



City Commission Agenda

for

March 20, 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

SWEARING IN

Neighborhood Council

PROCLAMATION

Crop Hunger Walk Day

NEIGHBORHOOD COUNCILS

1. Miscellaneous reports and announcements.

PUBLIC HEARINGS

2. Ord. 2965, Amending OCCGF 9.90 Fireworks Policy. Action: Conduct public hearing and adopt or deny Ord. 2965. **(Presented by: Randy McCamley)**
3. Ord. 2967, Great Falls West Bank Urban Renewal Plan. Action: Conduct public hearing and adopt or deny Ord. 2967. **(Presented by: Ben Rangel)**

OLD BUSINESS

4. Ord. 2968, Amending OCCGF Title 2, Chapter 50, Section 040 pertaining to Neighborhood Council candidate requirements. Action: Adopt or deny Ord. 2968. **(Presented by: David Gliko)**

NEW BUSINESS

5. CDBG and HOME Program Proposed Use of Funds and HUD Required Annual Action Plan. Action: Accept use of funds and set public hearing for April 17, 2007, on the Proposed Annual Action Plan. **(Presented by: Chris Imhoff, CDBG Administrator)**

ORDINANCES/RESOLUTIONS

6. Ord. 2966, Establish City Zoning Upon Minor Plat of Fair Guys Addition. Action: Accept Ord. 2966 on first reading and set public hearing for April 17, 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, March 6, 2007, Commission meeting.
8. Total Expenditures of \$1,362,167 for the period of February 28 through March 14, 2007, to include claims over \$5000, in the amount of \$1,148,285.
9. Contracts list.
10. Lien Release list.
11. Approve contribution to the Sun River Watershed Group in the amount of \$3,000.
12. Approve Change Order No. 3 to NewMech Companies, Inc., in the amount of \$21,489.07 for the Contract 02 – General Construction for the Wastewater Treatment Plant Cogeneration Project.
13. Award construction contract for Horizon Park and Central Avenue West Water Main Replacements to Phillips Construction of Great Falls in the amount of \$596,855.
14. Reject bids for one new 2007 tandem axle roll-off cab and chassis.

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

BOARDS & COMMISSIONS

15. Appointment, Mansfield Center for the Performing Arts Advisory Board. Appoint one member to fill the remainder of a three-year term through December 31, 2007.
16. Miscellaneous reports and announcements.

CITY MANAGER

17. Miscellaneous reports and announcements.

CITY COMMISSION

18. Miscellaneous reports and announcements.

PETITIONS AND COMMUNICATIONS

19. Miscellaneous reports and announcements.

MOTION TO ADJOURN

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

DATE March 20, 2007

ITEM Ordinance 2965, Amending OCCGF 9.90 Fireworks Policy.

INITIATED BY Randy McCamley, Fire Chief

ACTION REQUESTED Conduct public hearing and adopt Ordinance 2965.

PRESENTED BY: Randy McCamley, Fire Chief

RECOMMENDATION:

It is recommended that the City Commission conduct public hearing and adopt Ordinance 2965

MOTION:

I move the City Commission adopt Ordinance 2965.

SYNOPSIS:

Ordinance 2965 would revise the current fireworks Ordinance the city operates under. These revisions are an attempt to address issues the public has raised relating to the use of fireworks within the city limits. More specifically the revisions include: reducing the number of days fireworks can be sold and discharged; setting the time of day fireworks may be discharged; expanding the types of fireworks permitted; prohibiting the discharge of fireworks from any public property; increasing the fees for fireworks stands; and establishing a fine schedule for fireworks violations.

BACKGROUND:

The last time the City Commission thoroughly reviewed the use of fireworks appears to have been in 1994. At that time the City Commission conducted public hearings and solicited input from the public and fireworks vendors regarding Ordinance 2664, Fireworks policy and later Ordinance 2673.

Prior to 1992, fireworks were banned in the City of Great Falls through an adopted chapter in the Fire Code. However, the ban was not enforced. The enforcement problems experienced in the early 1990s are similar to what we face today:

1. Legal sales of fireworks from County property in or around the City limits;
2. Discharge of illegal fireworks inside the City;
3. The relative ease of anonymity when committing infractions; (by the time the complaint has been called in and a response initiated, the activity has stopped or the violators have vanished);
4. Juvenile violators processed through juvenile court; and
5. The difficulty in educating enforcement personnel and the public concerning which fireworks are legal/illegal within the City.

In 1992, the Chief of Police and the Assistant Fire Chief met with the County Commissioners to discuss a joint City/County action to either permit or prohibit fireworks to achieve a consistent and enforceable rule. Probably due to the County's inability to regulate, the City was left with two options:

1. Strict enforcement of the fire codes prohibiting fireworks and its associated cost
2. Repeal the adopted fire code chapter, making fireworks legal.

The issue received further attention, as the City Commission convened a committee to address the issue. This committee consisted of Fire Marshal Dick Swingley, City Commissioner Bob Deming, Mike Mader and Blaine Martin, representing the fireworks industry. The charge of the committee was to lessen the potential risk of fire or injury to the citizens from fireworks. The outcome was the regulations we have in place now, which attempt to limit the type of fireworks used in the City and the days fireworks could be sold. Based on this year's complaints, current regulations may not be effective.

Recently a fireworks survey was conducted by the city which revealed a strong desire to revise the current fireworks ordinance. The option clearly generating the most support was for further limits on the number of days fireworks can be sold and discharged, and for setting the specific times of day fireworks may be discharged.

In closing, it should be stated that any changes the city desires to make regarding fireworks is not binding upon Cascade County and those who wish to utilize fireworks with less restriction are still permitted to do so in the county.

ORDINANCE 2965

**AN ORDINANCE AMENDING OCCGF TITLE 9 CHAPTER 90
PERTAINING TO FIREWORKS**

WHEREAS, the City Commission adopted a Fireworks Policy in 1994; and

WHEREAS, the fireworks policy was difficult to enforce and following each 4th of July celebration the City Commission heard from many constituents calling for a change; and

WHEREAS, the City Commission requested staff to conduct a non-scientific survey asking for public input on a fireworks policy; and

WHEREAS, the results of the survey clearly indicated the community wanted the ability to discharge fireworks, but also supported shortening the number of days fireworks could be discharged and for the City to enforce such an ordinance.

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

Section 1. That OCCGF Title 9, Chapter 90, is amended as depicted in Exhibit A wherein all language with a bold-face font will be added and all language with a strikeout is removed.

PASSED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, this 20th day of March, 2007.

Dona R. Stebbins, Mayor

ATTEST:

Peggy J. Bourne, City Clerk

(SEAL OF THE CITY)

APPROVED FOR LEGAL CONTENT:

David V. Gliko, City Attorney

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

I, Peggy J. Bourne, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Ordinance 2965 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 20th day of March, 2007, and approved by the Mayor of said City on the 20th day of March, 2007.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 20th day of March, 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 20th day of March, 2007, and prior thereto, she was the City Clerk of the City of Great Falls, Montana; that as said City Clerk she did post as required by law and as prescribed and directed by the Commission, Ordinance 2965 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)

**Ordinance 2965
Exhibit A
Chapter 9.90
FIREWORKS POLICY**

Sections:

- 9.90.010 Selling ~~purchasing,~~ and discharging dates **and times**
- 9.90.~~020~~ **030** Permissible, ~~banned~~ fireworks
- 9.90.~~030~~ **020** Possession illegal
- 9.90.035 Littering - illegal**
- 9.90.040 Enforcement
- 9.90.050 ~~Public Displays~~
- 9.90.060 **Fireworks prohibited on all public property** ~~City park ban~~
- 9.90.070 Fireworks stands **operator requirements and** permit fees

9.90.010 Selling ~~purchasing,~~ discharging dates **and times**

- A. The selling and discharging of fireworks within the incorporated limits of Great Falls shall be July 2 through July 4 from 8 am to midnight. ~~to begin in 1995.~~ (Ord. 2664, 1994).
- B. Fireworks may be discharged on December 31 from 10 pm to 12:30 am January 1. Fireworks may not be sold within the incorporated city limits except as provided in 9.90.010 (A).
- C. The Fire Chief, or designee, shall determine if there are special circumstances that warrant the discharge of fireworks not provided for in 9.90.010 A and B, and authorize such use if the circumstance is community wide and of national, state and local significance.
- D. **Professional Fireworks Displays using display fireworks.** ~~These rules and regulations do not exempt the~~ Public displays of fireworks by a licensed, bonded pyrotechnic operator **are exempt from 9.90.010A-C.** Permits **for any public display by a licensed bonded pyrotechnic operator** from the Fire Department are required to conduct a public fireworks display. "Display Fireworks" means an aerial shell, salute, flash shell, comet, sky battle, mine, and any similar ~~Class C or Class B~~ **1.3g (display fireworks) and 1.4g (consumer fireworks)** explosive as defined by the U.S. Department of Transportation in Part 173, Title 49, Code of Federal Regulations. (Ord. 2664, 1994).

9.90.020 Possession illegal

- A. Possession of fireworks not allowed to be sold or discharged ~~within the City limits~~ **by the State of Montana** shall be illegal. (Ord. 2664, 1994).
- B. It shall be unlawful for any parent, guardian, or custodian of any child, the child being age seven (7) or younger, to permit or consent to the possession or discharge by the child of any fireworks as defined herein, unless that parent, guardian or custodian be in direct supervision of the child at the time of discharge. For purposes of 9.20.020(B) "direct supervision" means the overall direction and control of an individual and requires the individual furnishing direct supervision to be present and immediately available to furnish assistance while he or she is in possession of or is discharging any and all fireworks. Direct supervision also requires the individual directly supervising to control the application of flame or other means of discharge of the firework and must be no greater than 10 feet away from the individual being directly supervised at time of the firework's discharge.

9.90.030 Permissible ~~and prohibited~~ fireworks

Shall be the same as those authorized by the State of Montana.

- A. ~~The following type of Class C common fireworks are allowed to be sold and displayed within the City limits:~~

- 1. ~~A cardboard or heavy paper cylindrical tube or cone that:
 - a. produces a shower of color and sparks that reach a maximum of 15 feet;
 - b. may whistle or pop; and
 - c. is not designed to explode or leave the ground;~~

2. ~~A pyrotechnic wheel device:

 - a. ~~may be attached to a post or tree; and~~
 - b. ~~contains up to six "driver" units or tubes;~~~~
3. ~~Any device that:

 - a. ~~spins, jumps, or emits popping sounds when placed on the ground;~~
 - b. ~~does not exceed a height of 15 feet when discharged; and~~
 - c. ~~does not travel laterally more than 10 feet on a smooth surface when discharged;~~~~
4. ~~Sparklers under 12 inches in length and do not have a magnesium make up, glow worms, snakes, party popper, trick noisemakers;

 - a. ~~"Trick noisemakers" include:

 1. ~~tube or sphere containing pyrotechnic composition that produces a white or colored smoke as its primary effect when ignited; and~~
 2. ~~device that produces a small report intended to surprise the user, including a:

 - a) ~~"booby trap" which is a small tube with a string protruding from both ends that ignites the friction sensitive composition in the tube when the string is pulled;~~
 - b) ~~"snapper" which is a small paper wrapped device containing a minute quantity of explosive composition coated on bits of sand that explodes producing a small report;~~
 - c) ~~"trick match" which is a kitchen or book match coated with a small quantity of explosive or pyrotechnic composition that produces a small shower of sparks when ignited;~~
 - d) ~~"cigarette load" which is a small wooden peg coated with a small quantity of explosive composition that produces a small report when the cigarette is ignited;~~
 - e) ~~"auto burglar alarm" which is a tube that contains pyrotechnic composition that produces a loud whistle and smoke when ignited and may contain a small quantity of explosive to produce a small noise;~~~~
 5. ~~certain mortar type aerial devices and multi shot cakes that are found acceptable by the Fire Chief or authorized representative, would be allowed to be sold and set off within the City limits.~~~~~~
- B. ~~The following type of fireworks that are not allowed to be sold and set off within the City limits are:

 1. ~~explosive:

 - a. ~~Firecracker, cannon cracker, salutes, cherry bomb, M 80, or similar explosives;~~~~
 2. ~~aerial type fireworks that use combustible or explosive material and rises more than 15 feet in height;~~
 3. ~~fireworks that discharge balls of fire over 15 feet in height;~~
 4. ~~a tube or cone aerial firework that propels comets shells, saluted, flash shells, or similar devices more than 15 feet in height;~~
 5. ~~a chaser, whistler, or other devices that darts or travels more than 10 feet laterally on a smooth surface or exceeds 15 feet in height when discharged.~~~~
- C. ~~Fireworks shall not be sold to any person under the age of 12 years, unless accompanied by an adult. (Ord. 2673, 1994).~~

9.90.030 Possession illegal

~~Possession of fireworks not allowed to be sold or discharged within the City limits State of Montana shall be illegal. (Ord. 2664, 1994).~~

9.90.035 Littering illegal

It shall be illegal for anyone to leave debris from discharged fireworks on any public place including but not limited to parks, sidewalks, streets, and alleys, or on private property not owned by the individual discharging the fireworks.

9.90.040 Enforcement

- A. City Police Officers and Firefighters shall enforce these rules and regulations.
- B. Any official charged with enforcing these rules and regulations may;

1. **Issue a Notice to Appear to Great Falls Municipal Court for violations of this Chapter.**
 2. Seize illegal fireworks that are offered for sale, sold, or in the possession of any individual in violations of this chapter.
 3. Recommend to the Community Development Department that any wholesaler/retailer found in violation of this chapter have his/her license revoked.
- C. Any person who violates these rules and regulations shall be guilty of a misdemeanor **and subject to the following fines.** (Ord. 2664, 1994).
- 1st Offense - \$100**
 - 2nd Offense - \$200**
 - 3rd Offense - \$300**
 - 4th and higher - \$1000**

9.90.050 — Public Displays

~~These rules and regulations do not exempt the public display of fireworks by a licensed, bonded Pyrotechnic Operator. Permits from the Fire Department are required to conduct a public fireworks display.~~

~~"Display Fireworks" means an aerial shell, salute, flash shell, comet, sky battle, mine, and any similar Class C or Class B explosive as defined by the U.S. Department of Transportation in Part 173, Title 49, Code of Federal Regulations. (Ord. 2664, 1994).~~

9.90.060 Fireworks prohibited on all public property ~~City park ban~~

~~All fireworks are banned from all City parks. (Ord. 2664, 1994).~~ **Fireworks may not be discharged in any city park or on any public sidewalk, street, public right-of-way, public easement or alley.**

9.90.070 Fireworks stands and permit fees

- A. **Anyone, group or organization wishing to sell fireworks within the incorporated boundaries of the City of Great Falls shall obtain a special permit. The fees collected from the permit shall cover the costs to issue said permit; to inspect the fireworks stands; and costs of enforcement.**
- B. **Operators of fireworks stands shall educate all patrons on the**
 1. **legal, safe use of fireworks**
 2. **the dates and times allowed for fireworks to be discharged, and**
 3. **the requirement to clean up all debris left from discharged fireworks.**
- C. **Fireworks stand permit fees are based upon square footage as follows: (Ord. 2664, 1994).**

SIZE	FEES
0 – 300 sq. ft.	\$100 \$125
301 – 1,000 sq. ft.	\$300 \$375
1,001 – 2,000 sq. ft.	\$500 \$625
2,001 – 3,000 sq. ft.	\$700 \$875
3,001 sq. ft. or larger	\$900 \$1125

CITY OF GREAT FALLS, MONTANA

AGENDA # 3

AGENDA REPORT

DATE March 20, 2006

ITEM Public Hearing - Ordinance 2967, Great Falls West Bank Urban Renewal Plan, O.F. 1499

INITIATED BY City Administration

ACTION REQUESTED Adopt Ordinance 2967

PREPARED AND PRESENTED BY Benjamin Rangel, Planning Director

- - - - -

RECOMMENDATION:

It is recommended the City Commission adopt Ordinance 2967 regarding the Great Falls West Bank Urban Renewal Plan.

MOTION:

“I move the City Commission adopt Ordinance 2967, as amended.”

SYNOPSIS:

On December 5, 2006, the City Commission adopted Resolution 9626, which established the boundaries of the proposed West Bank Urban Renewal District, identified the area as a proposed urban renewal district, and established that the area is “blighted” per Montana Statute.

Ordinance 2967, adopts the resulting West Bank Urban Renewal Plan, including a Tax Increment Financing provision, and fulfills the public hearing requirements for adoption of urban renewal plans, in accordance with Section 7-15-4214, MCA.

The City Planning Board recommends that the West Bank Urban Renewal Plan conforms to the Great Falls, *Growth Policy*.

BACKGROUND:

In conjunction with several area property owners, the City is interested in the revitalization and redevelopment of an area located near the west bank of the Missouri River, generally north and south of Central Avenue West. Initial steps have already been taken by various entities to address contamination in the area with an assessment of environmental conditions and with the development of a conceptual master plan, under the U.S. Environmental Protection Agency Brownfields Program.

In order to give the City an additional funding tool in this redevelopment effort, it has taken steps to establish an urban renewal district and plan under Montana’s urban renewal authority, including a tax increment financing provision.

On November 8, 2006, the Commission hired Ms. Janet Cornish of Community Development Services

of Montana to help prepare an urban renewal plan for what is being called the Great Falls West Bank Urban Renewal Program. The TIF element of the plan will establish a “base year” of January 1, 2007 for the purpose of segregating and calculating the incremental increase in the taxable value of the district. The funds derived through the increment program will be used for public improvements. Additionally, future EPA funding, private investment and other public and private funding will be used in conjunction with the increment program funding to implement the urban renewal plan.

Ms. Cornish worked with City staff, Neighborhood Council #2 and several of the principle property owners in the urban renewal area and helped to conduct and prepare the following:

1. Defined, described and mapped the boundaries of the urban renewal district;
2. Prepared a “Finding of Blight” report, as required and defined in Montana Statute;
3. Prepared a resolution of blight, as approved by the City Commission;
4. Prepared the draft urban renewal plan; and,
5. Secured Planning Board recommendation that the Plan conforms to the City, *Growth Policy*.

In accordance with Section 7-15-4213, MCA, prior to its approval of an urban renewal plan, the local governing body shall submit the plan to its planning board for review and recommendation as to its conformity with the local growth policy. On February 27, 2007, the City Planning Board held a meeting during which the Planning staff reviewed with the Board the goals and strategies of the urban renewal plan and compared them with the City, *Growth Policy*. The Planning Board unanimously concurred and recommended that the West Bank Urban Renewal Plan conforms to the City, *Growth Policy*.

Attachments: Ordinance 2967, with attached West Bank Urban Renewal Plan

Cc: Janet Cornish, 954 West Caledonia, Butte, MT 59701-9002

AMENDED ORDINANCE 2967

AN ORDINANCE ADOPTING THE GREAT FALLS WEST BANK URBAN RENEWAL PLAN, INCLUDING A TAX INCREMENT FINANCING PROVISION PURSUANT TO SECTIONS 7-15-4211 THROUGH 7-15-4218, MCA

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

Section 1. Recitals. On November 8, 2006, the City Commission directed a study be conducted to determine the existence of blight within an urban area known as the West Bank and generally described as bounded on the West by 3rd Street NW/SW, on the East by the center line of the Missouri River, on the North by a point just north of 14th Avenue NW and on the South by a point just south of 5th Avenue SW and excludes any unincorporated property, as of October 2006.

On December 5, 2006, the City Commission adopted Resolution 9626, which established the boundaries of the proposed West Bank Urban Renewal Area (the “West Bank Urban Renewal Area”), identified the area as a proposed urban renewal area, established that the area is “blighted” in accordance with 7-15-4202 Section M.C.A., and declared that rehabilitation and redevelopment of the area is necessary, desirable, and in the interest of the public health, safety, and welfare of the residents of the City of Great Falls and that the rehabilitation and redevelopment be made with a commitment to quality improvement and a commitment to property owner and community involvement in decision making.

An urban renewal plan has been prepared for the rehabilitation and redevelopment of the West Bank Urban Renewal Area which is attached hereto and incorporated by reference as Exhibit "A", (the “West Bank Urban Renewal Plan”).

In accordance with Section 7-15-4213 M.C.A. the West Bank Urban Renewal Plan was submitted to the Great Falls City Planning Board (the “Planning Board”) for review. On February 27, 2007, the Planning Board found the West Bank Urban Renewal Plan in conformance with the Great Falls *Growth Policy*.

On March 20, 2007, the City Commission held a public hearing on the West Bank Urban Renewal Area and Plan. The notice of public hearing was mailed to all property owners in the District via registered mail and published on March 11 and 18, 2007 in the Great Falls, *Tribune* as required by Section 7-15-4215 M.C.A.

