



City Commission Agenda

for

December 5, 2006

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

NEIGHBORHOOD COUNCILS

1. Miscellaneous reports and announcements.

PUBLIC HEARINGS

2. CDBG & HOME Grant/Consolidated Plan Community Needs Public Hearing. Action: Conduct public hearing. **(Presented by: Mike Rattray)**

OLD BUSINESS

NEW BUSINESS

ORDINANCES/RESOLUTIONS

3. Ord. 2957, Revise Sign Code. Action: Accept Ord. 2957 on first reading and set December 19, 2006, for final reading. **(Presented by: Mike Rattray)**
4. Res. 9626, Great Falls West Bank Urban Renewal District. Action: Adopt or deny Res. 9626. **(Presented by: Ben Rangel)**
5. Res. 9627, Relating to Financing the Construction of Certain Swimming Pool Improvements at the Mitchell, Jaycee, and Water Tower Pools; Establishing Compliance with Reimbursement Bond Regulations Under the Internal Revenue Code. Action: Adopt or deny Res. 9627. **(Presented by: Coleen Balzarini)**

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

6. Minutes, November 21, 2006, Commission meeting.
7. Total Expenditures of \$1,401,687 for the period of November 15-29, 2006, to include claims over \$5000, in the amount of \$1,208,484.
8. Contracts list.
9. Set public hearing for December 19, 2006, on Res. 9624, Nuisance Abatement at 510 11th Street South.
10. Set public hearing for December 19, 2006, on Res. 9628, Land Development Principles and Guidelines for East End Development.

11. Approve Change Order No. 1 in the amount of \$3,007.31 and final payment to Dick Olson Construction, Inc., for \$15,008.70 and the State Miscellaneous Tax Division for \$151.61 for the Renovation of the Women's First Floor Restroom in the Civic Center.
12. Approve Contract for Employee Group Health Insurance Third Party Claims Administration and Specific Stop-Loss Coverage with Blue Cross and Blue Shield of Montana.

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

BOARDS & COMMISSIONS

13. Reappointments, Mansfield Center for the Performing Arts Advisory Board. Reappoint Rick Tryon and Al Faechner for three-year terms through December 31, 2009, and reappoint Robert Kampfner to a one-year term through December 31, 2007.
14. Appointments, Great Falls Planning Advisory Board. Reappoint John Harding, William Roberts and Ron Kinder to three-year terms through December 31, 2009, and appoint one new member to fill the remainder of a three-year term through December 31, 2007.
15. Appointment, Great Falls Transit District Board. Appoint one new member to the Board for a four-year term beginning on December 5, 2006, and expiring on November 30, 2010.
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.

ADJOURN

ITEM CDBG & HOME Grant/Consolidated Plan Community Needs Public Hearing

INITIATED BY Community Development Staff

ACTION REQUESTED Conduct Public Hearing

PREPARED & PRESENTED BY Chris Imhoff, CDBG/HOME Administrator

REVIEWED & APPROVED BY Mike Rattray, Community Development Director

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RECOMMENDATION:

Staff recommends the City Commission conduct the Consolidated Plan community needs public hearing required for the Community Development Block Grant and HOME Grant programs.

MOTION:

No action required.

SYNOPSIS:

The purpose of this Consolidated Plan community needs public hearing is to allow the citizens, especially lower income citizens of Great Falls, an opportunity to advise the City Commission of the community's issues. Ideas are encouraged regarding how federal grant funds can be used to address these issues and help eliminate needs. The comments heard at this public hearing will be considered by the City Commission in allocating the 2007/2008 Community Development Block Grant and HOME Grant funds.

This hearing is not meant to be a format for agencies to lobby for their respective Community Development Block Grant or HOME Grant funding applications. Instead, individuals are encouraged to speak to housing and non-housing community development issues in the City, and especially the effect of these issues on low and moderate income persons.

BACKGROUND:

A forum to obtain public input as to the needs of the community is required by the U.S. Department of Housing & Urban Development in order for the City to secure federal grant dollars. The Citizen Participation Plan, adopted by the City Commission on January 17, 2006, stipulates a public hearing to allow citizens, especially lower income citizens, the opportunity to speak of the needs of the community, and to make recommendations to the City Commission of the use of the Community Development Block Grant and the HOME Grant funds to help address issues and eliminate needs.

AGENDA REPORT

DATE December 5, 2006

ITEM Ordinance 2957 to Revise Sign Code

INITIATED BY City Staff

ACTION REQUESTED Accept Ordinance 2957 on First Reading

PREPARED BY Benjamin Rangel, Planning Director

PRESENTED BY Mike Rattray, Community Development Director

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

MOTION: "I move the City Commission accept Ordinance 2957 on first reading and set December 19, 2006 as the date to consider adoption of Ordinance 2957."

SYNOPSIS: The ordinance would amend Chapter 60 of the Land Development Code which governs signs within the City of Great Falls. The current sign code has been in effect since May 2005. The proposed revisions are primarily to address minor housecleaning items, to provide additional clarification, and to add a provision to address signage if a premise is subsequently subdivided. The revised Code is attached in its entirety to Ordinance 2957, as Exhibit "A". Deletions have been "lined through" and additions have been "bolded."

BACKGROUND: A rather extensive and time consuming review and development process was conducted by an appointed sign committee to prepare the current sign code, which became effective on May 5, 2005.

With over one and one-half years of working experience with the new code, City staff has identified a few items and issues that warrant further consideration and/or clarification. Briefly, the proposed changes include:

1. Signs for home occupations, family day cares, adult group homes and other approved home uses would not require sign permits, provided size and location standards are met. (Section 17.60.2.020, Page 3)
2. All references to specific dollar amounts for fees, costs, etc. were deleted and instead payment of fees and costs would be as set by the City Commission. (Sections 17.60.3.010, 17.60.4.060, 17.60.5.030, and 17.60.8.030, Pages 3, 11, 14 & 19)
3. To be consistent with the narrative description in the Code, Exhibit 60-6 was revised to note that one free-standing pole sign would be allowed per premise frontage for premises exceeding 50,000 square feet in area. (Page 5)
4. Reference was made to the appropriate section of the Code that addresses signs for home occupations, family day cares and the like. (Section 17.60.4.010, Page 6)

5. Clarification was provided that on-premise signs are authorized for approved commercial uses in residential zoning districts, neighborhood commercial zoning districts, and central business periphery zoning districts. (Section 17.60.4.010, Page 6)

6. A new provision was added to address signage if a premise is subsequently subdivided. Specifically, the provision states, “If a premise is subsequently subdivided after a freestanding sign allocation has been established for the premise, the subsequently created parcels shall share the freestanding sign allocation; shall share the same freestanding sign pole or monument; and, the owner/subdivider is responsible for allocating the signage amongst the separately created parcels at the time of each sale or lease.” (Sections 17.60.4.010, 17.60.4.020, 17.60.4.030 and 17.60.4.050, Pages 6, 7 & 10)

7. If a sign permit is revoked and the sign is not removed, the City may remove the sign and the sign owner may then reclaim the sign within ten working days. After that time, the sign may be destroyed. The requirement that the owner pay a \$50 fee to reclaim the sign was removed. (Sections 17.60.4.030, 17.60.5.030 and 17.60.8.030, Pages 9, 14 & 19)

It is offered that the proposed amendments will further benefit the public and will assist staff to more clearly enforce the revised sections and to provide an additional signage provision to address subsequently subdivided premises.

Attachments: Ordinance 2957
Chapter 60, Sign Code (Revised)

ORDINANCE 2957

AN ORDINANCE TO REVISE TITLE 17,
CHAPTER 60, OF THE OFFICIAL CODES OF
THE CITY OF GREAT FALLS, MONTANA,
PERTAINING TO THE SIGN CODE AND
REPEALING ANY AND ALL PREVIOUS
ORDINANCES OR INTERIM ORDINANCES

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

Section 1 Title 17, Chapter 60, as depicted in EXHIBIT "A" attached, is hereby adopted.

PASSED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, this
19th day of December, 2006.

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. 2957 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 19th day of December, 2006,

and approved by the Mayor of said City on the 19th day of December, 2006.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City on this 19th day of December, 2006.

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 19th day of December, 2006, 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 2957 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)

**Chapter 60
SIGN CODE**

Articles:

1. General provisions
2. Prohibited signs and signs exempt from permit
3. Temporary signs
4. On-Premise signs
5. Off-premise signs
6. Design/construction requirements
7. Permit, inspections and licenses
8. Enforcement

**Article 1
GENERAL PROVISIONS**

Sections:

17.60.1.010	Title		
17.60.1.020	Intent and purpose		

17.60.1.010 Title

This chapter is known as the Great Falls Sign Code, may be cited as such and is referred to in this chapter as "this Code."

17.60.1.020 Intent and purpose

The intent of this Code is to protect the health, safety and welfare of the citizens of Great Falls; to provide for a well-maintained and aesthetically pleasing appearance of the community; and to provide adequate business identification and advertising communication. The purpose of this Code is to establish parameters for size, location, type, maintenance and construction of signs and sign structures within the City of Great Falls in order to:

- A. Promote a positive economic and business climate through distinctive and effective signage.
- B. Improve Great Falls’ community image by eliminating sign clutter.
- C. Encourage signage of a scale and character consistent with building, site, streetscape and neighborhood.
- D. Ensure protection of pedestrians and motorists from injury and/or damages attributable to distractions and obstructions caused by improperly placed signs.
- E. Provide a comprehensive and cohesive code that is readily understood and consistently applied.
- F. Provide effective and binding code implementation and enforcement measures.

**Article 2
PROHIBITED SIGNS AND SIGNS EXEMPT FROM PERMIT**

Sections:

17.60.2.01	Prohibited signs and exceptions		
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17.60.2.020	Signs exempt from permit		

17.60.2.010 Prohibited signs and exceptions

The following signs are prohibited within the City of Great Falls:

- A. Signs located on public property, except light pole banners for community events and authorized Central Avenue banners. Sandwich boards are allowed on public property in the Central Business Core District only.
- B. Portable changeable-copy signs.
- C. Signs that flash, spin, rotate or have similar motion-based devices. This includes signs with moving parts, flashing lights of any kind and/or sound, but does not prohibit permanent electronic message boards or permanent electronic changeable copy signs as long as they do not flash. The display on electronic message boards must be synchronized so that any flashing text must remain for a minimum of three seconds.
- D. Light beams, holograms and rotating beacons or signs that simulate traffic signals or emergency response equipment or cause a traffic distraction.
- E. Roof signs which extend more than half way up the roof to the ridge line. (See Exhibit 60-1 page 20 of this chapter.)
- F. Signs advertising a product, service or business that are carried, worn or otherwise supported by a person or animal except during licensed parades and community events. This does not apply to uniforms and corporate wear.
- G. Signs on City trees, utility poles, street lights, traffic control boxes or other public property. This does not apply to official government signs.
- H. Vehicles used as on-premise or off-premise signs. Vehicles and trailers existing for the primary purpose of advertising are prohibited. Such vehicle-signs are not permitted in public rights-of-way, on public property or on private property where such objects are visible from the public right-of-way. This restriction is intended to prohibit the use of vehicles for the singular purpose of on-premise or off-premise advertising. This restriction shall not be construed to prohibit normal advertising on commercial vehicles, e.g. firm name, telephone number, business address, major enterprise, principal products or services. This restriction shall not be construed to limit political signs mounted on vehicles. Commercial transportation vehicles that are licensed, self-propelled, in compliance with State and City statute and/or ordinance requirements and are operating in the function for which they are intended are not subject to this prohibition.

17.60.2.020 Signs exempt from permit

The following signs do not require sign permits. However, signage must be in compliance with this Code in all other respects.

- A. Flags, emblems, crests or insignia of any nation, political subdivision, corporation or any other entity or business.
- B. Government and Public Utility Signs. This includes traffic regulatory, warning signs, information or directional signs, temporary special event signs, public notices and identification signs for public buildings and grounds that are erected, installed or placed by or on behalf of any federal, State, county or City government. Public utility signs showing locations of underground facilities or public telephones, and safety signs on construction sites, are included within this exemption.
- C. Real estate signs. (See Exhibit 60-2 page 21 of this chapter.) Each premise that is for sale, lease or rent is allowed two (2) real estate signs no larger than six (6) square feet in

- area and six (6) feet in height in residential zoning districts or thirty-two (32) square feet in area and six (6) feet in height in commercial and industrial districts. A separate open house sign may be displayed during open house hours only.
- D. Construction signs displaying the names of general and sub-contractors, architects, designers, financial underwriters, etc. provided that such signs do not exceed sixteen (16) square feet in area and four (4) feet in height in residential zoning districts or thirty-two (32) square feet in area and ten (10) feet in height in commercial and industrial districts. (See Exhibit 60-2 page 21 of this chapter.) Larger on-premise signs promoting a new development would be allowed by permit as a temporary sign.
- E. Ideological signs no larger than six (6) square feet in area and four (4) feet in height.
- F. Ground level window signs that are no larger than one-third (1/3) of an architecturally distinct window. (See Exhibit 60-3 page 22 of this chapter.) Signs in windows above ground level are allowed for business identification purposes only and must not exceed one-fourth (1/4) of the area of a given window.
- G. On-premise directional or incidental signs not exceeding four (4) square feet in area that are not designed to be legible from an off-premise position. (See Exhibit 60-2 page 21 of this chapter.)
- H. Political signs no larger than sixteen (16) square feet in area and four (4) feet in height. Signs may be placed no earlier than 60 days prior to any election. Signs must be removed within seven (7) consecutive days after an election. When a primary election is held in September, successful candidates may leave signs up through the general election. Political signs must be placed at least twelve (12) feet from the back of the curb. (See Exhibit 60-3 page 22 of this chapter.) Vehicular and pedestrian sight distances must be unobstructed.
- I. Non-illuminated temporary signs for civic, charitable, educational, religious events/celebrations or special non-profit community events/celebrations are allowed without permit but placement must comply with provisions of this Code. (See Exhibit 60-4 page 23 of this chapter.) One (1) off-premise special event sign is allowed per premise. The sign is limited to thirty-six (36) square feet. The sign display is limited to ten (10) days before the event and must be removed within 72 hours of the close of the event.
- J. Special community event light-pole banners are allowed in the public right-of-way. (See Exhibit 60-5 page 24 of this chapter.)
- K. ~~Home occupation signs and nameplates in residential districts, provided such signs are not illuminated, do not exceed two (2) square feet in area and are attached to the residence.~~ **Signs for approved home occupations, family day cares, adult group homes and other approved non-residential uses allowed in residential homes are allowed without permit, but shall conform to the following standards:**
1. No exterior display shall be permitted except allowed signage.
 2. Allowed signage is limited to one non-illuminated sign. Such signage shall:
 - a. not exceed one hundred forty-four square inches (one square foot) in area;
 - b. not exceed twenty-four inches in length; and,
 - c. be placed flat against the dwelling unit.
- L. Street number signs not exceeding four (4) square feet
- M. Garage Sale signs not exceeding four (4) square feet displayed on the day of the sale only. Signs placed on public property as well as signs not removed at the end of the sale will be subject to citation.

**Article 3
TEMPORARY SIGNS**

Sections:

17.60.3.010	On-premise temporary signs		
17.60.3.020	Central Avenue banners		

17.60.3.010 On-premise temporary signs

Each commercial or industrial premise may receive a permit for one (1) temporary sign of up to sixty-four (64) square feet. Banners, wind signs and sandwich board signs are considered temporary. The permit may be granted for up to 60 days. An annual permit may be issued for one (1) temporary sign per premise for a period of one year, **upon payment of a fee as may be set by City Commission resolution.** The following restrictions apply:

- A. Temporary signs must be located totally on private property and no closer to the public right-of-way than one-half (1/2) the distance between the right-of-way and the closest building. (See Exhibit 60-4 page 23 of this chapter.)
- B. Temporary signs must be well-maintained and secured. Signs may not be tattered or torn.
- C. Temporary signs may not be displayed in place of permanent signage. Businesses must display permanent signage no later than 45 days after commencement of commercial operations or show proof that signage is on order.
- D. Temporary signs must be of professional quality.
- E. Large inflatables are considered temporary signs. Permits must be obtained before they are displayed. Inflatables may not be higher than twenty-five (25) feet above the ground as measured from the top of the inflatable.

17.60.3.020 Central Avenue banners

This section applies only to off-premise banners displayed across Central Avenue.

- A. Banners may be no larger than one hundred (100) square feet.
- B. One banner permit may be issued at a time for a maximum of 30 consecutive days. Time allowances are exclusive, i.e. only one sign may be displayed at a time. The entire time allowance for a given banner permit must expire before another banner may be displayed.
- C. Permission to connect a banner must be received from the owners of the banner-anchoring buildings.

Exhibit 60-6

<i>ON PREMISE SIGNAGE TABLE</i>					
	NEIGHBORHOOD COMMERCIAL M-1, C-1, C-5, PLI, POS	COMMERICAL/ INDUSTRIAL C-2, C-3, I-1, I-2 (non-Riverfront)	CENTRAL BUSINESS CORE DISTRICT C-4	RIVERFRONT CORRIDOR	PREMISES EXCEEDING 50,000 S.F. IN AREA
TOTAL ALLOWANCE PER PREMISE (S.F.)	50	Wall signage allowance plus 200	Wall signage allowance plus 100	Wall signage allowance plus 100	Wall signage allowance plus 300
WALL Signs per Frontage Area	1 (max 2 signs) 32 S.F. per sign	10% of building wall area per frontage	10% of building wall area per frontage	10% of building wall area per frontage	10% of building wall area per frontage
FREE-STANDING POLE Signs per Frontage Area (S.F.)	1 32 /sign	1 1 S.F./linear foot of premise frontage	1 1 S.F./linear foot of premise frontage	1 1 S.F./ linear foot of premise frontage	1 1 S.F./linear foot of per premise frontage
Height (FT)	6	Max. 200 25	Max. 100 20	Max. 100 20	Max. 300 25
PROJECTING Signs in Place of Wall or Free-standing Sign Maximum Area (S.F.)	32	32	32	32	32

**Article 4
ON-PREMISE SIGNS**

Sections:

17.60.4.010	Residential, neighborhood commercial and central business periphery districts	17.60.4.040	Riverfront corridor
17.60.4.020	Commercial and industrial districts	17.60.4.050	Premises exceeding 50,000 square feet
17.60.4.030	Central business core district	17.60.4.060	Montana ExpoPark, Multi-Sports Park, Legion Ball Park and the Soccer Park

17.60.4.010 Residential, neighborhood commercial and central business periphery districts

The following on-premise signs are authorized for approved commercial-~~approved~~ uses in ~~residential neighborhoods~~ residential zoning districts, neighborhood commercial (C-1) zoning districts, and central business periphery zoning districts (C-5), subject to issuance of a sign permit. Home occupations, family day cares and the like, allowed in residential units ~~regulated by Section 5.02.220K of OCCGF~~ are addressed in section 17.60.2.020.K of this Title and are not included in this section. Each commercial premise is limited to a maximum of fifty (50) square feet of total signage. If the premise houses multiple tenants, the owner is responsible for allocating signage amongst the separate tenants/businesses Wall signs. (See Exhibit 60-7 page 25 and Exhibit 60-1 page 20 of this chapter.)

1. One (1) wall sign per premise frontage. No more than two (2) wall signs per premise.
2. Maximum area per sign: thirty-two (32) square feet.
3. Maximum projection – excluding awnings: twenty-four (24) inches.
4. Wall signs may be placed no higher than six (6) inches below the top of the wall or parapet.
5. Wall signs may not obstruct required windows and/or required exits.

D. Freestanding signs including pole signs, monument signs and low-profile signs. (See Exhibit 60-8 page 26 of this chapter.)

1. One (1) freestanding sign per premise frontage is allowed as long as there is a perimeter separation of 250 feet between any two signs. No more than two (2) signs per premise are allowed.
2. Maximum area per sign: thirty-two (32) square feet.
3. Height limit is six (6) feet above finished grade.
4. Freestanding signs must be located entirely on private property.
5. When a free standing sign structure is installed, the base of the sign must be landscaped. If the freestanding sign is located within a vehicular use area, the landscaped area must be designed to protect sign base supports from vehicular incursion. Support protection examples include bollards, stones or curbing. Such protection must be integrated with the landscaping. Landscaping may contain trees, shrubs, groundcovers, perennial or annual flowers, turf and organic or inorganic mulches. Living plant materials must cover at least 75% of the landscaped area.

6. If a premise is subsequently subdivided after a freestanding sign allocation has been established for the premise, the subsequently created parcels shall share the sign allocation; shall share the same freestanding sign pole or monument; and, the owner/subdivider is responsible for allocating the signage amongst the separately created parcels at the time of each sale or lease.

E. Projecting signs. Each business with frontage on a public right-of-way is allowed one (1) projecting sign along the public right-of-way. (See Exhibit 60-5 page 24 and Exhibit 60-9 page 27 of this chapter.)

1. A projecting sign may be used instead of, but not in addition to, a freestanding sign.
2. Projecting signs and wall signs advertising the same business may not occupy the same building frontage.
3. Projecting signs are limited to sixteen (16) square feet plus one (1) additional square foot for each three (3) feet of linear building footage in excess of fifty (50) feet. Maximum allowance: thirty-two (32) square feet.
4. Projecting signs must not project over public property.

17.60.4.020 Commercial and industrial districts

The following on-premise signs are authorized on property zoned commercial, industrial or transitional subject to a sign permit. Property contained within the Central Business Core District is regulated by Section 17.60.4.030 of this chapter. The Riverfront Corridor District is regulated by Section 17.60.4.040. Premises exceeding 50,000 square feet are regulated by Section 17.60.4.050.

Maximum sign allocation for each commercial and/or industrial premise under this section equals the standard wall signage allocation plus two hundred (200) square feet maximum freestanding signage. If the premise houses multiple tenants, the owner is responsible for allocating signage amongst the separate tenants/businesses. **Wall signs.** (See Exhibit 60-7 page 25, Exhibit 60-1 page 20, and Exhibit 60-10 page 28 of this chapter.)

1. A maximum of 10% of each frontage building wall, excluding service delivery areas and parapets, may be covered with wall signage.
2. Each premise is allowed a minimum of twenty-four (24) square feet of wall signage.
3. Maximum projection – excluding awnings: twenty-four (24) inches.
4. Wall signs may be placed no higher than six (6) inches below the top of the wall or parapet.
5. Wall signs may not obstruct required windows and/or required exits.

F. Freestanding signs including pole signs, monument signs and low-profile signs. (See Exhibit 60-8 page 26 and Exhibit 60-11 page 29 of this chapter.)

1. One (1) freestanding sign per premise street frontage. A perimeter separation of two hundred and fifty (250) feet is required between any two freestanding signs on the premise. No more than two (2) signs are allowed per premise.
2. A maximum area of one (1) square foot per linear foot of premise frontage facing one street or avenue is allowed. A maximum of two hundred (200) square feet of total freestanding signage per premise is allowed.
3. Height limit is twenty-five (25) feet above finished grade of the lot.
4. Freestanding signs must be located entirely on private property.
5. Signs may not project over public property.
6. When a freestanding sign structure is installed, the base of the sign must be landscaped. If the freestanding sign is located within a vehicular use area, the landscaped area must be designed to protect sign base supports from vehicular incursion. Support protection examples include bollards, stones or curbing that are integrated with the landscaping. Landscaping may contain trees, shrubs, groundcovers, perennial or annual flowers, turf and organic or inorganic mulches. Living plant materials must cover at least 75% of the landscaped area.
7. A 20% increase in maximum freestanding sign area is granted when signage is entirely low-profile. (See Exhibit 60-5 page 24 of this chapter.)
8. **If a premise is subsequently subdivided after a freestanding sign allocation has been established for the premise, the subsequently created parcels shall share the sign allocation; shall share the same freestanding sign pole or monument; and, the owner/subdivider is responsible for allocating the signage amongst the separately created parcels at the time of each sale or lease.**

G. Projecting signs. Each business with frontage on a public right-of-way is allowed one projecting sign along the public right-of-way. A sign permit is required. (See Exhibit 60-5 page 24 and Exhibit 60-9 page 27 of this chapter.)

1. A projecting sign may be used instead of, but not in addition to, a freestanding sign.
2. Projecting signs and wall signs advertising the same business may not occupy the same building frontage.
3. A projecting sign is limited to sixteen (16) square feet plus one (1) additional square foot for each three (3) feet of linear building footage in excess of fifty (50) feet to a maximum of thirty-two (32) square feet.
4. Projecting signs must not project over public property.

