD designation. The primary reason the applicant requested the PUD

zoning classification was to allow more flexibility in lot sizes in order to accommodate more affordable housing.

At the conclusion of a combined public hearing held February 13, 2007, the Planning Board recommended the City Commission approve the Final Plat and its annexation subject to the following conditions: the developer sign an annexation agreement, pay all applicable fees, correct any errors found and submit for approval final engineering documents to Public Works.

The Zoning Commission recommended the City Commission approve establishing a City zoning classification of PUD planned unit development district.

Mayor Stebbins declared the public hearing open. No one spoke in support or opposition to Resolution 9642 and Ordinance 2964. Mayor Stebbins declared the public hearing closed.

**Commissioner Jovick-Kuntz moved, seconded by Commissioner Beecher, that the City Commission adopt Resolution 9642 and approve the final plat and Annexation Agreement all related to Cottage Grove Addition Phase 2.**

Motion carried 5-0.

**Commissioner Jovick-Kuntz moved, seconded by Commissioner Beecher, that the City Commission adopt Ordinance 2964.**

Motion carried 5-0.

**OLD BUSINESS**

**NEW BUSINESS**

**ORDINANCES AND RESOLUTIONS**

**Ord. 2970, zoning for Hilton Garden Inn Minor Subdivision. Accepted on first reading and set public hearing for May 1, 2007.**

**4. ORDINANCE 2970, ZONING FOR HILTON GARDEN INN MINOR SUBDIVISION.**

Bill Walters, Planning Department, reported that upon adoption 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, of Hilton Garden Inn Minor Subdivision and rezones the presently incorporated portion of Lot 1, Block 2, of the Subdivision from R-2 Single-family medium density district to R-5 Multi-family residential medium density district.

**Commissioner Hinz moved, seconded by Commissioner Beecher, that the City Commission accept Ordinance 2970 on first reading and set the**



public hearing for May 1, 2007, to consider adoption of Ordinance 2970.

Commissioner Hinz asked if staff knew what type of multi-family dwellings would be constructed in this area. Mr. Walters stated that staff was unsure because there was a change in land ownership during the annexation, zoning and rezoning processes. He added that there were height restrictions in place and the proposed development was required to be approved by the Design Review Board.

Motion carried 5-0.

**Res. 9647, relating to \$2,270,000 General Obligation Swimming Pool bonds. Adopted.**

**5. RESOLUTION 9647, RELATING TO \$2,270,000 GENERAL OBLIGATION SWIMMING POOL BONDS.**

Fiscal Services Director Coleen Balzarini reported that the City owns and operates four swimming facilities that were constructed in the 1960s. These facilities have aged and now require substantial investment for renovation and rehabilitation if they are to continue to serve Great Falls citizens. Resolution 9647 calls for the issuance and public sale of \$2,270,000 of general obligation bonds to repair and improve certain pool facilities, as approved by a majority of the qualified voters on November 7, 2006.

**Commissioner Beecher moved, seconded by Commissioner Jovick-Kuntz, that the City Commission adopt Resolution 9647.**

Motion carried 5-0.

**Consent Agenda. Approved as printed.**

**CONSENT AGENDA**

- 6. Minutes, March 20, 2007, Commission meeting.
- 7. Total Expenditures of \$1,089,505 for the period of March 14 through 23, 2007, to include claims over \$5000, in the amount of \$1,014,468.
- 8. Towing Contract with S&C Auto for 5 years.
- 9. Final Payment to Phillips Construction and the State Miscellaneous Tax Division in the amount of \$1,616.56 for the 2<sup>nd</sup> Avenue SW Sanitary Sewer Main Extension. (OF 1391.1)
- 10. Three-year Annual Audit Contract with JCCS.

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

Motion carried 5-0.

**BOARDS & COMMISSIONS**

**Advisory Commission on International**

**11. APPOINTMENTS, ADVISORY COMMISSION ON INTERNATIONAL RELATIONSHIPS.**

Marilyn Swenson resigned her position on the Advisory Commission on

**Relationships.  
Appointed Tyler  
and Buckley.**

International Relationships. Ms. Swenson was appointed on August 3, 2004, for a three-year term through March 31, 2008. Patricia Craumer also resigned her position. Ms. Craumer was appointed in August of 2004 and resigned from the board in August of 2006.

**Commissioner Jovick-Kuntz moved, seconded by Commissioner Hinz, that the City Commission appoint Charles Tyler to the Advisory Commission on International Relationships to fill the remainder of a three-year term through March 31, 2008, and appoint Jay Buckley for a three-year term through March 31, 2010.**

Mayor Stebbins thanked Bob Harris and Lee Neibuhr for their work on this board. She added that both of them have served on this board since its inception.

Motion carried 5-0.