Section 2. Approval of Plan. The West Bank Urban Renewal Area and Plan is hereby adopted by the Great Falls City Commission based on the following findings of the City Commission:

1. The implementation of the West Bank Urban Renewal Plan in the West Bank Urban Renewal Area will not result in the displacement of any persons within the urban renewal area;
2. The West Bank Urban Renewal Plan conforms to the *Growth Policy* or parts thereof for the City as a whole;
3. The West Bank Urban Renewal Plan will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the rehabilitation or redevelopment of the urban renewal area by the private sector; and,
4. A sound and adequate financial program exists for the financing of the West Bank Urban Renewal Plan including, but not limited to, tax increment financing, special improvement districts, general obligation bonds, and private financing.

Section 3. Tax Increment Provision. The West Bank Urban Renewal Plan contains a provision for the use of tax increment financing. ~~The TIF district shall be created and administered pursuant to Section 7-15-4282 through 7/15/4292 M.C.A.~~

Section 4. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid or unconstitutional, such decision by a court of competent jurisdiction shall not affect the validity of the remaining portions of this ordinance and, if for any reason, a portion of this ordinance should be declared invalid or unconstitutional, the remaining portions will be in full force and effect.

PASSED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, this 20th day of March, 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 2967 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 20th day of March, 2007, and approved by the Mayor of said City on the 20th day of March, 2007.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City on this 20th day of March, 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 20th day of March, 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 2967 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)

West Bank Urban Renewal Plan Great Falls, Montana



2007

Acknowledgements

We wish to thank the following for their contributions to the West Bank Urban Renewal Plan:

- Great Falls City Commission
- Great Falls Planning, Community Development, Fiscal Services, and Public Works Departments
- City Manager's Office
- Great Falls Neighborhood Council #2
- Great Falls Economic Development Authority
- West Bank Area Property Owners and Stakeholders
- Great Falls Planning Board

Planning Oversight:

- Benjamin Rangel, Great Falls Planning Director

Project Consultant:

- Janet Cornish, Community Development Services of Montana

West Bank Urban Renewal Plan ~ Table of Contents

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Chapter 1. Introduction

The City of Great Falls, Montana is embarking on a program of urban renewal for the area known as West Bank, bounded on the West by 3rd Street NW/SW, on the East by the center line of the Missouri River, on the North by a point just north of 14th Avenue NW and on the South by a point just south of 5th Avenue SW. (See Figure 1, below.) The area, which has been designated by the Great Falls City Commission as the West Bank Urban Renewal District is in transition. Historically, the District was characterized by heavy industrial uses. However, as the City has grown, industrial development has shifted to the city's periphery. At the same time, the community is promoting a more diversified and integrated development within the city's core, focusing on mixed uses – recreational, commercial and residential. The West Bank's proximity to the River and associated parkland, as well as to a major roadway (3rd Street NW/SW), makes it a logical place to encourage new mixed-use development in concert with efforts to revitalize downtown Great Falls. The revitalization of the West Bank area is being undertaken in cooperation with efforts to address contamination of an area within the District, formerly occupied by a brewery and an oil refinery and currently occupied by the County Shop complex and a specialty seed mill.

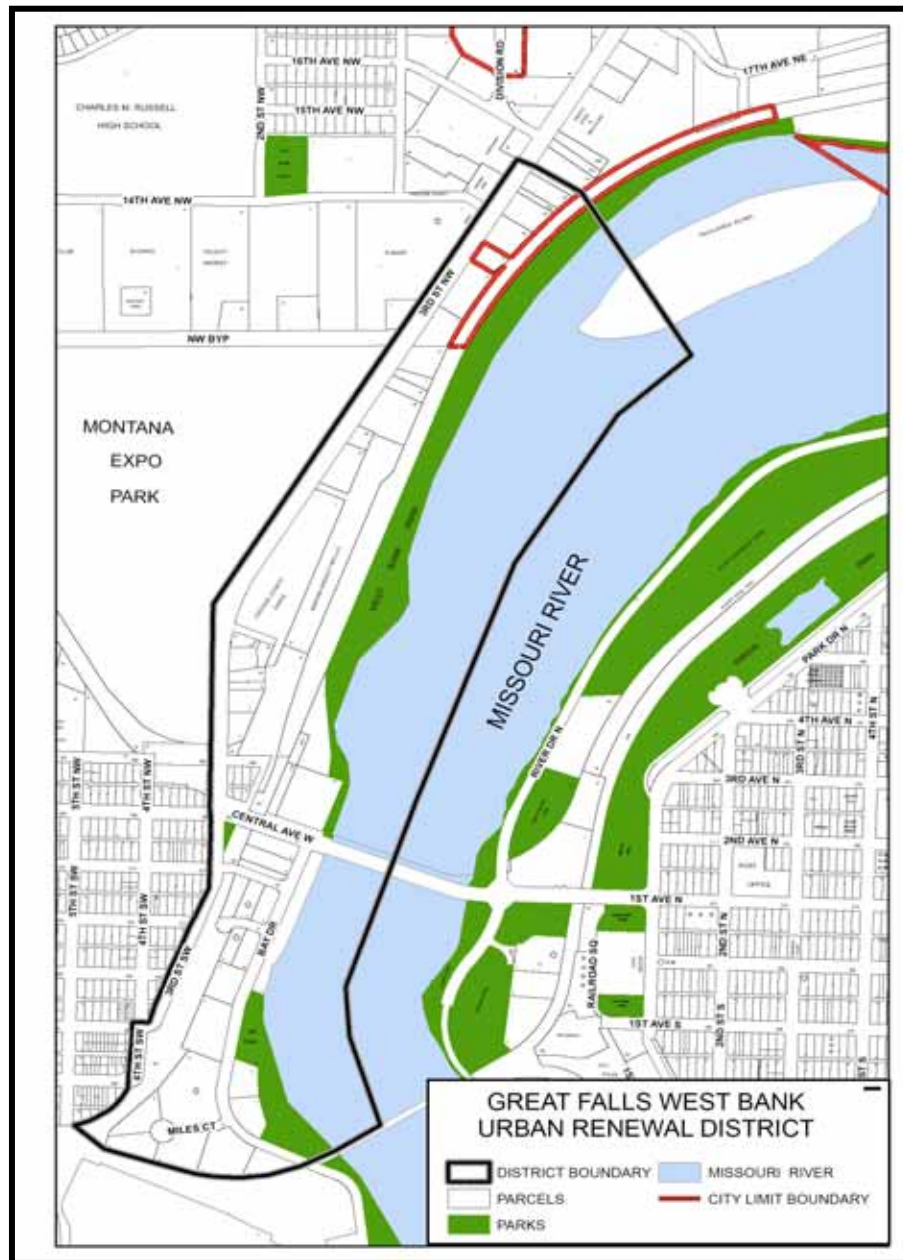
This urban renewal effort is being undertaken in accordance with the Montana Urban Renewal Law which provides for the renewal of "blighted" areas in 7-15-42 and 7-15-43, MCA, as follows:

- 7-15-4209.** Development of workable urban renewal program. (1) A municipality, for the purposes of this part and part 43, may formulate a workable program for utilizing appropriate private and public resources:
- (a) to eliminate and prevent the development or spread of blighted areas;
 - (b) to encourage needed urban rehabilitation;
 - (c) to provide for the redevelopment of such areas; or
 - (d) to undertake such of the aforesaid activities or other feasible municipal activities as may be suitably employed to achieve the objectives of such workable program.
- (2) Such workable program may include, without limitation, provision for:
- (a) the prevention of the spread of blight into areas of the municipality which are free from blight through diligent enforcement of housing, zoning, and occupancy controls and standards;
 - (b) the rehabilitation of blighted areas or portions thereof by replanning, removing congestion, providing parks, playgrounds, and other public improvements; by encouraging voluntary rehabilitation; and by compelling the repair and rehabilitation of deteriorated or deteriorating structures; and
 - (c) the clearance and redevelopment of blighted areas or portions thereof.

On November 8, 2006, the Great Falls City Commission authorized an investigation of the West Bank area. The purpose of the investigation was to determine the presence and extent of blight within the area as defined by the Montana Urban Renewal Law (7-15, Parts 42 and 43 MCA) as a first step in preparing a *West Bank Urban Renewal Plan*. The investigation culminated in a "Finding of Blight", that was adopted by Resolution 9626 (attached as Appendix A) by the Great Falls City Commission on December 5, 2006. In particular, the Resolution identified the following blighted conditions:

1. Physical deterioration of buildings and properties
 - Many of the structures in the defined area are in poor repair and properties are poorly maintained. City building permit information indicates that the majority of existing structures have not been substantially improved for at least twenty years.
2. Inappropriate or mixed uses of land or buildings
 - The presence of existing heavy industrial uses within the defined area is incompatible with retail, commercial, residential and parkland development. This land use conflict has proven to be a disincentive to the improvement of properties within the area by private enterprise.
3. Defective street layout
 - Much of the area is without streets, sidewalks, curbs, or gutters resulting in poor traffic circulation and storm drainage problems.
4. Unsanitary and unsafe conditions
 - Portions of the defined area are included in the list of priority sites maintained by the Montana Department of Environmental Quality under the Comprehensive Environmental Cleanup and Responsibility Act (CECRA) and are designated a Brownfield site as defined by the U.S. Environmental Protection Agency. Contamination on the site is associated with historic industrial activity and has affected both the soil and groundwater and threatens to contaminate the Missouri River.

Figure 1. Great Falls West Bank Urban Renewal District



Statement of Purpose

Changes in land use in the West Bank area, in conjunction with the proposed removal of contamination associated with historic industrial activities, provides an opportunity for area redevelopment through public-private partnerships. The City of Great Falls has chosen to participate in this redevelopment effort through the creation of an urban renewal program, including a tax increment financing (TIF) provision to help fund public investment in the area.

This Urban Renewal Plan provides direction to the City of Great Falls in fostering the revitalization and economic development of the West Bank Urban Renewal District. The Plan provides a “platform” for redevelopment activities that will be undertaken by a variety of public and private entities over the next several decades. More particularly, this Plan recommends a series of programs and projects that will be undertaken by the local government to encourage reinvestment in the District and to address blighted conditions that have diminished the environmental, economic and cultural well-being of the West Bank area over time.

Although the Montana Urban Renewal Law recognizes that eliminating urban blight is a matter of public interest, this Plan has been developed, based on the underlying principle that it is the citizens who work, reside and own property in the West Bank Renewal District who will be engaged directly in the revitalization effort. Further, the Plan has been prepared with respect to three Guiding Principles as follows:

- The plan for the West Bank Urban Renewal District should foster economic development and job creation.
- The improvement of the overall environmental quality of the West Bank Urban Renewal District is critical.
- Protection and enhancement of the West Bank Park and the Missouri River, which form the eastern boundary of the District are key in the redevelopment of the West Bank Urban Renewal District.

The West Bank Urban Renewal Plan outlines the approach that the City of Great Falls will take in responding to blighted conditions within the District. The Plan recommends ways to comprehensively address the problems and opportunities that face the area. However, the Plan recognizes that this area is in transition and therefore prescribes a large measure of flexibility in devising solutions and provides for ongoing planning on the part of the City, the residents, the businesses and property owners.

Chapter 2. Description of the Urban Renewal District

Legal Description of the West Bank Urban Renewal District

The West Bank Urban Renewal District includes all that real property in the City of Great Falls, County of Cascade, State of Montana, which lies within the following described boundary, excluding any unincorporated property, as of October 2006:

“The POINT OF BEGINNING is at the intersection of the north right of way line of 4th Avenue SW and the east right of way line of 4th Street SW; thence northeasterly along the west right of way line of 3rd Street SW and 3rd Street NW to its intersection with the northwest/southeast projection of the north property line of the parcel of land legally described as Mark No.13, Section 2, Township 20 North, Range 3 East (Geo-code #3015-02-1-10-06); thence southeasterly along the northwest/southeast projection of the north property line of the parcel of land legally described as Mark No.13, Section 2, Township 20 North, Range 3 East (Geo-code #3015-02-1-10-06) to the centerline of the Missouri River; thence southwesterly/southeasterly along the centerline of the Missouri River to the north edge of the BNSF Railway/Missouri River Bridge; thence southwesterly along the north edge of the BNSF Railway/Missouri River Bridge and the north right of way line of the BNSF Railway main line (coincidental with the south property line of Lots 1-4, Block 9, BN Car Shop Addition to Great Falls) to its extended connection with the south end of the east right of way line of 5th Street SW (coincidental with the southwest corner of Lot 10, Block 546, 6th Addition to Great Falls); thence northeasterly along the west right of way line of the BNSF Railway spur line (coincidental with the south/southeast boundary of Block 546, 6th Addition to Great Falls) to the intersection of the south right of way line of 5th Avenue SW and the west right of way line of 4th Street SW; thence north along the west right of way line of 4th Street SW to its intersection with the north right of way line of 4th Avenue SW; thence east to the POINT OF BEGINNING.”

Area History

Historically, the west side of the Missouri River in Great Falls was the home of Montana’s largest gasoline refinery, built by the Great Falls Sunburst Oil and Refinery Company. The refinery began operations in early 1923 along the 300 and 400 block of 3rd Street Northwest and was subsequently purchased by the California Eastern Oil Company in 1927. Cascade County took possession of the property in 1936 after California Eastern failed to pay gasoline license taxes and associated delinquent fees. By 1938 Cascade County had constructed its shops (Figure 2) at the site (Great Falls Tribune, December 16, 2001).



Figure 2 Cascade County Shops

The West Bank area includes the site of the former Montana Brewing Company complex, built in 1893-94, just north of Central Avenue West, along the Missouri River. In 1933, it became the malt plant for the Great Falls Select Brewery, finally closing in 1968. (Figure 3.) The last remnants of the site were finally removed in July of 2006 to make way for a new 54,000 square foot Federal Courthouse (July 11, 2006, Sun River News).



Figure 3. Montana Brewery.

Existing Characteristics

The West Bank Urban Renewal District continues to be largely characterized by industrial and warehouse uses. It also contains a small number of residences and a variety of retail and service oriented businesses, including a veterinary clinic, the Cowboy's Bar and the J Bar T Tavern. The area just south of the County Shops and Montana Specialty Mills includes the site where the new Federal Courthouse will be built. South of Central Avenue West, the District is more sparsely developed, but includes the Montana Association of Electrical Cooperatives offices as well as a former highway department structure, now held privately (Figure 4). The northern end of the District is directly adjacent to a growing commercial area. It includes the Stockman Bank, built within the last few years and will include a new Walgreens Pharmacy, already under construction.



Figure 4. Former Highway Department Building

The District encompasses portions of two Census Tracts (See Table 1) and 51 parcels. A list of the properties by parcel is included in Appendix B.

Table 1. West Bank Urban Renewal District – Census Information				
Census Track	Census Block Group	Block Number	Population	Housing Units
16	2	2000	0	0
16	2	2017*	45	15
16	5	5001	8	3
16	5	5002	0	0
16	5	5004	0	0
16	5	5005	0	0
18	3	3000*	4	2
18	3	3019**	0	0
18	3	3020*	0	0
Totals			57	20

Source: U.S. Census (2000 Information)

Notes: * Only a portion of this block is in the Urban Renewal District

** This is the parcel that is not incorporated into the City of Great Falls

Census designations are noted in Figure 5.

Zoning Designation

The City of Great Falls has zoned the West Bank area M-2, *Mixed-use Transitional*. The Great Falls Zoning Ordinance describes an M-2 zone as follows: “This zoning designation is intended to promote a transition over time to a predominately mixed-use land use pattern. Because of changing economic conditions and other factors, some current uses do not represent the highest and best use, given other more suitable areas. Current industrial uses and warehouses are not considered nonconforming. As such, current industrial uses and warehouses existing at the time this Title was adopted are allowed to expand or to be re-established, if damaged, provided development and appearance standards under the purview of the Design Review Board are met.”

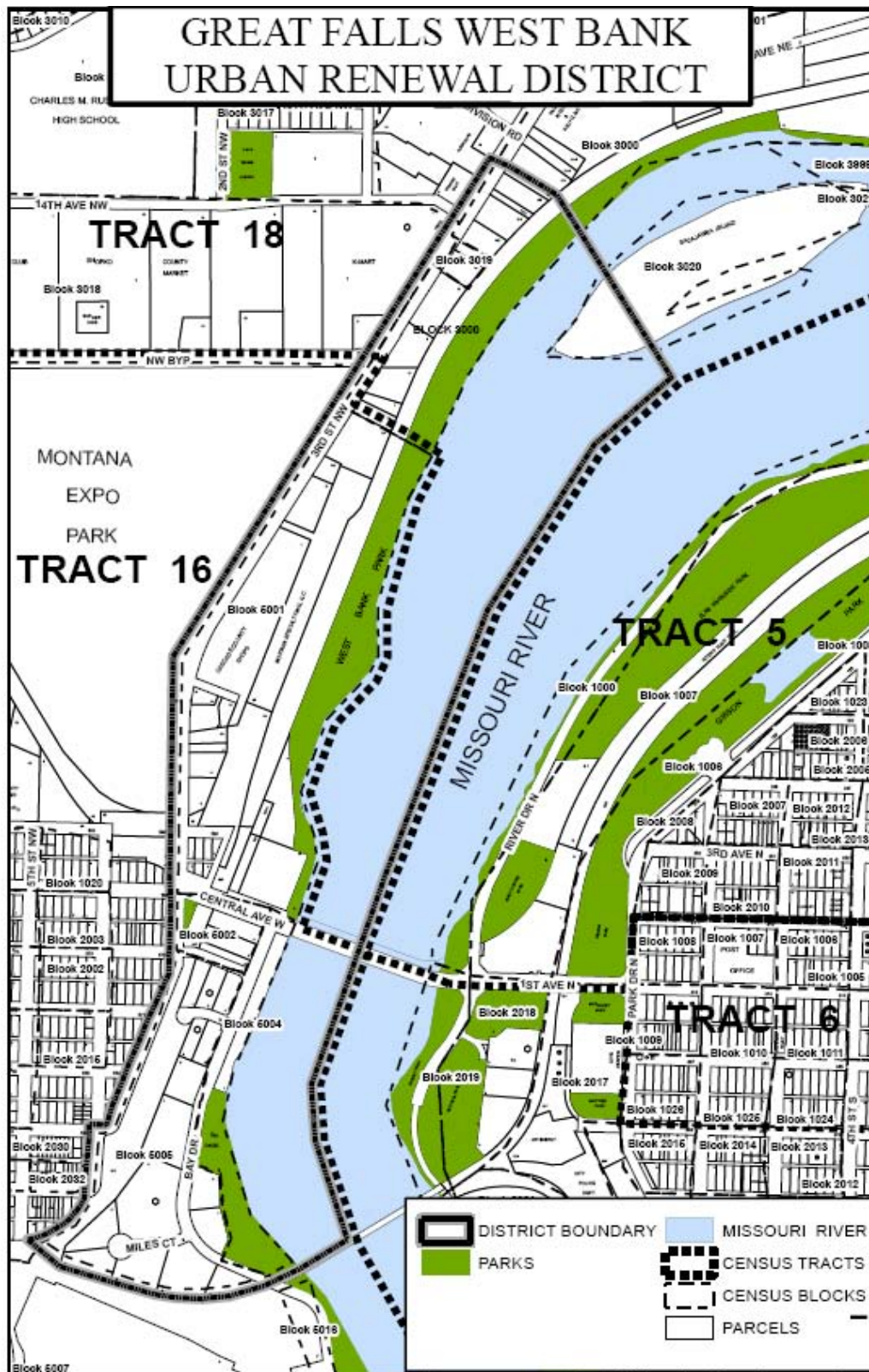


Figure 5. Census Designations

Chapter 3. Key Findings

This chapter of the Urban Renewal Plan provides an overview of the challenges and opportunities associated with the redevelopment of the West Bank Urban Renewal District. Information presented here has been gleaned from interviews and meetings with area property owners and residents, local government staff, Neighborhood Council #2 and other area stakeholders. While the West Bank Urban Renewal District can be characterized as blighted, the area has a number of recognized assets that will help foster redevelopment. For example, there is wide-spread support for area revitalization among property owners, stakeholders and the community in general.

Area Assets and Opportunities

The Missouri River and West Bank Park

The West Bank Urban Renewal District is bounded on the east by West Bank Park and the Missouri River which provide important scenic, natural, historic and recreational resources to residents and visitors. As noted in the 2004 *Missouri River Urban Corridor Plan*, the River is “a major community asset for enhanced livability, growth and economic development”. The District’s proximity to the river, in combination with West Bank Park can attract new development. The *Corridor Plan* also points out that the “Riverfront...creates real estate value [associated with its] proximity to water, views and public open space.”