17.60.4.030 Central business core district

The following on-premise signs are authorized on property within the Central Business Core District. A sign permit is required.

A maximum of two (2) square feet of total signage for each linear foot of building frontage is permitted per premise to a maximum of two hundred (200) square feet. If the premise houses multiple tenants, the owner is responsible for allocating signage amongst the separate tenants/businesses.. The following types of signs are allowed:

A. Wall signs. (See Exhibit 60-7 page 25 and Exhibit 60-1 page 20 of this chapter.)

1. A maximum of 10% of frontage building wall, excluding service delivery areas and parapets, may be covered with wall signage.
2. Each premise is allowed at least twenty-four (24) square feet of wall signage.
3. No single wall sign may exceed one hundred (100) square feet.
4. Maximum projection – excluding awnings: twenty-four (24) inches.
5. Wall signs may be placed no higher than six (6) inches below the top of the wall or parapet.
6. Minimum vertical clearance allowances.
7. Alley: fourteen (14) feet.
 - a. Other public property: eight (8) feet.
 - b. Wall signs may not obstruct required windows and/or required exits.

B. Freestanding signs including monument signs and other low-profile signs. (See Exhibit 60-8 page 26 of this chapter.)

1. One (1) freestanding sign per premise street frontage. A perimeter separation of two hundred and fifty (250) feet is required between any two freestanding signs. No more than two (2) signs per premise will be permitted.
2. Area may not exceed one hundred (100) square feet.
3. Height limit is twenty (20) feet from finished grade of the lot.
4. Freestanding signs must be located entirely on private property and must not overhang public property.
5. A 20% increase in maximum freestanding sign area is granted when signage on the premise is entirely low-profile.
6. When a freestanding sign structure is installed, the base of the sign must be landscaped. If the freestanding sign is located within a vehicular use area, the landscaped area must be designed to protect sign base supports from vehicular incursion. Support protection examples include bollards, stones or curbing that are integrated with the landscaping. Landscaping may contain trees, shrubs, groundcovers, perennial or annual flowers, turf and organic or inorganic mulches. Living plant materials must cover at least 75% of the landscaped area.
7. **If a premise is subsequently subdivided after a freestanding sign allocation has been established for the premise, the subsequently created parcels shall share the sign allocation; shall share the same freestanding sign pole or monument; and, the owner/subdivider is responsible for allocating the signage amongst the separately created parcels at the time of each sale or lease.**

C. Projecting signs. Businesses with frontage on a public right-of-way are allowed one projecting sign along the public right-of-way. (See Exhibit 60-9 page 27 and Exhibit 60-12 page 30 of this chapter.)

1. Projecting signs may be used instead of, but not in addition to, a freestanding signs.
2. Projecting signs and wall signs advertising the same business may not occupy the same building frontage.
3. A projecting sign is limited to sixteen (16) square feet plus one (1) additional square foot for each three (3) feet of linear building footage in excess of fifty (50) feet to a maximum of thirty-two (32) square feet.
4. Projecting signs may extend no farther than six (6) feet over public property or more than two-thirds (2/3) the distance to the back of curb, whichever is less.
5. Signs may project no farther than one (1) foot into an alley.
6. Minimum vertical clearance allowances.
 - a. Alley: fourteen (14) feet.
 - b. Other public property: eight (8) feet.

- D. Sandwich board signs.** Temporary sandwich board signs may be placed on public property within the Central Business Core District only. This is the only district in which sandwich boards are allowed on public property. Such signs require an annual permit to occupy the public right-of-way.
1. Sandwich board signs are limited to one (1) sign per business frontage and must conform to the following design standards:
 - a. Each sign may have a maximum of two (2) faces, not to exceed an aggregate total of twelve (12) square feet per sign. (See Exhibit 60-12 page 30 of this chapter.)
 - b. Each sign must be secured in place by no less than two (2) weights of not less than ten (10) pounds each, placed upon the base material.
 - c. Sign permits are issued only to holders of insurance equal to that required for a sign contractor Class B license.
 - d. The permit fee for each sandwich board sign is established by City Commission resolution.
 - e. A sandwich board sign must be placed so that the middle third of the sidewalk is clear. A minimum of five (5) feet of sidewalk width must be unobstructed. (See Exhibit 60-12 page 30 of this chapter.)
 2. Sandwich board signs must be placed adjacent to or upon the permit-holding premises, may only be displayed during business hours of the advertised business and must be removed from public property during all other times.
 3. Sandwich board signs may not be illuminated or energized.
 4. The sign permit may be revoked at any time for lack of adequate maintenance or safety. The sandwich board sign will be removed by the sign owner upon notice of permit revocation. If not removed, the City may remove the sign. The sign becomes City property. The sign owner may reclaim the sign ~~by paying a fifty (50) dollar fee.~~ **within ten (10) working days of the removal. After such time, the sign may be destroyed.**

17.60.4.040 Riverfront corridor

The following on-premise signs are authorized on property zoned commercial, industrial or transitional within the Riverfront Corridor. A sign permit is required. The Riverfront Corridor is the area on both banks of the Missouri River:

1. On the east and south sides of the river, the Corridor is the area bordering River Drive and Giant Springs Road, running from the southernmost limits of the City to the northernmost limits.
 2. On the west and north sides of the river, the Corridor includes the east side of Bay Drive and the east side of Third Street NW between Central Avenue West and the Northwest Bypass.
- A. Wall signs.** (See Exhibit 60-7 page 25, Exhibit 60-1 page 20, and Exhibit 60-10 page 28 of this chapter.)
1. A maximum of 10% of each frontage building wall, excluding service delivery areas and parapets, may be covered with wall signage.
 2. Each premise is allowed at least twenty-four (24) square feet of wall signage.
 3. Maximum projection – excluding awnings: twenty-four (24) inches.
 4. Wall signs may be placed no higher than six (6) inches below the top of the wall or parapet.
 5. Wall signs may not obstruct required windows and/or required exits.
- B. Freestanding signs including monument signs and other low-profile signs.** (See Exhibit 60-8 page 26 of this chapter.)
1. One (1) freestanding sign per premise street frontage. A perimeter separation of two hundred and fifty (250) feet is required between any two freestanding signs on the premise. No more than two (2) signs per premise.
 2. Total area for all freestanding signs on the premise a may not exceed one hundred (100) square feet.
 3. Height limit is twenty (20) feet from finished grade of the lot.
 4. Freestanding signs must be located entirely on private property.
 5. Freestanding signs may not project over public property.
 6. A 20% bonus for freestanding signs may be granted to premises that display signs no taller than eight (8) feet. (See Exhibit 60-5 page 24 of this chapter.)

7. When a freestanding sign structure is installed, the base of the sign must be landscaped. If the freestanding sign is located within a vehicular use area, the landscaped area must be designed to protect sign base supports from the vehicular incursion. Support protection examples include bollards, stones or curbing that are integrated with the landscaping. Landscaping may contain trees, shrubs, groundcovers, perennial or annual flowers, turf and organic or inorganic mulches. Living plant materials must cover at least 75% of the landscaped area.
- C. **Projecting signs.** Businesses with frontage on a public right-of-way are allowed one projecting sign along the public right-of-way. (See Exhibit 60-5 page 24 and Exhibit 60-9 page 27 of this chapter.)
1. A projecting sign may be used instead of, but not in addition to, a freestanding sign;
 2. Projecting signs and wall signs advertising the same business may not occupy the same building frontage.
 3. A projecting sign is limited to sixteen (16) square feet plus one (1) additional square foot for each three (3) feet of building linear footage in excess of fifty (50) feet to a maximum of thirty-two (32) square feet.
 4. Projecting signs must not project over public property.

17.60.4.050 Premises exceeding 50,000 square feet

The following on-premise signs are authorized on premises zoned commercial, industrial, transitional or public lands and institutions that exceed 50,000 square feet. (See Exhibit 60-13 page 31 of this chapter.) Montana ExpoPark, Multi- Sports Park, Legion Ball Park and the Soccer Park are covered under section 17.60.4.060.

The maximum sign allocation for each premise under this section equals the standard wall sign allocation plus three hundred (300) square feet maximum freestanding signage. If the premise houses multiple-tenants **or is subsequently subdivided**, a Comprehensive Signage Plan must be submitted to the Design Review Board. The owner of the premise is responsible for allocating signage amongst the separate tenants/businesses. (See Exhibit 60-13 page 31 of this chapter.)

A. **Wall signs.** (See Exhibit 60-1 page 20 and Exhibit 60-7 page 25 of this chapter.)

1. A maximum of 10% of frontage building wall, excluding service delivery areas and parapets, may be covered with wall signage.
2. Each premise is allowed at least twenty-four (24) square feet of wall signage.
3. Maximum projection – excluding awnings: twenty-four (24) inches.
4. Wall signs may be placed no higher than six (6) inches below the top of the wall or parapet.
5. Wall signs may not obstruct required windows and/or required exits.

B. **Freestanding signs including monument signs and other low profile signs.** (See Exhibit 60-8 page 26 of this chapter.)

1. A maximum of three hundred (300) square feet is allowed per premise.
2. One freestanding sign of no more than two hundred (200) square feet is allowed per street frontage. A perimeter separation of two hundred and fifty (250) feet is required between any two freestanding signs on any premise.
3. Height limit is twenty-five (25) feet from the finished grade of the lot, except in the Central Business Core District, Riverfront Corridor or a residential area where height is limited to twenty (20) feet, twenty (20) feet and six (6) feet, respectively.
4. Freestanding signs must be located entirely on private property.
5. Freestanding signs may not project over public property.
6. A 20% increase in maximum freestanding sign area is granted when all freestanding signage is entirely low-profile.
7. When a freestanding sign structure is installed, the base of the sign must be landscaped. If the freestanding sign is located within a vehicular use area, the landscaped area must be designed to protect sign base supports from vehicular incursion. Support protection examples include bollards, stones or curbing that are integrated with the landscaping. Landscaping may contain trees, shrubs, groundcovers, perennial or annual flowers, turf and organic or inorganic mulches. Living plant materials must cover at least 75% of the landscaped area.

- 8. **If a premise is subsequently subdivided after a freestanding sign allocation has been established for the premise, the subsequently created parcels shall share the sign allocation; shall share the same freestanding sign pole or monument; and, the owner/subdivider is responsible for allocating the signage amongst the separately created parcels at the time of each sale or lease.**

- C. **Projecting signs.** Each business with frontage on a public right-of-way is allowed one projecting sign along the public right-of-way. (See Exhibit 60-9 page 27 of this chapter.)
 - 1. A projecting sign may be used instead of, but not in addition to, a freestanding sign.
 - 2. Projecting signs and wall signs advertising the same business may not occupy the same building frontage.
 - 3. A projecting sign is limited to sixteen (16) square feet plus one (1) additional square foot for each three (3) feet of linear building footage in excess of fifty (50) feet to a maximum of thirty-two (32) square feet.
 - 4. Projecting signs must not project over public property.

17.60.4.060 Montana ExpoPark, Multi Sports Park, Legion Ball Park and the Soccer Park.

Montana ExpoPark, Multi Sports Park, Legion Ball Park and the Soccer Park are unique public properties that may conduct some commercial operations within the City of Great Falls. The following regulations apply to these properties:

- A. Signs internal to the Montana ExpoPark, Multi Sports and Legion Ball Park that are not intended to be visible from public rights-of-way are exempt from all requirements of this chapter.
- B. Permanent Freestanding signs are permitted at each primary entrance.
 - 1. Montana ExpoPark: 3rd Street NW, the Northwest Bypass, 6th Street NW and the corner of 3rd Street and the Northwest Bypass.
 - a. Height limit: twenty-five (25) feet.
 - b. Area limit: two hundred (200) square feet per sign.
 - 2. Legion Ball Park: the corner of 25th Street N and River Drive.
 - a. Height limit: twenty (20) feet.
 - b. Area limit: one hundred (100) square feet.
 - 3. Multi Sports Park: one (1) sign not to exceed ten (10) feet in height.
 - 4. Soccer Park: one (1) sign not to exceed ten (10) feet in height per frontage.
- C. Temporary event banners are allowed by permit.
 - 1. Montana ExpoPark – temporary event banners not exceeding forty-eight (48) square feet, may be displayed on the fence, even if the fence is located in the public-rights-of-way, on 3rd St. NW, the Northwest Bypass and 6th St. NW. The Montana ExpoPark will pay an annual permit fee **as may be set by City Commission resolution of five hundred (500) dollars** to cover the temporary banners.
 - 2. Legion Ball Park, Multi Sports and Soccer Park – one (1) temporary event banner not exceeding sixty (60) square feet is allowed per frontage.
 - 3. Temporary banners must be well maintained. Banners that become torn, ripped or damaged must be removed or replaced immediately.
 - 4. Banners must be of professional quality.
- D. Wall signage maximum: 10% of the wall area per frontage, excluding service delivery areas and parapets. (See Exhibit 60-7 page 25 and Exhibit 60-1 page 20 of this chapter.)

**Article 5
OFF-PREMISE SIGNS**

Sections:

17.60.5.010	Directional free-standing signs		
17.60.5.020	Billboards signs		

17.60.5.03 0	Bench/transit shelter signs		
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17.60.5.010 Directional free-standing signs

An off-premise directional sign directs attention to business located on a separate premise. Off-premise directional signage is allowed in commercial and industrial districts with the following restrictions:

- A. The sign area of the off-premise directional sign must be included in the total signage allotment for the premise upon which the sign is erected. Maximum size of an off-premise directional sign is two hundred (200) square feet. or
- B. One (1) off-premise directional sign may be allowed for a business whose location is not visible and accessible to motoring public from a major arterial street and who cannot meet the requirements of part A above. In these special situations, the Board of Adjustment may grant a Special Exception under the following conditions:
 - 1. The location of the business precludes placement of a sign that is visible from a major roadway.
 - 2. Other factors:
 - a. Off-premises signs are not allowed within residential zoning districts.
 - b. Special Exception signs are limited to the height allowed in the district the sign is erected and to thirty (30) square feet in area.
- C. If a business qualifies for a Special Exception off-premise sign and elects to combine its allowable signage area with that of the premise, the total square footage of the resulting freestanding sign identifying the two businesses may equal the on-premise maximum freestanding sign allocation plus the thirty (30) square feet for the special exception off-premise sign.

17.60.5.020 Billboards signs

- A. **Purpose.** The intent of this section is to regulate the visual impact of billboard signs; to improve the appearance of designated entryways and scenic corridors; and to encourage compatibility between billboard signs and neighboring property, e.g. parks, schools, places of worship, and residential areas.
- B. **Prohibited locations.** A billboard is an off-premise sign and may not be located on the same premise as that of the business advertised by the billboard. Billboard signs erected after the effective date of this ordinance shall comply with the following location limitations:
 - 1. Billboard signs may only be erected in C-2, C-3, I-1 and I-2 zoning districts.
 - 2. Billboard signs may not be erected within two hundred (200) feet of the edge of a roadway surface along the following entry and scenic corridors known as Billboard-free Areas:
 - a. 10th Avenue South from I-15 Exit #278 to the intersection of 10th Avenue South and 2nd Street South
 - b. Along 10th Avenue South from 54th Street to the eastern limit of the City
 - c. River Drive from the southernmost City limits to 38th Street North
 - d. Central Avenue West from 6th Street to the east bank of the Missouri River
 - e. Along the Old Havre Highway from the intersection of 15th Street to Smelter Avenue
 - 3. Billboard signs are prohibited in the following areas:
 - a. All zoning districts other than C-2, C-3, I-1 and I-2.
 - b. Within three hundred (300) feet in any direction of a public park, public or private school, college or university, church, cemetery, courthouse, Civic Center, or public museum.
 - c. Within one hundred and fifty (150) feet in any direction of any lot or parcel that is zoned residential or used as a primary residential use of any kind.

- d. Within one thousand (1000) feet of any other billboard sign, measured on the same side of the street. (See Exhibit 60-14.)
 - e. Within three hundred (300) feet of any other billboard sign on a crossing street located on the same side of the street. (See Exhibit 60-14.)
4. Minimum spacing requirement shall not apply to two faces that share a support structure and face different directions.

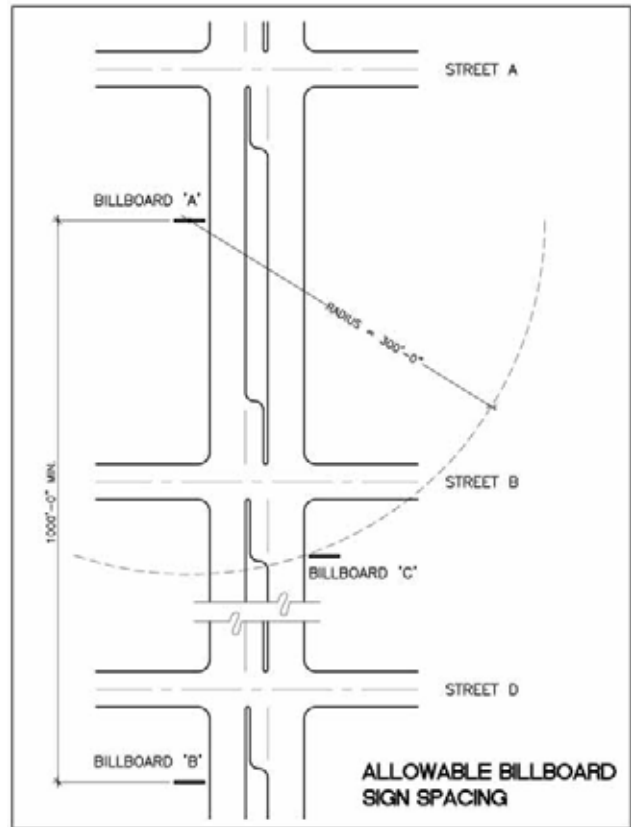
C. **Billboard standards.** Billboards established after the effective dates of this Code shall conform to the following standards:

- 1. The maximum sign display area for any one billboard face shall be two hundred and fifty (250) square feet. Billboards located within the interstate corridor are exempt from this standard.
- 2. In the Interstate Corridor within the City of Great Falls, the maximum display area for any billboard face shall be four hundred and thirty-two (432) square feet.
- 3. Billboards may be single-faced or double-faced, but no billboard shall contain more than one face on each side of the display. The surface display area may not exceed a total area of five hundred (500) square feet per structure.
- 4. Billboard sign face limitations exclude border, trim, base or apron supports or other structural members, but include cut-outs, extensions or protrusions. Size limits apply to each sign face of a structure. Sign faces may be placed back-to-back with no more than one display per face.
- 5. The maximum overall height of a billboard sign shall not exceed thirty (30) feet above the grade of the roadway to which the sign is oriented. However, if the sign is located in the Riverfront Corridor, it is limited to twenty (20) feet above the grade of the roadway to which the sign is oriented.
- 6. Billboard structures must be located entirely on private property. No portion of any structure or sign face may overhang the public right-of-way.

D. **Installation, appearance and maintenance.** All billboards must be kept in good repair and maintained according to the following standards:

- 1. During periods of repair, alteration or copy change the facing may be removed for a maximum of 48 consecutive hours.
- 2. All billboard signs must have the owner’s name firmly attached to the sign structure.
- 3. Billboard structures must be single pole.
- 4. Billboard structures may not be placed on the roof or wall of a building or structure.

Exhibit 60-14. Allowable Billboard Sign Spacing



5. Sign structures must be painted, anodized or otherwise finished in earth tones of brown and green, including beige, mocha, forest and hunter green; but not teal or any fluorescent color. The paint or finish must not be peeling or obviously worn.

E. Maintenance and repair requirements.

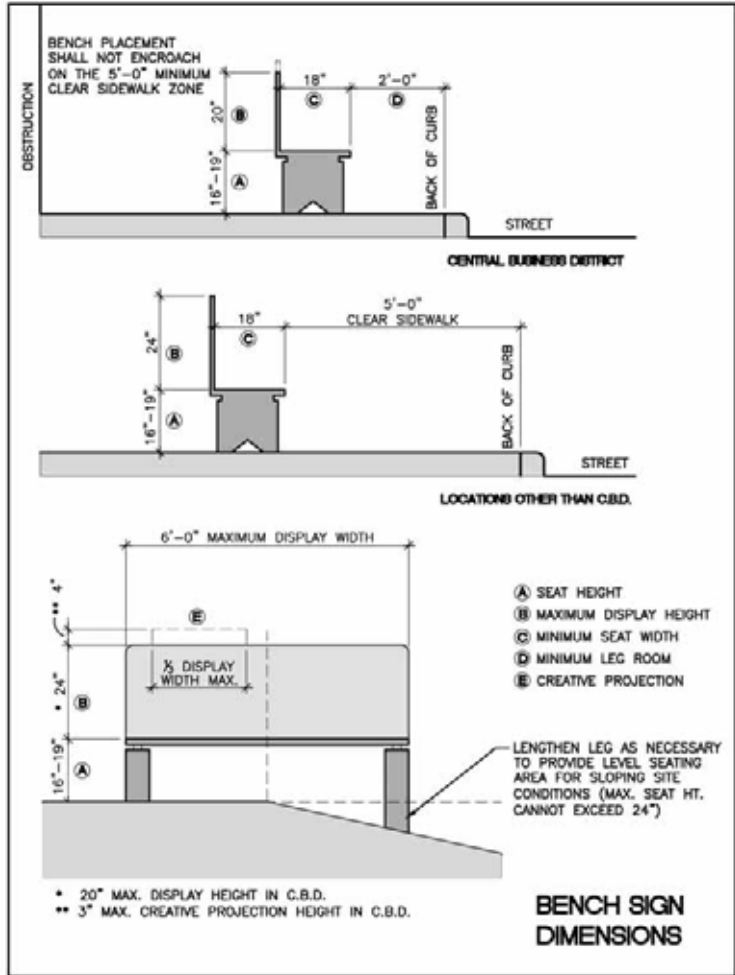
1. If the Director of Community Development finds that any billboard, except one that is nonconforming, is not maintained in good repair and has not deteriorated more than 50% of its replacement value, the Director of Community Development will notify the owner and order him to repair the billboard within a specified time allowing at least ten (10) calendar days.
2. If the Director of Community Development finds that the billboard has deteriorated more than 50% of its replacement value, or is not repaired with the time specified in the repair notice, the Director will notify the owner of the billboard and the owner of the real property that the billboard is to be removed from the property within a specified time.

F. Legal nonconforming billboards.

Billboard signs that do not conform to the provisions of this Code, but that were legally constructed and permitted at the time of its installation are considered legally nonconforming and may remain subject to the following:

1. Nonconforming billboards exceeding height and area limitations specified in the Code must be downsized to meet requirements of area and height specified in this Code by December 31, 2015, or be removed by the sign owner or the property owner. This does not apply to existing side-by-side faces.
2. Any nonconforming billboard sign destroyed or damaged beyond 50% of its replacement value for any cause whatsoever will be reconstructed in compliance with all provisions of this Code or be removed by the sign owner or property owner.
3. In no case may a billboard be repaired or maintained by substantially upgrading or replacing its structural supports. Substantial upgrading may include, but is not limited to, converting from wood to steel structure or a change from a multi-pole to a single-pole structure.
4. A non-illuminated billboard may be illuminated provided the subject billboard is not nonconforming because of its proximity to a residential area or its location within an entry or scenic corridor pursuant to 17.60.5.210.B.
5. Property annexed to the City of Great Falls after the effective date of this chapter is subject to all the provisions of this Code.