**Library Board.  
Appointed Kelly.**

**12. APPOINTMENT, LIBRARY BOARD.**

Library Board member Paul Comer passed on December 17, 2006, therefore it was necessary to appoint one member to fill his position on the board.

**Commissioner Hinz moved, seconded by Commissioners Beecher and Jovick-Kuntz, that the City Commission appoint Sheila Kelly to the Library Board to fill the remainder of a five-year term through June 30, 2007.**

Motion carried 5-0.

**Adjourn.**

**ADJOURNMENT**

There being no further business to come before the Commission, **Commissioner Beecher moved, seconded by Commissioner Rosenbaum, that the regular meeting of April 3, 2007, be adjourned at 7:35 p.m.**

Motion carried 5-0.

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

\_\_\_\_\_  
Peggy Bourne, City Clerk

**FINAL  
 REVISED**

**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 APRIL 4, 2007	375,295.88
MASTER ACCOUNT CHECK RUN FOR APRIL 11,2007	232,379.67
MUNICIPAL COURT ACCOUNT CHECK RUN FOR MARCH 30, 2007	79,397.00
MUNICIPAL COURT ACCOUNT CHECK RUN FOR APRIL 6, 2007	1,860.00
WIRE TRANSFERS FROM MARCH 28, 2007	24,205.37
WIRE TRANSFERS FROM APRIL 1, 2007	448.75
WIRE TRANSFERS FROM APRIL 2, 2007	10,400.26
WIRE TRANSFERS FROM APRIL 4, 2007	68,651.96
<b>TOTAL: \$</b>	<u><u>792,638.89</u></u>

**GENERAL FUND**

<b>POLICE</b>		
ENERGY WEST	MONTHLY CHARGES (SPLIT)	2,776.66
<b>FIRE</b>		
ENERGY WEST	MONTHLY CHARGES (SPLIT)	6,626.07
<b>PARK &amp; RECREATION</b>		
ENERGY WEST	MONTHLY CHARGES (SPLIT)	6,035.69
<b>ADMINISTRATION</b>		
TISCHLERBISE INC	FISCAL IMPACT 20071084 FIXED FEE	40,500.00

**SPECIAL REVENUE FUND**

<b>LIBRARY</b>		
ENERGY WEST	MONTHLY CHARGES (SPLIT)	4,641.44
<b>FEDERAL BLOCK GRANTS</b>		
NORTHWESTERN ENERGY	TRANSFORMER (DUNN BUILDING)	11,228.00

**FINAL  
 REVISED**

**SPECIAL REVENUE FUND CONTINUED**

---

**ECONOMIC REVOLVING**  
 ENERGY WEST MONTHLY CHARGES (SPLIT) 173.13

**ENTERPRISE FUNDS**

---

**WATER**

NORTHWESTERN ENERGY	FEBRUARY CHARGES	6,859.01
THATCHER CO	LIQUID ALUMINUM SULFATE	14,546.84
DANA KEPNER CO	1" SRII ECR/DM 100CF METERS	5,370.00
DANA KEPNER CO	METERS/TOUCHPADS	29,425.00
ENERGY WEST	MONTHLY CHARGES (SPLIT)	10,392.38

**SEWER**

NEWMECH COMPANIES INC	PMT #3 WWTP CO-GEN OF 1404	180,694.80
-----------------------	----------------------------	------------

**SANITATION**

ENERGY WEST	MONTHLY CHARGES (SPLIT)	238.50
MONTANA WASTE SYSTEMS	MARCH CHARGES	64,439.90

**ELECTRIC UTILITY**

RW BECK	FINAL RPT HIGHWOOD STATION	7,393.89
---------	----------------------------	----------

**SAFETY SERVICES**

ENERGY WEST	MONTHLY CHARGES (SPLIT)	694.16
-------------	-------------------------	--------

**GOLF COURSES**

ENERGY WEST	MONTHLY CHARGES (SPLIT)	1,004.67
-------------	-------------------------	----------

**SWIM POOLS**

ENERGY WEST	MONTHLY CHARGES (SPLIT)	6,128.79
-------------	-------------------------	----------

**RECREATION**

ENERGY WEST	MONTHLY CHARGES (SPLIT)	2,105.27
-------------	-------------------------	----------

**CIVIC CENTER**

SHOE STRING LLC	PAYOUT FOR SUBLIME CONTRACT 07-100	1,711.96
JADE PRESENTS LLC	PAYOUT FOR ARLO CONTRACT 07-81	8,688.30

**INTERNAL SERVICES FUND**

---

**HEALTH INSURANCE**

BLUE CROSS BLUE SHIELD	GROUP & HMO CLMS 3/21-3/27, 2007	24,205.37
BLUE CROSS BLUE SHIELD	GROUP & HMO CLMS 3/28-3/31, 2007	68,651.96