Proximity to Downtown/Combating Urban Sprawl

The City’s plan to undertake the renewal of the West Bank area can be viewed as part of the overall effort to revitalize the city’s central business district and to discourage urban sprawl in general. As noted in the 2002 Great Falls Development Authority’s proposal to EPA for Brownfield Assessment grant funds, the redevelopment of “lands that have existing infrastructure...makes good planning sense, and it keeps redevelopment affordable and reduces urban sprawl. It also creates jobs in the city, close to where people live.”

Proximity to Transportation Corridors

The West Bank area is situated along two critical four-lane arterials – Central Avenue West and 3rd Street NW, which provide important links between downtown Great Falls, Interstate 15, the airport and the fairgrounds. The area has experienced increased traffic counts on 3rd Street Northwest and the Northwest Bypass, offering opportunities for successful development. The 2003 *Great Falls Area Transportation Plan* identifies 3rd Street Northwest as a major traffic corridor that is experiencing heavy traffic volumes.

Finally, railroad service is provided on an as needed basis to service Montana Specialty Mills and Montana Refining Company.

Existing and Proposed Area Development

As noted above, the West Bank Urban Renewal District is experiencing a change in land use, from heavy industrial to mixed uses. The new Federal Building, to be located south of the existing County Shops, and the Walgreens Pharmacy, which is under construction in the northern portion of the District, will provide two important anchors for the District. The area is also home to a number of retail and service businesses. Finally, the Montana Expo Park borders the District on the west, providing an important traffic generator, as well as a potential partner in redevelopment efforts.

Challenges

Clean-up of Contaminants

The 3rd Street NW Groundwater Site is located within the West Bank Urban Renewal District and includes the County Shops, Montana Specialty Mills, portions of the BNSF Railway spur and West Bank Park. The Site is listed on the State of Montana's "Mini-Superfund Sites" because of petrochemical related contamination. Figure 6 shows the contaminated portion of the District.

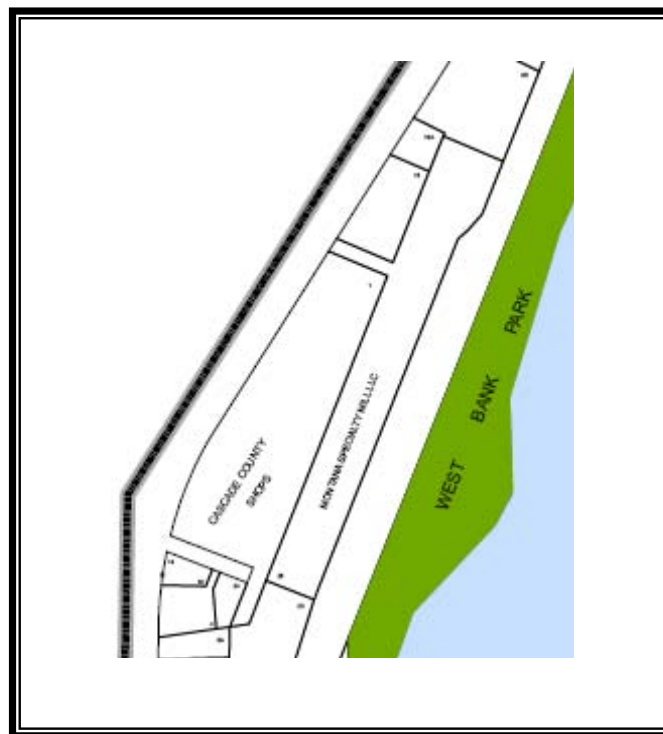


Figure 6. Contaminated Area

Clean-up of these contaminants will occur sequentially. For example, contaminants cannot be removed from West Bank Park until the County Shops and Montana Specialty Mill areas are addressed, because they are the “upstream” source of the pollutants. (See Table 2, Remediation Schedule in Chapter 4.) Redevelopment cannot occur in these areas until clean-up is complete.

Lot Size

Some of the properties within the urban renewal district are too small to accommodate new office or commercial development. Prior to significant redevelopment occurring, some of the smaller parcels of land will have to be consolidated, particularly those at the southern end of the District.

Access

While the District is adjacent to major arterials, access to and within the West Bank area is limited. In addition to the absence of roads, the railroad tracks that run north-south and parallel to the riverfront make it difficult to address the District’s transportation needs of vehicles and pedestrians. In particular, the sidetrack which currently serves Montana Specialty Mills, and which will no longer be needed once the mill is relocated, limits east-west access through a large portion of the District. Overall, the area lacks the necessary infrastructure to link recreational and commercial uses, which will ultimately be key to the successful redevelopment of the District.

Blighted Conditions in the West Bank Urban Renewal District

A Finding of Blight report for the West Bank Urban Renewal District was prepared in November of 2006. The following excerpts provide a general overview of blighted conditions in the District.

Physical deterioration of buildings

Although most of the buildings within the proposed West Bank Urban Renewal District are in use, the area generally has a deteriorating appearance. Many structures are in poor repair and properties are often poorly maintained, cluttered with refuse and waste storage areas.

According to building permit information prepared by the Great Falls Community Development Department, the majority of structures in the proposed district were constructed prior to the 1980s and many were constructed in the 1950s. While age alone does not indicate deterioration, permit information indicates that few major improvements have been made in recent decades.

Inappropriate or mixed uses of land or buildings

The eastern edge of the West Bank Urban Renewal District includes portions of West Bank Park, an important recreation and scenic resource for the City of Great Falls. The park is located adjacent to areas that have been blighted by industrial pollution and refuse storage sites. These detract from and diminish the quality of the park. The District includes a number of retail and service establishments, reflective of the land uses on those properties adjacent to the urban renewal district. The presence of heavy industrial activities in close proximity to these less intensive uses creates incompatibilities associated with industrial noise, odor and dust.

The West Bank Urban Renewal District also includes a small number of homes. The presence of heavy industrial sites in close proximity to residences can result in the devaluation of property over time. A review of residential property values within the district indicates that while the land values have increased slightly, the value of improvements has stagnated between 2000 and 2006.

Public Infrastructure/Defective or Inadequate Street Layout

The sewer and water lines within the district were installed primarily in the 1960's and 1970's to serve the commercial and large industrial users in the area. There are also some large sewer trunk lines which traverse the area from south to north. They are generally in good condition and would be able to accommodate new commercial, office and residential development. (See Appendix C, Public Utilities.) The streets that are in the area serve the perimeter of the planning area well, but are virtually non-existent in the interior, especially on the north end of the district. Access is very poor to the area between the River and the railroad tracks. Of the roads that do exist, some require paving, while others should be realigned. The district is characterized by large industrial and heavy commercial uses and in some cases, there is no public access to individual sites via roads. For example, better access is needed to West Bank Park and the new Federal Building that is slated for construction to the north of Central Avenue West. Overall the interior of the area lacks sidewalks, curbs and gutters, landscaping and adequate lighting.

Unhealthy or Unsafe Conditions

The West Bank Urban Renewal District includes the Third Street Northwest Groundwater Site, which is listed on the Montana Comprehensive Environmental Cleanup and Responsibility Act (CECRA) listing of "Mini-Superfund" priority sites. According to the Montana Department of Environmental Quality, contaminants at the site include benzene, toluene, ethylbenzene, xylene, chlorinated solvents and phenols. (Great Falls Tribune, December 16, 2001)

In 2002, the Great Falls Development Authority applied for and obtained a U.S. Environmental Protection Agency (EPA) Brownfields Assessment Grant as a first step in facilitating the redevelopment of the West Bank area. Brownfields are defined as those properties for which the expansion, redevelopment, or reuse may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. (<http://www.epa.gov/brownfields/>)

The proposal to EPA noted that the potential for in-fill development and reuse of lands in the West Bank area had been “marginalized” by the environmental pollution, creating a “lost opportunity” for reinvestment in the area. (Great Falls Riverfront Redevelopment Project...Final Grant Proposal).

Chapter 4. Goals and Strategies of the West Bank Urban Renewal Plan

This chapter presents the goals and strategies of the West Bank Urban Renewal Plan by category of concern.

Remediation of Environmental Pollutants

The West Bank Urban Renewal District includes the Third Street Northwest Groundwater Site, which is listed on the Montana Comprehensive Environmental Cleanup and Responsibility Act (CECRA) listing of “Mini-Superfund” priority sites. CECRA provides the Montana Department of Environmental Quality with similar authorities as provided under the federal Superfund Act. CECRA ranks these sites as maximum, high, medium, low and operation and maintenance priority based on the severity of contamination at the facility and the actual and potential impacts of contamination to public health, safety, and welfare and the environment. The Third Street Northwest Groundwater Site has been listed with a ranking of medium. (<http://www.deq.state.mt.us/StateSuperfund/index.asp>). According to the Montana Department of Environmental Quality, contaminants at the site include benzene, toluene, ethylbenzene, xylene, chlorinated solvents and phenols. (Great Falls, *Tribune*, December 16, 2001)

In 2002, the Great Falls Development Authority applied for and obtained a U.S. Environmental Protection Agency (EPA) Brownfields Assessment Grant as a first step in facilitating the redevelopment of the West Bank area. Brownfields are defined as those properties for which the expansion, redevelopment, or reuse may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. (<http://www.epa.gov/brownfields/>). The proposal noted that the grant would help “facilitate development through completion of environmental assessments on properties in the area...and would identify the nature and severity of contamination on the properties and allow for the selection of cleanup remedies”. (*Finding of Blight Report, 2006*)

Cascade County is largely responsible for the removal of contaminants from the Third Street Northwest Groundwater Site which includes the site of the County Shops and Montana Specialty Mills (Figure 7). The clean-up of contaminants needs to occur sequentially. The clean-up phases are summarized below in Table 2. (Commencement dates, as provided by Cascade County, are approximate.)

Table 2. Remediation Schedule for the Third Street Northwest Groundwater Site		
Phase	Corrective Action	Proposed Date of Commencement
I	Remove contaminants from Cascade County Road and Bridge Department Shop (southern end of property)	November, 2007
II	Remove contaminants from Montana Specialty Mills site	Late, 2008
III	Clean-up Burlington Northern Santa Fe Railroad (BNSF) right of way	2009
IV	Clean-up West Bank Park area	2010
V	Remove contaminants from the Cascade County Solid Waste District Shop (northern end of property)	2007-2008
VI	Clean-up northeast area of County Shop	2007-2008

The *Great Falls Growth Policy* notes that Brownfields are currently “dealt with on a case-by-case basis, with clean-up usually funded as part of the cost of redeveloping the property”. The removal of contaminants in the West Bank Urban Renewal District by Cascade County will enable the property to be redeveloped for non-industrial uses. While the City of Great Falls is not responsible for contaminant removal, the Urban Renewal Plan must reflect the timing of clean-up activities.



Figure 7. Montana Specialty Mills

Goal: Foster development in the West Bank Urban Renewal District in phases with respect to the availability of land following the removal of contaminants.

Strategies:

- Communicate regularly with Cascade County to enable the coordination of development activities as contaminants are removed.
- Work with Cascade County in determining an approach to clean-up non-county properties including the BNSF railroad and West Bank Park.

Public Infrastructure Improvements

Sewer and Water Services

The sewer and water lines within the West Bank Urban Renewal District were installed primarily in the 1960's and 1970's to serve the commercial and large industrial users in the area. There are also some large sewer trunk lines which traverse the area from south to north. They are generally in good condition and would be able to accommodate new development. However, due to the lack of streets, curbs and sidewalks in the area, the storm drain system is inadequate and will have to be addressed.

Goal: Ensure that all land uses within the West Bank Urban Renewal District have safe water supplies, environmentally sound wastewater disposal systems, solid waste recycling/collection programs, and stormwater management systems that protect the public health, safety and welfare.” (*Great Falls Growth Policy, 2005*)

Strategies:

- Work with the City of Great Falls Public Works Department to assure that the sewer and water infrastructure is appropriate for the scale and type of proposed development in the West Bank Urban Renewal District.
- Evaluate the current condition of the storm drain system with respect to proposed development within the West Bank Urban Renewal District and make improvements accordingly.

Area Access – Pedestrian and Vehicular

The streets in the area serve the perimeter of the Urban Renewal District well, but are virtually non-existent in the interior, especially on the north end of the District. Access is very poor to the area between the River and the railroad tracks. Of the roads that do exist, some require paving, while others should be realigned. The District is characterized by large industrial and heavy commercial uses and in some cases there is no public road access to individual sites. Better access is needed to West Bank Park and

the new Federal Building that is slated for construction to the north of Central Avenue West. In addition to the absence of roads within the District, it is difficult to access 3rd Street Northwest and Central Avenue West via a left turn from the existing roads within the District. The entire interior of the District lacks sidewalks, curbs and gutters. (*Finding of Blight Report*)

Goal: Provide a safe, efficient, accessible and cost-effective transportation system that offers viable choices for moving people and goods throughout the West Bank Urban Renewal District. (*Great Falls Growth Policy*)

Strategies:

- Identify and construct road system improvements for the West Bank Urban Renewal District that serve existing and proposed uses and address:
 - Access to and within the District
 - Sidewalks/Trails
 - Curbs
 - Gutters and Storm Drains
- Install traffic control signals and other safety features to improve access at appropriate locations.
- Work with BNSF to identify ways to provide access across the railroad right-of-way for both vehicles and pedestrians.
- Work with BNSF to determine the feasibility of removing the sidetrack rail serving Montana Specialty Mills to accommodate better access to the area.
- Provide for pedestrian access to and within the West Bank Urban Renewal District, providing links to Montana ExpoPark, West Bank Park, River's Edge Trail and nearby residential areas.

Park Development

West Bank Park (Figure 8) is an important area and community resource. Protection and enhancement of the Park is a key component in the redevelopment of the West Bank Urban Renewal District. More particularly, the Park is located within the Primary Impact Area, as defined in the *Great Falls Missouri River Urban Corridor Plan* (2004), "which includes those lands that have strong relationships to the river..." The Plan, which was called for in the 1999 *Great Falls City-County Comprehensive Plan* (now the *Great Falls Growth Policy, 2005*) presents a vision for what is possible in this corridor and includes general recommendations for access to the river, trails and the maintenance of public land. A companion document, the *Missouri River Urban Corridor Inventory & Assessment* (September 2002) characterizes existing conditions in the Corridor and makes recommendations for appropriate stabilization and recreational improvements.

The West Bank Park has also been identified by Great Falls Neighborhood Council #2 as an important neighborhood asset that contributes to the quality of life in the area and ties well to the Montana Expo Park. Area property owners have noted that West Bank Park and the riverfront help contribute to adjacent property values and provide an attractive setting for tenants and customers.



Figure 8. West Bank Park (Missouri River Corridor Plan)

Goal: Maintain and Improve West Bank Park within the West Bank Urban Renewal District.

Strategies:

- Prepare and Implement a Park Improvement Plan that addresses:
 - Pedestrian and Vehicular Access
 - Vegetation and Habitat
 - Trail & Pedestrian Use Within the Park
 - Connections to the River's Edge Trail System
 - Park Amenities and Facilities
 - Maintenance
 - Implementation Tools and Resources
- Work with adjacent property owners and developers to address Park access, visual integration with adjoining development/uses, and maintenance.

Area Design Features, Including Lighting and Landscaping

The *Missouri River Urban Corridor Plan* observes that "...there is a hodgepodge of poor quality design elements. In some areas, Quonset hut-style buildings and other structures of little aesthetic or architectural value, a surplus of unattractive and prominent signage, and a lack of unifying design details like street lighting and landscaping have resulted in a chaotic, unappealing environment. Development of this type discourages investment and upgrade to area properties." Design concepts such as buffering, shared open spaces, connection to public spaces, preservation of river views, street trees, and mixed uses are all encouraged to promote area identity, marketability and area vibrancy.

In addition, the *Great Falls Growth Policy* notes that it is the policy of the City to "encourage and promote street tree planting throughout the community and as a matter of policy, consider street trees as public infrastructure with priorities for preservation, replacement and maintenance".

Landscaping undertaken in association with development of streets, sidewalks and trails will serve to enhance the West Bank Urban Renewal District. In addition, the area will need adequate lighting to provide a safe and welcoming environment.

Goal: Urban Renewal Projects should be designed in a manner that is respectful of the area's natural and cultural setting with particular attention to landscaping and lighting.

Strategies:

- Develop and implement an urban tree planting program for the West Bank Urban Renewal District in association with the development of streets and sidewalks and in conjunction with the City Parks & Recreation Department that defines appropriate species, planting cycles and maintenance. Per the *Great Falls Growth Policy*, the City should prepare and implement a comprehensive planting, management and maintenance plan for street trees in the public rights-of-way.
- Identify an appropriate light standard that can be used throughout the District in conjunction with public improvements and private development.
- Encourage the preparation and adoption by area property owners of area-wide development standards to provide for cohesive development with a unique identity. Such standards could be used by developers when preparing plans and by the City's Design Review Board when considering proposed developments.

This could be accomplished through the creation of neighborhood conservation overlay district.

Community and Economic Development

The *Great Falls Growth Policy* identifies a series of economic development goals, including the following that directly relate to the West Bank Urban Renewal District. These are:

- Diversify the base economy
- Enhance, strengthen and expand the existing economic base
- Encourage businesses and industries that will utilize existing infrastructure

The redevelopment of the West Bank Urban Renewal District can strengthen the economic base of Great Falls while taking advantage of existing sewer and water infrastructure within the urban core. This approach helps to counter urban sprawl and the associated costs in providing public services.

Fostering Private Development

The West Bank Urban Renewal Plan calls for public improvements in the West Bank Urban Renewal District in support of new investment. The role of the private sector will be critical in the redevelopment process. Private investments made in the area will, in turn, provide the City with the necessary financial resources (via Tax Increment Financing and other mechanisms) to develop public infrastructure that will contribute to the overall revitalization of the area.

This Urban Renewal Plan provides the necessary administrative structure to direct community resources to renewal activities within the District. However, it will be the private sector that undertakes specific site planning and development activities on privately owned lands. To achieve a high quality of design, representatives of private property owners, including Cascade County and area developers will work together to prepare a development master plan that will reflect the following underlying principles:

- ✓ Public access to West Bank Park and other riverfront parks will be incorporated into area design schemes.
- ✓ Lighting, street design and other landscaping features will be consistent throughout the District. Unifying architectural features and signage is also encouraged.
- ✓ Development will be phased in accordance with the contaminated soils clean-up schedule, as developed by Cascade County and the Montana Department of Environmental Quality.

Goal: Encourage thoughtful, well designed private development activity.

Strategies:

- Encourage the preparation of a development master plan for the West Bank District by property owners and developers that recognizes the sequential nature of the removal of pollutants from the area.
- Encourage the preparation of a development master plan that addresses the various sub-areas within the Urban Renewal District as follows:
 - The area to the south of the Cascade County Shops (including the area south of Central Avenue
 - The area that includes both the Cascade County Shops and the Montana Specialty Mills (MSM)
 - The area to the north of the Shops and MSM
- Consider the use of protective covenants in addition to existing zoning provisions to assure high quality development within the area
- Facilitate thoughtful project design that focuses on enhancing and protecting the area's natural and scenic resources
- Work with the private sector to identify public infrastructure needs for the area.
- Work with BNSF to determine the feasibility of removing the sidetrack rail serving Montana Specialty Mills to create more privately-owned land for development
- Foster cooperative efforts among public and private entities to achieve the goals of the Urban Renewal Plan
- Work with property owners and developers to identify opportunities to realign Bay Drive to facilitate redevelopment

Working in Partnership with Downtown

The City's plan to undertake the renewal of the West Bank District is part of an overall effort to revitalize the City's urban core and to discourage urban sprawl in general. The redevelopment of the West Bank District will serve to both expand and enhance Great Falls' urban center. The proposed private and public investment in the West Bank District will enable the City's core business area to encompass both sides of the Missouri River, taking full advantage of this important asset.

Goal: Coordinate the West Bank Urban Renewal program with ongoing efforts to revitalize Downtown Great Falls.

Strategies:

- Coordinate planning efforts between the West Bank District and Downtown.
- Identify joint activities, such as the creation of transportation and recreation services that connect Downtown and the West Bank District.

Historic/Cultural Resources

Historically, the west side of the Missouri River in Great Falls was the home of Montana's largest gasoline refinery, built by the Great Falls Sunburst Oil and Refinery Company. The refinery began operations in early 1923 along the 300 and 400 blocks of 3rd Street Northwest and was subsequently purchased by the California Eastern Oil Company in 1927. Cascade County took possession of the property in 1936 after California Eastern failed to pay gasoline license taxes and associated delinquent fees. By 1938, Cascade County had constructed its road and bridge department shops at the site (Great Falls, *Tribune*, December 16, 2001). The West Bank District also included the site of the former Montana Brewing Company complex, built in 1893-94, just north of Central Avenue West, along the Missouri River. In 1933, it became the malt plant for the Great Falls Breweries, Inc., which closed in 1968. The last remnants of the site were removed in July, 2006 to make way for a new 54,000 square foot Federal Courthouse (*Sun River News*, July 11, 2006).