Exhibit 60-15. Bench Sign Dimensions



17.60.5.030 Bench/transit shelter signs

- A. Bench signs are defined as off-premise signs placed upon benches that are located on public property including sidewalks, surfaced boulevards and immediately adjacent private property. After the date of this ordinance bench signs in newly annexed areas will be limited to two per

- intersection.
- B. Transit shelter signs are defined as off-premise signs placed upon transit shelters. They are located upon public property including sidewalks, surfaced boulevards and immediately adjacent private property.
 - C. Bench sign designs must be submitted in triplicate to the Community Development Department. Designs must be approved prior to permit issuance. Benches may be no longer than six (6) feet. They must be placed on concrete pads. A one-time design review fee **as may be set by City Commission resolution** of ~~twenty-five (25) dollars~~ for each bench design must be paid prior to permit issuance. (See Exhibit 60-15.)
 - D. Bench signs in the Central Business Core District are limited to a total of fifty-six (56) and must be approved by the Community Development Department for compatibility with the streetscape program. A one-time design review fee **as may be set by City Commission resolution** of ~~twenty-five (25) dollars~~ for each bench sign design must be paid prior to permit issuance.
 - E. Transit shelter signs are limited to a maximum of 50% of the square footage of walls exposed to vehicular traffic.
 - F. Bench/transit shelter sign permits are issued only to holders of insurance equal to that required for a sign contractor Class B license.
 - G. The permit fee for occupancy of public space by the bench/transit shelter sign is established by a resolution of the City Commission. The annual fee per sign is payable one year in advance and is due prior to permit issuance. The permit fee may be renewed annually by the permit holder by January 15th for the current year. Fees may be pro-rated for periods less than one year.
 - H. The location of each bench/transit shelter sign must be approved by the Director of Community Development or designee. The bench may not be located closer than three (3) feet to a fire hydrant. A minimum of five (5) feet of sidewalk width must be left unobstructed. (See Exhibit 60-15)
 - I. The owner, leaseholder of private property or authorized agent located nearest to the public property upon which the bench/transit shelter sign is proposed must approve the location by signing the permit application prior to permit issuance. The approval may be withdrawn at any time by contacting the Community Development Department.
 - J. Bench/transit shelter signs are not permitted in districts of the City zoned residential unless the property has received an approved Conditional Use for offices, hospitals, medical clinics or colleges.
 - K. Bench/**transit shelter** signs are permitted in the PLI district only with approval of the appropriate City department head or adjacent property owner if not a City-owned parcel.
 - L. Bench/transit shelter signs placed in City parks by the Park and Recreation Department are exempt from the provisions of this section.
 - M. The bench/transit shelter sign permit may be revoked at any time for lack of adequate maintenance or safety, after which the bench sign will be removed by the owner within seven days. If not removed, the City may remove the sign which becomes City property. The sign owner may reclaim the sign **within ten (10) working days of removal** by paying removal costs ~~plus a recovery fee~~, **as may be set by City Commission resolution. After such time, the sign may be destroyed.**
 - N. Bench/transit shelter signs are limited to one bench or shelter per City block face not to exceed one bench or shelter per adjoining premise.

Article 6
DESIGN/CONSTRUCTION REQUIREMENTS

Sections:

17.60.6.01	Electrical signs		
0			
17.60.6.02	Winds and seismic forces		
0			

17.60.6.030	Material requirements		
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17.60.6.010 Electrical signs

All sign structures to which electrical components are attached must be erected, repaired and maintained in accordance with the specifications outlined in Chapter 6, Article 600, of the current adopted edition of the National Electrical Code.

A. Illumination. Signs may be illuminated subject to the following restrictions:

1. Incandescent lamps may not exceed forty watt level, unless protected by a sun screen.
2. Reflector lamps must have sun screens except for indirect flood lighting.
3. Signs that cast beams or rays of light directly onto any portion of public streets or avenues, or that create glare, or impair the vision of the driver of any motor vehicle, or otherwise interfere with operation of a motor vehicle are prohibited.
4. Transformers may not exceed sixty (60) milliamperes on exposed tubing and animated portions.

17.60.6.020 Wind and seismic forces

Signs and sign structures must be designed and constructed to resist wind and seismic forces as specified in the current adopted edition of the International Building Code.

17.60.6.030 Material requirements

Sign structure and construction material must conform to the specifications of the current adopted edition of the International Building Code for quality and grade.

- A. Restrictions and combustible materials. All structural members must comply with the specifications of the current adopted edition of the International Building Code.
- B. Nonstructural trim. Nonstructural trim may be wood, metal, approved plastics or any combination thereof.
- C. Fastenings. Fastenings must conform to the Engineering Regulations of the current adopted edition of the International Building Code.

Article 7

PERMIT, INSPECTIONS AND LICENSES

Sections:

17.60.7.010	Permit required	17.60.7.060	Sign certificate required
17.60.7.020	Sign permit – application	17.60.7.070	License
17.60.7.030	Owner-erected sign permit	17.60.7.080	Insurance and bond
17.60.7.040	Fees and payment	17.60.7.090	Maintenance and repair
17.60.7.050	Inspection	17.60.7.100	Abandoned/moribund signs

17.60.7.010 Permit required

No sign may be erected, re-erected, constructed, altered or refaced until a sign permit has been issued by the Director of Community Development or an authorized representative. For exemptions to this section, see Section 17.60.2.020 of this Code.

17.60.7.020 Sign permit-application

- A. The Community Development Department takes applications for sign permits.
- B. Each application must contain the location by street address of the proposed sign structure as well as the name and address of the sign owner and sign contractor or erector.
- C. The Director of Community Development or designee may require submittal documents prepared and designed by a structural engineer licensed by the State when in his/her opinion such information is necessary to insure compliance with the Building Code for the following:
 1. Freestanding signs
 2. Billboard signs
 3. Awning signs
 4. Projecting signs
- D. A sign permit shall be issued only to a licensed sign contractor except as provided in Section 17.60.7.030.
- E. Posting requirements. It is the responsibility of the sign erector/contractor or owner of the sign to attach to the sign, in a manner visible from the ground, the owner's name and/or the name of the sign erector company, the date of installation and the permit number.

17.60.7.030 Owner-erected sign permit

Business-owner-erected signs may not be electrical. A business owner must obtain a permit for an owner-erected sign for the following unless the sign is exempt under section 17.60.2.020:

- A. A freestanding sign no larger than twelve (12) square feet and no taller than six (6) feet above grade
- B. A wall sign that does not project over public right-of-way and is no larger than twelve (12) square feet
- C. A temporary sign of non-rigid material or a sandwich board sign.

17.60.7.040 Fees and payment

Sign Permit fees are established by City Commission resolution. If a sign requires re-inspection to verify compliance with this Code, a re-inspection fee will be assessed.

17.60.7.050 Inspection

- A. All signs requiring a permit are subject to the inspection of the Director of Community Development or designee. Signs erected without the required inspection will be taken down until the required inspection is complete at the cost of the sign installer.
- B. All signs containing electrical wiring are subject to the provisions of the current adopted edition of the National Electrical Code.
- C. All electrical signs, including neon signage and neon tubing, must be inspected while they are on the ground prior to installation for compliance with Article 600 of the National Electric Code.
- D. All electric signs must be inspected during sign face replacement or sign face redecoration. Inspections will be performed on site and in place with the sign face removed. All electric signs must meet current specifications in chapter 6, Article 600 before sign faces are reinstalled.
- E. All signs may be reinspected at the discretion of the Director of Community Development or designee when in his/her opinion inspection is required to ensure compliance with this Code.

17.60.7.060 Sign certificate required

- A. Any person engaged in the installation or repair of electrical signs, including outline and accent lighting commonly known as neon must have an individual sign electrician/journeyman's certificate, or be currently licensed as a master or journeyman electrician by the State of Montana and the City of Great Falls.
- B. A sign erector certificate is required for persons doing work with non-electrical signs requiring permit except under section 17.60.7.030.
- C. Examination. Director of Community Development, or designee, will arrange for examination of

the applicant's knowledge of sign installation, erection and/or wiring.

1. A person desiring a sign electrician/journeyman's certificate must request, in writing, a qualification examination from the department.
 - a. Written requests must include proof of two (2) years experience prior to application and include the application fee.
 - b. Successful applicants must receive a score of 75% on the examination.
 - c. Unsuccessful applicants will be required to wait 90 days before applying for re-examination.
 2. Examination is required for each initial application. Examination is not required for license renewal unless more than 30 days have passed since the expiration.
 3. The Director of Community Development will authorize issuance of the appropriate certificate upon the applicant's successful completion of the examination.
- D. Certificate fees for sign electrician/journeyman, sign erector and examination fees are established by City Commission resolution.
- E. All certificates or special licenses expire on December 31st of the year in which the certificate or special license is issued, unless otherwise specified.
- F. Renewals may be obtained on or before the expiration date.

17.60.7.070 License

A person or a firm engaged in the business of installing, altering, maintaining or repairing signs in the City of Great Falls must adhere to the following requirements regarding sign contractor licensing:

- A. Sign contractor's Class A license. A sign contractor's Class A license is required for the fabrication, installation, repair, alteration and/or modification of electrical wires, apparatus, raceways, conduit or any other portion of electrical signs. An applicant for a Class A Contractor's license must show evidence that he/she, or at least one member of the firm or corporation, holds a current sign electrician/journeyman certificate issued by the City of Great Falls.
- B. Sign contractor's Class B license. A sign contractor's Class B license is required for the installation, erection and/or maintenance of non-illuminated signs. The applicant must employ an individual with a current sign erector's certificate issued by the City of Great Falls.
- C. License fees are established by City Commission resolution.
- D. Certificates and/or special licenses expire on December 31st of the year in which they are issued, unless otherwise specified. Renewal licenses may be obtained on or before the expiration date.

17.60.7.080 Insurance and bond

- A. Sign contractor's Class A license. Prior to receiving a Sign contractor's Class A license, an applicant must file a current commercial general liability insurance policy or written certificate issued by an insurance carrier authorized to do business in the State with the Community Development Department.
- B. Sign contractor's Class B license. An applicant for a Sign contractor's Class B license must file with the Community Development Department a commercial general liability insurance policy or written certificate with limits established by City Commission resolution and issued by an insurance carrier authorized to do business in the State.
- C. Insurance must be kept in full force as a condition of licensure. In the event of insurance cancellation, the sign contractor's license automatically terminates.
- D. Payment is required of a license bond in an amount established by City Commission resolution.

17.60.7.090 Maintenance and repair

All signs, together with all types of supports including steel poles and structures, braces, guy wires, anchors, sign faces, sign cabinets, wood surfaces, plastic or sheet metal decorative trims and fasteners must be properly repaired and maintained.

- A. All painted surfaces must be free of rust, worn, loose and peeling paint.
- B. If the Director of Community Development finds that any sign is not maintained in good repair and

- has not deteriorated more than 50% of its replacement value, he/she shall notify the owner and order him to repair the sign within a specified time allowing at least 10 calendar days.
- C. If the Director of Community Development finds that the sign has deteriorated more than 50% of its replacement value, or is not repaired within the time specified in the repair notice, the official will notify the owner of the sign and the owner of the real property on which said sign is located to remove the sign from the property within a specified time
 - D. Upon receipt of proper notification, sign removal is the responsibility of the sign owner or the property owner.
 - E. Failure by the sign owner to comply with a removal/repair notice will result in removal of the sign by the direction of the Building Official. Removal costs will be assessed against the property.

17.60.7.100 Abandoned/moribund signs

A sign that no longer advertises a bona fide business, product or service must be removed within one hundred and eighty (180) days. If the sign structure is conforming the structure may remain with a blank face unless the face advertises the premise for sale or lease. If the sign structure is nonconforming the structure must be made conforming or be removed.

Responsibility for removal lies with the owner of the sign or the owner, agent, or person upon whose premises the sign is located. If the sign owner or agent fails to remove the sign, the Director of Community Development or designee is authorized to remove the sign and assess the costs against the property.

**Article 8
ENFORCEMENT**

Sections:

17.60.8.010	Enforcement		
17.60.8.020	Violations and penalties		
17.60.8.030	Removal of signs by the City		
17.60.8.040	Appeal		

17.60.8.010 Enforcement

- A. The Director of Community Development or designee is authorized and directed to enforce all the provisions of this Code.
- B. Right-of-entry is defined by the current adopted edition of the International Building Code.

17.60.8.020 Violations and penalties

It is unlawful for anyone to place, construct, enlarge, alter, move or convert any sign or sign structure in the City, or cause or permit the same to be done, contrary to or in violation of the provisions of this chapter. Anyone convicted of violating the provisions of this chapter is guilty of a misdemeanor. Penalty for first conviction is a minimum fine of fifty (50) dollars; penalty for the second conviction is a minimum fine of one hundred and fifty (150) dollars. Subsequent convictions will incur a fine of three hundred and fifty (350) dollars but not more than five hundred dollars (500) dollars, or imprisonment for not more than six (6) months, or both. Each day an offense continues constitutes a separate offense.

17.60.8.030 Removal of signs by the City

The Director of Community Development will remove signs and sign structures that endanger the public. Examples of such signs and sign structures include abandoned, dangerous, and defective signs, as well as those for which permits have not been procured. The director will prepare a notice that describes the location, specifies the violation involved and states that if the sign is not removed or the violation is not corrected within ten (10) days, the sign will be removed in accordance with the provisions of this section.

All notices mailed by the City will be sent by regular mail and service of notice shall be deemed complete when the notice has been placed in the mail. Notification time periods in this section commence on the date notices are postmarked. A notice will be mailed to the owner of the property upon which the sign is located. When known, the owner of the sign and the occupant of the property will receive a written notice in the mail.

Temporary signs are specifically excluded from the ten (10) day notice requirement. Violators of the sections of this Code that pertain to temporary signs may be cited if noncomplying signs are still displayed twenty-four (24) hours after verbal notice to remove has been given.

The City may, without notice, cause immediate removal of a dangerous or defective sign or a temporary sign placed in the public right-of-way if the owner is not easily identified. Any sign removed by the City, may be claimed by the owner within ~~seven (7)~~ **ten (10) working** days by paying **removal costs as may be set by City Commission resolution.** ~~a pick-up fee of fifty (50) dollars.~~ **After such time, the sign may be destroyed.**

For purposes of removal, the term “signs” means sign faces and structures.

17.60.8.040 Appeal

Any person or persons, jointly or separately, aggrieved by any decision, order, or action of the Director of Community Development or a duly authorized representative as a result of the enforcement of this Code, may appeal to the Board of Adjustment as provided for in Article ~~4~~ **34**, Chapter 16 of this Title.