**CENTRAL GARAGE**

MOUNTAIN VIEW CO-OP	DIESEL FUEL	16,972.90
---------------------	-------------	-----------

**FINAL  
REVISED**

**INTERNAL SERVICES FUND CONTINUED**

---

**PUBLIC WORKS**

ENERGY WEST	MONTHLY CHARGES (SPLIT)	6,095.01
-------------	-------------------------	----------

---

**FACILITY SERVICES**

ENERGY WEST	MONTHLY CHARGES (SPLIT)	7,776.98
-------------	-------------------------	----------

---

**MUNICIPAL COURT**

CASCADE COUNTY TREASURER	FINES AND FORFEITURES	11,188.00
CITY OF GREAT FALLS	FINES AND FORFEITURES	62,095.00

**CLAIMS OVER \$5000 TOTAL:** \$ 608,659.68

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

**AGENDA: 9  
DATE: April 17, 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**

	<b>DEPARTMENT</b>	<b>OTHER PARTY (PERSON OR ENTITY)</b>	<b>PERIOD</b>	<b>FUND</b>	<b>AMOUNT</b>	<b>PURPOSE</b>
<b>A</b>	Fire Department and Human Resources	Opp Ltd.	Completion Date of April 17, 2006	100-2411-522-3594 (50%) 611-1481-511-3599 (50%)	\$500 (paid 5/18/06)	Validation of Firefighter Psychological Research Project
<b>B</b>	Public Works	N/A	April 2007 through June 2007	None	None	Easement to allow utility installation to the Medical Technology Park Lot 3 Development (O.F. 1417.1)
<b>C</b>	Community Development	Standard Parking Corporation	April 1, 2007 through December 31, 2007	551-7125-571-3599	(\$37,272)	First Amendment to Parking Enforcement Services Contract lowering amount for contract period.

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

**AGENDA: 10  
DATE: April 17, 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**

	<b>DEPARTMENT</b>	<b>OTHER PARTY (PERSON OR ENTITY)</b>	<b>PERIOD</b>	<b>AMOUNT REQUESTED</b>	<b>CITY MATCH (INCLUDE FUND MATCH TO BE PAID OUT OF)</b>	<b>PURPOSE</b>
<b>A</b>	Great Falls Fire Rescue	Department of Homeland Security Office of Grants and Training Assistance to Firefighter	Feb 2006 Feb 2007	\$86,760	\$21,690	Safety equipment personal protective gear (45) and washer extractor (1).

ITEM Use of CTEP Funding for Purchase of Property for Scenic, Conservation and Trail Purposes

INITIATED BY Great Falls Public Lands Group

ACTION REQUESTED Approve Use of CTEP Funds for Property Purchase

PREPARED BY Andrew Finch, Senior Planner

REVIEWED & APPROVED BY Benjamin Rangel, Planning Director

- - - - -

**RECOMMENDATION:**

It is recommended the City Commission approve the following motion.

**MOTION:**

"I move the City Commission approve the use of \$50,000 in Community Transportation Enhancement Program (CTEP) funds as a portion of the purchase price for approximately 12 acres of land on the north shore of the Missouri River, referred to as "The Sanders Property", contingent upon the successful identification and commitment of full funding from other sources."

**SYNOPSIS:**

A group of public agencies and non-profit organizations are working to purchase approximately 12 acres of land on the north shore of the Missouri River across from Giant Springs and the Lewis and Clark Interpretive Center. The parcels are immediately adjoining the "Missouri River Greenway" conservation area, managed by the Montana Department of Fish, Wildlife and Parks on land owned by PP&L Montana.

The purchase of the two parcels (one approximately 2.4 acres with a house, the second approximately 9.5 acres) by the Montana Department of Fish, Wildlife and Parks (or other public agency) is eligible for use of CTEP funds through two eligibility categories: "Acquisition of scenic easements and scenic or historic sites" and "provision of facilities for pedestrians and bicycles." It will be purchased to preserve the view from Giant Springs Road on the south shore, and also to provide for a trail system through the area.

This request would come from the 2007 CTEP allocation (expected to be around \$267,000). After subtracting \$102,000 already committed to another project, as well as this \$50,000 commitment, about \$115,000 would remain for allocation to other new projects in 2007.

**BACKGROUND:**

The Montana Department of Fish, Wildlife and Parks; Lewis & Clark Interpretive Center Association; City of Great Falls; Lewis & Clark Interpretive Center Fund; and, Recreational Trails, Inc. have been working for over 15 years to place these lands into public ownership. Committing \$50,000 in CTEP funds will allow this group to better position for additional grant monies.

If the additional funds cannot be secured from other sources for the land purchase, the \$50,000 will not be expended and will be made available for reallocation or other use within the CTEP program.