Today, there are 51 parcels in the West Bank Urban Renewal District, including a small number of residences and a variety of retail and service oriented businesses, such as, a veterinary clinic, J Bar T Tavern, and the Cowboy's Bar. Overall, the West Bank District is undergoing a transition from heavy industrial uses to commercial and retail uses, reflective of development that is occurring on adjacent properties, particularly along 3rd Street NW/SW. As this transition continues, it will be important to take stock of the remaining historic properties and to plan carefully for their interpretation, preservation and appropriate integration into area development. For example, the Montana Cowboy's Association is interested in having the Cowboy's Bar and associated museum placed on the National Register of Historic Places. (See Figure 9, below.) Additionally, the Missouri River and Sacagawea Island are important natural, cultural and historic resources that should be included in any area assessments. Other properties may be eligible for listing as well. Most federal and state grant programs require applicants to address potential impacts on properties eligible for listing in the National Register. An inventory of historic resources would help assure more thoughtful development.

Goal: Assess, preserve and interpret historic and cultural resources within the West Bank Urban Renewal District.

Strategies:

- Conduct an inventory of historic and cultural resources within the West Bank Urban Renewal District
- Work with private property owners to preserve historic sites
- Develop a pedestrian oriented interpretive program to include information concerning:
 - Existing sites of historic or cultural interest
 - Former occupants of the area
 - Environmental history of the area
 - History of the River



Figure 9. Cowboy's Bar

Natural Resources

The Missouri River and the associated West Bank Park are the defining features of the West Bank Urban Renewal District. Not only do these resources make the area more attractive for investment and overall community renewal, but they are intrinsic to the quality of life in the City of Great Falls and the surrounding region. They offer scenic and recreational opportunities for both residents and visitors to Great Falls.

The area along the River has undergone a significant transition. As recently as 20 years ago, the current West Bank Park was the site of a construction waste dump. The area was “reclaimed” through a major effort to remove the waste and restore the river front area, providing an important recreation resource for the people of Great Falls. The Park is now part of the city wide park system and a key component of the public corridor along the Missouri River.

The Missouri River Urban Corridor Plan identifies guiding principles and “communicates a vision for economic vitality” associated with the River while, at the same time recognizing “that the River is a vital part of a large ecosystem and that the environmental integrity of the River must be protected.” The following Urban Renewal Plan Goal is taken directly from the *Missouri River Urban Corridor Plan*.

Goal: Promote beneficial, sustainable economic development that utilizes the River as an amenity while preserving and enhancing its ecological integrity and asset values.

Strategies

- Restore, enhance and protect water quality, natural shoreline vegetation and wetlands in association with improvements to West Bank Park and the River’s Edge Trail
- Assure that the environmental health of the River will not be compromised by development
- Work with property owners to develop shoreline protection programs in conjunction with their development activities

Chapter 5. Planning Approach – The Defining Elements

The design and implementation of the West Bank Urban Renewal Plan is being undertaken in a manner that is reflective of sound public policy and thoughtful planning. To this end, a number of “defining” elements have been identified that will characterize the projects and activities undertaken in connection with the revitalization and redevelopment of the West Bank area.

Sub Area Planning – Phased Development

The West Bank Urban Renewal District is likely to be developed in stages. The sequential nature of the removal of contaminants from the area currently occupied by the County Shops and Montana Specialty Mills will dictate, to some extent, which lands are redeveloped first. Given that the removal of contaminants will not be completed for approximately three years, the areas to the north and south of the Third Street Northwest Groundwater Site will likely be developed first. The building of the new Federal Courthouse to the south and the new Walgreens Pharmacy to the north provide examples of likely development patterns. Private development and public infrastructure improvements should be designed in a manner that will allow for phased implementation.

Thoughtful Design

The location of the West Bank Urban Renewal District, adjacent to the Missouri River and West Bank Park, requires that projects are designed in a manner that is sensitive to the area’s natural resources. The River and the Park add value to the lands within the District by providing an aesthetically pleasing environment within which reinvestment can occur. Urban renewal projects should serve to complement these resources rather than create a development pattern that diminishes their value. Thoughtful, well-designed development will, in turn, enhance the natural setting, drawing additional investment.

Intergovernmental Cooperation

The successful implementation of the West Bank Urban Renewal Plan will rely on cooperation between the City of Great Falls, Cascade County and the State of Montana. Cascade County, over the next several years, will be working with the Montana Department of Environmental Quality to address contaminated soils in the central portions of the West Bank Urban Renewal District. Following clean-up, the County will exercise its options regarding redevelopment of its properties. It will be important for Cascade County to be involved with other property owners in the West Bank Urban Renewal District, as well as the City of Great Falls in planning for the District’s

redevelopment. The County's participation in the development master planning process for the area will be particularly critical. The proximity of the Montana Expo Park with the Renewal District is also a key factor in redevelopment. The Expo Park provides an important area asset that can help contribute to the District's revitalization.

Public Investment

The revitalization of the West Bank Urban Renewal District will require cooperation between the public and private sectors. As noted above, the City of Great Falls intends to invest in public infrastructure improvements in order to foster private investment. Public improvement projects will be undertaken in support of private development and with respect to area master plans developed by area property owners and investors. Funding for public infrastructure improvements will come from a number of sources including, but not limited to Tax Increment Financing (TIF). Specific projects will be undertaken in accordance with the Montana Urban Renewal Law, 7-15-42 and 7-15-43, MCA.

Planning Consistency

Conformity with the Growth Policy

This Urban Renewal Plan must conform to the Great Falls, *Growth Policy*, adopted in 2005, per 7-15-4213, MCA. Where appropriate, specific reference has been made to the *Growth Policy*, particularly in Chapter 4 of this Plan. *On February 27, 2007, the Great Falls City Planning Board reviewed this Urban Renewal Plan and found it to be in conformance with the Growth Policy, per statutory requirements.*

Other Planning Documents

In the preparation of the West Bank Urban Renewal Plan, a variety of other planning documents were consulted to assure that the Urban Renewal Plan would work in concert with other efforts to plan for the future of Great Falls. These included:

- Missouri River Urban Corridor Inventory and Assessment (2002)
- Great Falls Area Transportation Plan (2003)
- Missouri River Urban Corridor Plan (2004)

Chapter 6. Implementation

The West Bank Urban Renewal Plan sets a direction for redevelopment and revitalization of the West Bank Urban Renewal District. Upon its adoption, this Plan will serve as the official policy guide for public action. However, these policies can only be transformed to action through an effective implementation program. Key to implementation will be sound processes of administration, financing and program evaluation.

Administration

The administration of the redevelopment effort outlined in this plan will be the responsibility of the Great Falls City Commission. Under 7-15- 4232, the City Commission may choose to create a separate urban renewal agency or authorize an existing department to implement this Urban Renewal Plan. However, it is the intent of the Commission to retain the responsibility and authority for administering the West Bank Urban Renewal Program. Various city departments will be authorized by the Commission to undertake specific tasks associated with implementation as necessary.

Each year the City of Great Falls, or the authorized department will prepare an annual work program and budget and will list the activities and costs of the activities for the coming fiscal year, as well as the method of financing those activities. This program and budget may be amended during the course of the fiscal year, in light of funding and program changes. All budgets and revised budgets shall be reviewed and approved by the City of Great Falls. Urban renewal activities undertaken by the City of Great Falls will be in accordance with Montana State statute. (See specific provisions below.)

7-15-4233. Powers which may be exercised by urban renewal agency or authorized department. (1) In the event the local governing body makes such determination, such body may authorize the urban renewal agency or department or other officers of the municipality to exercise any of the following urban renewal project powers:

- (a) to formulate and coordinate a workable program as specified in [7-15-4209](#);
- (b) to prepare urban renewal plans;
- (c) to prepare recommended modifications to an urban renewal project plan;
- (d) to undertake and carry out urban renewal projects as required by the local governing body;
- (e) to make and execute contracts as specified in [7-15-4251](#), [7-15-4254](#), [7-15-4255](#), and [7-15-4281](#), with the exception of contracts for the purchase or sale of real or personal property;
- (f) to disseminate blight clearance and urban renewal information;
- (g) to exercise the powers prescribed by [7-15-4255](#), except the power to agree to conditions for federal financial assistance and imposed pursuant to federal law relating to salaries and wages shall be reserved to the local governing body;
- (h) to enter any building or property in any urban renewal area in order to make surveys and appraisals in the manner specified in [7-15-4257](#);
- (i) to improve, clear, or prepare for redevelopment any real or personal property in an urban renewal area;
- (j) to insure real or personal property as provided in [7-15-4258](#);
- (k) to effectuate the plans provided for in [7-15-4254](#);
- (l) to prepare plans for the relocation of families displaced from an urban renewal area and to coordinate public and private agencies in such relocation;
- (m) to prepare plans for carrying out a program of voluntary or compulsory repair and rehabilitation of buildings and improvements;
- (n) to conduct appraisals, title searches, surveys, studies, and other preliminary plans and work necessary to prepare for the undertaking of urban renewal projects;
- (o) to negotiate for the acquisition of land;
- (p) to study the closing, vacating, planning, or replanning of streets, roads, sidewalks, ways, or other places and to make recommendations with respect thereto;
- (q) to organize, coordinate, and direct the administration of the provisions of this part and part 43;
- (r) to perform such duties as the local governing body may direct so as to make the necessary arrangements for the exercise of the powers and performance of the duties and responsibilities entrusted to the local governing body.

(2) Any powers granted in this part or part 43 that are not included in subsection (1) as powers of the urban renewal agency or a department or other officers of a municipality in lieu thereof may only be exercised by the local governing body or other officers, boards, and commissions as provided under existing law.

Program Funding

Tax Increment Financing Provision

The implementation of the West Bank Urban Renewal Plan will include the use of Tax Increment Financing (TIF). Under Section 7-15-4282 of the Montana Urban Renewal Law communities may establish tax increment districts for the purposes of revitalizing blighted neighborhoods and central business districts. Tax increment financing directs new property tax dollars resulting from increases in the market value of real property to the area where the real property is located. The base property tax (before any improvements to real property) continues to be distributed to the local governments and school districts. However, tax dollars that accrue from increases in property values (from rehabilitation, new construction, etc.) are available for urban renewal projects as defined by the Montana Urban Renewal Law. More particularly, costs which may be paid using TIF dollars are included in 7-15-4288, MCA. (See Appendix D.)

A tax increment program is authorized for 15 years or longer if the tax increment revenue is pledged to the payment of tax increment bonds. 7-15-4289, MCA provides for the use of tax increments for bond payments. The tax increment may be pledged to the payment of the principal of premiums, if any, and interest on bonds which the municipality may issue for the purpose of providing funds to pay such costs.

The City of Great Falls will establish a Tax Increment Financing program for the West Bank Urban Renewal District, as defined in Chapter 2 of this Urban Renewal Plan. The base year for the purposes of measuring any incremental value will be January 1, 2007.

Per 7-15-4291, MCA, the City of Great Falls may enter into agreements with the other affected taxing bodies to remit to such taxing bodies any portion of the annual tax increment not currently required for the payment of the costs listed in 7-15-4288, MCA or pledged to the payment of the principal of premiums, if any, and interest on bonds.

Other Financing Mechanisms

There are a number of financial assistance programs that can be used in the revitalization of the West Bank Urban Renewal District in addition to Tax Increment Financing. Financing strategies for addressing urban renewal needs identified in this Plan will likely include combining various funding sources. For example, a local special improvement district might be used in combination with a Montana Board of Investment Intercap loan to match federal or state dollars. The following is a summary of programs available to fund urban renewal projects

Transportation Infrastructure

This section describes funds and funding sources that are available to finance urban renewal transportation related projects. These funding methods, such as local option taxes, improvement districts and other types of bonds, enable local citizens to participate in funding projects. In general, however, the ability to use additional property tax levies to fund urban renewal is governed by Montana Statute under 15-10-402 MCA that limits taxes to 1996 levels.

A. Bridge and Road Mills (Property Taxes)

Montana law provides for cities (7-14-4101, MCA) to manage transportation infrastructure. Counties are specifically responsible for all the bridges in a county, including those within cities and towns, except those managed by the Montana Department of Transportation. Municipalities may establish a city road fund under 7-14-4113 MCA.

B. Transportation Improvement Authority

Established under 7-14-1001, MCA, the purpose of a transportation improvement authority is to blend the interests of local, state, and federal governments with the interests of the general public and the business community to build, modify, or improve transportation facilities and systems within its jurisdiction. A county and a municipality within a county may, by joint resolution, create a transportation improvement authority. The Authority may enter into contracts and accept local, state, federal and private funds to undertake transportation projects.

C. Community Transportation Enhancement Program

Under 23 USC 133 (d) (2) (Federal Code) 10 percent of the Surface Transportation Program monies are awarded to each state for transportation enhancements. Montana is unique in that enhancements are made available to communities under the Community Transportation Enhancement Program (CTEP) administered by the Montana Department of Transportation. The MDT distributes these funds for all counties and cities that are 1st, 2nd, and 3rd class cities, and tribal governments. Local governments are responsible for providing the required 13 percent of project costs as non-federal match for their transportation enhancement projects.

In order to receive funding, transportation enhancement projects must be included in the local Transportation Improvement Program (TIP) and the Statewide Transportation Improvement Program. Eligible CTEP categories include:

- Pedestrian and bicycle facilities
- Historic preservation

- Acquisition of scenic easements and historic or scenic sites
- Archaeological planning and research
- Mitigation of water pollution due to highway runoff or reduce vehicle-caused
- Wildlife mortality while maintaining habitat connectivity
- Scenic or historic highway programs including provisions of tourist and welcome center facilities
- Landscaping and other scenic beautification
- Preservation of abandoned railway corridors (including the conversion and use for bicycle or pedestrian trails)
- Rehabilitation and operation of historic transportation buildings, structures or facilities (including railroads)
- Control and removal of outdoor advertising
- Establishment of transportation museums
- Provisions of safety and educational activities for pedestrians and bicyclists

Projects addressing these categories and that are linked to the transportation system by proximity, function or impact, and where required, meet the "historic" criteria, may be eligible for enhancement funding. For example, where an historic bridge must be replaced because of structural deficiencies, enhancement funds might be used to preserve the original bridge as part of an interpretive trail.

D. State Fuel Tax

Under 15-70-101, MCA, Montana assesses a tax of \$.27 per gallon on gasoline and diesel fuel used for transportation purposes. Each incorporated city and town receives a portion of the total tax funds allocated to cities and towns based on:

- 1) The ratio of the population within each city and town to the total population in all cities and towns in the State;
- 2) The ratio of the street mileage within each city and town to the total street mileage in all incorporated cities and towns in the State. The street mileage is exclusive of the Interstate, National Highway, and Primary Systems.

All fuel tax funds allocated to city governments must be used for the construction, reconstruction, maintenance, and repair of rural roads or city streets and alleys. Priorities for the use of these funds are established by the cities receiving them.

Debt Financing – All Types of Projects

Cities can make use of various kinds of debt financing to fund urban renewal projects. These include general obligation bonds, special improvement district bonds and

revenue bonds as well as Tax Increment Financing Bonds. Debt financing enables local governments to finance major infrastructure projects using future revenue from special assessments, user fees, and other forms of revenue. Under 7-7-4101, MCA, a city or town council has power to incur indebtedness by borrowing money, issuing bonds, issuing notes, entering into leases, entering into lease-purchase agreements, or entering into installment purchase contracts for the following purposes:

- (1) acquiring land for and designing and erecting public buildings;
- (2) acquiring land for and designing and constructing sewers, sewage treatment and disposal plants, waterworks, reservoirs, reservoir sites, and lighting plants;
- (3) supplying the city or town with water by contract and the construction or purchase of canals or ditches and water rights for supplying the city or town with water;
- (4) designing and constructing bridges, docks, wharves, breakwaters, piers, jetties, and moles;
- (5) acquiring, opening, or widening any street and improving the street by constructing, reconstructing, and repairing pavement, gutters, curbs, and vehicle parking strips and to pay all or any portion of the cost relating to the project;
- (6) purchasing or leasing fire apparatus, street and other equipment, and personal property, including without limitation, vehicles, telephone systems, and photocopy and office equipment, including computer hardware and software;
- (7) building, purchasing, designing, constructing, and maintaining devices intended to protect the safety of the public from open ditches carrying irrigation or other water;
- (8) funding outstanding warrants and maturing bonds; and
- (9) repaying tax protests lost by the city, town, or other municipal corporation.

The local government incurs various administrative costs in conjunction with issuing bonds. These costs include the retention of legal counsel and financial consultants, the establishment of reserve funds and the preparation of the prospectus and various required documents. These bonds provide tax-free interest earnings to purchasers and are therefore subject to detailed scrutiny under both state and federal law. The citations in the Montana Code are listed below, for each type of bond described.

A. Special Improvement Districts

Under 7-12-4101, MCA, cities and towns can create special improvement districts for a number of activities including:

- The acquisition, construction or reconstruction of public streets and roads
- The acquisition, construction or reconstruction of sidewalks, culverts, bridges, gutters, curbs, steps and parks including the planting of trees

- The construction or reconstruction of sewers, ditches, drains, conduits, and channels for sanitary or drainage purposes, with outlets, cesspools, manholes, catch basins, flush tanks, septic tanks, connecting sewers, ditches, drains, conduits, channels, and other appurtenances
- The construction of sewer and water systems including fire hydrants
- The acquisition and improvement of land to be designated as public park or open-space land
- The conversion of overhead utilities to underground locations in accordance with 69-4-311 through 69-4-314, MCA
- The purchase, installation, maintenance, and management of alternative energy production facilities

B. General Obligation Bonds

General obligation bonds are backed by the full faith and credit of the city and must be approved by the voters in an election. General obligation bonds are generally payable from ad valorem taxes (based on the value of property) and expressed in mills. General obligation bonds are attractive to bond buyers because they have voter approval and are not as vulnerable to fluctuations in revenue. Cities are assigned a bond debt limit based on a percentage of taxable valuation. General obligation bonds must fall within this limit.

C. Revenue Bonds

Under 7-7-4401, MCA, a city or town may issue revenue bonds to finance any project or activity authorized

Railroad Crossing Related Programs

A. STPRP - Rail/Highway Crossing Protective Devices Program

The purpose of the Federal Rail/Highway Crossing – Protective Devices Program is to identify high hazard rail crossing sites and install new rail crossing signals. MDT's Rail - Highway Safety manager is responsible for surveying, identifying and prioritizing those railroad crossings that require new protective devices or upgrading of existing devices. The funds are distributed on a statewide basis determined by a priority list ranked by a hazard index. The Federal/State ratio is 90% Federal and 10% State.

B. STPRR - Rail/Highway Crossing Elimination of Hazard Program

The purpose of the Federal Rail/Highway Crossing – Elimination of Hazard Program is to identify high hazard rail crossing sites and construct new rail/highway grade crossings. The program also uses funds to rehabilitate existing grade separations.

Grade separation projects are funded with 90% Federal funds and 10% State funds. Since funding for this program is limited, STPRR funds are often used in combination with other Federal funding sources to fund costly grade separation projects.

Eligible expenditures include the separation or protection at grade crossings, reconstruction of existing crossings and relocation of highways to eliminate crossings.

Projects for this program are selected by identifying those sites where only a grade separation will eliminate an identified hazard or where an existing grade separation exists but needs rehabilitation or replacement.

Funding for Public Improvements (Sewer, Water, Roads, Community Facilities, Parks)

A. Treasure State Endowment Program ~ Montana Department of Commerce

The Montana Treasure State Endowment Program (TSEP) is a state-funded program, authorized under 90-6-701 through 710, MCA, and is administered by the Montana Department of Commerce (MDOC). It is designed to assist local governments in financing capital improvements to sewer and water facilities. Funds are derived from the Montana coal severance tax and made available to local governments as matching grants, loans and grant/loan combinations. TSEP also provides matching grants of up to \$15,000 to local governments for preliminary engineering study costs.