Exhibit 60-1

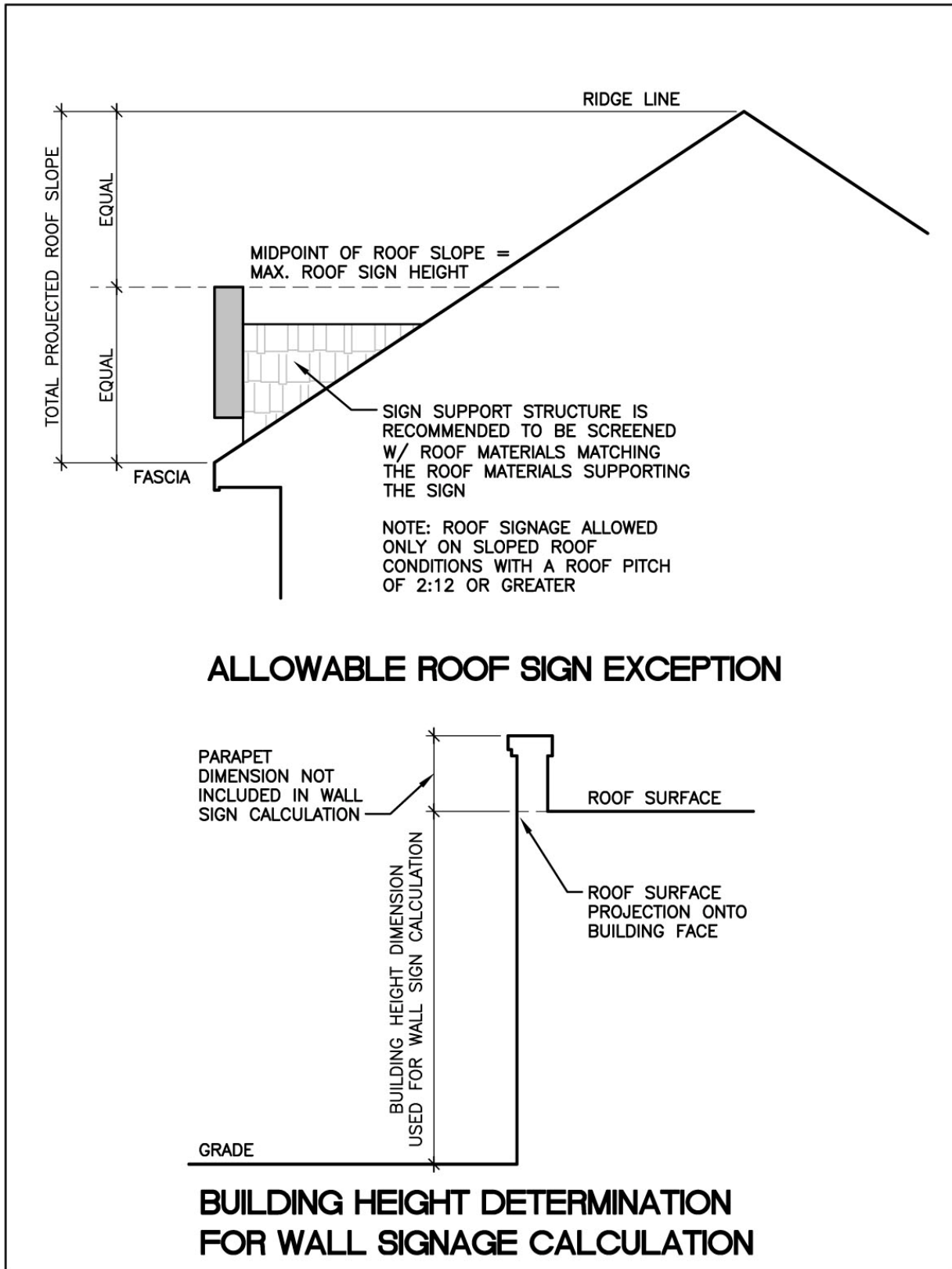


Exhibit 60-2

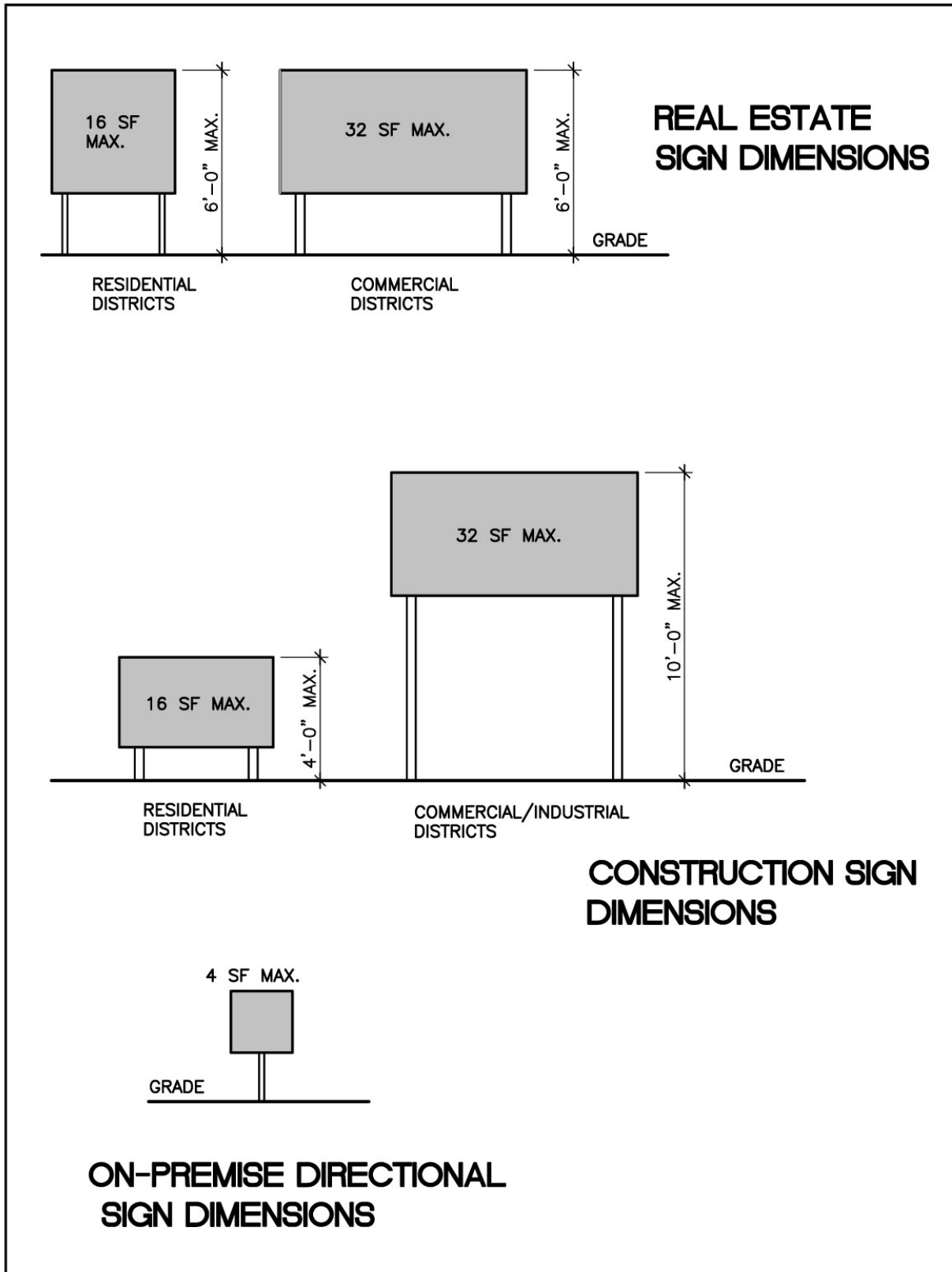


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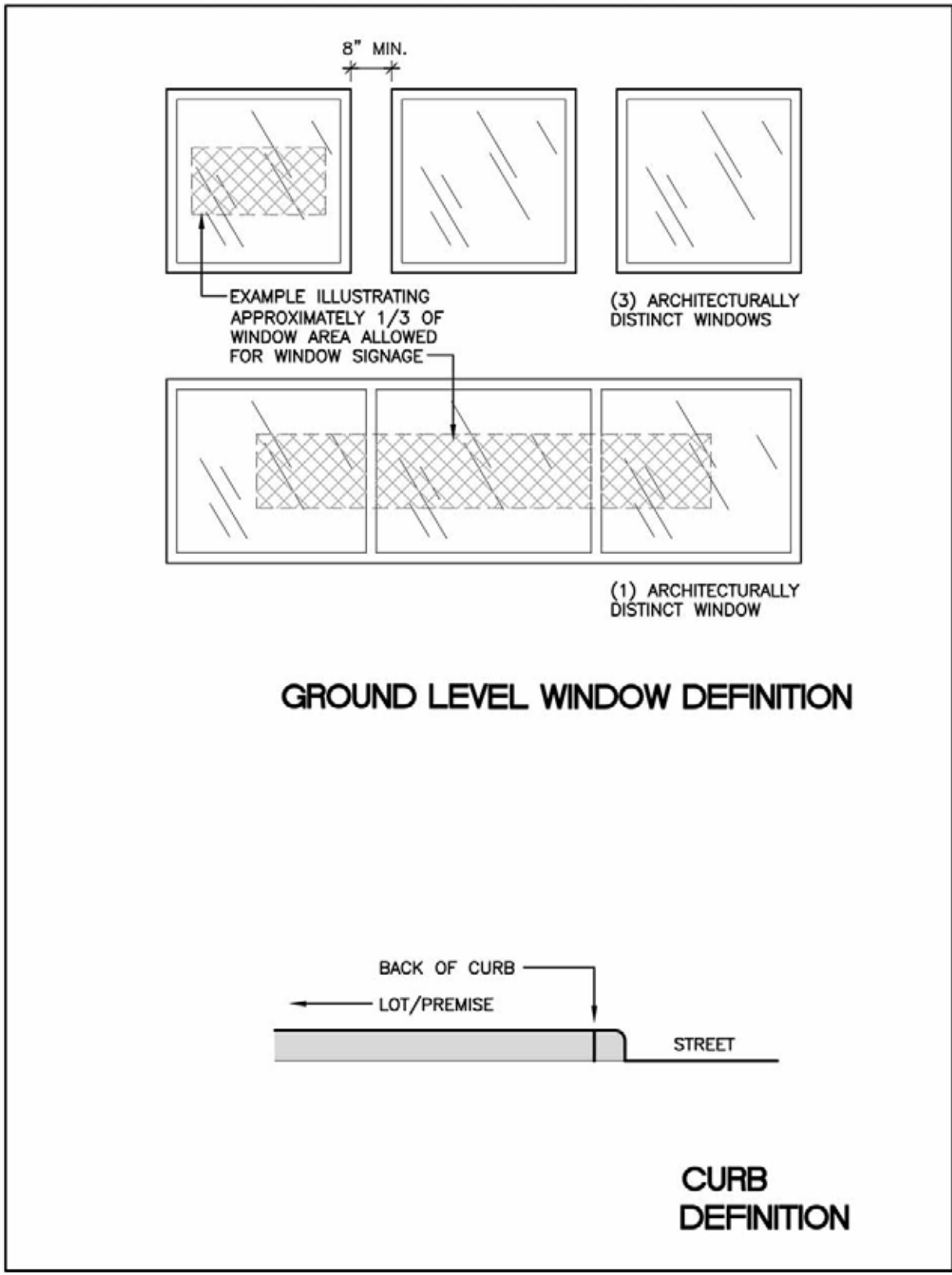
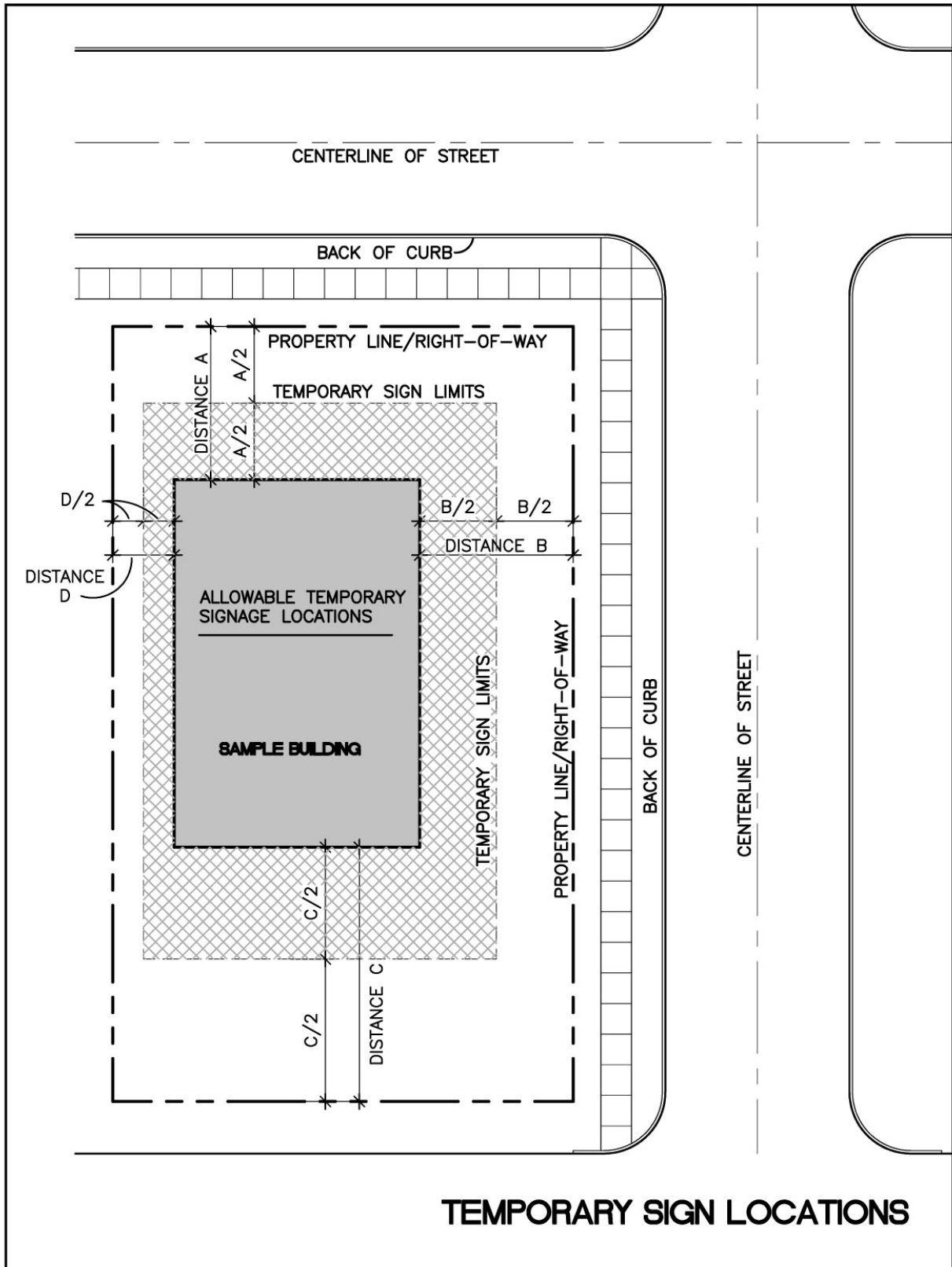


Exhibit 60-4



TEMPORARY SIGN LOCATIONS

Exhibit 60-5

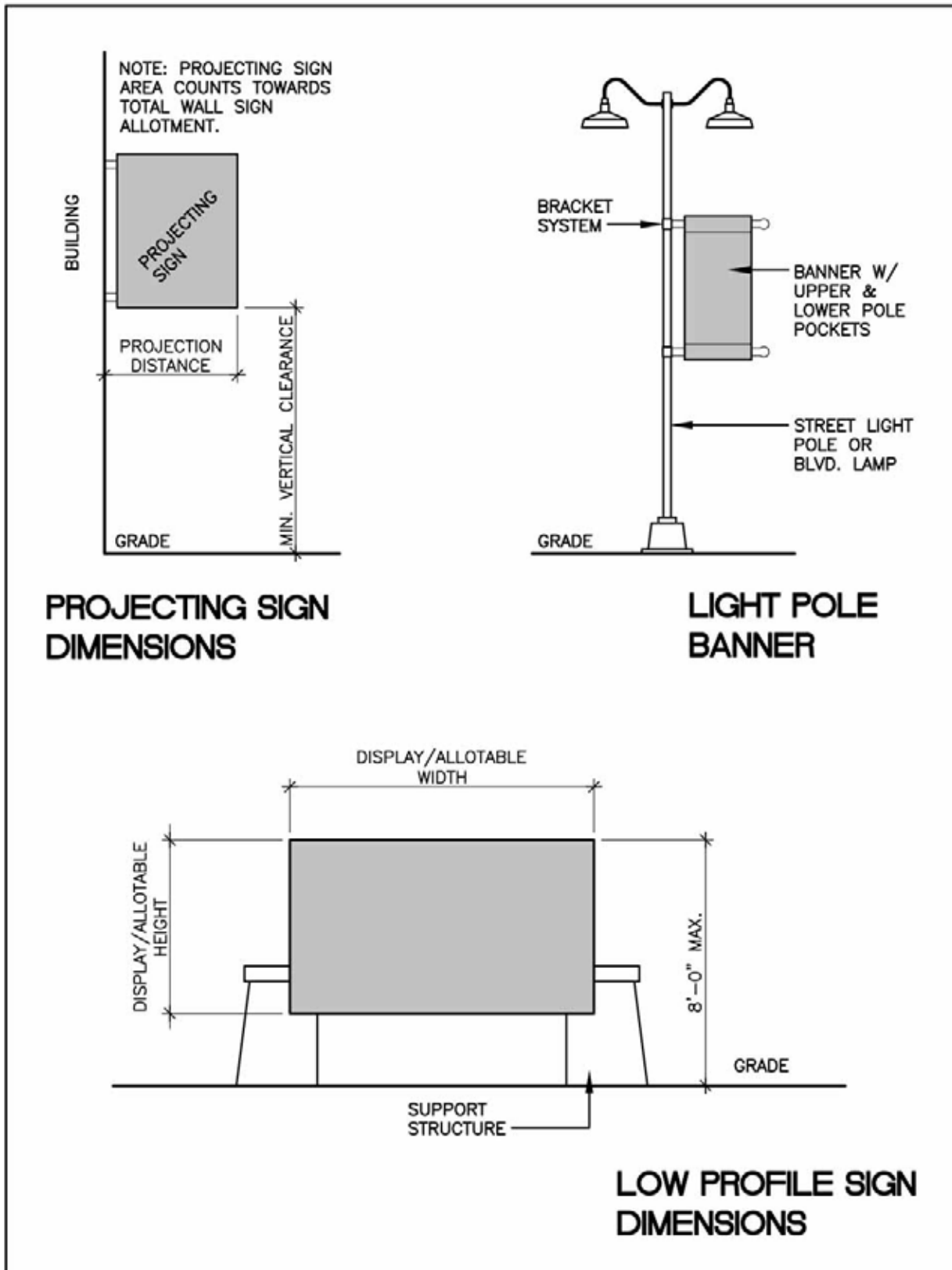


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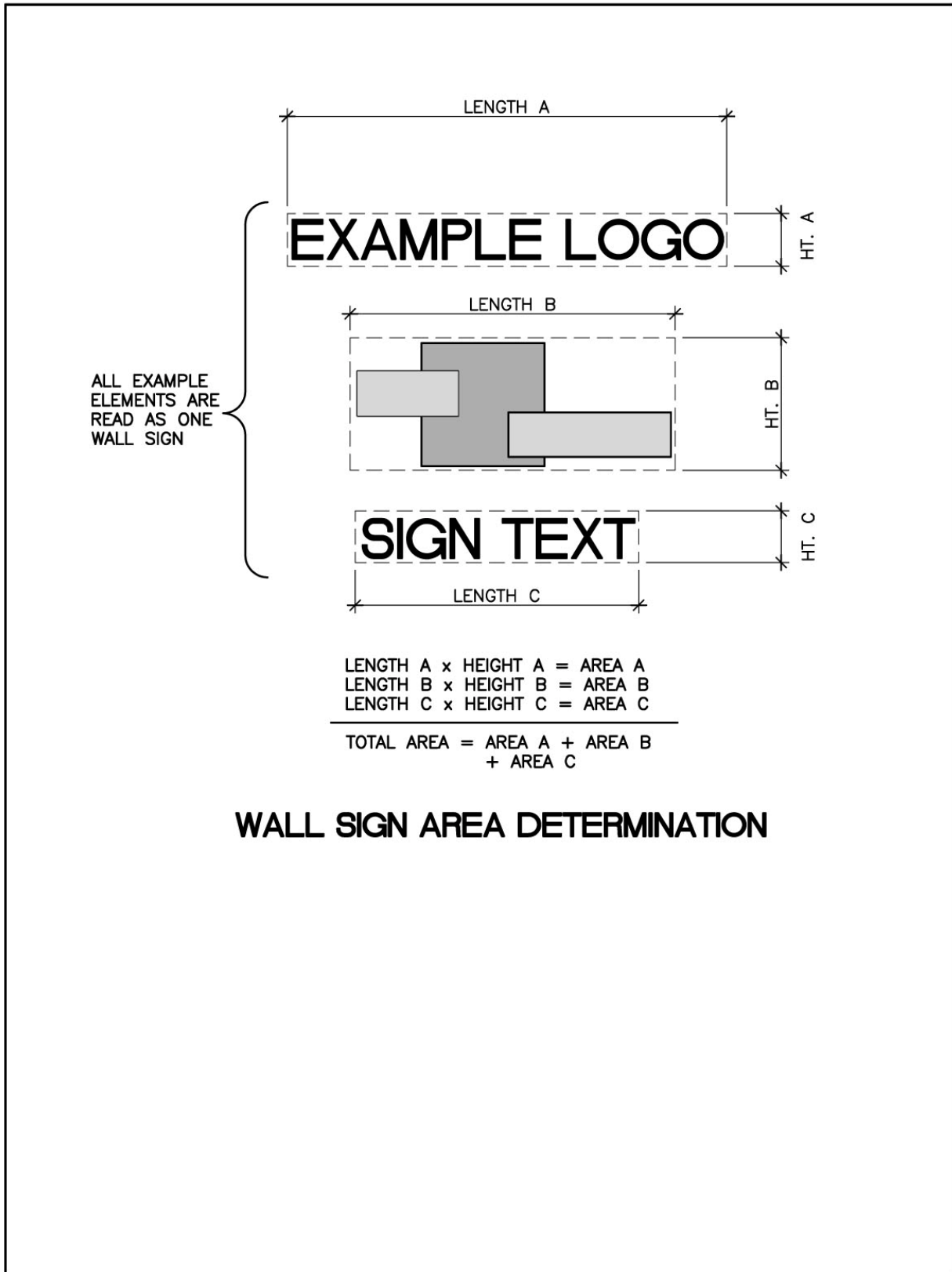


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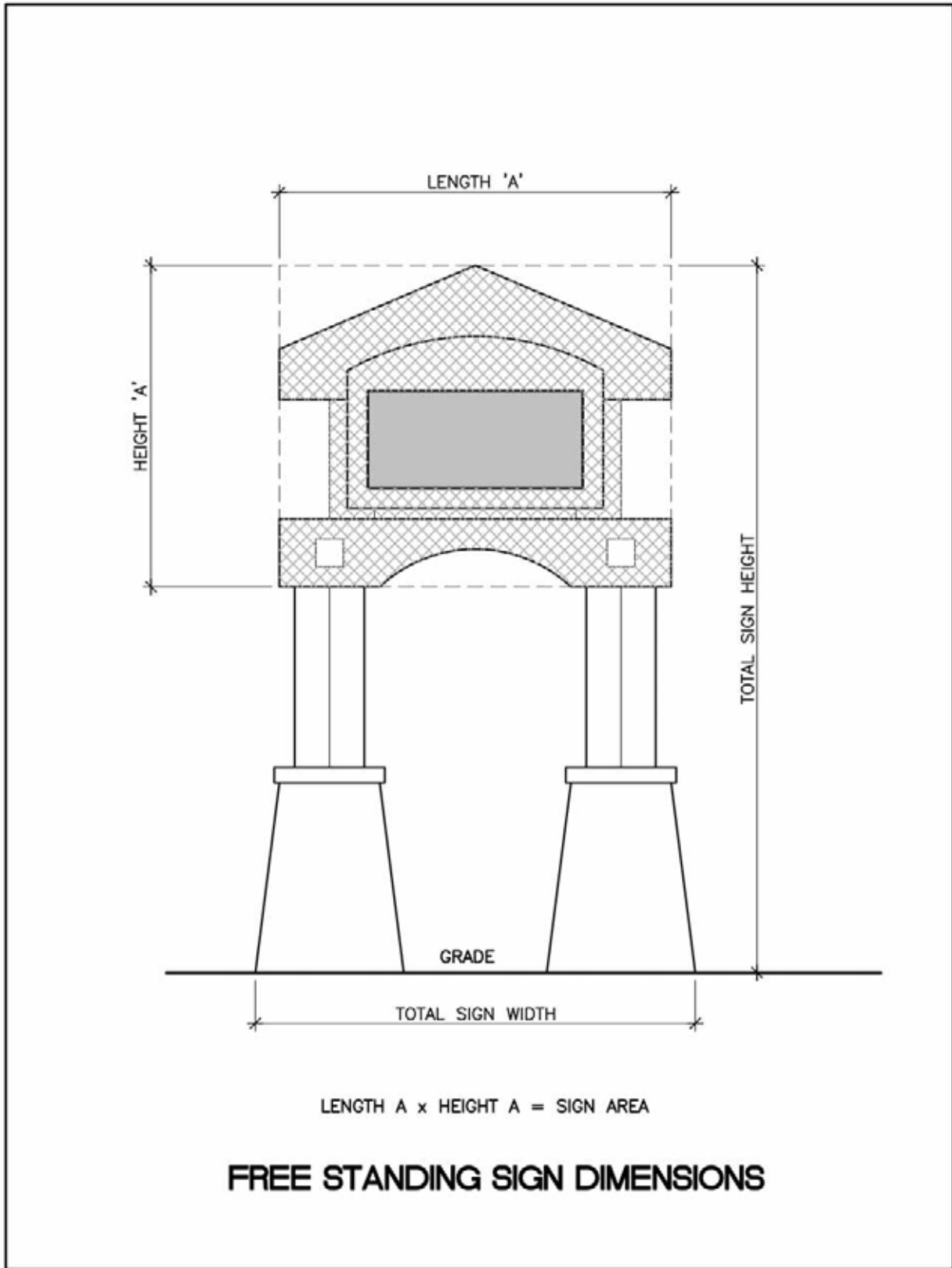