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

DATE April 17, 2006

ITEM Great Falls Community Ice Foundation Event – Frozen Explosion

INITIATED BY Great Falls Community Ice Foundation

ACTION REQUESTED Co-Sponsor Event on June 29, 2007

PRESENTED BY Peggy Bourne, City Clerk

- - - - -

**RECOMMENDATION:** It is recommended that the City co-sponsor the Great Falls Community Ice Foundation Event – Frozen Explosion, to be held June 29, 2007, by contributing up to \$500 for the use of the Convention Center.

**MOTION:** I move the City co-sponsor the Great Falls Community Ice Foundation Event – Frozen Explosion, to be held on June 29, 2007, by contributing up to \$500 for the use of the Convention Center.

**SYNOPSIS:** In a request to Commissioner Beecher, representatives from the Great Falls Community Ice Foundation requested the City co-sponsor a fundraising event to raise funds which will subsidize construction costs of a new ice complex in Great Falls. The Great Falls Community Ice Foundation is a nonprofit organization working solely to construct and operate a new ice complex which will enable the continuation of ice activities for Great Falls youth.

Staff recommends the Commission approve up to \$500 for the use of the Convention Center. The established guiding principals regarding requests for the City to co-sponsor events requires that the event be free to the public. However, because this event meets all the other criteria and because the City Commission supported a similar fund raiser for the soccer complex, staff recommended the Commission co-sponsor the event.

The guiding principles include:

- Requests should only be accepted from non-profit, public service organizations; and
- Requests will be granted only where the City Commission or another City agency finds a public purpose in co-sponsoring an event; and
- Requests will be considered when the event is to serve the public rather than to raise funds; and
- The event is free to the public; and
- The event benefits the youth of the community.

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

AGENDA # 13  
DATE April 17, 2007

ITEM Appointments, Police Commission

INITIATED BY City Commission

ACTION REQUESTED Appoint Three Members

PRESENTED BY City Commission

- - - - -

**RECOMMENDATION:**

It is recommended that the City Commission appoint three new members to the Police Commission.

**MOTION:**

I move the City Commission make the following appointments to the Police Commission:

- to a one-year term beginning April 17, 2007, and expiring June 30, 2008
- to a two-year term beginning April 17, 2007, and expiring June 30, 2009
- to a three-year term beginning April 17, 2007, and expiring June 30, 2010

**SYNOPSIS:**

Terms of previous members of the Police Commission have expired. Appointments have not been made since 2000. Therefore, it is necessary to make new appointments. It is recommended that new members terms are staggered.

**BACKGROUND:**

The Police Commission is comprised of three members who have the qualifications required by law to hold a municipal office. Commissioners review all Police Department applicants for police officer positions and hear disciplinary appeals for the Police Department.

Citizens interested in serving on the Police Commission are:

- Martin H. Sinclair
- Joseph S. Tropila
- Raymond C. Mehrens
- Jeff McLaughlin
- Melvin Frederick Teal
- Thomas P. Meeks

AGENDA REPORT

DATE: April 17, 2007

ITEM Joint Appointment, Great Falls Transit District Board

INITIATED BY Transit District

ACTION REQUESTED Jointly appoint one member

PRESENTED BY City Commission

- - - - -

**RECOMMENDATION:** It is recommended that the City and County Commissions jointly appoint a new member of the Transit District to fill a vacancy on the Great Falls Transit District Board created when an elected member, Patrick Maloney, submitted his letter of resignation.

**MOTION:** I move the City Commission appoint Ann Marie Meade to fill a vacancy on the Great Falls Transit District Board created when Patrick Maloney, an elected member resigned. This term shall expire November 30, 2007.

**SYNOPSIS:** The City and County Commissions are required by ordinance to jointly fill vacancies of elected members on the Transit District Board that may be caused due to no one filing for the position. The appointment process involves a representative from the County Commission and one from the City Commission to review applications and to recommend one person to both Commissions for appointment. Mayor Stebbins served as the City Commission's representative to that subcommittee. County Commissioner Beltrone served as the County Commission's representative. After reviewing the three applications received, the sub-committee recommended the appointment of Ann Marie Meade to the Transit Board. This term will be until the next election whereby Transit members are elected or November 30, 2007.

**BACKGROUND:**

Continuing members on the board include:

Paul Eastwood (City Appointee)	November 30, 2010
Carl Donovan (County Appointee)	November 30, 2008
Sally Macmillan (Elected)	November 30, 2008
Laurel Gebo (Elected)	November 30, 2010
Patrick Maloney (Resigned)	November 30, 2010

Applicants included:

- Elmer Feldman
- Dennis Lott
- Ann Marie Meade
- John Rogers
- Rod Lukusik
- Michael Winters
- Bob Dewar

cc: Sally Macmillan