TSEP funds may not be used for annual operation and maintenance; the purchase of non-permanent furnishings; or for refinancing existing debt, except when required in conjunction with the financing of a new TSEP project. Grant requests cannot exceed \$500,000 and the local government must typically provide a dollar for dollar match that can include other grant funds. Matching funds can be public or private funds provided by a TSEP applicant to directly support the cost of eligible project activities. There are a number of ways in which local governments can provide matching funds for bridge projects. Eligible types of matching funds include:

- local general funds or other cash;
- proceeds from the sale of general obligation, revenue, special assessment or other bonds;
- entitlement or formula-based federal or state funds such as federal highway funds or payments in lieu of taxes;
- loan or grant funds from a state or federal program (including TSEP loans);
- funds expended for engineering studies, reports, and plans, or other reasonable expenses expended for the preparation of the application, directly related to the proposed project during the period 24 months prior to the TSEP application deadline;

- funds expended after the TSEP application deadline, but before being approved by the Legislature, for project management, final engineering design, and other reasonable expenses necessary to prepare the project as proposed in the TSEP application for the construction phase;
- the value of land or materials provided by the applicant, if appraised within a two-year period preceding the application deadline. The appraisal must be:
 - an impartially written statement that adequately describes the land or materials, and states an opinion of defined value as of a specific date;
 - supported by an analysis of relevant market information; and
 - prepared by a qualified appraiser independent from the applicant.
- the value of labor performed by the applicant's employees on the proposed project, after the TSEP project has been approved for funding and a TSEP contract has been signed, as long as the employee is paid at his or her standard hourly rate of pay and the time worked is adequately documented; and
- the value of machinery used in the process of constructing the project that is owned (or leased) and operated by the applicant. The value of the use of the machinery will be determined using the Federal Emergency Management Agency (FEMA) equipment rate schedules.

B. The Montana Intercap Program ~ Montana Board of Investments

The INTERCAP Program is a low cost, variable-rate program that lends money to Montana local governments, state agencies and the university system for the purpose of financing or refinancing the acquisition and installation of equipment or personal and real property and infrastructure improvements. The Board of Investments issues tax-exempt bonds and loans the proceeds to eligible borrowers. In addition to long-term financing, INTERCAP is an excellent source for interim financing.

Funding is always available with no specific cycle. Allocations of \$200,000 and under are considered and approved by the Board of Investments staff. Allocations in excess of \$200,000 are considered and approved by the Board. Funds are released on an on-going basis as the project is completed. The program provides loans at a variable rate plus a one percent loan origination fee on loans over one year and for a term of 5 or 10 years depending on the borrower's legal authority. Short-term loans of less than a year are also available. Interest and principal payments are due bi-annually (February 15 and August 15 of each year). Loans may be pre-paid without penalty with 30 days notice. Types of financing include installment purchase loans, general fund loans, general obligation bonds, revenue bonds and special improvement district and rural improvement district bonds. Gas tax revenues may not be used to service debt. Projects that will use rural improvement district payments to cover the annual debt are

limited to a total loan of \$300,000. Intercap funds may be used in association with other grant and loan programs as well as local sources.

C. Community Development Block Grant (CDBG)- US Department of Urban Development (HUD)

This program provides annual grants on a formula basis to entitled cities and counties to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons. The program is authorized under Title 1 of the Housing and Community Development Act of 1974, Public Law 93-383, as amended; [42 U.S.C.-5301 et seq.](#)

HUD awards grants to entitlement community grantees to carry out a wide range of community development activities directed toward revitalizing neighborhoods, economic development, and providing improved community facilities and services.

Entitlement communities develop their own programs and funding priorities. However, grantees must give maximum feasible priority to activities which benefit low- and moderate-income persons. A grantee may also carry out activities which aid in the prevention or elimination of slums or blight. Additionally, grantees may fund activities when the grantee certifies that the activities meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community where other financial resources are not available to meet such needs. CDBG funds may not be used for activities which do not meet these broad national objectives.

Eligible grantees are as follows:

- principal cities of Metropolitan Statistical Areas (MSAs);
- other metropolitan cities with populations of at least 50,000; and
- qualified urban counties with populations of at least 200,000 (excluding the population of entitled cities) are entitled to receive annual grants.

HUD determines the amount of each entitlement grant by a statutory dual formula which uses several objective measures of community needs, including the extent of poverty, population, housing overcrowding, age of housing and population growth lag in relationship to other metropolitan areas. CDBG funds may be used for activities which include, but are not limited to:

- acquisition of real property;
- relocation and demolition;
- rehabilitation of residential and non-residential structures;
- construction of public facilities and improvements, such as water and sewer facilities, streets, neighborhood centers, and the conversion of school buildings for eligible purposes;
- public services, within certain limits;
- activities relating to energy conservation and renewable energy resources; and
- provision of assistance to profit-motivated businesses to carry out economic development and job creation/retention activities.

D. Public Works Program ~ Economic Development Administration

The Economic Development Administration (EDA) is an agency within the U.S. Department of Commerce. The purpose of the Public Works Program is to assist communities with the funding of public works and development facilities that contribute to the creation or retention of private sector jobs and to the alleviation of unemployment and underemployment. Such assistance is designed to help communities achieve lasting improvement by stabilizing and diversifying local economies, and improving local living conditions and the economic environment of the area.

Grants are awarded up to a participation level of 80 percent but the average EDA grant covers approximately 50 percent of project costs. Acceptable sources of match include cash, local general obligation or revenue bonds; Community Development Block Grants, TSEP grants and loans, entitlement funds, Rural Development loans; and other public and private financing, including donations.

Projects must result in private sector job and business development in order to be considered for funding. Eligible applicants under this program include any state, or political subdivision thereof, Indian tribe (and other U.S. political entities), private or public nonprofit organization or association representing any redevelopment area if the project is within an EDA-designated redevelopment area. Redevelopment areas, other than those designated under the Public Works Impact Program must have a current EDA-approved Overall Economic Development Program (OEDP) in place.

E. Water, Wastewater and Solid Waste Action Coordinating Team

In 1982, a group of professionals from state, federal, and non-profit organizations that finance, regulate, or provide technical assistance for community water and wastewater systems, decided to start meeting in order to coordinate and enhance their efforts. This group calls itself the "Water, Wastewater and Solid Waste Action Coordinating Team"

or W2ASACT for short. W2ASACT meets several times a year to find ways to improve our state's environmental infrastructure. All of the programs represented in W2ASACT have different missions and meet unique needs. However, it has been the common elements shared by the funding programs that have been the driving force of W2 SACT. These programs provide money (grants or loans), take applications from communities to fund their projects, and administer those monies once the project is funded. While W2ASACT cannot change all of the state or federal requirements, it can identify unnecessary duplication of requirements that make compliance difficult for communities.

Voluntary Programs

In some cases, homeowner associations, business groups or other property owners may finance urban renewal projects voluntary basis.

West Bank Urban Renewal Program Evaluation

The West Bank Urban Renewal Plan will be evaluated on a yearly basis in conjunction with the preparation of the annual report. Measures that may be used in evaluating program success include:

- Increases in the property tax base
- Creation of jobs within the Urban Renewal District
- Elimination of blighted conditions
- The extent of redevelopment in previously contaminated areas
- Use of the public spaces within the District including the West Bank Park and the riverfront trail system

Success will also be measured in terms of the overall guiding principles noted in Chapter 1 of this plan and restated here:

- The plan for the West Bank Urban Renewal District should foster economic development and job creation.
- The improvement of the overall environmental quality of the West Bank Urban Renewal District is critical.
- Protection and enhancement of West Bank Park and the Missouri River, which form the eastern boundary of the District are key in the redevelopment of the West Bank Urban Renewal District.

The plan provides flexibility to accommodate a variety of approaches. However, changes over time may necessitate more formal amendments to the Urban Renewal Plan. The Urban Renewal Plan may be modified by ordinance under 7-15-4221, MCA.



Figure 10. Urban Renewal Area from the north

APPENDIX A. RESOLUTION OF BLIGHT

RESOLUTION 9626

A RESOLUTION DECLARING A BLIGHTED AREA EXISTS WITHIN THE CITY OF GREAT FALLS, MONTANA AND THAT THE REDEVELOPMENT OF THAT AREA IS NECESSARY IN THE INTEREST OF PUBLIC HEALTH, SAFETY, OR WELFARE OF THE RESIDENTS OF GREAT FALLS AND TO DETERMINE THE BOUNDARIES OF THAT AREA

WHEREAS, the State of Montana has provided for the redevelopment of those portions of its cities which constitute a menace to public health and safety, constitute an economic and social liability and substantially impair the sound growth of a municipality; and

WHEREAS, the procedure provided in Title 7, Chapter 15, Part 42 and 43 of the Montana Codes Annotated authorizes municipalities to exercise statutory urban renewal powers for redevelopment and rehabilitation through urban renewal plans and projects, after the municipality has made a finding that a blighted area exists that substantially impairs or arrest the sound growth of the city or its environs; retards the provision of housing accommodations; constitutes an economic or social liability and/or is detrimental or constitutes a menace to the public health, safety, welfare, and morals in its present condition and use; and

WHEREAS, on November 8, 2006, the City Commission directed the study to determine the existence of blight within the urban area; and

WHEREAS, the City of Great Falls has conducted the study (attached to this resolution as Exhibit A) to determine the existence of blight in an area known as the West Bank and generally described as bounded on the West by 3rd Street NW/SW, on the East by the center line of the Missouri River, on the North by a point just north of 14th Avenue NW and on the South by a point just south of 5th Avenue SW and excludes any unincorporated property, as of October 2006, and in particular found:

1. Physical deterioration of buildings and properties
 - Many of the structures in the defined area are in poor repair and properties are poorly maintained. Building permit information indicates that the majority of existing structures have not been substantially improved for at least twenty years.
2. Inappropriate or mixed uses of land or buildings
 - The presence of existing heavy industrial uses within the defined area is incompatible with retail, commercial, residential and parkland development. This land use conflict has proven to be a disincentive to the improvement of properties within the area by private enterprise.
3. Defective street layout
 - Much of the area is without streets, sidewalks, curbs, or gutters resulting in poor traffic circulation and storm drainage problems.
4. Unsanitary and unsafe conditions
 - Portions of the defined area are included in the list of priority sites maintained by the Montana Department of Environmental Quality under the Comprehensive Environmental Cleanup and Responsibility Act (CECRA) and are designated a Brownfield site as defined by the U.S. Environmental Protection Agency. Contamination on the site is associated with historic industrial activity and has affected both the soil and groundwater and threatens to contaminate the Missouri River.

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

That the City Commission finds that blight exists within the City of Great Falls in the area described in Exhibit "A" of this Resolution under the definition contained in Section 7-15-4206 (2), M.C.A. and that rehabilitation and redevelopment of such area (pursuant to the Montana Urban Renewal Law) is necessary and desirable in the interest of the public health, safety, and welfare of the residents of the City of Great Falls and that this rehabilitation and redevelopment be made with a commitment to quality improvement and a commitment to property owner and community involvement in decision making.

PASSED by the Commission of the City of Great Falls, Montana, this 5th day of December, 2006.

Dona R. Stebbins, Mayor

Attest:

Peggy Bourne, City Clerk

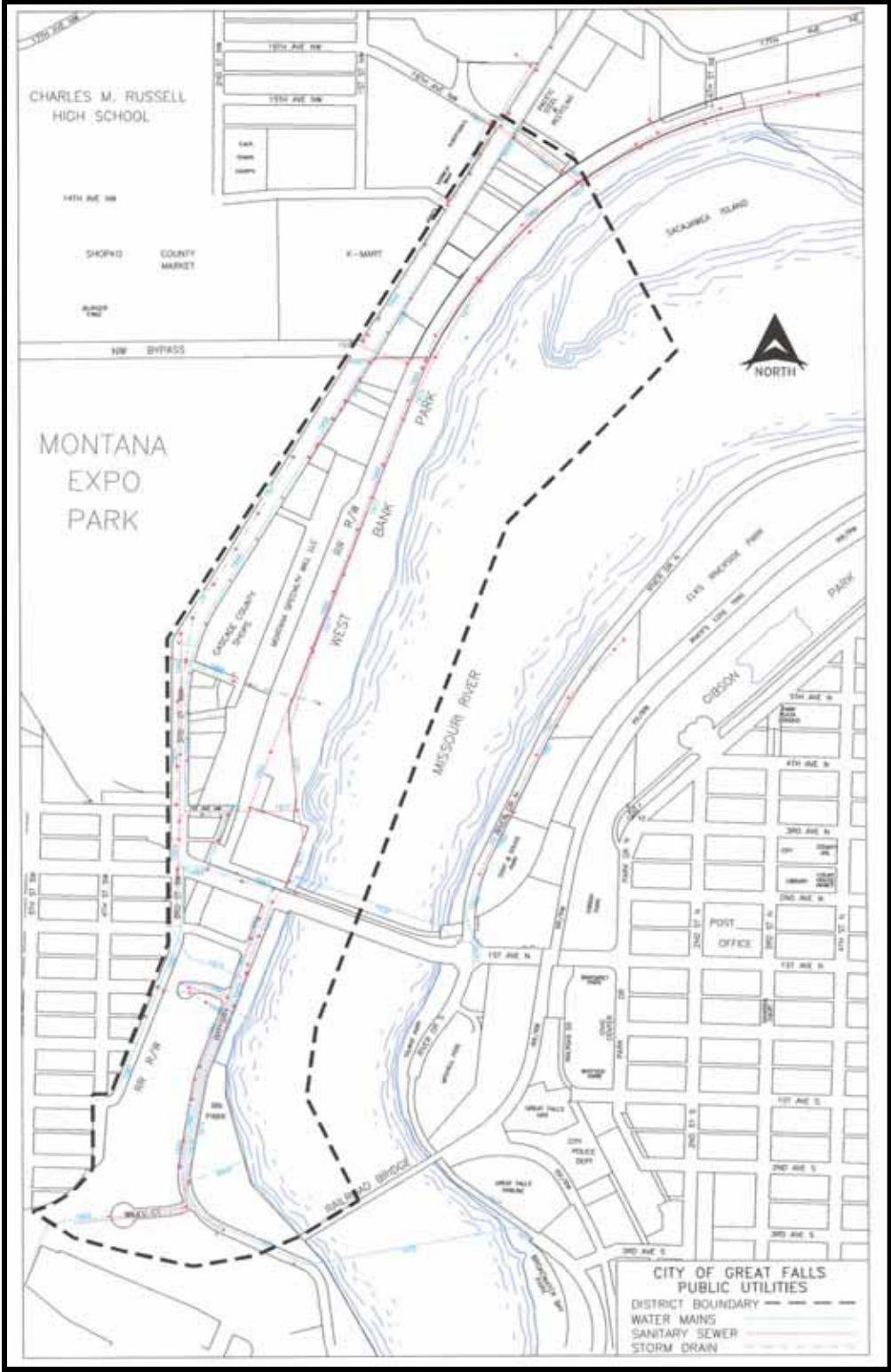
(SEAL OF CITY)

Approved for Legal Content: City Attorney

APPENDIX B – WEST BANK URBAN RENEWAL DISTRICT PARCEL DATA

OWNER OF RECORD	BUSINESS NAME/OCCUPANCY	STREET
GRH GLENWOOD LLC ETAL	WALGREENS (under construction)	3RD ST NW
CITY OF GREAT FALLS	SACAJAWIA ISLAND	
GRH GLENWOOD LLC ETAL	WALGREENS (under construction)	
GRH GLENWOOD LLC ETAL	WALGREENS (under construction)	3RD ST NW
ROGERS JEWELERS INC ETAL	ROGERS JEWELERS	3RD ST NW
BYPASS PROPERTY LLC (Outside City Limits)	BREEN OIL COMPANY	3RD ST NW
HENDERSON MICHAEL S & WILLIAM L	JOHNSON DISTRIBUTING	3RD ST NW
HENDERSON MICHAEL S & WILLIAM L		3RD ST NW
HENDERSON MICHAEL S ETAL		3RD ST NW
HENDERSON MICHAEL S ETAL		3RD ST NW
HILL RUSSELL & CATHERINE B		3RD ST NW
STOCKMAN BANK OF MONTANA	STOCKMAN BANK OF MONTANA	3RD ST NW
KRALICH JOANNE		
MONTANA SPECIALTY MILLS LLC	MONTANA SPECIALTY MILLS LLC	3RD ST NW
JOHNSON MOLLIE L ETAL	J BAR T INC	3RD ST NW
CASCADE COUNTY	CASCADE COUNTY SHOP COMPLEX	3RD ST NW
MONTANA COWBOYS ASSOCIATION INC	COWBOY'S BAR	3RD ST NW
MONTANA COWBOYS ASSN INC	COWBOY'S BAR	3RD ST NW
MONTANA COWBOYS ASSOCIATION	COWBOY'S BAR	4TH AVE NW
TALCOTT JAMES CONSTRUCTION INC		1ST AVE NW
FALLCAMP LLC		3RD ST NW
MITCHELL DEVELOPMENT & INVESTMENTS LLC		CENTRAL AVE W
FALLCAMP LLC		
FALLCAMP LLC		3RD ST NW
TALCOTT PROPERTIES LLC		3RD ST NW
TALCOTT JAMES CONSTRUCTION CO		
BURLINGTON NORTHERN SANTA FE RAILROAD CO	RIGHT OF WAY	BAY DR
CITY OF GREAT FALLS (West Bank Park - South End)	WEST BANK PARK	PARK-WEST BANK
SCHUMAN HENRY & ALICE		3RD ST NW
HIGH PLAINS PIZZA INC		3RD ST NW
MYHRE ADVERTISING		CENTRAL AVE W
MONTANA DEPT OF TRANSPORTATION	RIGHT OF WAY	
BUMBARGER FRED & PATRICIA S	PAYLESS FURNITURE	CENTRAL AVE W
HOLMAN GRAIN (Brick Building)		BAY DR
JORGENSEN ROBERT F JR		2ND AVE SW
HOLMAN GRAIN COMPANY		
HOLMAN GRAIN COMPANY		BAY DR
OXSNESS BERT		2ND AVE SW
BN LEASING CORPORATION		
ROBERTSON ENTERPRISES LLC		BAY DR
MARTIN JOHN L		2ND AVE SW
CITY OF GREAT FALLS (BN Park)	BN PARK	PARK-GARDEN HOME
BN LEASING CORPORATION		BAY DR
BURLINGTON NORTHERN SANTA FE RAILROAD CO		
MONTANA ELECTRIC COOPERATIVES ASSO ETAL	MONTANA ELECTRIC COOPERATIVES ASSOC.	BAY DR
BURLINGTON NORTHERN SANTA FE RAILROAD CO		BAY DR
BN LEASING CORPORATION		
BN LEASING CORPORATION		MILES CT
BN LEASING CORPORATION		
BN LEASING CORPORATION		
BN LEASING CORPORATION		
CITY OF GREAT FALLS (West Bank Park - North End)	WEST BANK PARK	

APPENDIX C. PUBLIC UTILITIES IN THE WEST BANK URBAN RENEWAL DISTRICT



APPENDIX D

ALLOWABLE USES OF TAX INCREMENT FUNDS

(Note: This is under revision by the 2007 Montana Legislature)

7-15-4288. Costs that may be paid by tax increment financing. The tax increments may be used by the municipality to pay the following costs of or incurred in connection with an urban renewal project, industrial infrastructure development project, technology infrastructure development project, or aerospace transportation and technology infrastructure development project:

- (1) land acquisition;
- (2) demolition and removal of structures;
- (3) relocation of occupants;
- (4) the acquisition, construction, and improvement of infrastructure, industrial infrastructure, technology infrastructure, or aerospace transportation and technology infrastructure that includes streets, roads, curbs, gutters, sidewalks, pedestrian malls, alleys, parking lots and offstreet parking facilities, sewers, sewer lines, sewage treatment facilities, storm sewers, waterlines, waterways, water treatment facilities, natural gas lines, electrical lines, telecommunications lines, rail lines, rail spurs, bridges, spaceports for reusable launch vehicles with associated runways and launch, recovery, fuel manufacturing, and cargo holding facilities, publicly owned buildings, and any public improvements authorized by parts 41 through 45 of chapter 12, parts 42 and 43 of chapter 13, and part 47 of chapter 14 and items of personal property to be used in connection with improvements for which the foregoing costs may be incurred;
- (5) costs incurred in connection with the redevelopment activities allowed under [7-15-4233](#);
- (6) acquisition of infrastructure-deficient areas or portions of areas;
- (7) administrative costs associated with the management of the urban renewal area, industrial district, technology district, or aerospace transportation and technology district;
- (8) assemblage of land for development or redevelopment by private enterprise or public agencies, including sale, initial leasing, or retention by the municipality itself at its fair value;
- (9) the compilation and analysis of pertinent information required to adequately determine the infrastructure needs of secondary, value-adding industries in the industrial district, the needs of a technology infrastructure development project in the technology district, or the needs of an aerospace transportation and technology infrastructure development project in the aerospace transportation and technology district;
- (10) the connection of the urban renewal area, industrial district, technology district, or aerospace transportation and technology district to existing infrastructure outside the district;
- (11) the provision of direct assistance, through industrial infrastructure development projects, technology development projects, or aerospace transportation and technology infrastructure development projects, to secondary, value-adding industries to assist in meeting their infrastructure and land needs within the district; and
- (12) the acquisition, construction, or improvement of facilities or equipment for reducing, preventing, abating, or eliminating pollution.