Exhibit 60-9

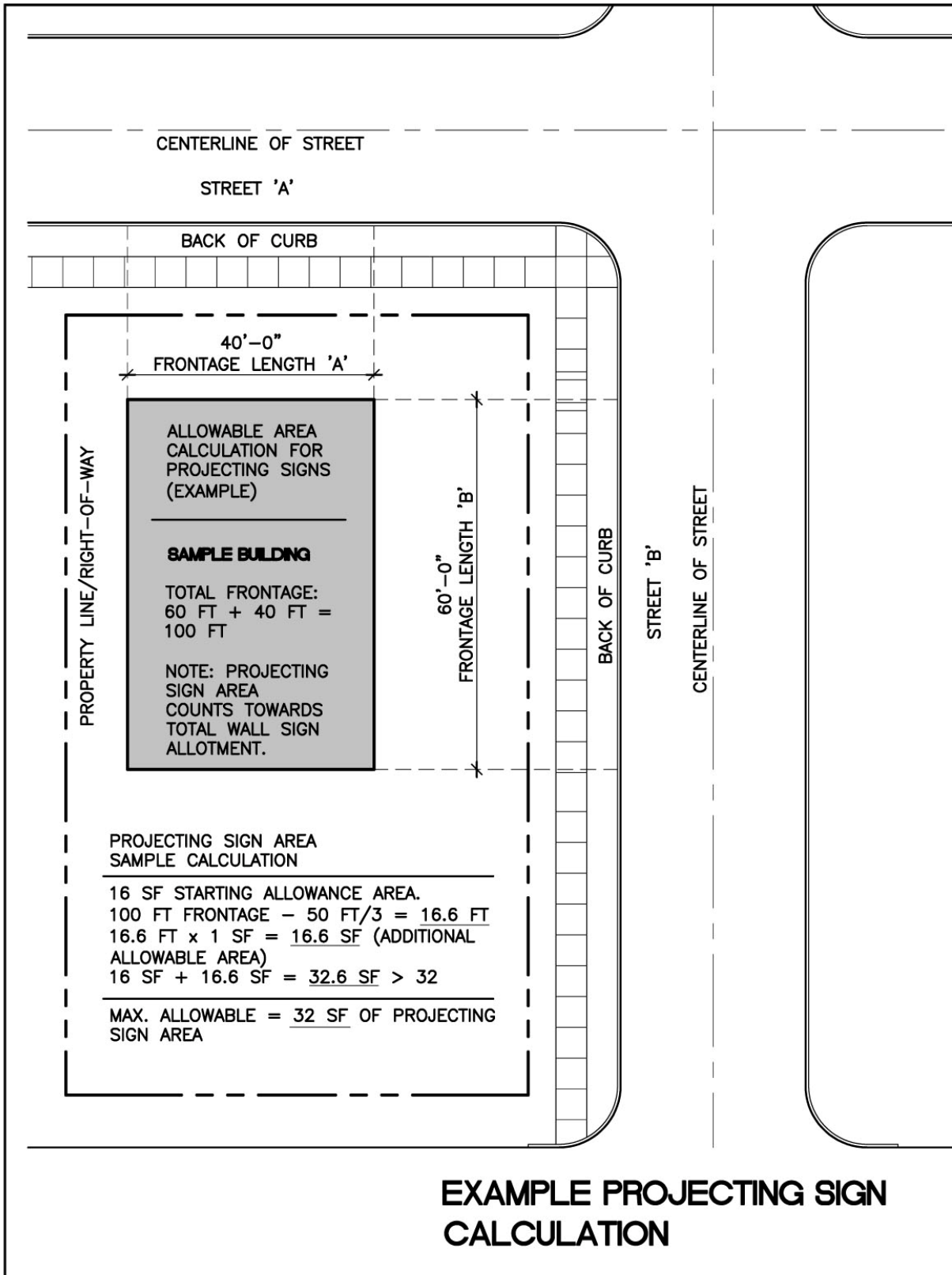


Exhibit 60-10

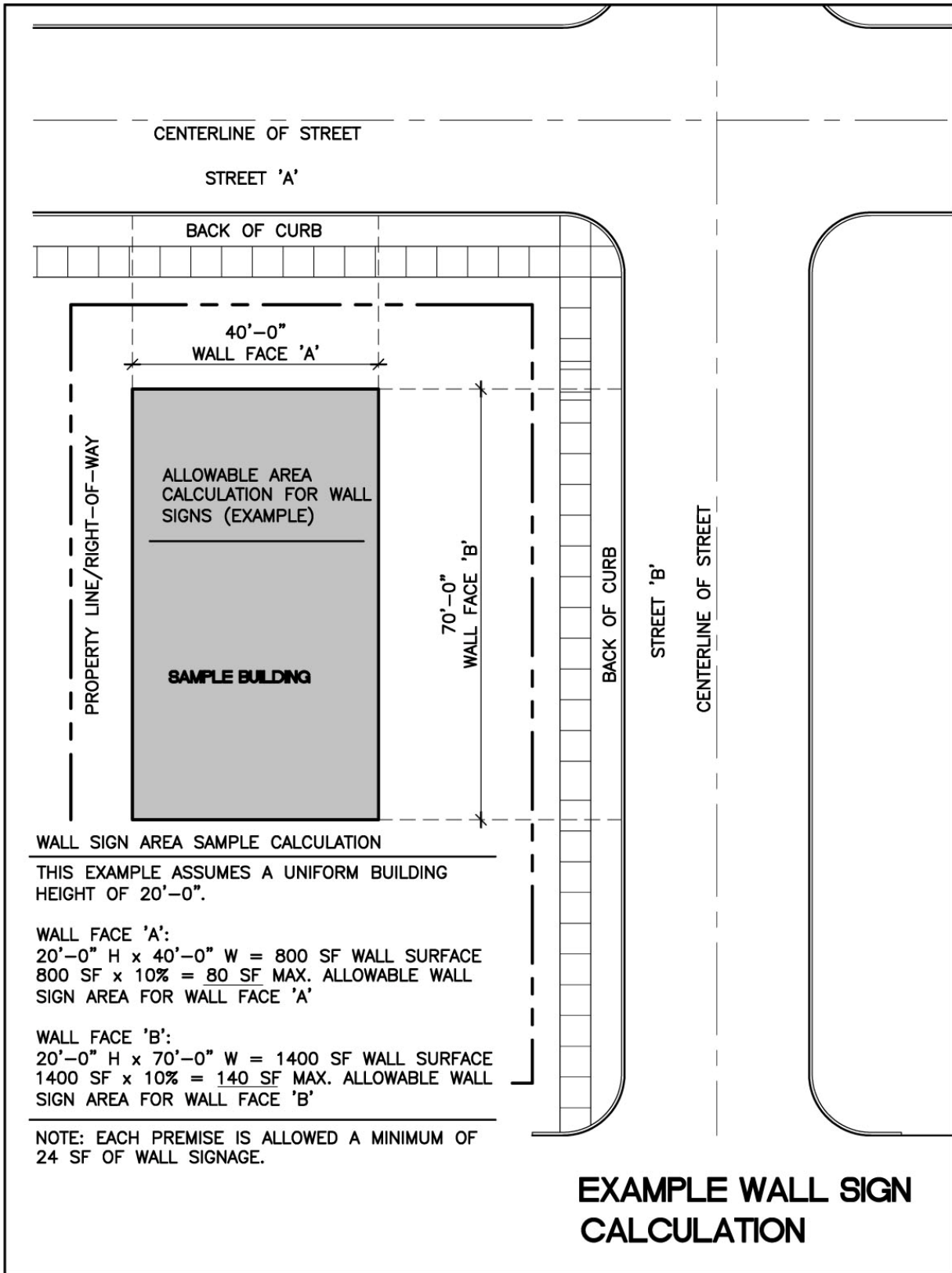


Exhibit 60-11

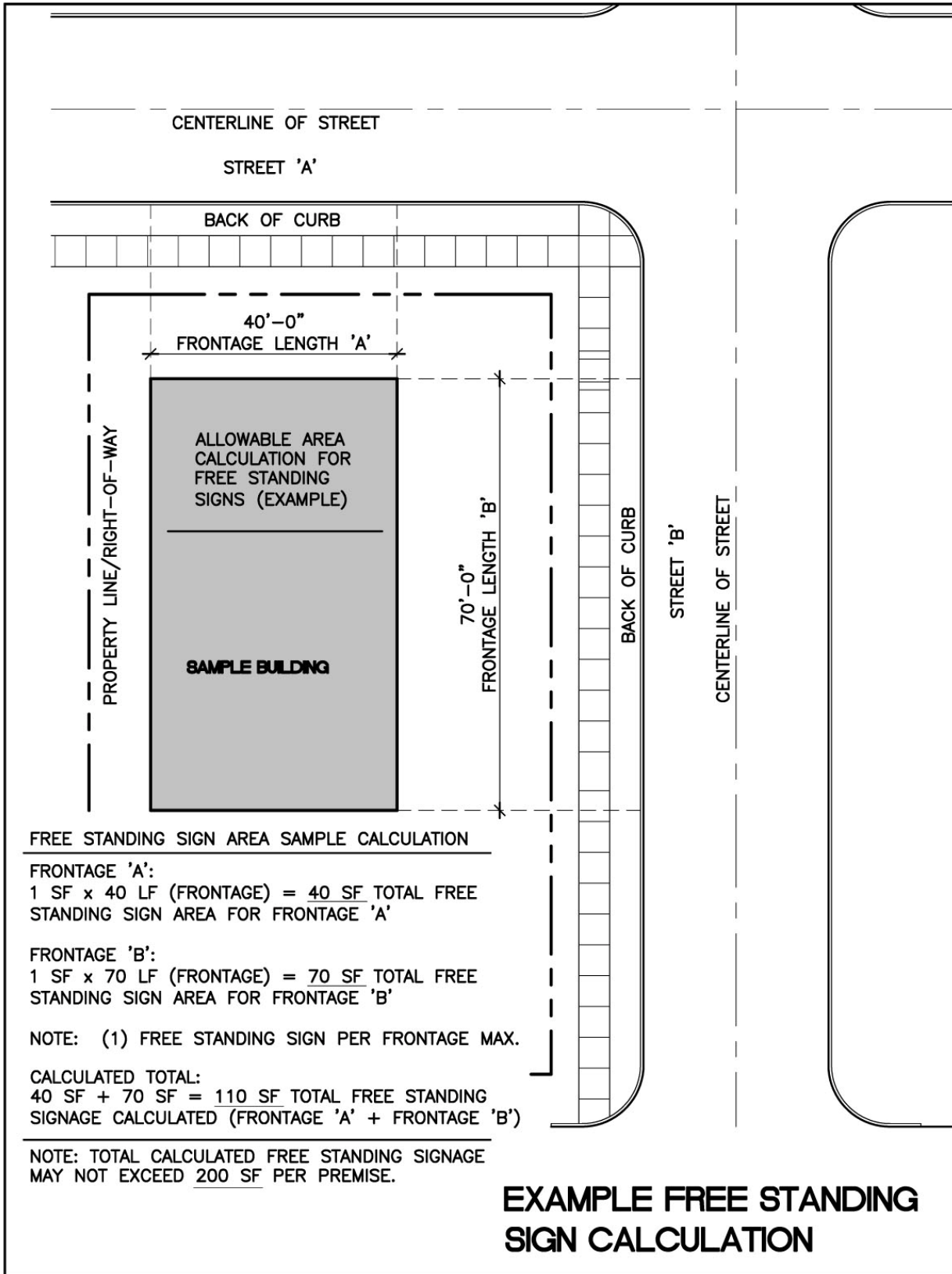


Exhibit 60-12

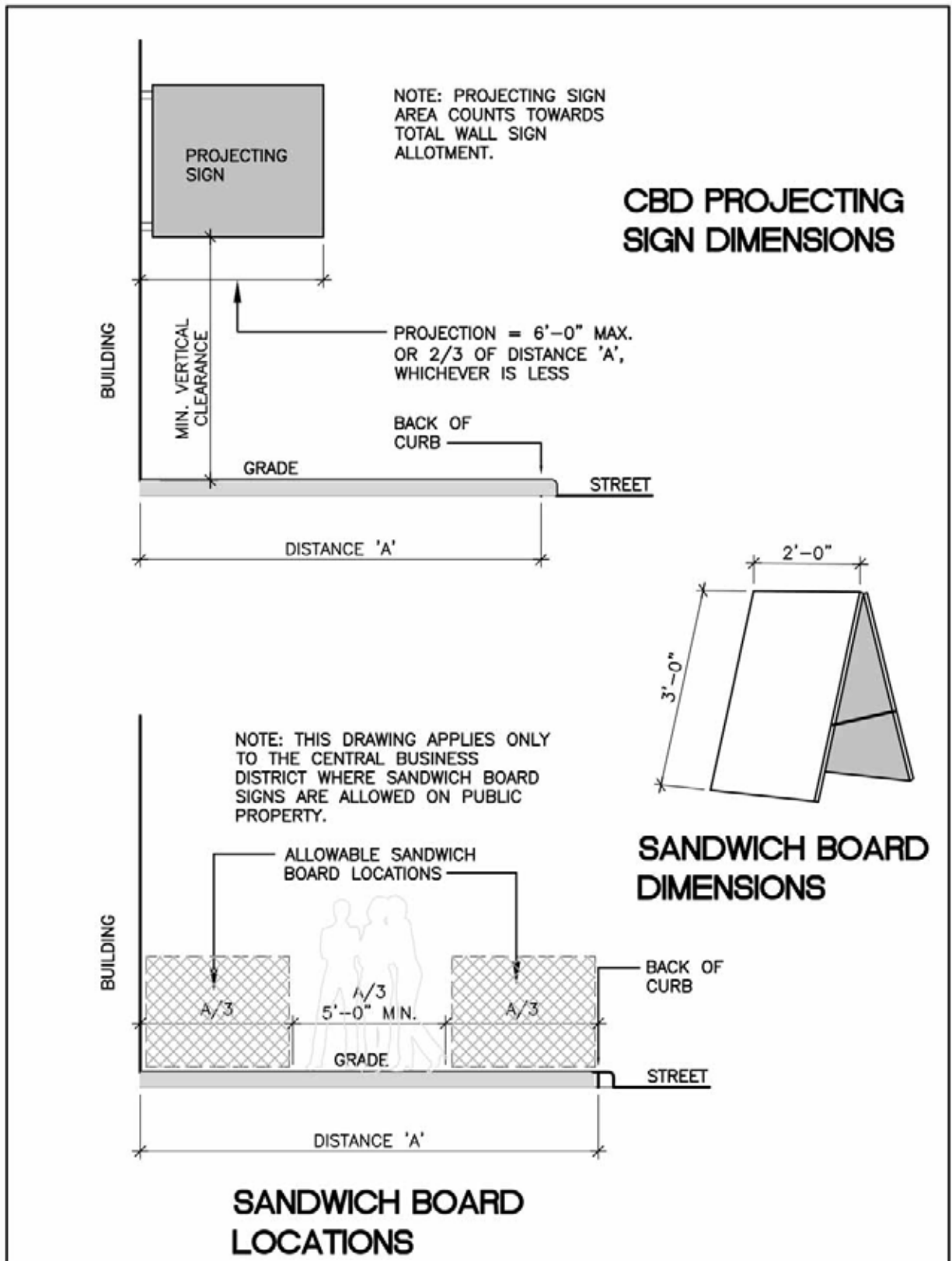
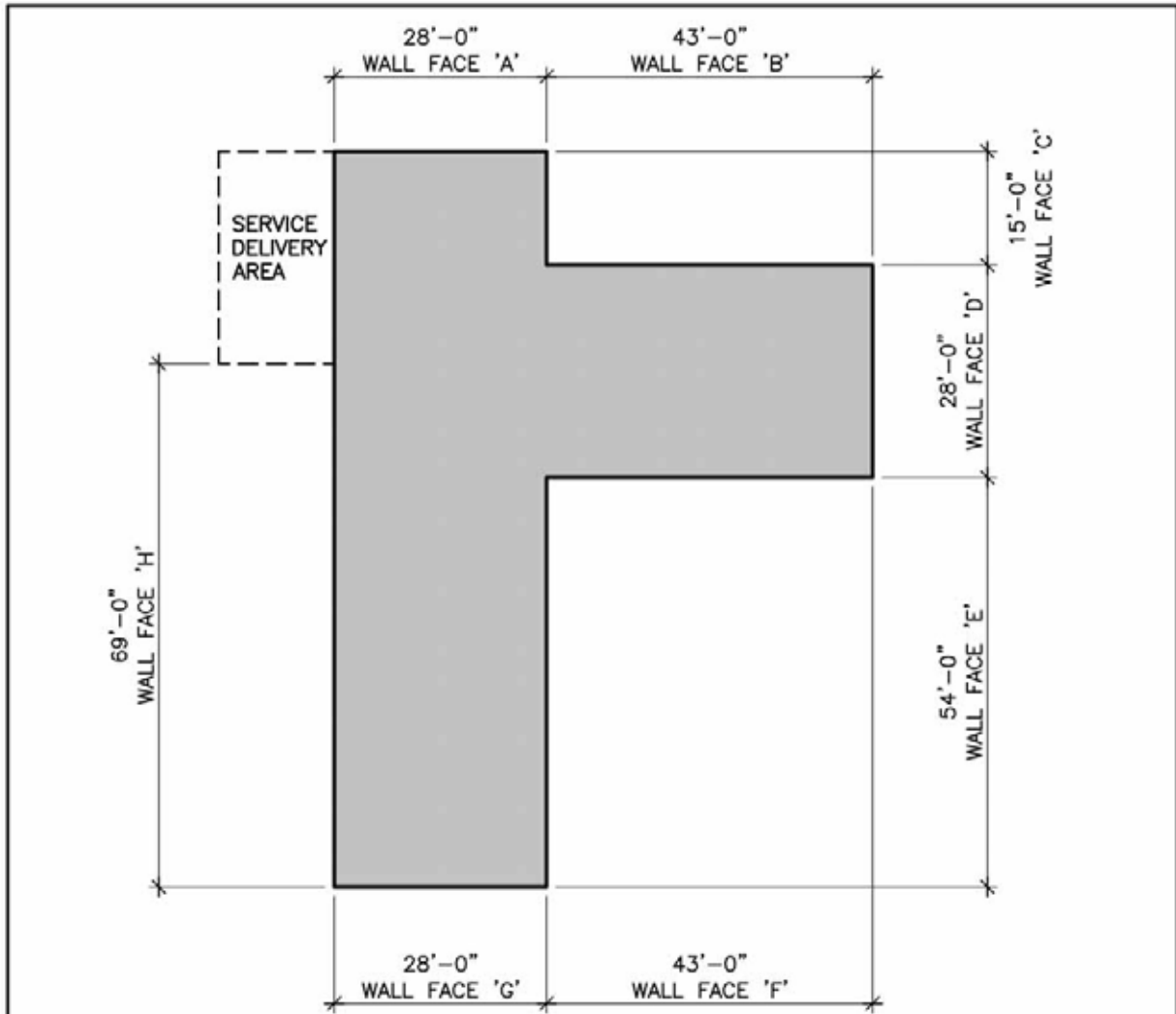


Exhibit 60-13



WALL SIGN AREA SAMPLE CALCULATION

THIS EXAMPLE ASSUMES A UNIFORM BUILDING HEIGHT OF 20'-0".

WALL FACE 'A':
 $20'-0" \text{ H} \times 28'-0" \text{ W} = 560 \text{ SF WALL SURFACE}$
 $560 \text{ SF} \times 10\% = 56 \text{ SF MAX. ALLOWABLE WALL SIGN AREA FOR WALL FACE 'A'}$

WALL FACE 'B':
 $20'-0" \text{ H} \times 43'-0" \text{ W} = 860 \text{ SF WALL SURFACE}$
 $860 \text{ SF} \times 10\% = 86 \text{ SF MAX. ALLOWABLE WALL SIGN AREA FOR WALL FACE 'B'}$

THIS CALCULATION CONCEPT APPLIES TO EACH OF THE REMAINING WALL FACES IN THE SAME MANNER.

PREMISES EXCEEDING 50,000 SF - EXAMPLE MULTI-TENANT WALL SIGNAGE CALCULATION

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

DATE December 5, 2006

ITEM Resolution 9626, Great Falls West Bank Urban Renewal District, O.F. 1499

INITIATED BY City Administration

ACTION REQUESTED Adopt Resolution 9626

PREPARED AND PRESENTED BY Benjamin Rangel, Planning Director

- - - - -

RECOMMENDATION:

It is recommended the City Commission adopt Resolution 9626 regarding the proposed Great Falls West Bank Urban Renewal District.

MOTION:

“I move the City Commission adopt Resolution 9626.”

SYNOPSIS:

Resolution 9626 establishes the boundaries of the proposed West Bank Urban Renewal District, identifies the area as a proposed urban renewal district, and establishes that the area is “blighted” per Montana Statute.

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 proposes to establish an urban renewal district and plan under Montana’s urban renewal authority, including a tax increment financing provision. The City has retained the services of Community Development Services of Montana to prepare an urban renewal plan.

An initial step in the creation of an urban renewal district is to make a finding of “blight” as required and defined in Montana Urban Renewal Law. Community Development Services of Montana has documented said blight in a report titled, “Great Falls West Bank Urban Renewal Area - Finding of Blight.” A copy of the report is attached. It serves as the basis for Resolution 9626. The resolution establishes that the West Bank area is “blighted” and identifies the area as a proposed urban renewal district.

Specifically, the report documents “blighted” conditions in the district to be:

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.

Attachments: Resolution 9626
Finding of Blight report

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

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, AND 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, Parts 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 arrests 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 as Exhibit "A" to this Resolution) 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
 - o 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
 - o 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 AND ADOPTED by the City Commission of the City of Great Falls, Montana, on this 5th day of December, 2006.

Dona R. Stebbins, Mayor

ATTEST:

Peggy J. Bourne, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

David V. Gliko, City Attorney

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

I, Peggy J. Bourne, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution 9626 was placed on its final passage by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 5th Day of December, 2006, wherein it was approved by said Commission.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 5th day of December, 2006.

Peggy J. Bourne, City Clerk

(SEAL OF CITY)

EXHIBIT A
Great Falls West Bank Urban Renewal Area – Finding of Blight

Introduction

The City of Great Falls is embarking on the revitalization of the area known as the 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.) The revitalization of the West Bank is being undertaken in cooperation with efforts to address contamination of an area within the proposed redevelopment area, formerly occupied by a brewery and an oil refinery and currently occupied by the county shop complex and a specialty seed mill. The first step in revitalizing the West Bank is to prepare an urban renewal plan for the area which will help direct the necessary resources to the effort. Prior to the adoption of the plan, the Great Falls City Commission must establish that the West Bank area is “blighted” per Montana Statute, identifying it as a proposed urban renewal district.

Figure 1. Proposed Great Falls West Bank Urban Renewal District



Background

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 16th, 2001).



Figure 2 Cascade County Shops

Today, the area includes a small number of residences and a variety of retail and service oriented businesses, including a veterinary clinic and the Cowboys Bar and J Bar T Tavern. Altogether, there are 51 parcels in the area. A list of the properties is included in Appendix A.

Overall, the West Bank area 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 Avenue NW/SW. For example, the West Bank includes the site of the former Montana Brewing Company complex, built in 1893-94, just north of Central Avenue, along the Missouri River. In 1933, it became the malt plant for the Great Falls Select Brewery, finally closing in 1968. (Figure3.) 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).

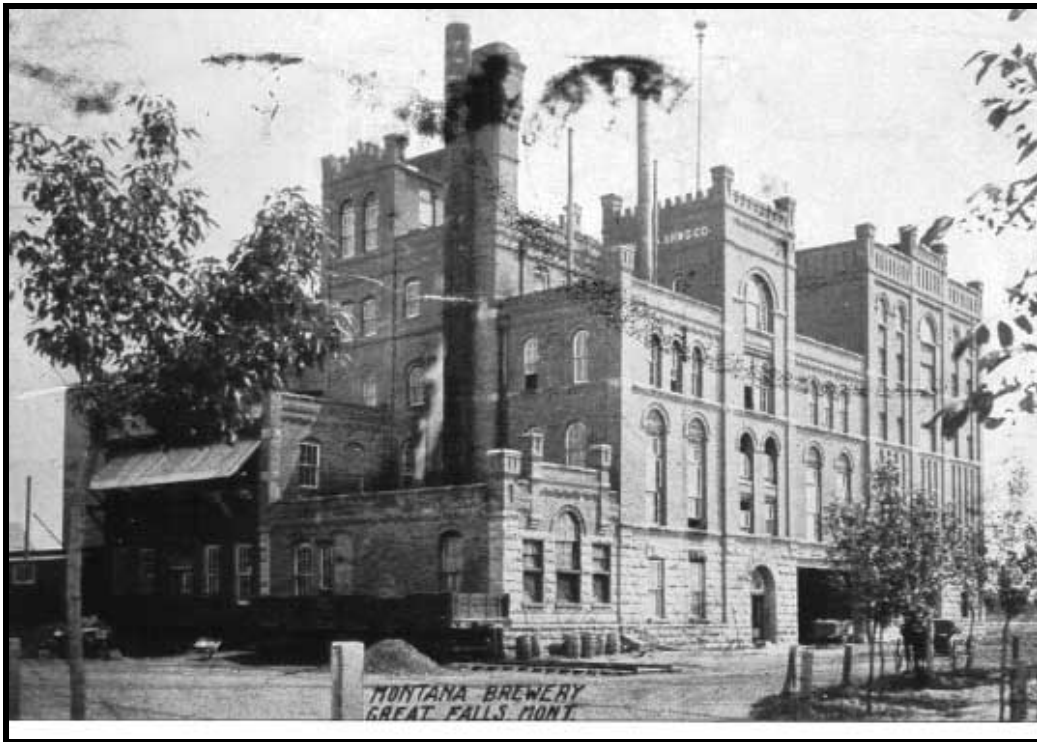


Figure 3. Montana Brewery

Source: <http://www.beerhistory.com/gallery/holdings/armstrong15.shtml>

This transition, in conjunction with the proposed removal of contamination associated with historic industrial uses, provides an opportunity for area redevelopment through public-private partnerships. The City has chosen to participate in this redevelopment effort through creation of an urban renewal program, including a tax increment financing (TIF) provision to help fund the public investment in the area. More particularly, the City's contribution will be in the form of assisting with the development of public infrastructure (streets, curb and gutters, sidewalks, water systems, sewer systems, storm drainage systems, parkland development, parking and related improvements) to encourage, facilitate and enhance private investment in the area.

Establishing Blight

Prior to preparing an urban renewal plan for the West Bank Area, the Great Falls City Commission must adopt a resolution designating the proposed renewal district as blighted. This action establishes the need for the urban renewal program and the rationale for investing public funds in redevelopment activities. The resolution includes a legal description of the proposed district and the blighted conditions that are present.

Defining Blight

Montana law sets forth the specific conditions that constitute blight. In particular, state statute defines a blighted area as one that substantially impairs or arrests the sound development of communities, constitutes an economic or social liability, and/or constitutes a menace to the public health and safety in its present condition.

Per 7-15-4206, MCA, a “blighted area” may be identified as such by reason of:

- (a) the substantial physical dilapidation; deterioration; defective construction, material, and arrangement; or age obsolescence of buildings or improvements, whether residential or nonresidential;
- (b) inadequate provision for ventilation, light, proper sanitary facilities, or open spaces as determined by competent appraisers on the basis of an examination of the building standards of the municipality;
- (c) inappropriate or mixed uses of land or buildings;
- (d) high density of population and overcrowding;
- (e) defective or inadequate street layout;
- (f) faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- (g) excessive land coverage;
- (h) unsanitary or unsafe conditions;
- (i) deterioration of site;
- (j) diversity of ownership;
- (k) tax or special assessment delinquency exceeding the fair value of the land;
- (l) defective or unusual conditions of title;
- (m) improper subdivision or obsolete platting;
- (n) the existence of conditions that endanger life or property by fire or other causes; or
- (o) any combination of the factors listed in this subsection (2).” (Montana Laws)

Legal Description of the Proposed West Bank Urban Renewal Area

The proposed West Bank 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.

Blighted Conditions in the Proposed West Bank Urban Renewal District

The West Bank Renewal area exhibits a number of these blighted conditions including:

5. Physical deterioration of buildings
6. Inappropriate or mixed uses of land or buildings
7. Defective or inadequate street layout
8. Unsanitary or unsafe conditions

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. (Figures 4 and 5)



Figure 4. Vacant building south of Central Avenue West



Figure 5. Outdoor storage/debris

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

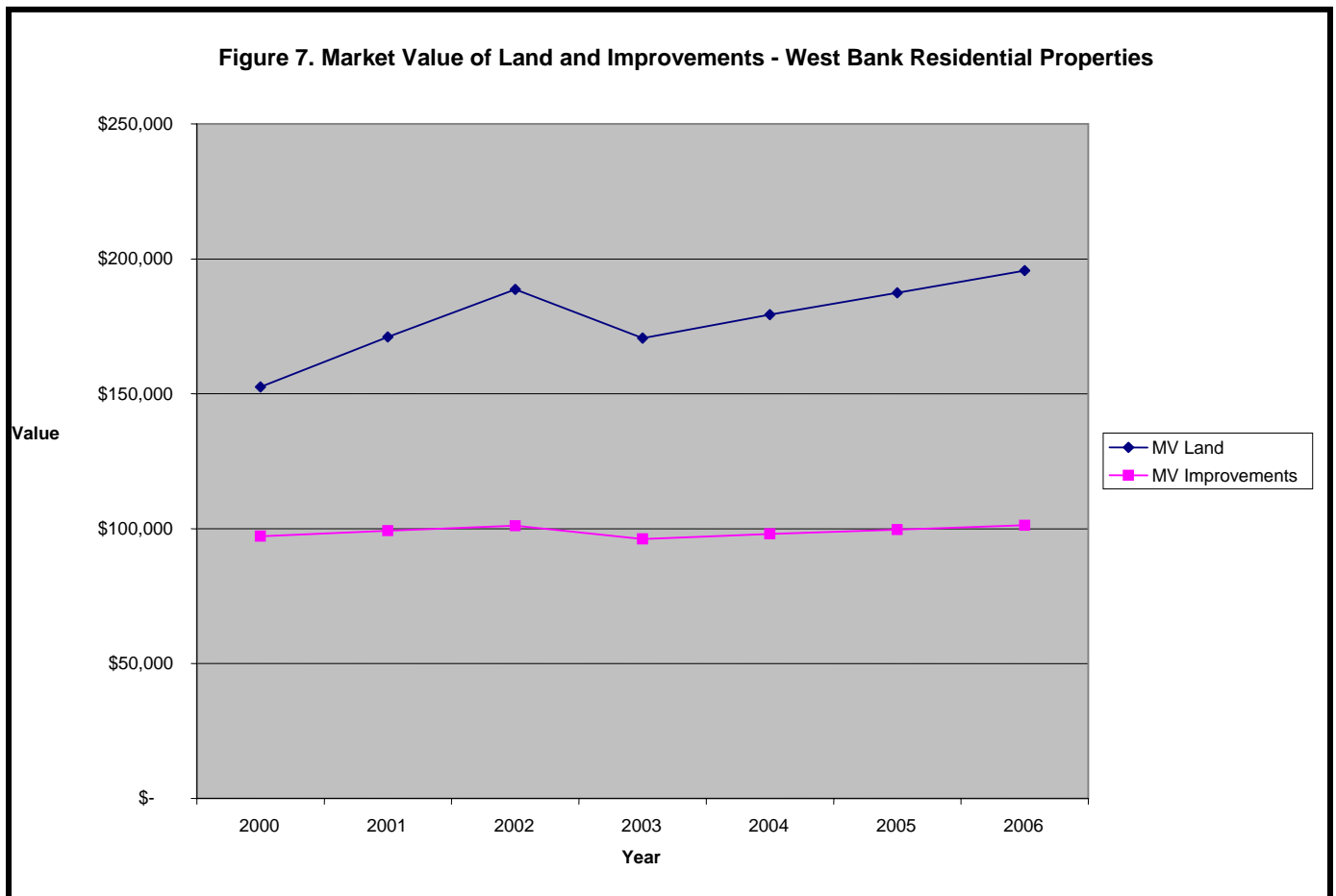
The eastern edge of the proposed West Bank Renewal District includes portions of the West Bank Park, an important recreation and scenic resource for the City of Great Falls. The park is located adjacent to areas that have been blighted by industrial pollution and refuse storage sites. These detract from and diminish the quality of the park. (Figure 6)

As stated above, the area includes a number of retail and service establishments, reflective of the land uses on those properties adjacent to the proposed 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.

Finally, the renewal district 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 (Great Falls Riverfront Redevelopment Project...Final Grant Proposal). 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 as noted in Figure 7, below.