CITY OF GREAT FALLS, MONTANA

AGENDA# 4

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

DATE March 20, 2007

ITEM Ordinance 2968, Amending OCCGF Title 2, Chapter 50, Section 040 pertaining to Neighborhood Council candidate requirements

ACTION REQUESTED Adopt Ordinance 2968 on final reading

PREPARED BY: Peggy J. Bourne, City Clerk

PRESENTED BY: David V. Gliko, City Attorney

RECOMMENDATION:

It is recommended the City Commission adopt Ordinance 2968 on final reading.

MOTION:

I move the City Commission adopt Ordinance 2968.

SYNOPSIS:

The Cascade County Election Office requested the City Commission change the election requirements for neighborhood council members so they are the same as those for mayoral and commission candidates. Currently, neighborhood council candidates do not have to be “qualified electors” in a city election to file for office which means they do not have to meet residency requirements to register to vote or actually register to vote. The only requirement is that they live in the district for the council they want to be elected to. Requiring neighborhood council candidates to be qualified electors will assist the election office with authenticating write-in candidates for neighborhood council positions.

BACKGROUND:

Until the 2005 election, those wishing to be a write-in candidate on a ballot were required to file a declaration for candidacy form with the election office. This allowed election administrators to compare write-in names on the ballots to the form and authenticate who the person was and that they wanted to be elected. In 2005 that requirement was removed and the election office had to consider any name written on any ballot as an official write-in candidate. This change caused significant problems during the last election for neighborhood council representatives because, in some cases, the election office could not authenticate the write-in candidate.

For example, if Tom Jones was written in on the ballot, currently the election office has to use the Great Falls phone book and call each Thomas or Tom Jones to determine if they want to be elected and if they live within the correct neighborhood council district. While they are doing that, they cannot be completely certain that the Tom Jones they contacted was the same one the voter intended to write-in. By requiring neighborhood council candidates to be qualified electors, the election office can use the voter registration file as the base for their authentication process rather than the Great Falls phone book. Keep in mind that if a candidate does not have a

phone and is not listed in the phone book or has an unlisted number, there is no way the election office can verify that they contacted each Tom Jones during the authentication process. This allows the election office to use the tools they need to complete this authentication process.

ORDINANCE 2968

**AN ORDINANCE AMENDING OCCGF TITLE 2 CHAPTER 50 SECTION 040
PERTAINING TO NEIGHBORHOOD COUNCILS**

WHEREAS, Montana State law pertaining to write-in candidates has changed eliminating the requirement for a write-in candidate to file a declaration for office; and

WHEREAS, this statute change has resulted in the Cascade County Election Office being unable to verify write-in candidates for neighborhood councils; and

WHEREAS, the Cascade County Election Department requested the City Commission require neighborhood council candidates meet the same qualifications as candidates for mayor and city commission which means being a qualified elector. This requirement will provide the Election Administrator the tool necessary to authenticate neighborhood council write-in candidates.

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

Section 1. That OCCGF Title 2, Chapter 50, Section 040 is amended as depicted in Exhibit A wherein all language with a bold-face font will be added and all language with a strikeout is removed.

PASSED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, this 20th day of March, 2007.

Dona R. Stebbins, Mayor

ATTEST:

Peggy J. Bourne, City Clerk

(SEAL OF THE CITY)

APPROVED FOR LEGAL CONTENT:

David V. Gliko, City Attorney
State of Montana)

County of Cascade : ss
City of Great Falls)

I, Peggy J. Bourne, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Ordinance 2968 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 20th day of March, 2007, and approved by the Mayor of said City on the 20th day of March, 2007.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 20th day of March, 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 20th day of March, 2007, and prior thereto, she was the City Clerk of the City of Great Falls, Montana; that as said City Clerk she did post as required by law and as prescribed and directed by the Commission, Ordinance 2968 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)

EXHIBIT A ORDINANCE 2968
Chapter 50
NEIGHBORHOOD COUNCILS

2.50.040 Council Elections

- A. Each neighborhood district shall have a council comprised of five (5) resident members; who must live within their designated neighborhood council district for which they were elected, as defined in M.C.A. 1-1-251, for their term of office; such members shall be elected to two (2) year terms at the election held in conjunction with the City general election.
- B. Nominees for election to a neighborhood council must **be qualified electors and** be residents of their designated neighborhood district.
- C. ~~The filing period for neighborhood councils shall open the same date as the filing period for mayoral and commission candidates.~~ The filing period for neighborhood council candidates shall **open 135 days and** close 45 days prior to the general election. Neighborhood council candidates are not subject to primary elections.

AGENDA REPORT

DATE March 20, 2007

ITEM CDBG and HOME Program Proposed Use of Funds and Set the Public Hearing Date for HUD Required Annual Action Plan

INITIATED BY Community Development Staff

ACTION REQUESTED Approve Motion to Accept Recommendations for 2007/2008 CDBG & HOME Programs and Set Public Hearing Date

PREPARED & PRESENTED BY Chris Imhoff, CDBG/HOME Administrator

REVIEWED & APPROVED BY Mike Rattray, Community Development Director

- - - - -

RECOMMENDATION:

Staff recommends the City Commission (1) accept recommendations for funding 2007/2008 Community Development Block Grant projects; (2) accept funding recommendations for the HOME program projects; and, (3) set April 17, 2007, as the public hearing date for the Proposed Annual Action Plan.

MOTION:

I move to accept the proposed use of funds for the 2007/2008 Community Development Block Grant Program and HOME Program for inclusion in the Annual Action Plan and set the public hearing for April 17, 2007, on the Proposed Annual Action Plan.

SYNOPSIS:

Federal regulations require that the proposed use of Community Development Block Grant funds and HOME Program funds are included in the Annual Action Plan. The 2007/2008 Annual Action Plan will be available for public review and comment during a 30 day period beginning March 23, 2007, through April 21, 2007. A public hearing on the Proposed Annual Action Plan will be held during this comment period.

BACKGROUND:

On April 19, 2005, the City Commission approved the 5 Year Consolidated Plan. Each year an Annual Action Plan is required to be submitted to the U.S. Department of Housing and Urban Development. This document contains the proposed use of CDBG and HOME funds for the coming 2007/2008 Fiscal Year. Community Development Block Grant project proposals were received in February 2007. The Community Development Council met on February 28 to hear oral presentations from the public service agency applicants and on March 1 to hear oral presentations by applicants applying under the public facility priority. On March 7, 2007, the Community Development Council formulated its recommendations and will present its funding recommendations to the City Commission during the March 20, 2007, City Commission meeting. Staff recommendations for the remainder of the CDBG project proposals will also be presented to the City Commission at the same meeting.

The HOME Program project proposals were also received in February 2007. HOME Program funding recommendations will be presented to the City Commission during the City Commission meeting on March 20, 2007. The City Commission will make final funding decisions on the HOME and the CDBG proposals at the May 1, 2007, City Commission meeting.

The Proposed Annual Action Plan will be made available to the citizens of Great Falls for review and comment for a 30 day period beginning March 23, 2007, and ending April 21, 2007. The public hearing on April 17 is a forum set to allow the citizens of Great Falls the opportunity to express their views on the proposed use of federal Community Development Block Grant and HOME Program dollars and each program's policies and performance.

The City Commission must officially adopt the Annual Action Plan and submit it to HUD before May 15, 2007.

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>GREAT FALLS CITY COMMUNITY DEVELOPMENT— EMERGENCY WATER/SEWER FUND 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>GREAT FALLS CITY COMMUNITY DEVELOPMENT— REHABILITATION SPECIALIST 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>NEIGHBORHOOD HOUSING SERVICES, INC.— NEIGHBORHOOD REVITALIZATION 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>BOYS & GIRLS CLUB OF NORTH CENTRAL MONTANA Renovations in gymnasium of building located at 600 1st 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>CENTER FOR MENTAL HEALTH Renovations in kitchen at New Directions Center located at 915 1st 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>GATEWAY COMMUNITY SERVICES 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 & IFHC % of purchase</p>	\$125,000	\$68,975

	<u>Requested</u>	<u>Proposed</u>
<p>GREAT FALLS CITY PARK & RECREATION— BLOOMINGDALE PARK</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 14th Street Northwest</p>	\$25,000	\$25,000
<p>GREAT FALLS CITY PARK & RECREATION— COMMUNITY RECREATION CENTER</p> <p>Purchase and install limited use, limited access elevator at Community Recreation Center located at 801 2nd Avenue North</p>	\$96,800	\$96,800
<p>GREAT FALLS CITY PARK & RECREATION—GIBSON PARK</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 1st Avenue North to 8th Avenue North 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>GREAT FALLS CITY PARK & RECREATION— WEST KIWANIS PARK</p> <p>Purchase and install handicap accessible play structure at West Kiwanis Park located at 1st Avenue Northwest and 7th Street Northwest</p>	\$25,000	\$0
<p>GREAT FALLS CITY PUBLIC WORKS—HANDICAP RAMPS</p> <p>Install handicap ramps (curb cuts) to provide handicap accessibility on 8th Avenue North from 16th Street to 38th Street and other areas at request of disabled citizens</p>	\$75,000	\$75,000
<p>GREAT FALLS CITY PUBLIC WORKS— SIDEWALK REPLACEMENT</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 15th Street North between Central Avenue and 8th Avenue North) and other areas at request of low income homeowners</p>	\$50,000	\$50,000
<p>GREAT FALLS SENIOR CITIZENS CENTER</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>
SPECIAL OLYMPICS MONTANA Renovations at facility located at 701 1 st 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
URSULINE CENTRE HISTORICAL FOUNDATION Purchase backboards, scoreboard, and light fixtures for Ursuline Gymnasium, a nationally recognized historic building, located at 2300 Central Avenue	\$22,189	\$22,189
AREA VIII AGENCY ON AGING 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
BIG BROTHERS BIG SISTERS OF GREAT FALLS 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 th Street North	\$6,000	\$6,000
BOYS & GIRLS CLUB OF NORTH CENTRAL MONTANA 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 st Avenue Southwest)	\$18,000	\$18,000
CASA-CAN CHILDREN'S ADVOCATE NETWORK Purchase projector, scanner/copier and training manuals to expand volunteer program located at 325 2 nd Avenue North which provides advocates for abused and neglected children in the legal system	\$7,300	\$7,300
CASCADE COUNTY RETIRED AND SENIOR VOLUNTEER PROGRAM 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
FAMILY CONNECTIONS 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>GREAT FALLS CITY PARK & RECREATION— COMMUNITY RECREATION CENTER</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 2nd Avenue North</p>	\$5,920	\$5,920
<p>HANDS, INC.</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>PARIS GIBSON SQUARE MUSEUM OF ART</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 1st Avenue North</p>	\$12,382	\$12,382
<p>QUALITY LIFE CONCEPTS</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>YOUNG PARENTS EDUCATION CENTER</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 3rd Street Northeast</p>	\$15,000	\$15,000
ADMINISTRATION		
<p>CDBG PROGRAM ADMINISTRATION</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

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

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

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

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

DATE March 20, 2007

ITEM Ordinance No. 2966 to Establish City Zoning Upon Minor Plat of Fair Guys Addition

INITIATED BY Fair Guys' LLC, Property Owner and Developer

ACTION REQUESTED Commission Accept Ord. No. 2966 on First Reading and Set Hearing

PREPARED BY Charles Sheets, Planner 1

APPROVED & PRESENTED BY Benjamin Rangel, Planning Director

RECOMMENDATION: It is recommended the City Commission assign a zoning classification of I-1 Light industrial zoning district, to Fair Guys Addition, upon annexation to the City.

MOTION:

“I move the City Commission accept Ordinance No. 2966 on first reading and set a public hearing for April 17, 2007, to consider adoption of Ordinance No. 2966.”

SYNOPSIS:

Ordinance No. 2966 assigns a zoning classification of I-1 Light industrial zoning 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 22nd 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 2nd Avenue Northwest.

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.

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.

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

The Zoning Commission, at the conclusion of a public hearing held November 14, 2006, unanimously recommended the City Commission assign a zoning classification of I-1 Light industrial zoning district to Fair Guys Addition upon the annexation of the area contained therein.

It is anticipated the City Commission, following the public hearing on April 17, will consider an annexation resolution, annexation agreement and minor plat for Fair Guys Addition, simultaneously with Ordinance No. 2966

Attach:Ord. No. 2966

Vicinity Map

Reduced Copy of Minor Plat

Letter from Neighborhood Council #2

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

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 17th 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 17th 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 17th day of April, 2007.

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

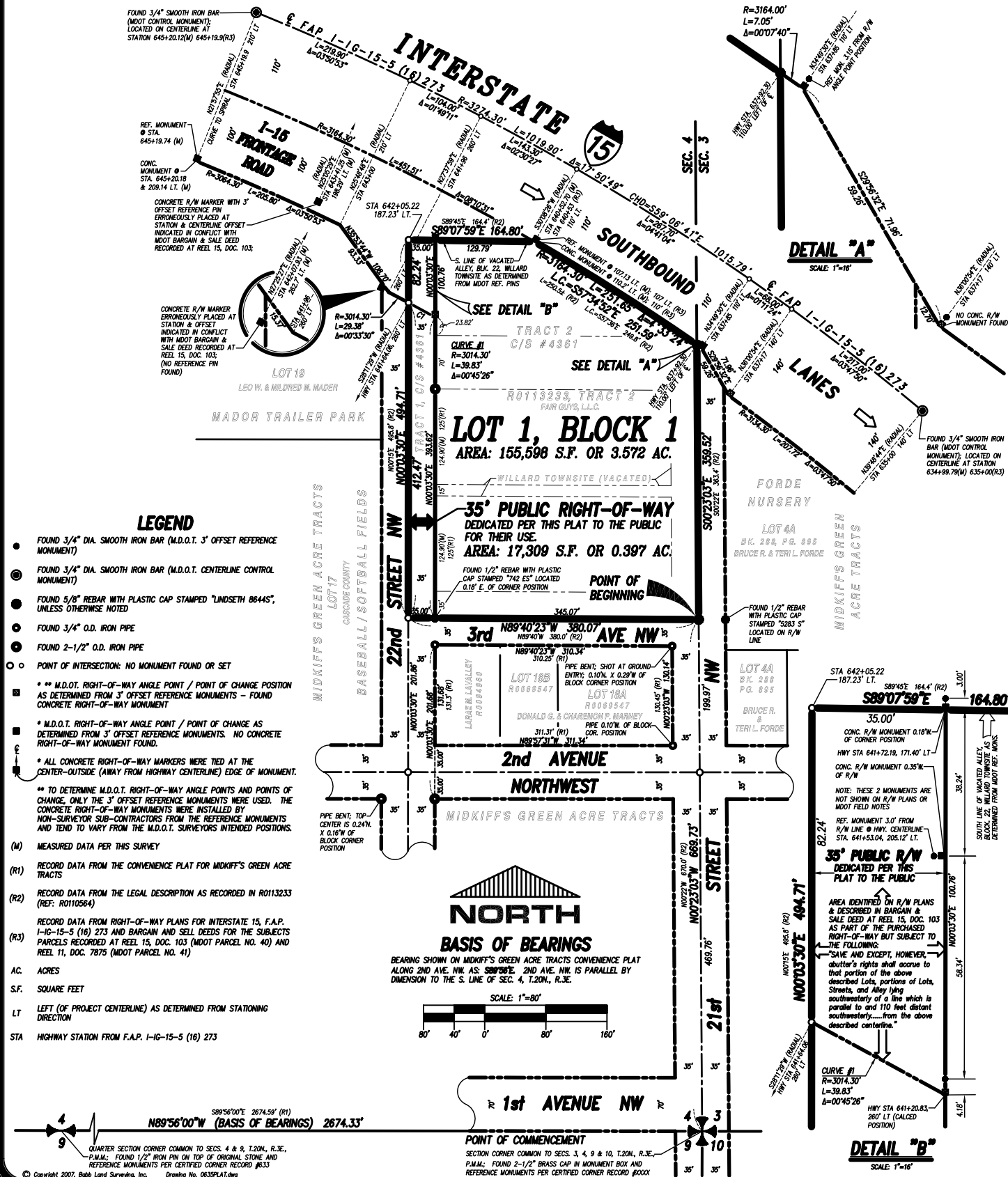
Peggy J. Bourne, City Clerk

(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 SOUTHEAST QUARTER OF THE SOUTHEAST 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 TOWNSITE, 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 TOWNSITE;
 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 1-10-15-5 (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 TOWNSITE, PROJECTED WESTERLY;
 THENCE S89°07'59"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 TOWNSITE;
 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)
) ss: ACKNOWLEDGED:
 County of CASCADE)

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: _____

SO DECLARED AND DEDICATED THIS _____ DAY OF _____, 200__.

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

BY: PRINTED NAME: _____ TITLE: _____

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__.

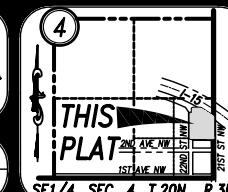
STEPHEN D. BABB, PROFESSIONAL LAND SURVEYOR, MONTANA REGISTRATION NO. 11699 LS

REVIEW COPY

SHEET
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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
 SCALE 1" = 80'
 JOB NO. 0635
 DRAWN S. BABB



B A B B
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 21st and 22nd 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.

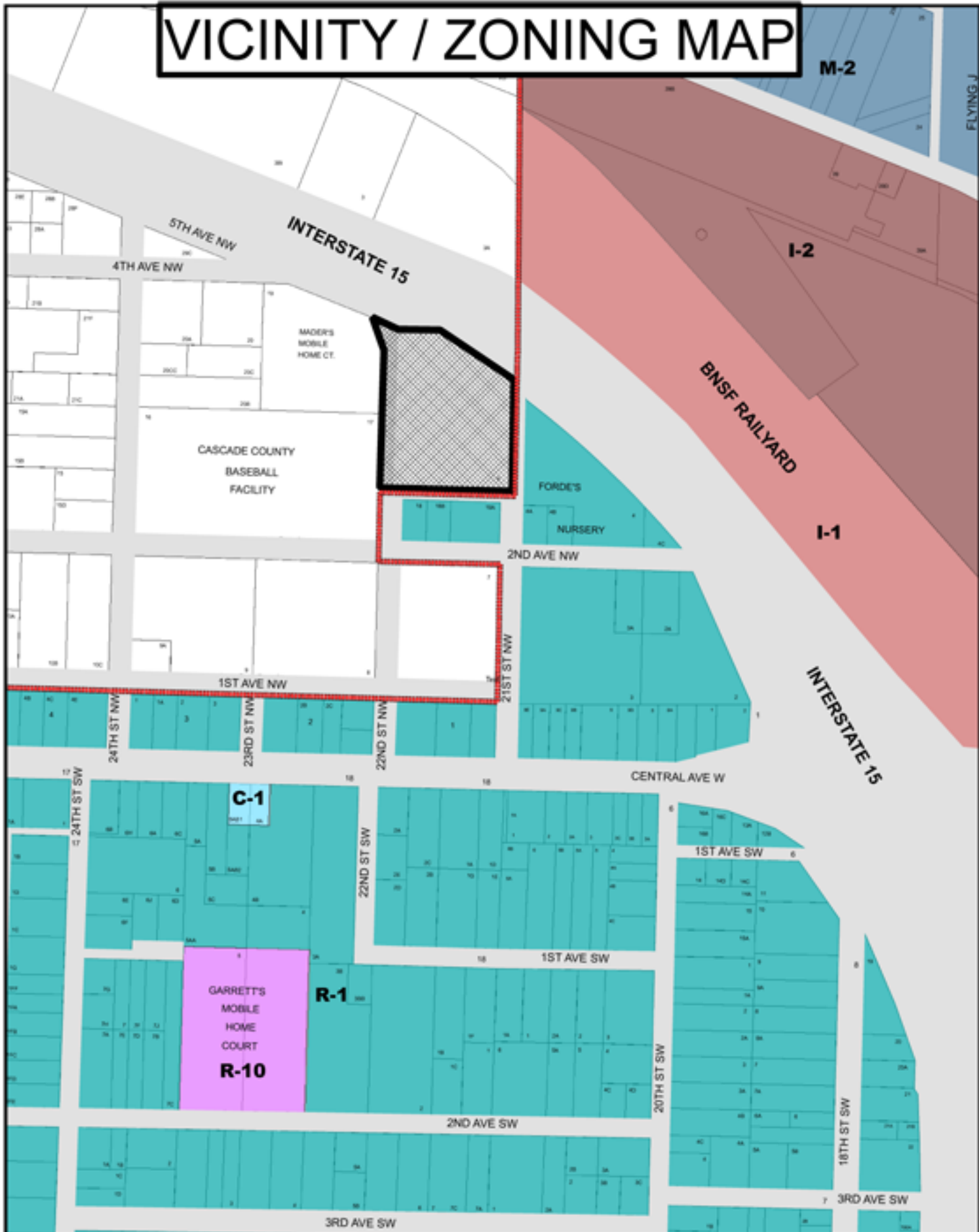
Sincerely,



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				

Regular City Commission Meeting

Mayor Stebbins presiding

CALL TO ORDER: 7:00 PM

PLEDGE OF ALLEGIANCE

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

PROCLAMATIONS: Mayor Stebbins read a proclamation for the 25th Annual Native American Art Show.

NEIGHBORHOOD COUNCILS

Bloomingtondale Park and West Bank Urban Renewal Plan.

1A. Robert Mehlhoff, NC2, invited the City Commission and other representatives of the City, to the rededication of Bloomingtondale Park, on April 27, 2007 from 2– 3 p.m. Mr. Mehlhoff noted that this was a great example of what can be done when the City and Neighborhood Councils work together.

Mr. Mehlhoff also expressed his positive reaction to the West Bank Urban Renewal Plan.

PUBLIC HEARINGS

Res. 9625, Cost Recovery, 510 11th Street South. GF 1st Add., B462, L7. Adopted.

2. RESOLUTION 9625, COST RECOVERY, 510 11th STREET SOUTH.

Community Development Director Mike Rattray reported that the owner(s): Gary Witsoe (owner’s agent Michael Witsoe), of property at Lot 7, Block 462, GF 1st Addn, was issued a “Notice of Hearing” to appear at 7 p.m., March 6, 2007 before the City Commission. The hearing was to show cause why they should not be liable for the costs incurred in abating the property. Mr. Rattray noted a total of \$1,079 in charges were due on the property.

Mayor Stebbins declared the public hearing open. No one spoke in support of Resolution 9625. Those appearing to speak in opposition were as follows:

Jane Witsoe, 510 11th Street South, stated she opposed the way the officials came for her belongings and gave details of the property being taken.

Mike Witsoe, 510 11th Street South, noted his brother was the agent for the property and was out of town. He was discouraged with the manner in which the property was taken.

Mary Jolley, 1910 2nd Avenue North, agreed with the prior testimony and

urged the Commission to forgive this debt.

Stuart Lewin, 615 3rd Avenue North, noted it was good to get the property cleaned up but thought the Witsoe’s had learned their lesson and hoped the Commission would consider helping them out.

Mike Rattray, Community Development Director, noted that Staff inspected the property recently and debris was already accumulating.

There being no one further to address the Commission, Mayor Stebbins declared the public hearing closed and asked for direction from the Commission.

Commissioner Hinz moved, seconded by Commissioner Rosenbaum, that the City Commission adopt Resolution 9625, assessing \$540 against the property. In the event the City has to revisit the property, then the remaining \$539 would be assessed.

There being no further discussion, Mayor Stebbins called for the vote. Motion carried 3-1 (Jovick-Kuntz dissenting).

Res. 9636 and Ord. 2961, final plat, annexation and zoning for Eagle’s Crossing, Phase II. Adopted.

- 3A. RESOLUTION 9636, FINAL PLAT AND ANNEXATION OF EAGLE’S CROSSING, PHASE II.**
- 3B. ORDINANCE 2961, ESTABLISH CITY ZONING UPON THE FINAL PLAT AND ANNEXATION OF EAGLE’S CROSSING, PHASE II.**

Planning Director Ben Rangel reported that Resolution 9636 annexes Eagle’s Crossing Phase II, which consists of 49 single-family residential lots located immediately west of Eagle’s Crossing Phase I. Ordinance 2961 assigns a zoning classification of R-3 single-family high density district. The accompanying Agreement contains terms and conditions associated with annexation.

Mr. Rangel also reported the City Zoning Commission, at the conclusion of a public hearing held June 13, 2006, unanimously recommended the City Commission assign the requested zoning classification.

The Planning Board during a meeting held September 12, 2006, passed a motion recommending the City Commission approve the final plat of Eagle’s Crossing Phase II and the annexation of the property subject to the following conditions: applicant sign an annexation agreement; pay all fees; any errors or omissions be corrected; and final engineering documents approved.

Mayor Stebbins declared the public hearing open. No one appeared to speak in support of or opposition to Resolution 9636 or Ordinance 2961. Mayor Stebbins declared the public hearing closed and asked for direction from the Commission.

Commissioner Jovick-Kuntz moved, seconded by Commissioner Hinz, that the City Commission adopt Resolution 9636 and approve the Final Plat and Annexation Agreement all related to Eagle’s Crossing, Phase II.

Motion carried 4-0.

Commissioner Jovick-Kuntz moved, seconded by Commissioners Rosenbaum and Hinz, that the City Commission adopt Ordinance 2961.

Motion carried 4-0.

Res. 9637 and Ord. 2962, final plat, annexation and zoning for Eagle’s Crossing, Phase III. Adopted.

4A. RESOLUTION 9637, FINAL PLAT AND ANNEXATION OF EAGLE’S CROSSING, PHASE III.

4B. ORDINANCE 2962, ESTABLISH CITY ZONING UPON THE FINAL PLAT AND ANNEXATION OF EAGLE’S CROSSING, PHASE III.

Planning Director Ben Rangel reported that Resolution 9637 annexes Eagle’s Crossing Phase III, which consists of 30 single-family residential lots located immediately west of Eagle’s Crossing Phase I. Ordinance 2962 assigns a zoning classification of R-2 Single-family high density district. The accompanying Agreement contains terms and conditions associated with annexation of the subdivision.

Mr. Rangel also reported that the City Zoning Commission, at the conclusion of a public hearing held June 13, 2006, unanimously recommended the City Commission assign the requested zoning classification.

The Planning Board during a meeting held September 12, 2006, passed a motion recommending the City Commission approve the final plat of Eagle’s Crossing Phase III and the annexation of the property contained therein subject to the following conditions: applicant sign an annexation agreement; pay all fees; any errors or omissions be corrected; and final engineering documents approved.

Mayor Stebbins declared the public hearing open. No one appeared to speak in support of or opposition to Resolution 9637 or Ordinance 2962. Mayor Stebbins declared the public hearing closed and asked for direction

from the Commission.

Commissioner Jovick-Kuntz moved, seconded by Commissioners Rosenbaum and Hinz, that the City Commission adopt Resolution 9637 and approve the Final Plat and Annexation Agreement all related to Eagle’s Crossing, Phase III.

Motion carried 4-0.

Commissioner Hinz moved, seconded by Commissioner Rosenbaum, that the City Commission adopt Ordinance 2962.

Motion carried 4-0.

Res. 9639, Res. 9643 and Ord. 2960, final plat, annexation and zoning Upper/Lower River Road Water & Sewer District. Adopted.

5A. RESOLUTION 9639, FINAL PLAT AND ANNEXATION OF SERVICE DISTRICT NO. 1 (EXCLUDING PARCELS 1, 2 &3), UPPER/LOWER RIVER ROAD WATER & SEWER DISTRICT (ULRRWSD).

5B. RESOLUTION 9643, ANNEXATION OF BNSF R/W LOCATED IN SERVICE DISTRICT NO. 1, UPPER/LOWER RIVER ROAD WATER & SEWER DISTRICT.

5C. ORDINANCE 2960, ESTABLISH CITY ZONING TO THE VARIOUS PROPERTIES WITHIN SERVICE DISTRICT NO. 1, UPPER/LOWER RIVER ROAD WATER & SEWER DISTRICT.

Planning Director Ben Rangel reported that Resolution 9639 annexes Service District No. 1 (Excluding parcels 1, 2 & 3) of the ULRRWSD and Resolution 9643 annexes a segment of BNSF Railroad R/W located in Service District No. 1. Ordinance No. 2960 assigns a zoning classification of R-1 Single-family suburban, R-3 Single-family high density, R-10 Mobile home park, and PUD Planned unit development districts to the various properties within said District.

At the conclusion of the January 23, 2007 public hearing, the Zoning Commission unanimously passed a motion recommending the City Commission assign the requested zoning and the Planning Board passed a motion recommending the City Commission annex property subject to compliance to the Memorandum of Understanding dated November 3, 2004, and the Interlocal Agreement dated October 18, 2005, between the City and the ULRRWSD.

Mayor Stebbins declared the public hearing open.

Rolland Leitheiser, 136 Sharon Drive, supported the Resolutions and

Ordinance, noting the approval of the projects by the residents in the area had changed from 8 percent when the project started to 80-90 percent now. He also reported the second phase was being reviewed by the City and grant agencies.

John Stephenson-Love, 300 40th Avenue South #29, supported the Resolutions and Ordinance and noted how gratifying it was having so many people being served.

Stuart Lewin, 615 3rd Avenue North, noted the commendable efforts of these two people, and the number of projects similar to this would likely increase in the future due to growth in the area. He emphasized the need for the County and City to work together on a Growth Policy.

There being no one further to address the Commission, Mayor Stebbins declared the public hearing closed and asked for direction from the Commission.

Commissioner Hinz moved, seconded by Commissioners Jovick-Kuntz and Rosenbaum, that the City Commission adopt Resolution 9639 related to Service District No. 1 (excluding Parcels 1, 2 and 3), Upper/Lower River Road Water & Sewer District.

Motion carried 4-0.

Commissioner Hinz moved, seconded by Commissioner Jovick-Kuntz, that the City Commission adopt Resolution 9643.

Motion carried 4-0.

Commissioner Hinz moved, seconded by Commissioners Rosenbaum and Jovick-Kuntz, that the City Commission adopt Ordinance 2960.

Motion carried 4-0.

OLD BUSINESS

Ord. 2950, Land Development Code Amendments. Adopted.

6. ORDINANCE 2950, GREAT FALLS LAND DEVELOPMENT CODE AMENDMENTS.

On February 6, 2007, the City Commission conducted a public hearing on Ordinance 2950 regarding amendments to the Great Falls Land Development Code. After the public hearing was closed, a motion was approved to table the ordinance. Ordinance 2950 amended various chapters of the City Land Development Code to address editorial, typographical and housekeeping items; to provide additional clarification and consistency; to refine wording and definitions; to reduce some procedural steps and requirements; and, to expand some provisions.

Commissioner Hinz moved, seconded by Commissioner Rosenbaum, that the City Commission adopt Ordinance 2950, with the exception that Items A. “Legislative Findings,” and B. “Purpose” in Section 17.20.5.040 Large Format Retail Stores be retained; that in Section 17.44.3.030 (B) (3) the original wording be retained; and, in Section 17.8.120, the definition of “Tree, protected” read: “Tree, protected” means a tree on public property that may be threatened with removal or damage during a construction project.

Commissioner Hinz noted that the Commission was appreciative of the work and dedication staff committed to answering the Commission’s questions.

Commissioner Rosenbaum noted he was pleased that the language for big box stores was retained from the original Land Use Code.

There being no further discussion, Mayor Stebbins called for the vote. Motion carried 4-0.

NEW BUSINESS

Ord. 2963, Zoning on Northview Addition, Phase 2. Public hearing set for April 3, 2007.

7. ORDINANCE 2963, ESTABLISH ZONING UPON NORTHVIEW ADDITION, PHASE 2.

Planning Director Ben Rangel reported that Ordinance 2963 would assign a zoning classification of PUD Planned unit development district to Northview Addition Phase 2. The proposed development consists of 18 residential lots along the easterly extension of 38th Avenue Northeast located immediately east of 9th Street Northeast.

Commissioner Jovick-Kuntz moved, seconded by Commissioner Hinz, that the City Commission accept Ordinance 2963 on first reading and set a public hearing for April 3, 2007, to consider adoption of Ordinance 2963.

Motion carried 4-0.

Ord. 2964, Zoning on Cottage Gove Addition, Phase 2. Public hearing set for April 3, 2007.

8. ORDINANCE 2964, ESTABLISH ZONING UPON COTTAGE GROVE ADDITION, PHASE 2.

Planning Director Ben Rangel reported that Ordinance 2964 would assign a zoning classification of PUD Planned unit development district to Cottage Grove Addition Phase 2. The proposed development consists of 10 residential lots along the northerly extension of 49th Street North located immediately north of 8th Avenue North.

Commissioner Jovick-Kuntz moved, seconded by Commissioner Rosenbaum, that the City Commission accept Ordinance 2964 on first reading and set a public hearing for April 3, 2007, to consider adoption of Ordinance 2964.

Motion carried 4-0.

**Ord. 2965,
Amending OCCGF
9.90 Fireworks
Policy. Public
hearing set for
March 20, 2007.**

9. ORDINANCE 2965, AMENDING OCCGF 9.90 FIREWORKS POLICY.

Fire Chief Randy McCamley reported that Ordinance 2965 would revise the current fireworks Ordinance the city operates under. These revisions were an attempt to address issues the public raised relating to the use of fireworks within the city limits. More specifically the revisions include: reducing the number of days fireworks can be sold and discharged; setting the time of day fireworks may be discharged; expanding the types of fireworks permitted; prohibiting the discharge of fireworks from any public property; increasing the fees for fireworks stands; and establishing a fine schedule for fireworks violations.

Commissioner Hinz moved, seconded by Commissioners Jovick-Kuntz and Rosenbaum, that the City Commission accept Ordinance 2965 on first reading and set a public hearing for March 20, 2007, at 7:00 p.m.

Motion carried 4-0.

**Ord. 2967, Great
Falls West Bank
Urban Renewal Plan.
Public hearing set
for March 20, 2007.**

10. ORDINANCE 2967, GREAT FALLS WEST BANK URBAN RENEWAL PLAN.

Planning Department Director Ben Rangel reported that on November 8, 2006, the Commission hired Ms. Janet Cornish of Community Development Services of Montana, to help prepare an urban renewal plan for what was being called the Great Falls West Bank Urban Renewal Program. The TIF element of the plan would establish a “base year” of January 1, 2007 for the purpose of segregating and calculating the incremental increase in the taxable value of the district. The funds derived through the increment program will be used for public improvements. Additionally, future EPA funding, private investment and other public and private funding will be used in conjunction with the increment program funding to implement the Urban Renewal Plan. On February 27, 2007, the City Planning Board held a meeting during which the Urban Renewal Plan was presented and during which the Planning staff reviewed with the Board the goals and strategies of the urban renewal plan and compared them with the Growth Policy. The Planning Board unanimously concurred and recommended that the West Bank Urban Renewal Plan conforms to the Growth Policy.

Mr. Rangel also reported copies of the plan were available for public review either through the Planning Office or the City website.

Commissioner Rosenbaum moved, seconded by Commissioners Hinz and Jovick-Kuntz, that the City Commission accept Ordinance 2967 on first reading and set a public hearing for March 20, 2007.

Motion carried 4-0.

**Ord. 2968,
Amending OCCGF
Title 2, Chapter 50,
Section 040
pertaining to
Neighborhood
Council candidate
requirements.
Accepted on first
reading and final
reading set for
March 20, 2007.**

11. ORDINANCE 2968, AMENDING OCCGF TITLE 2, CHAPTER 50, SECTION 040 PERTAINING TO NEIGHBORHOOD COUNCIL CANDIDATE REQUIREMENTS.

City Attorney David Gliko reported that the Cascade County Election Office requested the City Commission change the election requirements for neighborhood council members so they were the same as those for mayoral and commission candidates. Currently, neighborhood council candidates do not have to be “qualified electors” in a city election to file for office which means they do not have to meet residency requirements to register to vote or actually register to vote. The only requirement was that they live in the district for the council they want to be elected to. Requiring neighborhood council candidates to be qualified electors would assist the election office with authenticating write-in candidates for neighborhood council positions.

Commissioner Jovick-Kuntz moved, seconded by Commissioners Hinz and Rosenbaum, that the City Commission accept Ordinance 2968 on first reading and set a final reading for March 20, 2007, at 7:00 p.m.

Motion carried 4-0.

**Consent Agenda.
Approved as printed.**

CONSENT AGENDA

- 12. Minutes, February 20, 2007, Commission meeting.
- 13. Total Expenditures of \$1,408,534 for the period of February 16-28, 2007, to include claims over \$5000, in the amount of \$1,269,300.
- 14. Contracts list.
- 15. Professional services agreement with Interstate Engineering, Inc., in the amount of \$19,700 for the Rehabilitation of the Mitchell, Water Tower and Jaycee Pools, Amendment No. 1, Splash Decks. (O.F. 1501)
- 16. Construction contract to PEC, Inc. in the amount of \$120,791 for the Sanitary Sewer Trenchless Rehabilitation. (O.F. 1425.6)
- 17. Change Order No. 2 to NewMech Companies, Inc., in the amount of \$8,129 for the Contract 02 – General Construction for the Wastewater Treatment Plant Cogeneration Project. (O.F. 1404)
- 18. Postpone bid award for one new 2007 tandem axle roll-off cab and chassis.
- 19. Bid award for one new 2007 tandem axle truck with a new 2007 rearload refuse packer to I-State Truck Center in Great Falls in the amount of \$149,137, including trade-in.

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

Motion carried 4-0.

Preliminary Plat, Castle Pines Addition, Phase 5. Approved.

20. PRELIMINARY PLAT, CASTLE PINES ADDITION, PHASE 5.

Planning Director Ben Rangel reported that Neighborhood Housing Services was working with NeighborWorks to acquire 21 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 would be processed simultaneously, upon filing the final plat, the lots would be sold, homes constructed and infrastructure installed, with annexation becoming effective, in phases, when the homes were ready for occupancy. Zoning for the subdivision would be further addressed as the final plat together with accompanying annexation documents were considered.

Commissioner Rosenbaum moved, seconded by Commissioner Hinz, that the City Commission approve the Preliminary Plat of Castle Pines Addition Phase 5 and the accompanying Findings of Fact subject to fulfillment of conditions stipulated by the Planning Board.

Motion carried 4-0.

Dorothy Richardson Award.

22. CITY MANAGER REPORT.

City Manager stated he had no City Manager report; however, Commissioner Hinz had a statement.

Commissioner Hinz read a letter announcing Dona Stebbins was the recipient of the 2007 Dorothy Richardson Award for Resident Leadership – Rocky Mountain District.

Positive outlook for Great Falls.

23. CITY COMMISSION REPORT.

Commissioner Rosenbaum noted things seemed to be going pretty well especially with projects such as the Upper/Lower River Road Water and Sewer District annexations, the contract awards for the pools and Co-Gen project.

Highwood Generating Station.

24. PETITIONS AND COMMUNICATIONS.

24A. The following people provided testimony in opposition to the Highwood Generating Station. **Larry Resentes** (2208 1st Avenue North); **Colanthe Wilson-Plant**; **Cheryl Reichert** (51 Prospect Drive); **Dr. Charles Christensen**; **Mike Witsoe** (510 11th Street South); **Mary Jolley** (1910 2nd Avenue North); **Carol Fisher** (500 53rd Street South); **Sandra Dimauro**

(4215 7th Avenue North); **Ken Thornton** (31 Paradise Road); **Charles Boccock** (Great Falls); **Ron Gessaman** (1006 36th Avenue NE); **John Hubbard**; **Stuart Lewin** (615 3rd Avenue North); **Catherine Gessaman** (1006 36th Avenue NE). The comments generally pertained to mercury emissions, overall efficiency of coal plants, renewable resources, the Lewis & Clark Portage Route and the R.W. Beck study.

Brett Doney (3048 Delmar) spoke in support of the plant, and commended the City for their “control of destiny.”

**St. Patrick’s Day,
Russell Auction and
Daylight Savings
Time.**

24B. Mike Witsoe (510 11th Street South) gave community reminders about the St. Patrick’s Day Parade, supporting the Russell Auction and the Daylight Savings Time.

Adjourn.

ADJOURNMENT

There being no further business to come before the Commission, **Commissioner Hinz moved, seconded by Commission Rosenbaum that the regular meeting of March 6, 2007, be adjourned at 9:00 p.m.**

Motion carried 4-0.