Figure 6. West Bank Park, Looking West



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 B.) 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 RR 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. In some cases, there is no public access to individual sites via road. For example, better access is needed to the 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. (See Figures 8 and 9)

**Figure 8. 4th Avenue NW,
Looking East**



**Figure 9. Drainage Problems
South of 1st Avenue Southwest,
Looking North**

Unsanitary or unsafe conditions

Pollutants/Contamination

The proposed West Bank Urban Renewal Area includes the Third Street Northwest Groundwater Site, which is listed on the Montana CECRA (Comprehensive Environmental Cleanup and Responsibility Act) 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 16th, 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).

In 2004, the Great Falls Development Authority contracted with Maxim Technologies to provide Brownfields assessment and cleanup planning services for two sub-areas within the proposed West Bank renewal district. Sub Area 1 includes the property and structures between Central Avenue West and 4th Avenue NW. Sub Area 2 includes property and structures extending north from 4th Avenue NW to the Northwest Bypass. Properties included in each of these two sub-areas are presented in Tables 1 and 2.

Parcel Name	Parcel Address
Heritage Inn, Inc.	Near the Intersection of Central Avenue West and Third Street NW (future site of the Federal Courthouse)
Montana Cowboys Association	305 and 311 3 rd Street NW and 216 4 th Avenue NW
Campbell Property	299 and 303 3 rd Street NW
Talcott North and Talcott Northwest	201 and 205 1 st Avenue NW and 111 and 113 3 rd Street NW
Myhre Advertising	Corner of Central Avenue West and 3 rd Street NW
High Plains Pizza	17 3 rd Street NW

Table 2 – Sub-Area 2 Properties	
Parcel Name	Parcel Address
West Bank Park	(Portion of West Bank Park on the Missouri River)
Montana Specialty Mills	201 and 205 4 th Avenue NW
Cascade County Shops	319 and 415 3 rd Street NW and 219 4 th Ave. NW
J Bar T	619 3 rd Street NW
West Side Animal Clinic	803 3 rd Street NW
Seaman Property	805 and 807 3 rd Street NW

Within Sub Area 1, Maxim collected soil surface, soil subsurface and groundwater samples from the six properties. Analysis of the surface soil revealed that Montana Department of Environmental Quality (MDEQ) risk-based screening levels were exceeded in certain cases, as presented in Table 3.

Table 3. Results of Surface Soil Analysis – Results Exceeding MDEQ screening levels – Sub Area 1	
Benzo(a)anthracene	Proposed Federal building (five sites)
Benzo(a)pyrene	Talcott North (two sites); Proposed Federal building (two sites)
Benzo(a)fluoranthene	Proposed Federal building (two sites)
Indeno(1,2,3-cd)pyrene	Proposed Federal building (one site)
Arsenic	Proposed Federal building (two sites), Right of Way south of Talcott North, Talcott North; Myhre Advertising, Talcott Northwest
Cadmium	Proposed Federal building
Chromium	Proposed Federal building and Myhre Advertising

Assessments completed on properties in Sub Area 2 indicate that several potential sources of soil and water contamination exist on these properties which include the Cascade County Shops and the Montana Specialty Mills, which are associated with the CECRA site noted above. Ground water samples have contained petroleum hydrocarbons and chlorinated solvents which may be impacting groundwater beneath properties to the south including the Montana Cowboys Association, and the northern portions of the Talcott and north Heritage Inn properties. Samples collected along storm drains southeast of the CECRA site have also contained petroleum hydrocarbons. (Maxim Technologies, Inc., Phase I and Phase II Assessments, Great Falls Brownfields Project, Great Falls, Montana, 2004-2005)

Conclusion

Based on these findings, the proposed West Bank Urban Renewal District can be described as blighted per Montana Statute, with respect to the deteriorating condition of property in the area; incompatibility of land uses; inadequate infrastructure, particularly related to transportation; and unsafe conditions associated with contaminants as identified by the Montana Department of Environmental Quality.

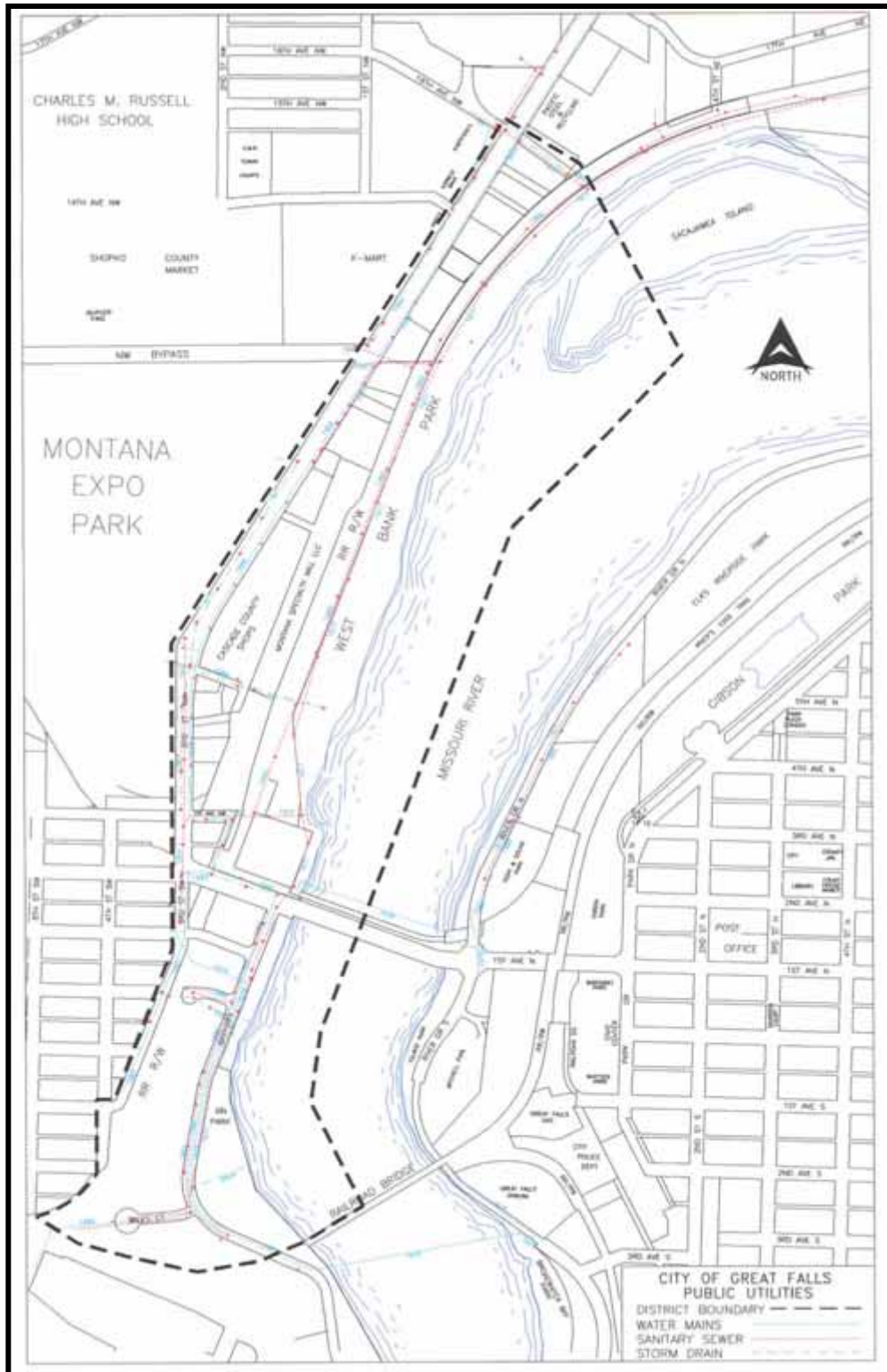
**APPENDIX A – PROPERTIES INCLUDED IN THE PROPOSED WEST BANK
URBAN RENEWAL DISTRICT (Great Falls Planning Department)**

APPENDIX A. PROPERTIES INCLUDED IN THE PROPOSED WEST BANK URBAN RENEWAL DISTRICT		
OWNER OF RECORD	BUSINESS NAME/OCCUPANCY	STREET ADDRESS
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
OKSNESS 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

APPENDIX A. PROPERTIES INCLUDED IN THE PROPOSED WEST BANK URBAN RENEWAL DISTRICT		
OWNER OF RECORD	BUSINESS NAME/OCCUPANCY	STREET ADDRESS
BN LEASING CORPORATION		BAY DR
BURLINGTON NORTHERN SANTA FE RAILROAD CO		
MONTANA ELECTRIC COOPERATIVES ASSO ETAL	MONTANA ELECTRIC COOPERATIVES ASSOCIATION	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 B. AREA INFRASTRUCTURE MAP
(Great Falls Public Works Department)

APPENDIX B. PUBLIC UTILITIES IN THE PROPOSES WEST BANK RENEWAL DISTRICT



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

DATE December 5, 2006

ITEM: RESOLUTION NO. 9627, RELATING TO FINANCING THE CONSTRUCTION OF CERTAIN SWIMMING POOL IMPROVEMENTS AT THE MITCHELL, JAYCEE, AND WATER TOWER POOLS; ESTABLISHING COMPLIANCE WITH REIMBURSEMENT BOND REGULATIONS UNDER THE INTERNAL REVENUE CODE (O.F. 1484)

INITIATED BY: CITY COMMISSION

ACTION REQUESTED: ADOPT RESOLUTION 9627

PREPARED BY: JORDAN LOVE, ADMINISTRATIVE OFFICER

PRESENTED BY: COLEEN BALZARINI, FISCAL SERVICES DIRECTOR

- - - -

RECOMMENDATION: Staff recommends adoption of Resolution 9627, to establish compliance with reimbursement bond regulations under the Internal Revenue Code.

MOTION: “I move the City Commission adopt Resolution 9627”.

SYNOPSIS: Staff recommends the issuance of general obligation debt up to \$2,270,000. Proceeds of the debt are intended to finance costs of improving and upgrading certain swimming pools in Great Falls, including rehabilitating and designing, constructing and equipping improvements to the Mitchaell Pool, the Jaycee Pool and its restrooms and locker rooms, the Water Tower Pool and its restrooms, locker rooms, and related amenities, and to pay the cost of the issuance of the Bonds.

The term of the debt may not exceed 10 years and the Commission will set an interest rate for a competitive sale.

BACKGROUND: On November 7, 2006, voters in the city of Great Falls were asked: “Shall the Commission be authorized to issue and sell general obligation bonds of the City in the amount of up to Two Million Two Hundred Seventy Thousand and No/100 Dollars (\$2,270,000), bearing interest at a rate to be determined by the Commission at a competitive sale, payable semiannually during a term not to exceed ten (10) years and redeemable on any date after one-half of their term, for the purpose of paying the costs of improving and upgrading certain swimming pools in the City, including rehabilitating and designing, constructing and equipping improvements to the Mitchell Swimming Pool, the Jaycee Swimming Pool and related restrooms and locker rooms, the Water Tower Swimming Pool and related restrooms and locker rooms, and related amenities and improvements, and paying costs associated with the sale and issuance of the bonds?”

15,158 of voters (or 72.85%) voted “Yes” to this question and 5,648 (or 27.15%) voted “No.”

CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of the City of Great Falls, Montana (the "City"), hereby certify that the attached resolution is a true copy of a Resolution entitled: "RESOLUTION RELATING TO FINANCING OF CERTAIN PROPOSED PROJECTS; ESTABLISHING COMPLIANCE WITH REIMBURSEMENT BOND REGULATIONS UNDER THE INTERNAL REVENUE CODE" (the "Resolution"), on file in the original records of the City in my legal custody; that the Resolution was duly adopted by the City Commission of the City at a regular meeting on December 5, 2006, and that the meeting was duly held by the City Commission and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

I further certify that, upon vote being taken on the Resolution at said meeting, the following Commissioners voted in favor thereof: _____
_____; voted against the same: _____;
abstained from voting thereon: _____; or were absent: _____
_____.

WITNESS my hand officially this _____ day of December, 2006.

(SEAL)

City Clerk

RESOLUTION NO. _____

RESOLUTION RELATING TO FINANCING OF CERTAIN
PROPOSED PROJECTS; ESTABLISHING COMPLIANCE
WITH REIMBURSEMENT BOND REGULATIONS UNDER
THE INTERNAL REVENUE CODE

BE IT RESOLVED by the City Commission (the “Commission”) of the City of Great Falls, Montana (the “City”), as follows:

Section 1. Recitals.

1.01 The United States Department of Treasury has promulgated final regulations governing the use of proceeds of tax-exempt bonds, all or a portion of which are to be used to reimburse the City for project expenditures paid by the City prior to the date of issuance of such bonds. Those regulations (Treasury Regulations, Section 1.150-2) (the “Regulations”) require that the City adopt a statement of official intent to reimburse an original expenditure not later than 60 days after payment of the original expenditure. The Regulations also generally require that the bonds be issued and the reimbursement allocation made from the proceeds of the bonds within 18 months (or three years, if the reimbursement bond issue qualifies for the “small issuer” exception from the arbitrage rebate requirement) after the later of (i) the date the expenditure is paid or (ii) the date the project is placed in service or abandoned, but (unless the issue qualifies for the “small issuer” exception from the arbitrage rebate requirement) in no event more than three years after the date the expenditure is paid. The Regulations generally permit reimbursement of capital expenditures and costs of issuance of the bonds.

1.02 The City desires to comply with requirements of the Regulations with respect to certain projects hereinafter identified.

Section 2. Official Intent Declaration.

2.01 The City proposes to undertake certain projects, which projects and the estimated costs thereof are generally described on Exhibit A hereto, which is hereby incorporated herein and made a part hereof (the “Projects”).

2.02 Other than (i) expenditures to be paid or reimbursed from sources other than the Bonds (as hereinafter defined), (ii) expenditures permitted to be reimbursed under the transitional provision contained in Section 1.150-2(j)(2) of the Regulations, (iii) expenditures constituting preliminary expenditures within the meaning of Section 1.150-2(f)(2) of the Regulations, or (iv) expenditures in a “de minimus” amount (as defined in Section 1.150-2(f)(1) of the Regulations), no expenditures for the Projects have heretofore been paid by the City and no expenditures will be paid by the City until after the date of this Resolution.

2.03 The City reasonably expects to reimburse some or all of the expenditures made for costs of the Projects out of the proceeds of debt in an estimated maximum aggregate principal amount of approximately \$2,270,000 (the “Bonds”) after the date of payment of all or a portion of the costs of the Projects. All reimbursed expenditures shall be capital expenditures, a cost of

issuance of the Bonds or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Regulations.

Section 3. Budgetary Matters. As of the date hereof, there are no City funds reserved, allocated on a long-term basis or otherwise set aside (or reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside) to provide permanent financing for the expenditures related to the Projects, other than pursuant to the issuance of the Bonds. The statement of intent contained in this resolution, therefore, is determined to be consistent with the City's budgetary and financial circumstances as they exist or are reasonably foreseeable on the date hereof.

Section 4. Reimbursement Allocations. The City's Controller shall be responsible for making the "reimbursement allocations" described in the Regulations, being generally the transfer of the appropriate amount of proceeds of the Bonds to reimburse the source of temporary financing used by the City to make prior payment of the costs of the Projects. Each allocation shall be evidenced by an entry on the official books and records of the City maintained for the Bonds or the Projects and shall specifically identify the actual original expenditure being reimbursed.

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

Mayor

Attest: _____
City Clerk

EXHIBIT A

<u>Description of Projects</u>	<u>Estimated Cost</u>
Improving and upgrading certain swimming pools in the City, including rehabilitating and designing, constructing and equipping improvements to the Mitchell Swimming Pool, the Jaycee Swimming Pool, the Water Tower Swimming Pool and related restrooms and locker rooms, and related amenities and improvements.	\$2,270,000

Regular City Commission Meeting

Mayor Stebbins presiding

CALL TO ORDER: 7:00 PM

PLEDGE OF ALLEGIANCE

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

PRESENTATION: Jon Chin, Abaris Group, summarized the Pre-Hospital Emergency Care System Evaluation. He provided an in-depth review of the study during the Work Session held immediately prior to the Commission meeting.

NEIGHBORHOOD COUNCILS

- ACTION program.**
1. **Tim Austin (NC 3)** and **Tawny Newt (NC 5)** reported to the City Commission about a new program called ACTION which means Advocates Coming Together Improving our Neighborhoods. This program is the result of a new partnership between Neighborhood Housing Services, the Neighborhood Councils and Neighborhood Watch.

Mr. Austin also thanked the voters for approving the swimming pool bonds.

PUBLIC HEARINGS

- Res. 9557, Utility rates. Adopted.**
2. **RESOLUTION 9557, ESTABLISHING WATER, SEWER AND STORM DRAIN RATES AND FEES.**

Public Works Director Jim Rearden explained that at the Commission meeting held September 19, 2006, staff demonstrated the need for utility rate and fee increases, as well as the effect on the public, should the increases be adopted. The proposed rate changes were 5 percent for water, 5 percent for sewer and no increase for storm drain services.

The public had been notified of the public hearing and the proposed rate changes through legal ads and inserts sent in the utility bills the end of October and the first part of November. Staff requested the rates be effective January 1, 2007.

Mayor Stebbins declared the public hearing open. No one appeared to speak in support of or opposition to Resolution 9557. Mayor Stebbins declared the public hearing closed and asked for direction from the

Commission.

Commissioner Beecher moved, seconded by Commissioner Rosenbaum, that the City Commission adopt Resolution 9557.

Commissioner Hinz thanked staff for providing a list of needed capital improvement projects for each of the utilities. She explained that the rate increases were necessary to keep the utility systems operational.

Motion carried 4-0.

Res. 9620, Cost Recovery, GF 3rd Add., B176, L14. Adopted.

3. RESOLUTION 9620, COST RECOVERY, GF 3RD ADDITION, BLOCK 176, LOT 14 (509 15 STREET NORTH).

Community Development Director Mike Rattray reported that property owners Alfred and Naomi Kleinert were issued a "Notice of Hearing" to appear at 7 p.m., November 21, 2006 before the City Commission to show cause why they should not be liable for costs incurred in razing and cleanup of a structure at 509 15th Street North. Staff incurred expenses in the amount of \$7,987.30 and requested the City Commission to adopt Resolution 9620 which would provide staff the tools necessary to recover the costs.

Mayor Stebbins declared the public hearing open. No one appeared to speak in support of or opposition to Resolution 9620. Mayor Stebbins declared the public hearing closed and asked for direction from the Commission.

Commissioner Rosenbaum moved, seconded by Commissioner Hinz, that the City Commission adopt Resolution 9620.

Motion carried 4-0.

Res. 9622, Cost Recovery, NRT 6th Addition, B6, L10. Denied.

4. RESOLUTION 9622, COST RECOVERY, NRT 6TH ADDITION, BLOCK 6, LOT 10 (609 36TH AVENUE NE).

Community Development Director Mike Rattray reported that property owner Sangchan Sirpundon, was issued a "Notice of Hearing" to appear at 7:00 p.m., November 21, 2006 before the City Commission to show cause why the owner of the property should not be liable for the costs incurred in abating the property. Staff incurred expenses in the amount of \$429 cleaning up the property. Mr. Rattray added that the property owners paid the \$429 in full therefore it was not necessary for the Commission to adopt the Resolution.

Commissioner Rosenbaum moved, seconded by Commissioner Hinz, that the City Commission deny Resolution 9622.

Motion carried 4-0.

OLD BUSINESS

NEW BUSINESS

ORDINANCES/RESOLUTIONS

5. THIS ITEM WAS PULLED FROM THE AGENDA.

**Consent Agenda.
Approved as
printed.**

CONSENT AGENDA

- 6. Minutes, November 8, 2006, Commission meeting.
- 7. Total Expenditures of \$539,903 for the period of October 30 through November 3, 2006, to include claims over \$5000, in the amount of \$374,433.
- 8. Contracts list.
- 9. City Manager Employment Agreement.
- 10. Set public hearing for December 5, 2006, to accept citizen comments on CDBG/HOME Community Needs.
- 11. Construction Contract award to NewMach Companies, St. Paul, Minnesota, for the Contract 02—General Construction for the Wastewater Treatment Plant Cogeneration Project in the amount of \$1,143,000. (OF 1404).
- 12. Amended Plat of Lot 15, Riverview Tracts Addition to subdivide the property to separate the two existing commercial buildings.

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

Motion carried 4-0.

BOARDS & COMMISSIONS

**Native American
Local Government
Commission.
Reappoint
Devereaux.**

13. REAPPOINTMENT, NATIVE AMERICAN LOCAL GOVERNMENT COMMISSION.

Henry Devereaux was appointed to the Native American Local Government Commission on August 8, 2002. His term expired on August 1, 2006; therefore, it was necessary to reappoint him to the Commission.

Commissioner Hinz moved, seconded by Commissioner Rosenbaum, that the City Commission reappoint Henry Devereaux to the Native American Local Government Commission for a four-year term through August 1, 2010.

Motion carried 4-0.

CITY MANAGER**Skate Park Update.****15. SKATE PARK VANDALISM**

Park and Recreation Deputy Director Patty Rearden reported that the Skate Park was the target of a significant amount of graffiti. She added that this was a continual problem since the skate park opened. She cited the following examples of some of the vandalism that had taken place since the park opened: the fence had 25 panels replaced; the rules sign was replaced several times and staff was continually cleaning off graffiti. Additionally, two to three fires were started in rest rooms each fall. In July, extensive damage was done to women's rest room caused by a fire which actually burned through a wall.

She said that the current round of graffiti will cost approximately \$1000 in graffiti remover and between \$1,065 and \$1,776 in manpower to clean it up.

Staff was currently exploring options as to how to effectively deal with this problem. Some of the choices included leaving the graffiti which would eventually fill in completely; host an artistic spray-on art event which would most probably be covered by graffiti over time; paint the spray park battleship gray which makes the surface slippery and less desirable; or fence and man the skate park which may require the City to charge admission.

In checking with other communities, Mrs. Rearden reported that Helena and Billings have given up and allow graffiti. One out-of-state park invites people to paint artistic spray-on art. No one currently has their skate park fenced, manned and charges admission.

PETITIONS AND COMMUNICATIONS**Pre-Hospital
Emergency Care.**

17A. Dave Kuhn, Great Falls Emergency Services, thanked the City and the staff from Abarais Group for their work on the Pre-Hospital Emergency Care study. He supported the idea of a summit and asked those who would attend it to keep open minds and not have pre-determined ideas. He encouraged the City to take the time necessary to develop the right system for the community.

Skate Park.

17B. Steve White, 820 3rd Avenue North, suggested staff work with Paris Gibson Square and turn the skate park into an outdoor art project.

Adjourn.

ADJOURNMENT

There being no further business to come before the Commission, the regular meeting of November 21, 2006, adjourned at 7:50 p.m.

Mayor Dona R. Stebbins

Peggy Bourne, City Clerk

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

PRESENTED BY: City Controller

ACTION REQUESTED: Approval With Consent Agenda

APPROVAL: _____

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

MASTER ACCOUNT CHECK RUN FOR NOVEMBER 22, 2006	986,221.18
MASTER ACCOUNT CHECK RUN FOR NOVEMBER 29, 2006	180,786.03
MUNICIPAL COURT ACCOUNT CHECK RUN FOR NOVEMBER 16, 2006	50,283.27
WIRE TRANSFERS FROM NOVEMBER 15, 2006	120,516.38
WIRE TRANSFERS FROM NOVEMBER 22, 2006	<u>63,879.87</u>
TOTAL: \$	<u><u>1,401,686.73</u></u>

SPECIAL REVENUE

STREET DISTRICT		
GREAT FALLS REDI MIX	ASPHALTIC CONCRETE	74,585.79
HOUSING AUTHORITY		
GREAT FALLS HOUSING AUTHORITY	USBC CREDITS JULY - SEPTEMBER 06	5,200.63
FEDERAL BLOCK GRANTS		
DICK OLSON CONSTRUCTION	PMT#1 ADA BATHROOM, PARK MANOR	6,930.07
AGENCY ON AGING	FOOD FOR HOME DELIVERY PROGRAM	6,150.04
BEST VALUE ROOTER SERVICE	NEW SEWER 1100 7TH AVE S	7,270.90
L'HEUREUX PAGE WERNER	PROFESSIONAL SERVICES 6-1 /6-30	12,429.08
PAT SCHOENEN REMODELING	PMT #2 PROJECT FILE #720709	8,369.00
GINNATY PLUMBING & HEATING	BOILER 316 1/2 CENTRAL DUNN BROWN	7,798.35
ECONOMIC REVOLVING		
CAPITOL DECISIONS INC	NOVEMBER 2006 RETAINER	8,800.00

ENTERPRISE FUNDS

WATER

THOMAS DEAN & HOSKINS	PMT# 15 WATER MASTER PLAN OF1352	14,193.00
ED BOLAND	PMT#3 OF1450, 1ST AND 2ND AVE N	217,934.07
THOMAS DEAN & HOSKINS	PMT #7 OF 1332.2 FLOCCULATION BASIN	21,307.92

SEWER

SLETTEN CONSTRUCTION	OF 1490, CHLORINE DOCK TROLLEY	6,988.00
DAVID KUGLIN	PMT#1 MAFB SEWER UPSIZING	81,343.84
VEOLIA WATER NORTH AMERICA	NOVEMBER OPERATION/MAINTENANCE	339,443.36

SANITATION

MONTANA WASTE SYSTEMS	OCTOBER CHARGES	72,710.59
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SAFETY SERVICES

QWEST	NOVEMBER 2006 CHARGES	6,114.72
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PARKING

J&L MAINTENANCE	CRACKSEAL CITY LOT #4	7,875.00
APCOA/STANDARD PARKING	DEC 2006 COMPENSATION	21,824.99

GOLF COURSES

LARSON DATA COMMUNICATIONS	DATA SYSTEMS	7,912.10
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INTERNAL SERVICES FUND

HEALTH INSURANCE

BLUE CROSS/ BLUE SHIELD	GROUP & HMO CLAIMS FOR 11/8-11/14/06	36,182.82
BLUE CROSS/ BLUE SHIELD	DRUG CLAIMS	84,312.41
CITY COUNTY HEALTH DEPT	FLU SHOTS	6,832.00
BLUE CROSS/ BLUE SHIELD	GROUP & HMO CLAIMS FOR 11/15-11/21/06	63,879.87

FISCAL SERVICES

JUNKERMIER CLARCK CAMPANELLA	AUDIT FOR CAFR STATEMENT 6/30/06	10,000.00
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CENTRAL GARAGE

MOUNTAINVIEW COOP	UNLEADED AND DIESEL FUEL	12,098.20
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FACILITIES MAINTENANCE

DICK OLSON CONSTRUCTION	FINAL PAY, 1ST FLR RESTROOM CC	15,008.70
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CITY OF GREAT FALLS, MONTANA
COMMUNICATION TO THE CITY COMMISSION

FINAL

AGENDA 7
DATE: December 05, 2006

MUNICIPAL COURT
CITY OF GREAT FALLS

FINES AND FORFEITURES

44,988.27

CLAIMS OVER \$5000 TOTAL:

\$ 1,208,483.72

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

**AGENDA: 8
DATE: December 5, 2006**

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	Park & Recreation	Carp's Drain Cleaning Service	November 2006	272-7142-571-9399	\$17,900.00	Auger, clean and reline main drain, Natatorium Pool O.F. 1393.1
B	Public Works Engineering	Walgreen's	Present thru 2007	N/A	None	BNSF Pipeline license. Developer is paying fees. O.F. 1497

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

DATE: December 5, 2006

ITEM Res. 9624, Nuisance Abatement, L7, B462, GF 1st Add., 510 11th St S

INITIATED BY Community Development Department

ACTION REQUESTED Set Public Hearing for December 19, 2006 at 7:00 p.m.

PREPARED BY Heather Rohlf, Code Enforcement

REVIEWED & APPROVED BY Mike Rattray, Community Development Director

- - - - -

RECOMMENDATION:

Staff recommends the City Commission set the public hearing for December 19, 2006, on Resolution 9624, which will enable the Community Development Department staff to hire a contractor and abate the ongoing nuisance at 510 11th St S.

MOTION:

I move a public hearing be set for December 19, 2006, at 7:00 P.M. in the Commission Chambers, on Resolution 9624.

SYNOPSIS:

As prescribed by Chapter 8.49.040, a "Notice of Public Hearing" before the City Commission was posted on the property December 8, 2006.

BACKGROUND:

Staff has taken the following action:

<u>Action</u>	<u>Date</u>
Initial complaint taken by staff	7/12/2006
Initial inspection of property	7/12/2006
1 st letter sent certified, with 14 & 30-day time period	7/13/2006
Copy of letter faxed to property owner in Glendive, Gary Witsoe	8/11/2006
1 st 30 day Extension given	8/18/2006

BACKGROUND CONTINUED

On-going complaints taken	8/21/2006 8/28/2006
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Meeting with Michael Witsoe	9/21/2006
2 nd Extension given	9/21/2006
2nd Inspection	9/28/2006
Final Inspection	10/3/2006
Photographs taken	10/3/2006
Citations written for Junk Vehicle & Rubbish	10/6/2006
Ownership and encumbrance report ordered	11/16/2006
“Notice of Hearing” posted on property	12/8/2006
“Notice of Hearing” mailed certified to owner’s agent	12/8/2006
“Notice of Hearing” published in GF TRIBUNE	12/9/2006

RESOLUTION 9624

A RESOLUTION DETERMINING CERTAIN
PROPERTY LOCATED AT 510 11TH ST S, LOT 7,
BLOCK 462, GREAT FALLS 1ST ADDITION,
CASCADE COUNTY, MONTANA, TO BE A
NUISANCE

* * * * *

WHEREAS, Gary Witsoe (owner's agent Michael Witsoe), owner(s) of certain personal and real property located at 510 11th St S, Lot 7, Block 462, Great Falls 1st Addition, Great Falls, Cascade County, Montana, was given notice pursuant to Section 8.49.050, OCCGF, of a hearing before the City Commission on December 19, 2006, wherein said property owner was ordered to show cause why the alleged property should not be declared a nuisance and abated, and

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

1. Rubbish - numerous items of rubbish inside and outside the fence on the property and on the boulevard.

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

1. That the property owner(s), Gary Witsoe (owner's agent, Michael Witsoe), has failed to show cause why the subject property should not be declared a nuisance and abated; and

2. Staff having presented evidence of the condition of the subject property and having described the illegal and deplorable condition of the subject property, the City Commission does hereby find the same to be a nuisance pursuant to Section 8.49.050, OCCGF, and hereby directs the owner(s) to commence the abatement within ten (10) days of the date of this resolution.

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

4. City staff shall serve said owner(s) with a copy of this resolution by regular mail as

required by Section 8.49.050, OCCGF. This order shall be in effect for a six (6) month period from date of Resolution 9624.

PASSED by the Commission of the City of Great Falls, Montana, on this 19 day of December, 2006.

Dona R. Stebbins, Mayor

ATTEST:

Peggy J. Bourne, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

David V. Gliko, City Attorney

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

I, Peggy J. Bourne, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution 9624 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 19 day of December 2006, and approved by the Mayor of said City, on the 19 day of December, 2006.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City, this 19 day of December, 2006.

Peggy J. Bourne, City Clerk

(SEAL OF CITY)

Date December 8, 2006

CERTIFIED MAIL

Name: Gary Witsoe & Michael Witsoe (owner's agent)
Address: 510 11th St S
City: Great Falls MT 59405

RE: Lot 7, Block 462, Great Falls 1st Addition
510 11th St S, Great Falls, Cascade County, Montana

NOTICE OF HEARING BEFORE CITY COMMISSION OF GREAT FALLS

The owner of the real property located at 510 11th St S is hereby notified to appear before the City Commission of the City of Great Falls at a meeting to be held December 19, 2006, in the Commission Chambers, Civic Center Building, # 2 Park Drive, Great Falls, Montana, at the hour of 7:00 p.m., or as soon thereafter as he/she may be heard, and to show cause why the items listed in the City's letter of July 13, 2006, should not be declared a nuisance, the nuisance required to be abated by removal and the cost thereof charged to the owner.

The items listed are:

1. Rubbish - numerous items of rubbish inside the fence on the property and on the boulevard.

Consequently, you are hereby notified to appear before the City Commission at 7:00 p.m. on December 19, 2006.

Respectfully,

Heather Rohlf, Code Enforcement
Code Enforcement, Building Inspectors Office

cc: Read File
Property File
Post on Property

PUBLIC NOTICE

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

The owner of the real property located at 510 11th St S is hereby notified to appear before the City Commission of the City of Great Falls at a meeting to be held December 19, 2006, at the City Commission Chambers, Civic Center Building, Great Falls, Montana, at 7:00 p.m., and show cause why Lot 7, Block 462, Great Falls 1st Addition, 510 11th Street South, should not be declared a nuisance and the nuisance be abated by removal or other appropriate act and charge the cost thereof to the owner(s).

PUBLICATION DATE: December 9, 2006

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

DATE December 5, 2006

ITEM Resolution 9628 Regarding Land Development Principles & Guidelines For East End Commercial and Residential Development

INITIATED BY City Staff

ACTION REQUESTED Set Public Hearing for December 19, 2006

PREPARED & PRESENTED BY Benjamin Rangel, Planning Director

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

MOTION: “I move the City Commission set public hearing for December 19, 2006 to consider adoption of Resolution 9628.”

SYNOPSIS: The resolution would “institutionalize” a set of principles and guidelines to be applied by local government during its land development review processes involving subdivision, annexation, and zoning for properties in the vicinity of 10th Avenue South and 57th Street (East End Development). The principles and guidelines are presented in a paper attached as EXHIBIT “A” to Resolution 9628.

BACKGROUND: During the past several months, there has been public discussion and debate regarding plans to develop commercial and residential projects at the east end of 10th Avenue South and how that might affect long term interest to secure a flying mission or missions at Malmstrom Air Force Base. Early in the debate, a “Discussion paper” was prepared by the City to assist in this discussion and debate. An outcome of the discussions has been a set of development principles and guidelines, as facilitated by Dan Rice and as supported by the involved property owners, the involved developers, and the Great Falls Area Chamber of Commerce Board of Directors.

The City has further documented these principles and guidelines in an additional paper, dated November, 2006. The intent is to apply the principles and guidelines during the land development review processes involving subdivision, annexation and zoning of properties near the east end of 10th Avenue South, as described and illustrated in a paper attached as EXHIBIT “A” to Resolution 9628.

The contents of the paper were reviewed with the City Commission during its Work Session on December 5, 2006. At that time, the Commission was advised of the interest to “institutionalize” the principles and guidelines by having the Commission formally adopt them in the form of a City resolution.

Copies of the principles and guidelines paper have been provided to a number of interested individuals and entities for their information. Copies have also been available in the City Planning Office and on the City’s web site.

Attachment: Resolution 9628, with attached Principles & Guidelines paper (EXHIBIT “A”)

RESOLUTION 9628

A RESOLUTION TO FORMALIZE DEVELOPMENT
PRINCIPLES & GUIDELINES FOR EAST END COMMERCIAL
& RESIDENTIAL DEVELOPMENT

* * * * *

WHEREAS, commercial and residential development have been proposed for the southeast Great Falls area in the vicinity of 10th Avenue South and 57th Street (East End Development); and,

WHEREAS, these proposals have spurred public discussion and debate because of the proximity of the proposed development to the flight approach area of the closed runway at Malmstrom Air Force Base; and,

WHEREAS, the public discussion and debate have centered around the interest to answer the questions, “Do we want to keep all of our options open for the potential reopening of the former runway at Malmstrom Air Force Base for future flying missions, or do we want to allow economic development to occur within the described Accident Potential Zones?”; and,

WHEREAS, there are two specific viewpoints or rationale driving these questions, including 1) The runway is an irreplaceable valuable asset and needs to be preserved to make certain we have a long term, viable military presence; and, 2) The chances of overcoming all the obstacles to reopening the runway are small and we need to “move on” as a community and allow development we know we can get; and,

WHEREAS, the City Planning Office and the City Manger’s Office prepared a discussion paper to help frame the issues with the intent to provide accurate and relevant information to 1) assist open public discussion, 2) assist in the development of position statements, and 3) assist in the development of a public strategy or strategies; and,

WHEREAS, copies of the discussion paper were provided to a number of community individuals and organizations for their information and use; and,

WHEREAS, Mr. Dan Rice, through the leadership and guidance of the Great Falls Area Chamber of Commerce, facilitated a process which identified several key issues and requirements that would need to be met in order to support and/or allow commercial and residential development in said area; and,

WHEREAS, in April 2006, the Chamber of Commerce reformatted the above referenced key issues and requirements into suggested development restrictions and recommended the City Commission “approve the development of the proposed commercial and residential projects in the area, subject to restrictions” and in October 2006, again reviewed the issues and reaffirmed its position; and,

WHEREAS, the City Planning Office and City Manager’s Office used the previously noted products and actions to prepare a set of development principles and guidelines to be applied by local

government during its land development review processes involving subdivision, annexation and zoning of properties in the vicinity of 10th Avenue South and 57th Street (East End Development); and,

WHEREAS, the documentation of said principles and guidelines is provided in a paper, titled, **“Development Principles & Guidelines For East End Commercial & Residential Development,”** dated, November, 2006 and is attached as EXHIBIT “A” to this Resolution.

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

That the five principles and guidelines presented in the attached EXHIBIT “A” be applied to all commercial and residential development proposed in the vicinity of 10th Avenue South and 57th Street (East End Development) during any land development review processes involving subdivision, annexation, zoning and conditional use permits conducted by the City of Great Falls.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on the 19th day of December, 2006.

Dona R. Stebbins, Mayor

ATTEST:

Peggy J. Bourne, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

David V. Gliko, City Attorney

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

I, Peggy J. Bourne, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Resolution 9628 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 19th day of December, 2006, and approved by the Mayor of said City on the 19th day of December, 2006.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City on this 19th day of December, 2006.

Peggy J. Bourne, City Clerk

(SEAL OF CITY)

DEVELOPMENT PRINCIPLES & GUIDELINES FOR EAST END COMMERCIAL & RESIDENTIAL DEVELOPMENT

The purpose of this paper is to outline development principles and guidelines for use in the land development review processes involving the subdivision, annexation and zoning of properties in the vicinity of the intersection of 10th Avenue South and 57th Street.

* * * * *

PURPOSE:

Lately, there has been public discussion and debate regarding plans to develop commercial and residential projects at the east end of 10th Avenue South and how that might affect long term interest to secure a flying mission or missions at Malmstrom Air Force Base. Fortunately, there has been a strong overall desire to foster and accommodate both.

There are numerous viewpoints and opinions which can best be summarized into two positions. Those who believe 1) The runway is an irreplaceable valuable asset and needs to be preserved to make certain we have a long term, viable military presence; and, 2) The chances of overcoming all the obstacles to reopening the runway are small and we need to “move on” as a community and allow development we know we can get.

Early in this debate, a “Discussion paper” was prepared to provide accurate and relevant information to 1) assist open public discussion, 2) assist in the development of position statements, and 3) assist in the development of a strategy or strategies to address public interests, issues and concerns. Some of the following is a summary of this “Discussion paper.” This summary is presented as a lead into the reasons and basis for the proposed development principles and guidelines presented at the end of this paper.

BACKGROUND:

In 1995, the Base Realignment and Closure (BRAC) Commission recommended the runway at Malmstrom Air Force Base be closed and the KC-135 refueling tankers be moved to MacDill Air Force Base in Florida. The runway was declared “excess” (a legal status stemming from the BRAC statute) in 1999, which means that it can be used for other commercial purposes with the consent of the U.S. Department of Defense. However, the use of the runway for other commercial purposes is problematic because of its close proximity to a nuclear weapons storage area.

AICUZ STUDY:

During the operation of the refueling tankers, a 1978 Air Installation Compatible Use Zone (AICUZ) Study for the Base was updated in 1994 by DOD. The study evaluated aircraft noise and accident potential for Base flying operations. Its application was intended to help protect the public health, safety and general welfare, as well as to preserve the operational capabilities of and public investment at the Base.

In the study, DOD established three accident potential zones described as:

Clear Zone. This is the area closest to the runway end and is the most hazardous. The overall risk is so high that DOD generally acquires the land through purchase or

easement to prevent development. The zone is 3000 feet wide by 3000 feet long. Development in this zone is limited to utility lines, roadways and agricultural uses.

Accident Potential Zone I. This zone is less critical than the clear zone, but still possesses a significant risk factor. The zone is 3000 feet wide by 5000 feet long. The zone allows reasonable economic use of the land, such as industrial/manufacturing, transportation, communication/utilities, wholesale trade, open space, recreation and agriculture. However, uses that concentrate people in small areas are not acceptable.

Accident Potential Zone II. This zone is an area beyond APZ I and is less critical than APZ I, but still possesses potential for accidents. The zone is 3000 feet wide by 7000 feet long. The acceptable uses include those of APZ I, as well as low density single family residential (one dwelling per acre) and those personal and business services and commercial/retail trade uses of low intensity or scale of operation. High density functions such as multi-story buildings, places of assembly (theaters, churches, schools, restaurants, etc.), and high density office uses are not considered appropriate.

Regarding official recognition and implementation of the 1994 AICUZ study, there were various options available to local government at the time. The most significant option, as recommended in the study, was to amend zoning and subdivision regulations and to formulate fair disclosure ordinances, building codes and capital improvement programs to incorporate land use controls presented in the study. However, since there were limited City staff resources and time to pursue this option and it was felt that such actions may polarize various parties having an interest in the matter, the City and County Commissions chose instead to adopt resolutions that stated the study would be “referenced and utilized as a guide in making land use decisions in the vicinity of MAFB.” As such, it appears the 1994 AICUZ study was never established as a document to control land uses in the various zones, but was intended to serve as a reference and guide in making land use decisions.

There still appears to be at least two viewpoints regarding the current status and relevancy of the three zones and list of land uses in the study. The question of relevancy is raised in that the runway is officially closed. Some believe the zones and list of land uses are no longer applicable and therefore should not be used regarding development in the area. Conversely, some believe the zones, especially the Clear Zone, and list of land uses should continue to be used to guide the location and type of future development.

However, MAFB officials have indicated the full Accident Potential Zones for the Base’s previous flying mission are no longer in effect because of the closed runway.

RESTRICTIVE EASEMENTS:

In 1958, the United States government acquired restrictive easements at the ends of the then operating runway. The southern easement encompassed a majority of the above described Clear Zone, but not all. The easement placed a filed and recorded restriction on the construction of buildings, etc. on the property. The west boundary of the easement is best described as being 1100 feet from and running parallel to the centerline of the runway. For discussion, the west boundary of the former Clear Zone was 1500 feet from and ran parallel to the centerline of the runway.

EXISTING/PROPOSED DEVELOPMENT:

There are two existing commercial sites and one future commercial site and one future residential site proposed for development in the vicinity of 10th Avenue South and 57th Street (East End Development).

One of the commercial sites (Site #1) was for a proposed Wal-Mart Supercenter. The project has since been withdrawn. Although no specific tenants are identified for the two other commercial sites, one is located immediately east of the former Wal-Mart site (Site #2) and the other (Site #3) is located northeast of and across U.S. Highway 87/89 from the former Wal-Mart site. Regardless of the decision by Wal-Mart, the property owners proceeded with the subdivision, annexation and zoning processes for commercial sites #1 and #2. Future steps may be taken by the property owners to annex commercial site #3. The attached **Exhibit A** illustrates the location of the three commercial sites, as well as the general area proposed for high-end residential development.

Regarding the residential development, the developers propose to master plan the entire area of interest and to subdivide, annex, and zone the parcel in phases. The developers plan to begin phased development on that portion not located within the former Accident Potential Zone I.

DISCUSSION/DEBATE PROCESS:

Early in the discussion and debate phase of this issue, there was noted interest to conduct wide-based public discussion and to provide a forum to involve all the major community players and stakeholders, including Base supporters, property owners, the City, the County and the general public. Both City and County officials have stated their interest in such a discussion. Specifically, in February 2006, the City Commission passed Resolution No. 9550 stating its support for a broad based public discussion to help develop consensus and an action plan. Also, the Great Falls Area Chamber of Commerce, Public & Government Affairs Committee met on several occasions to discuss and learn more about the issue. They too indicated interest in having broad community discussion and establishing a position. An underlying premise and overall objective has been to develop consensus and results that fairly and equitably address and satisfy the interests of all involved parties.

Preceding the current steps to organize and sponsor a broad based community forum, a small group, representing affected property owners; the Committee of 80's; Military Affairs Committee of the Chamber; Public & Government Affairs Committee of the Chamber; and a volunteer facilitator, met to develop a better understanding of each other's viewpoints and to build consensus on how to fairly and equitably address and satisfy each of their specific interests and concerns. The group was successful in identifying several key issues and requirements that would need to be met in order to support and/or allow commercial and residential development in the area. In April 2006, the Board of Directors of the Chamber of Commerce reformatted the issues and requirements into suggested development restrictions and recommended the City Commission "approve the development of the proposed commercial and residential projects, subject to the following restrictions." In October 2006, the Chamber Board once again reviewed the issue and reaffirmed its April 2006 position.

- The commercial projects to be built in a manner that uses the east end of the site to the maximum practical extent for purposes that are consistent with those

allowed in an air operations “Clear Zone”. These uses include landscaping and storm water retention.

- The residential development to be permitted on a staged basis that allows Phase I to proceed during 2006, Phase II to begin no sooner than 2007 and Phase III to begin no sooner than 2008.
- Residential developer specifically discloses in writing to all purchasers of real property within the subject development, that aircraft operations and noise may occur near the property.
- In the event a new flying mission that requires an expanded Clear Zone or creation of an Accident Potential Zone is based at MAFB, the developers agree to end the development at the completion of the phase allowed at that time.
- City of Great Falls refrains from permitting development inconsistent with uses that are normally permitted within the theoretical “Clear Zone and Accident Potential Zones.” Some of these uses are agricultural in APZ I and low density housing in APZ II.

Additionally, the recently adopted Cascade County 2006 Growth Policy includes the County Commission’s position regarding rural development within the former Accident Potential Zones.

PRINCIPLES AND GUIDELINES:

The previously noted findings, understandings, and restrictions were used as the basis for preparing the principles and guidelines presented in this section. It is intended these principles and guidelines be applied by local government during its land development review processes involving the subdivision, annexation and zoning of properties in the vicinity of 10th Avenue South and 57th Street (East End Development).

To assure these principles and guidelines are readily applied during governmental review and decision-making processes, it is proposed they be “institutionalized” by adopting them via a City resolution. Ultimately, the principles and guidelines would be incorporated into land development agreements for future proposed projects in the area.

It is proposed the following narrative be incorporated into a City resolution for consideration by the City Commission following a public hearing.

The following principles and guidelines should be applied to all commercial and residential development proposed in the vicinity of 10th Avenue South and 57th Street (East End Development). Application of the principles and guidelines would occur during any land development review processes involving subdivision, annexation, zoning and conditional use permits. The principles and guidelines are as follow:

- 1. Only those land uses consistent with the former “Clear Zone” (as listed in the 1994 Air Installation Compatible Use Zone Study) will be permitted for those***

properties or portions of properties located within said Zone, such as landscaping, storm water retention/detention facilities, agriculture, etc.

2. Phased residential development will be permitted in accordance with the following timeframe:

- Phase 1 construction can begin no sooner than June 1, 2007.*
- Phase 2 construction can begin no sooner than June 1, 2009.*
- Phase 3 construction can begin no sooner than June 1, 2010.*

*The attached **Exhibit B** illustrates the general area of each proposed phase. The purpose of this section is to allow residential development to occur in the noted area while efforts are made to acquire a flying mission at MAFB. If a mission is not secured by June 1, 2011, the residential development project is relieved of any further timeframe or area limitations.*

3. All subdivision plats for development in the area shall include the following statement:

“NOTICE OF PROXIMITY TO A MILITARY AIR FORCE BASE, Take notice all prospective purchasers of land in this subdivision that this subdivision is in the vicinity of a military air force facility and, while subject property does not lie within any presently designated accident potential or noise zone, it may from time be subjected to noise and vibrations from aircraft operations associated with said facility.”

4. In the event a new flying mission (military, civilian, or combined) is based at MAFB, actions may be needed to satisfy the requirements for such a mission or missions, such as the reestablishment and/or expansion of the “Clear Zone” and/or “Accident Potential Zone.” In such case, further development within said zones will be limited to the land uses permitted in said zones, as may be determined through preparation of an Air Installation Compatible Use Zone (AICUZ) study for the new operating mission(s).

Additionally, the provisions for phased development outlined and authorized in Item 2, above, will terminate. However, the development phase or phases approved up to that time will be allowed to be completed.

Lastly, the community will use its best efforts to assure affected property owners are reasonably compensated for any investments made for the approved phases that can no longer be recouped due to the inability to further develop subsequent phases.