Mayor Dona R. Stebbins

Cindy Kenczka, Assistant to the City Clerk

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

PRESENTED BY: City Controller

ACTION REQUESTED: Approval With Consent Agenda

APPROVAL: _____

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

MASTER ACCOUNT CHECK RUN FOR MARCH 7, 2007	487,031.96
MASTER ACCOUNT CHECK RUN FOR MARCH 14, 2007	668,112.70
MUNICIPAL COURT ACCOUNT CHECK RUN FOR FEBRUARY 28, 2007	73,403.00
MUNICIPAL COURT ACCOUNT CHECK RUN FOR MARCH 2, 2007	1,300.00
MUNICIPAL COURT ACCOUNT CHECK RUN FOR MARCH 9, 2007	3,780.00
WIRE TRANSFERS FROM MARCH 7, 2007	115,074.73
WIRE TRANSFERS FROM MARCH 13, 2007	<u>13,464.20</u>
TOTAL: \$	<u><u>1,362,166.59</u></u>

GENERAL FUND

CITY COMMISSION

CROWLEY HAUGHEY HANSON TOOLE	LOBBYIST FEES	5,566.00
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FIRE

ENERGY WEST	FEBRUARY CHARGES	7,154.83
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PARK & RECREATION

ENERGY WEST	FEBRUARY CHARGES	7,122.39
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SPECIAL REVENUE FUND

PLANNING

GREAT FALLS TRANSIT DISTRICT	REIM FOR 1ST QUARTER TRANSIT PRO	14,942.24
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LIGHTING DISTRICT

NW ENERGY	FEBRUARY CHARGES (SPLIT)	54,904.09
NW ENERGY	FEBRUARY CHARGES (SPLIT)	7,622.87

SPECIAL REVENUE FUND CONTINUED

LIBRARY

ENERGY WEST	FEBRUARY CHARGES	5,157.21
EBSCO	ASSORTED SUBSCRIPTIONS	6,943.16

FEDERAL BLOCK GRANTS

NEIGHBORHOOD HOUSING SERVICES	NHS LOAN, DRAWDOWN #2	25,975.10
NEIGHBORHOOD HOUSING SERVICES	NHS LOAN, DRAWDOWN #6	25,000.00

ENTERPRISE FUNDS

WATER

NW ENERGY	FEBRUARY CHARGES (SPLIT)	7,882.09
DANA KEPNER	METER LESS TOUCHPADS	13,650.00
NORMONT EQUIPMENT	WINCH, MOUNT, TRIPOD	3,011.50
ENERGY WEST	FEBRUARY CHARGES	11,565.15
DICK ANDERSON CONSTRUCTION	PMT #1 WATER PLANT FLOCCULATION	205,134.28

SEWER

BROWN & CALDWELL	PRETREATMENT SERV, MALT PLANT	9,331.83
NORMONT EQUIPMENT	WINCH, MOUNT, TRIPOD	3,011.50
STANLEY CONSULTANTS INC	PMT #6 FOR WWTP CO-GEN PROJECT	38,168.00
NEWMECH COMPANIES INC	PMT #2 WWTP CO-GEN PROJECT	188,847.45

SANITATION

SOLID WASTE SYSTEMS	300 GALLON CONTAINERS	22,056.96
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ELECTRIC UTILITY

RW BECK	CONSULTING FOR HIGHWOOD GEN PROJ	70,605.08
LUXAN & MURFITT	CONSULTING FOR PSC PROCEEDING	8,712.19

SWIM POOLS

ENERGY WEST	FEBRUARY CHARGES	7,279.08
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CIVIC CENTER

K&J CONVENTION SERVICES	BOOTH RENTALS FOR MADE IN MT SHOW	6,760.50
MONTANA FEDERAL CREDIT UNION	PAY OUT GOD'S COUNTRY MINISTRIES	13,464.20

INTERNAL SERVICES FUND

HEALTH INSURANCE

BLUE CROSS/BLUE SHIELD	MARCH 2007 ADMIN & REINS FEES	38,011.30
BLUE CROSS/BLUE SHIELD	GROUP AND HMO CLAIMS 3/1-6/07	115,074.73

INTERNAL SERVICES FUND CONTINUED

FISCAL SERVICES			
ASSOCIATED BUSINESS SYSTEMS	UTILITY STATEMENTS, ENVELOPES		12,347.00
INFORMATION TECHNOLOGY			
H T E INC	TRAINING FISCAL		6,363.02
CENTRAL GARAGE			
CITY MOTOR CO INC	2007 PURSUIT CARS, 6 QTY		118,507.02
PUBLIC WORKS			
ENERGY WEST	FEBRUARY CHARGES		11,182.24
FACILITY SERVICES			
ENERGY WEST	FEBRUARY CHARGES		8,817.50
MUNICIPAL COURT			
CASCADE COUNTY TREASURER	FINES AND FORFEITURES		12,089.00
CITY OF GREAT FALLS	FINES AND FORFEITURES		56,025.00

CLAIMS OVER \$5000 TOTAL: \$ 1,148,284.51

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

REVISED

**AGENDA: 9
DATE: March 20, 2007**

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

PRESENTED BY: Peggy J. Bourne, City Clerk

ACTION REQUESTED: Ratification of Contracts through the Consent Agenda

MAYOR'S SIGNATURE: _____

CONTRACT LIST

	DEPARTMENT	OTHER PARTY (PERSON OR ENTITY)	PERIOD	FUND	AMOUNT	PURPOSE
A	Fiscal Services	State of Montana Board of Investments	March 16, 2007	417 0000 361 1008	\$23,000	Loan Agreement #2101 for Meadowlark Addition No. 4 SLD 1306
B	Fiscal Services	QWEST Corporation	Three (3) years	IT	\$1469 monthly rate as of 1/05/2007 \$513.25 non-recurring rate as of 1/5/2007	ISP/Network/Internet and T1 Line Agreement
C	Planning—Historic Preservation Office	Montana Historic Preservation Office PO Box 201202 Helena, MT 59620-1202	April 1, 2007 through March 31, 2008		Not to Exceed \$5,500	Agreement MT 07-21630-016
D	Public Works	P & E LLC	February 2007 through June 2007	None	None	Easement to allow electrical service installation to the Medical Tech Park Lot 3 Development. O.F. 1417.1

E	Public Works	John H. Sheffels, Robert W. Dean Revocable Living Trust and the Spencer Trust	February 2007 through June 2007	None	None	Easement to allow electrical service installation to the Medical Tech Park Lot 3 Development. O.F. 1417.1
F	Public Works	Anderson-Montgomery Consulting Engineers	Not Defined (est. 180 days)	513 3164 531 3599	Not to exceed \$12,000	Regulatory Compliance for Water Treatment Plant O.F. 1511.
G	Human Resources	Laborer's Local #1686	Through 6/30/08	561-6452-563-1115 561-6451-563-1115	\$876.00	Letter of Understanding with Laborer's Union at the Golf Courses.

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

**AGENDA: 10
DATE: March 20, 2007**

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

PRESENTED BY: Peggy Bourne, City Clerk

ACTION REQUESTED: Ratification of Lien Releases through the Consent Agenda

MAYOR'S SIGNATURE: _____

LIEN RELEASES

	DEPARTMENT	OTHER PARTY (PERSON OR ENTITY)	PERIOD	FUND	AMOUNT	PURPOSE
A	Fiscal Services	Albert S. Gonzales, (owner at time of recording) 720 – 7 th Street North N70’ of Lot 7, B130, Great Falls Original Townsite			\$166.12	Resolution 9448, for Assessing Properties for Unpaid Sewer, Fire Hydrant, Storm Drain and Sanitation Charges during calendar year 2004.
B	Fiscal Services	Ronald L. Kinder E25’ of N94’ and E29’ of S56’ of Lot 12, B145, GF3			\$180.95	Resolution \$9607 for Assessing Properties for Unpaid Sewer, Fire Hydrant, Storm Drain and Sanitation Charges during calendar year 2006.
C	Fiscal Services	Muriel C. Lynch E ½ of Lot 12, B425, GFO			\$348.86	Resolution \$9607 for Assessing Properties for Unpaid Sewer, Fire Hydrant, Storm Drain and Sanitation Charges during calendar year 2006.

D	Fiscal Services	Kaylee Henry (formerly Charles & Kaylee Henry)			\$302.86	Resolution 9607 for Assessing Properties for Unpaid Sewer, Fire Hydrant, Storm Drain and Sanitation Charges during calendar year 2006.
E	Fiscal Services	Frances A. Walton Living Trust, owner at time of recording 1506 16 th Street South Lot 16, B9, Sunnyside Heights Addition.			\$500.00	Resolution 9543 for Assessing Cost of Removal and Disposal of Nuisance Weeds in violation during calendar year 2005.
F	Fiscal Services	Lisa D. Bick S 50' Lot 1, B114, GF4			\$200.00	Resolution 9541 for Assessing Cost of Removal and Disposal of Nuisance Weeds in violation during calendar year 2004.
G	Fiscal Services	Harvey B. and Eveyln A. Forrest Lot 10, B31, FAV			\$400.00	Resolution 9541 for Assessing Cost of Removal and Disposal of Nuisance Weeds in violation during calendar year 2004.

AGENDA REPORT

DATE March 20, 2007

ITEM Sun River Watershed Contribution Request

INITIATED BY Alan Rollo, Sun River Watershed

ACTION REQUESTED Approve Contribution to Sun River Watershed

PRESENTED BY John Lawton, City Manager

RECOMMENDATION: It is recommended that the City Commission approve the following motion:

MOTION: I move the City Commission approve a contribution in the amount of \$3,000 to the Sun River Watershed Group.

SYNOPSIS: The Sun River Watershed Group is requesting a \$3,000 contribution to assist in its cleanup efforts for 2007. They anticipate removing another 40 cars and 20,000 pounds of trash from the banks of the Lower Sun River. Funds are available in the City Commission professional services budget.

BACKGROUND: The Sun River Watershed Group has been working to clean up the banks of the Lower Sun River. With the assistance of local volunteers and funds from many partners, including the City of Great Falls, they have removed numerous old cars and several thousands pounds of trash from the banks of the river. The City made a contribution of \$2,000 in 2006 and has also contributed man hours and equipment towards the cleanup effort.

AGENDA REPORT

DATE March 20, 2007

ITEM: CHANGE ORDER NO. 3 – CONTRACT O2, GENERAL CONSTRUCTION FOR THE WATERWATER TREATMENT PLANT COGENERATION PROJECT, O. F. 1404

INITIATED BY: PUBLIC WORKS DEPARTMENT / ENGINEERING DIVISION

ACTION REQUESTED: APPROVE CHANGE ORDER NO. 3

PRESENTED BY: JIM REARDEN, PUBLIC WORKS DIRECTOR

- - - - -

RECOMMENDATION: Staff recommends approval of Change Order No. 3 to NewMech Companies, Inc. (NewMech) for Contract 02 – General Construction for the Wastewater Treatment Plant Cogeneration Project, O. F. 1404.

MOTION: “I move the City Commission approve Change Order No. 3 of \$34,621.62 and a contract time extension of 35 days to the substantial completion date to NewMech Companies, Inc. for Contract 02 – General Construction for the Wastewater Treatment Plant Cogeneration Project, O. F. 1404, and authorize the City Manager to execute the agreements.”

SYNOPSIS: At the contractor’s request and with our consultant’s (Stanley Group) concurrence, \$34,621.62 is requested to be added to the contract for a variety of electrical and instrumentation modifications/upgrades. The original contract price of \$1,143,000.00 which was increased by \$8,129.00 in change order No. 2 will be increased by \$34,621.62 for a total contract price of \$1,185,750.62. Due to these changes an additional 35 days to the contract time is being requested as well. The only other bid, submitted by Sletten Construction for this job, was \$1,921,700.00.

BACKGROUND: On November 21, 2006, the City Commission awarded a contract to NewMech for general construction and installation of equipment that will use methane gas produced in the treatment process at the wastewater treatment plant to generate electricity and heat to meet part of the plant’s energy requirements. Construction started in December and is scheduled to be completed this spring. Also of note, all of the equipment that was pre-purchased under Contract 01 has been delivered, and most of it has been installed. Substantial completion of the project is set for May 8th, 2007 and final completion is scheduled for May 23, 2007

Attachments: Change Order No. 3 (Not available online; on file in the City Clerk’s Office.)

AGENDA REPORT

DATE March 20, 2007

ITEM: CONSTRUCTION CONTRACT AWARD: HORIZON PARK AND CENTRAL AVENUE WEST WATER MAIN REPLACEMENTS, O. F. 1437

INITIATED BY: PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION

ACTION REQUESTED: CONSIDER BIDS AND AWARD CONTRACT

PRESENTED BY: JIM REARDEN, PUBLIC WORKS DIRECTOR

MOTION: "I move the City Commission award a contract in the amount of \$596,855.00 to Phillips Construction for the Horizon Park and Central Avenue West Water Main Replacements, O. F. 1437, and authorize the City Manager to execute the construction contract documents."

PROJECT TITLE: Horizon Park & Central Avenue West Water Main Replacements, O. F. 1437

RECOMMENDED CONTRACTOR: Phillips Construction

CONTRACT AMOUNT: \$596,855.00

ENGINEER'S ESTIMATE: \$580,800.00

START DATE: Projected for April 2007

COMPLETION DATE: July 2007 (98 Calendar Days)

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

SYNOPSIS: This project will replace portions of the water system located in 29th Avenue Northwest, 30th Avenue Northwest, Division Road, Central Avenue West, and 21st Street Northwest. The number of main breaks in these areas is among the highest in the water system.

Four bids were received and opened for this project on March 7, 2007. The bids ranged from \$596,855.00 to \$784,755.00. The attached bid tabulation summarizes this information. Water utility funds are available for this project.

BACKGROUND: This project is part of a continuing improvement program to replace old and deteriorated water mains in many areas around the City. Water main breaks have damaged the roadway and disrupted water service to local residences. The breaks are primarily due to corrosive soils, age, and the type of pipe material used. This project, which is identified in the City's Water Capital Improvement Plan, will replace approximately 3,500 lineal feet of 6 and 8 inch, 510 lineal feet of 12 inch, and 670 lineal feet of 16 inch deteriorated cast iron pipe with PVC water main.

Other improvements include installation of new fire hydrants and replacement of non-copper water services.

The mains are located in 29th Avenue NE from Horizon Park to 3rd Street NW, 30th Avenue NE from Horizon Park to Division Road, Division Road from 29th Avenue NE to Skyline Drive, 9th Street Northwest from Northwest Bypass to 10th Avenue Northwest, Central Avenue West from 23rd Street to 25th Street, and 21st Street NW from Central Avenue West to 2nd Avenue NW.

City engineering staff completed the project design and will perform construction inspection and contract administration duties.

Attachment: Bid Tabulation Summary

PURCHASE REQUISITION
City of Great Falls

PR No.

DEPARTMENT: Engineering Division

DATE: February 14, 2007

SUGGESTED VENDOR () ACTUAL VENDOR (X) SOLE SOURCE () EMERGENCY, Attach Justification ()

VENDOR NAME: Great Falls Tribune			DATE NEEDED:
ADDRESS: P.O. Box 5468			SHIP BY:
CITY: Great Falls	STATE: MT	ZIP: 59403	FOB GREAT FALLS:

PURCHASE ORDER TO BE: MAILED (X) RETURNED TO DEPARTMENT HEAD () EXPEDITED ()
INCLUDE ENCLOSURE () INCLUDE WARRANT () CONFIRMATION -DO NOT DUPLICATE ()

QTY	UNIT	DESCRIPTION	\$ UNIT PRICE	\$ TOTAL PRICE
1		Legal Ad: Horizon Park and Central Avenue West Water Main Replacement OF 1437	\$671.76	\$671.76
		To Be Run: 02/18/07, 02/25/07 and 03/02/07		
		To Be Opened: March 7, 2007 3:00 PM		
		PLEASE SEND COPY OF CHARGES TO THE ENGINEERING DIVISION		
GOODS OR SERVICES LISTED ARE PROPER CHARGES TO DEPARTMENT BUDGET AS INDICATED			FREIGHT	\$
			TOTAL	\$671.76

FUND	DEPT	FUND	ACCT	SUB ACCT	OBJ	UNENCUM BALANCE	AMOUNT
511	31	56	535	93	19		
	Project #	350701					

I HEREBY CERTIFY THAT THE ABOVE IS A TRUE AND ACCURATE REQUISITION

PREPARED BY: _____

DEPT APPROVAL BY: _____

FIN DIR APPROVAL: _____

CITY MGR APPROVAL: _____

PRICES INDICATED ARE: FIRM () ESTIMATED ()
Quotations By: Phone () Written () Attach Copies to PR

1. _____
2. _____
3. _____

ISSUED:

P.O. NUMBER	BY	DATE
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CITY OF GREAT FALLS, MONTANA

AGENDA # 14

AGENDA REPORT

DATE: March 20, 2007

ITEM: ONE NEW 2007 TANDEM AXLE ROLL-OFF CAB & CHASSIS

INITIATED BY: PUBLIC WORKS DEPARTMENT

ACTION REQUESTED: REJECT BIDS

PRESENTED BY: JIM REARDEN, PUBLIC WORKS DIRECTOR

RECOMMENDATION:

Staff recommends that the City Commission reject the bids for one new 2007 tandem axle roll-off cab & chassis.

MOTION:

I move that the City Commission reject the bids for one new 2007 tandem axle roll-off cab & chassis.

SYNOPSIS:

The specifications were advertised three times in the Great Falls Tribune and mailed to four prospective bidders, with three bidders responding. The bids were opened on February 21, 2007. All bids came in over the budget allocation. The bid award was postponed by the City Commission on March 6, 2007 to allow staff additional time to evaluate funding options for this purchase. The tandem axle roll-off cab & chassis will be rebid when adequate funds are available for the purchase.

BACKGROUND:

This unit will be used in the Sanitation Division. Funds for its purchase were provided in the FY 2007 Sanitation Budget; however recent changes in diesel engine emission standards and the increased price of steel have driven truck prices above budget.

CITY OF GREAT FALLS
 PO BOX 5021
 GREAT FALLS MT 59403

NEW 2006 OR 2007 TANDEM AXLE TRUCK

Project Number
 Bids Taken at Civic Center
 Date: February 21, 2007
 Tabulated By: Kelly Audet
 Page 1 of 1

NAME & ADDRESS OF BIDDER	Bid Security	Affidavit of Non-Collusion	User's List	Bid Price for 1 Unit	Make	Model	
I-State Truck Center	BB 10%	√	√	\$98,528.00	Sterling	LT9500	
I-State Alternate Bid	BB 10%	√	√	\$95,063.00	Sterling	LT9500	
Tri-State Equipment	BB \$10,500 *	√	√	\$98,235.00	Volvo	VHD64F200	
Tri-State Alternate Bid		√	√	\$101,820.00	Mack	GU713	
Motor Power	BB \$15,000	√	√	\$96,950.00	Kenworth	T800	

* Tri-State's Bid Bond is good for both bids.

Roll-Off Cab & Chassis Bid List – Updated 2/21/07

Tri-State Equipment
5024 Tri-Hill Frontage Road
Great Falls MT 59404

I State Truck Center
P.O. Box 2165
Great Falls MT 59403

Motor Power Great Falls
P.O. Box 2264
Great Falls MT 59403

HCL Equipment
ATTN: Mike
P.O. Box 1338
Billings MT 59103

CITY OF GREAT FALLS, MONTANA

AGENDA # 15

AGENDA REPORT

DATE March 20, 2007

ITEM Appointment, Mansfield Center for the Performing Arts Advisory Board

INITIATED BY City Commission

ACTION REQUESTED Appoint One Member

PRESENTED BY City Commission

RECOMMENDATION: It is recommended that the City Commission appoint one member to the Mansfield Center for the Performing Arts Advisory Board to fill the remainder of a three-year term through December 31, 2009.

MOTION: I move the City Commission appoint _____ to the Mansfield Center for the Performing Arts Advisory Board to fill the remainder of a three-year term through December 31, 2009.

SYNOPSIS: Al Faechner was originally appointed to the Mansfield Center for the Performing Arts Advisory Board to fill the remainder of a three-year term on October 5, 2004. He was reappointed for a three-year term on December 5, 2006. Mr. Faechner has resigned from the Board; therefore, it is necessary to appoint one member to fill the remainder of his term.

BACKGROUND: The Civic Center Advisory Board was created in 1997 and was amended by Ord. 2928 in February of 2006 to change the name to the Mansfield Center for the Performing Arts Advisory Board. The Board acts in an advisory capacity to the City Commission and the City Manager on matters related to the successful operation of the Civic Center as the Mansfield Center for the Performing Arts and public meeting rooms. The Board consists of five to seven members with an attempt to have representation from the areas of performing arts, conventions and meetings, and civic leaders.

Continuing members of this board are:

- Carl Donovan
- Laura Flaherty
- Larry Gomoll
- Robert Kampfer
- Judith Sargent
- Rick Tryon

Citizens interested in serving on this board are:

- Casey Kelly Buckingham
- Barb Tamietti
- Michael Winters
- Michelle Wood