5. Other than development provided for in Items 1,2 & 4, above, the City of Great Falls will refrain from permitting development which is inconsistent with the land uses allowed in the former “Clear Zone” and “Accident Potential Zones I & II.”

EXHIBIT A

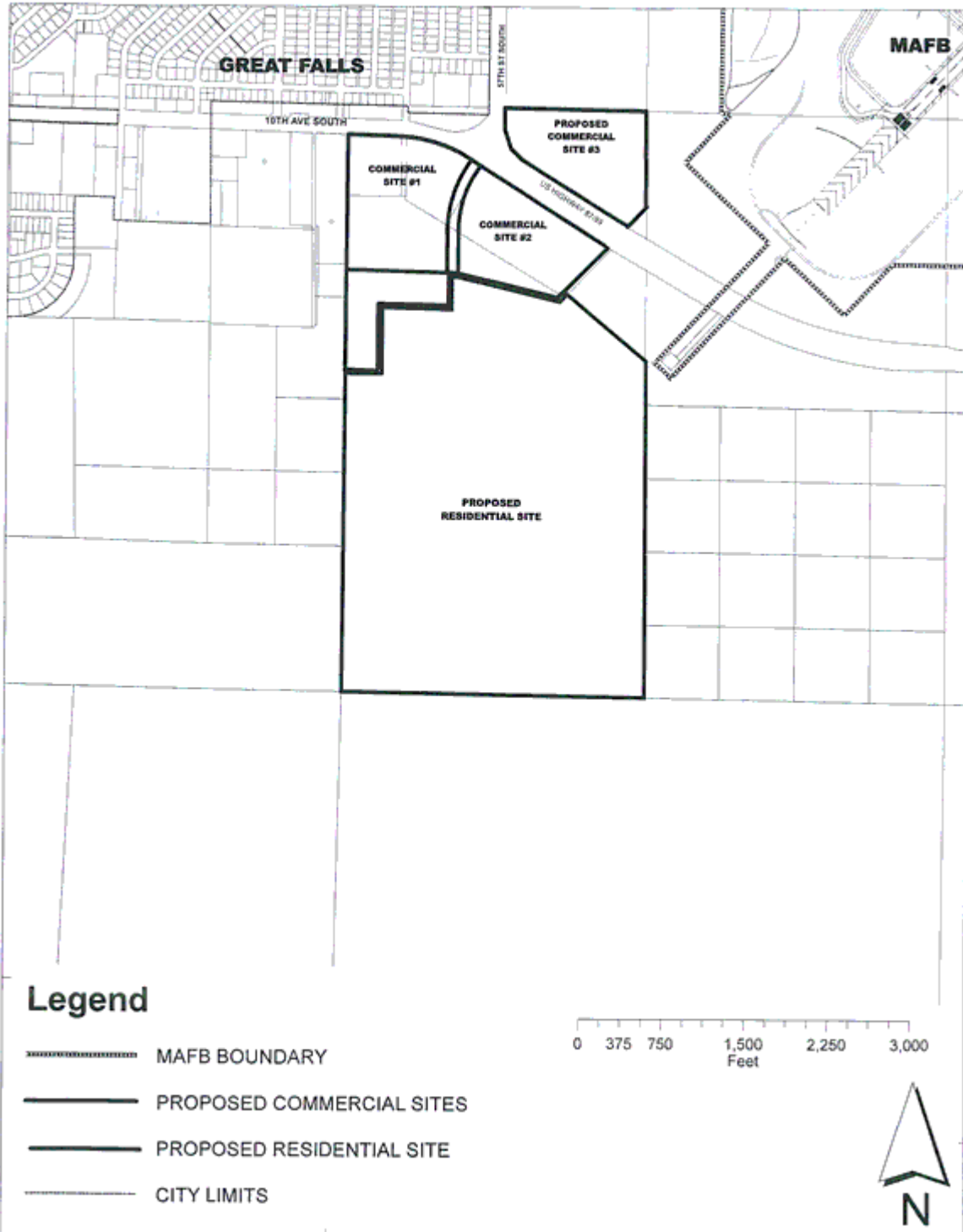
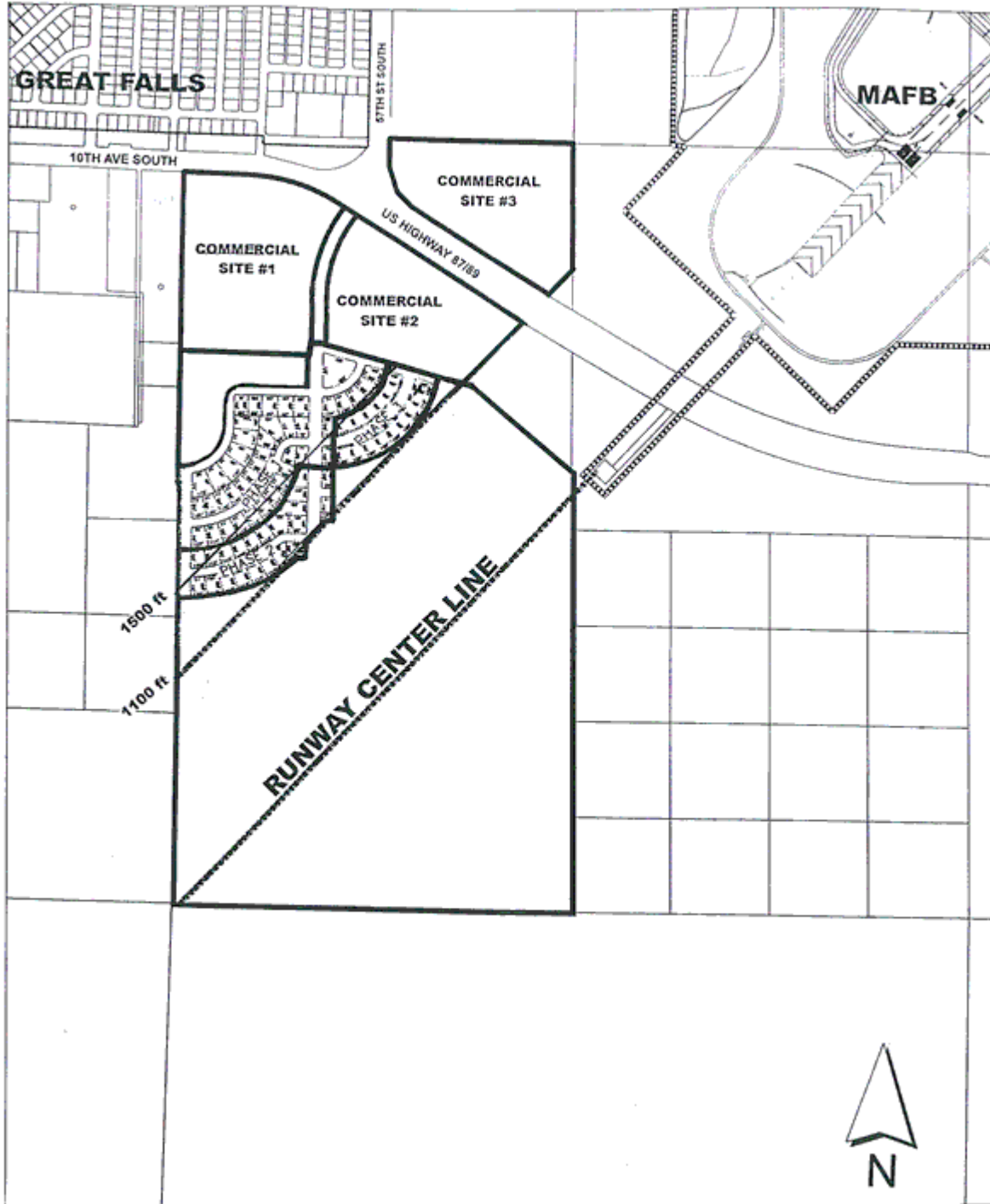


EXHIBIT B



AGENDA REPORT

DATE December 5, 2006

ITEM Renovation of the Women’s First Floor Restroom in the Civic Center (OF 1481.1)

INITIATED BY Community Development Department

ACTION REQUESTED Approve Change Order No.1 and Final Payment

PREPARED & PRESENTED BY Mike Rattray, C.D. Director

REVIEWED & APPROVED BY Mike Rattray, C.D. Director

- - - - -

RECOMMENDATION:

Staff recommends the City Commission approve the following motion.

MOTION:

I move the City Commission approve Change Order No. 1 in the amount of \$3007.31 and final payment of \$15,008.70 to Dick Olson Construction, Inc. and \$151.61 to the Montana Department of Revenue.

SYNOPSIS:

The women’s first floor restroom renovation project in the Civic Center has been completed and final payment is due to Dick Olson Construction, Inc. and the Montana Department of Revenue. Change Order No.1 includes three relatively small items that total \$3007.31 that were necessary to deliver a quality project.

BACKGROUND:

On July 11, 2006, the City Commission awarded the contract to renovate the first floor restroom in the Civic Center to Dick Olson Construction, Inc. for \$77,000. During construction, three items were addressed that resulted in Change Order No.1 in the amount of \$3007.31. Approval of the change order increases the total cost of the project to \$80,007.31. The first item was an increase in the bid cost of the ceramic floor tile to reflect the final tile selection including borders, trims and finishes of the tile materials. The second item was replacing the floor drains because the openings were a tripping safety item for women with high heel shoes. The third item was replacement of an existing window that was in very poor condition.

Attach: Change Order No.1 and Final Payment (Attachments not available online; on file in the City Clerk’s Office.)

AGENDA REPORT

DATE December 5, 2006

ITEM CONTRACTS FOR EMPLOYEE GROUP HEALTH INSURANCE THIRD PARTY CLAIMS ADMINISTRATION AND SPECIFIC STOP LOSS COVERAGE

INITIATED BY HEALTH INSURANCE COMMITTEE

ACTION REQUESTED EXECUTION OF CONTRACTS BETWEEN THE CITY OF GREAT FALLS AND BLUE CROSS AND BLUE SHIELD OF MONTANA FOR THIRD PARTY CLAIMS ADMINISTRATION AND SPECIFIC STOP LOSS COVERAGE

PREPARED & PRESENTED BY LINDA WILLIAMS, HUMAN RESOURCES MANAGER

REVIEWED & APPROVED BY CHERYL PATTON, ASSISTANT CITY MANAGER

- - - - -

RECOMMENDATION:

The recommendation is to approve the contracts for third party claim administration and specific stop loss coverage between the City of Great Falls and Blue Cross and Blue Shield of Montana.

MOTION:

I move the City Commission approve the contracts for third party claims administration and specific stop loss coverage between the City of Great Falls and Blue Cross and Blue Shield of Montana, and authorize the City Manager to execute said contracts.

BACKGROUND:

The City has contracted with Blue Cross and Blue Shield of Montana (BCBS) for claims administration of its self-insured employee group health insurance plan since January of 1991, as well as stop loss coverage, on an annual basis. Each year the decision to renew the contract was based upon successful negotiation of the renewal terms and conditions, including any fee increases.

A Request for Proposals (RFP) was advertised this past June to assess the market and allow other carriers an opportunity to bid on the services BCBS had been providing for the past 15 years. The RFP was distributed state-wide as well as nationally. Eleven proposals were received. Of the eleven, five were forwarded to a consultant, Charlynn Harless with Legacy Enterprises, for further evaluation.

There are two core services she was asked to evaluate. The first was third party claims administration and the second was stop loss coverage - both specific and aggregate.

After a thorough analysis of the finalists, the consultant concluded there was no compelling reason to change third party claims administrators, and therefore recommended the City renew its contract with BCBS as its third party claims administrator.

Regarding stop loss coverage, the consultant recommended canceling the aggregate stop loss coverage and changing specific stop loss carriers. Our aggregate stop loss point is 115% of expected claims. In the fifteen years we've purchased aggregate stop loss coverage, we've never reached the attachment point. Therefore, canceling the coverage would save approximately \$42,500 annually. The aggregate stop loss coverage will be canceled effective 12/1/06.

Specific stop loss coverage is re-insurance purchased to limit the City's liability on a per person basis during the contract period up to a certain dollar amount. The City's current specific stop loss attachment point is \$150,000. This means the City is responsible for claims up to \$150,000 per person per plan year. Anything over \$150,000 is the insurance carrier's responsibility. Over the past 10 years, the City's specific stop loss coverage has saved the City over \$1.2 million.

The City's specific stop loss contract with BCBS runs from 7/1/06 - 6/30/07. We are six months into the contract period, and have several active large claims that may hit the attachment point of \$150,000 before the end of the contract period of June 30, 2007. Switching carriers now would start the contract period over. Therefore, the Health Insurance Committee's recommendation is to complete the current contract period with BCBS and then re-bid the stop loss for an effective date of 7/1/07.

The consultant's Evaluation of Proposals summary is attached.

Evaluation of Proposals for the City of Great Falls

by: Charlynn Harless, CEO, Legacy Enterprises Insurance Services, Inc.

The City of Great Falls requested proposals in June 2006, from qualified insurance companies and third party administrators (TPA) to administer the City of Great Falls self-insured medical, prescription drug, dental and vision plans and to insure the City's EAP and stop loss coverage. The RFP stated the City's authority to contract separately for one or more services and/or insurance coverage, meaning the City could contract with one TPA to administer the medical program and a different TPA for the dental and vision programs.

The RFP stated the City's intent to award a contract(s) by September 1, 2006, in order to coincide with the City's annual renewal date of October 1, 2006. Due to the length of time it has taken to outsource evaluation of the proposal finalists and perform a claim key analysis of the proposed provider networks, this time line has been extended.

The City requested Legacy's assistance in evaluating proposals submitted by the five finalists selected by the City. It was agreed that Legacy's evaluation would include the following:

- Comparative analysis of proposed stop loss coverage, including limitations and exclusions, approved Third Party Administrators and premiums.
- Comparative analysis of administrative services offered, utilization review and case management performance results, prescription drug plan costs (including dispensing fees, medication costs and discounts), management reporting capabilities and all administration costs and/or fees.
- Rating of services as superior, adequate or inadequate as they pertain to the appropriate administration of the City of Great Falls benefit plans. In the process of our evaluation we have noted instances in which the proposal was incomplete or should be disqualified.

Our detailed evaluation report is divided into eleven (11) sections, consistent with those of the RFP, encompassing the companies' profiles, performance guarantees, technological capabilities, provider

networks, prescription benefit costs, reporting capabilities, overall administration costs and stop loss coverage and premium costs.

The following table summarizes the over-all rating that we applied to each category of service and/or cost. Within the text of the report we provide greater detail of our rating. Under Company Profiles we have simply indicated if the proposal complied with the RFP and have commented on concerns, omissions and/or discrepancies that may have been identified within the proposal document

	BCBSMT	Allegiance	Montana States Adm	EBMS	HCH Administrators
Company Profiles	Complied	Complied	Incomplete	Complied	Disqualify Provider network
Performance Guarantees	Adequate	Superior	Adequate	Adequate	Adequate
Claim Processing Procedures	Adequate	Superior	Superior	Adequate	Adequate
Provider Network	Superior	Adequate	Inadequate	Inadequate	Disqualified
UR & Case Management	Inadequate	Superior	Adequate	Adequate	Inadequate
Mail Order Rx Costs	Adequate	Inadequate	Inadequate	Inadequate	Inadequate
Retail Rx Costs	Adequate	Inadequate	Inadequate	Inadequate	Inadequate
Rx Schedule of Fees	Adequate	Superior	Superior	Adequate	Adequate
Management Reporting	Superior	Adequate	Superior	Superior	Superior
ASO Services Costs	Competitive	Most Competitive	No Rating	No Rating	No Rating

Performance Guarantees: All of the proposals, except EBMS, documented appropriate performance standards and appear to have incorporated operating practices that support those standards. EBMS did not respond to the request to complete a chart of their proposed performance guarantees and penalties. BCBSMT was rated adequate because they simply indicated they would negotiate penalties; they did not include specifics.

Claim Processing Procedures: Allegiance and Montana States Administrators responded that the vast majority of their claim adjudication process is automated; thus they were rated superior.

BCBSMT responded with the lowest percentage of automation at 70% of the claim adjudication process. HCH Administrators did not respond to the questions pertaining to the percentage of claims that are adjudicated partially manually and partially automated. EBMS also omitted responses to specific questions. We rated their processing adequate because the percentage of claims they indicated were automatically adjudicated is acceptable.

Provider Network: BCBSMT offers the City the largest network of participating providers in the state of Montana and in the Great Falls area. While the results of the claim key analysis show the greatest discount at 74% of allowed charges, we did not consider the claim key analysis results in our rating because of the disclaimer stated in the actuary's report. Montana States Adm included a directory of providers that appear not to include a participating OB-GYN, which is a significant deficiency. Allegiance, EBMS and HCH Administrators did not include a directory of providers for us to review. We disqualified HCH Administrators because they submitted a different network for the claim key analysis than the one presented in their proposal. We believe submission of a different network constitutes a violation of the proposal submission requirements.

UR & Case Management: M&R provide benchmarks based on the national average for the number of discharges per 1,000 lives, the number of inpatient days per 1,000 lives and the average length of stay (ALOS). These benchmarks are considered appropriate indicators of how cost effectively the most expensive medical claims are managed. A low discharge rate can indicate that fewer medical conditions result in hospitalization; thereby resulting in low claim costs. Low inpatient days per 1,000 and ALOS can indicate better care while hospitalized and efficient discharge planning; thereby resulting in lower claim costs. We rated Allegiance as superior because they had the lowest statistics in all categories, corresponding to the lowest claim costs. Montana States Adm and EBMS were rated adequate because their statistics were lower than one or more of the M&R benchmarks. HCH Administrators was rated inadequate because they did not provide statistics. BCBSMT was rated inadequate because all three of their statistics were greater than the M&R benchmarks. BCBSMT statistics, when compared to the national norm, indicate greater claim costs due to poor management.

Mail Order Rx Cost: Only BCBSMT was rated adequate because only they responded to all requests for information. All of the other proposals were rated inadequate because they did not respond to some or all of the requests for information. The intent of the RFP was to identify the Rx network that offered the lowest medication cost per prescription. Unfortunately, we were not able to identify the lowest cost because of the lack of responses from all proposals, except BCBSMT.

Retail Rx Cost: Only BCBSMT was rated adequate because only they responded to all requests for information. All of the other proposals were rated inadequate because they did not respond to some or all of the requests for information. The intent of the RFP was to identify the Rx network that offered the lowest medication cost per prescription. Unfortunately, we were not able to identify the lowest cost because of the lack of responses from all proposals, except BCBSMT.

Rx Schedule of Fees: We rated Allegiance and Montana State Adm superior because they either offered the greatest discounts or the lowest dispensing fee or both. BCBSMT, EBMS and HCH Administrators were all rated adequate because they offered competitive discounts and dispensing fees. It should be noted, however, that EBMS did not provide a response to questions pertaining to a formulary. Since a formulary is not in place with the City's benefits, we did not consider this omission in our rating.

Management Reporting: All proposals were rated superior, except Allegiance. Allegiance was rated adequate because they indicated that they could only provide monthly information of the number of covered employees, number of claims processed and number of checks issued, in separate reports. They also indicated that a quarterly report of Medicare and Workers' Comp savings and third party liability subrogation recoveries and a report of aged pending and suspended claims are custom reports, which we understand to mean would require programming costs for the City. We were impressed with the sample reports included in all of the proposals, including those submitted by Allegiance.

ASO Services Cost Summary: We found Allegiance to be the most cost competitive overall and they guaranteed their fee for three years as requested. BCBSMT was rated as adequate with the next lowest documented cost, at 28.4% greater than Allegiance. BCBSMT did not confirm the term of their fee guarantee.

Montana States Adm, EBMS and HCH Administrators were not rated because they did not document all costs, specifically the cost of their provider network. EBMS and HCH Administrators confirmed a three year guarantee but Montana States Adm did not confirm the term of their rate guarantee.

When evaluating proposals for third party administration, we focus on the following shown in order of priority:

- 1. Provider network ~ access and discounts**

The provider network has the greatest impact on the employee and the plan ~ access to providers with existing patient relationships and discounts that control the costs of benefits are priorities.

2. UR & Case Management

Utilization review and case management is imperative in managing high dollar claims.

3. Claim processing procedures ~ automated v. manual

Automated claim adjudication ensures accuracy and timely processing.

4. Management reporting

Utilization reports are a vital tool in the management of the employee benefit plans.

5. Fees

Administration fees are at the lower end of our priority list because administration accounts for only 10% to 15% of the cost of the employee benefit plans.

BCBSMT's provider network and management reporting capabilities are superior and their administration fee, provided a three year guarantee can be confirmed, is competitive. We found their UR & case management performance results inadequate, and consistent with our observation of their performance results with another Montana public entity.

Allegiance submitted the most price competitive proposal, and while they scored more superior ratings than BCBSMT, they also scored more inadequate ratings.

We have concluded that BCBSMT and Allegiance presented the best proposals for the City of Great Falls consideration. Given the ratings of both proposals, we did not identify a compelling reason to change administrators at this time.

We concluded that Companion Life presented the most competitive \$150,000 specific stop loss proposal, provided all currently enrolled employees and dependents are covered at the \$150,00 level.

We recommend that the City consider eliminating the aggregate coverage.

November 3, 2006

Ms. Charlynn Harless
Legacy Enterprises Insurance Services, Inc

David E. Turner, FSA

ille Boulevard, #156, Alamo, CA 94507
Phone/fax toll-free: (877) 496-1782
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 Stockton, CA 95219

Dear Charlynn:

This letter will present conclusions from our Claims Key Analysis.

Background

The City of Great Falls has a self-funded medical plan. The City is currently selecting administration services from among three finalists in response to an RFP. The finalists include Blue Cross Blue Shield of Montana, Allegiance, and EBMS. Each of these organizations offers TPA and provider network access as primary services.

Since medical claims represent about 70%-80% of total program costs (Rx, administration, and reinsurance fees make up the rest), it is important to evaluate the different provider contracts that are in place with each bidder. One way to do this is through a Claims Key Analysis, which “re-prices” recent claims as if they had been incurred and paid under the bidders’ networks, to help determine the lowest cost provider network. In many cases, the potential claim cost savings with one network may be significantly greater than any difference in administrative fees among the bidders!

Results

We requested that each bidder provide network partner information and re-pricing results for claims incurred and paid by the City during the last 12 months. Results are as follows:

	BCBSMT	Allegiance	EBMS	HCH
PPO Network Partner	Own network	Not stated	Select/Pro Care; Multi-Plan	Interwest
Billed Charges	3,803,220	3,541,487	No response	3,772,189
Allowed Charges Facility	862,628	1,003,633		806,511
Allowed Charges Physician	1,968,462	2,008,109		1,858,392
Allowed Charges Total	2,831,100	3,011,742		2,664,903
Allowed Charges as % of Billed	74.4%	85.0%		70.6%

Additional detail is provided in the attached spreadsheet.

Discussion

The above analysis indicates that HCH offers the lowest Allowed Charges based on its association with the Interwest PPO network. The estimated annual savings vs. BCBSMT, based on the claim distribution provided, is about \$166,000.

However, this analysis should be only one criteria in the TPA selection process, since it reflects a 12-month snapshot of past claim utilization which may or may not reflect future utilization. There are also a number of other issues to consider that make the above results subject to less than 100% credibility:

- None of the bidders generated the same billed charges in their analysis despite receiving identical claim files
- Not all of the bidders could run the Excel claim file through their system since BCBSMT could not provide data in claim adjudication format (known as an 837 file). As a result, some of the allowed charges were calculated based on average discounts rather than actual re-pricing.
- Not all bidders re-priced the claims with the same network that was included in their TPA administration services proposal (e.g., HCH proposed Beech Street PPO but re-priced 3 different networks with Interwest showing the greatest savings). Therefore, the City should confirm network access for members if there is a change in the TPA's network partner vs. its RFP response.
- The above results do not reflect network provider accessibility, only financial results. Therefore, one TPA's network partner could provide access to more providers in key geographic areas resulting in employee relations benefits that offset the financial results.

Disclaimer

These results are based on a snapshot of the most recent 12 months of claims data. Future claims could be incurred at other facilities and with other professional providers resulting in different conclusions. Due to the City's size and analysis methods described above, claim results are not 100% credible and TPA decisions should not be made exclusively based on this analysis.

Further, the results shown are generated by the bidders themselves, not Turner Consulting, and are subject to vendor error and/or manipulation. We have reviewed the data for reasonableness, but cannot guarantee accuracy of the bidder's financial results. Still, the data can provide an indication of relative costs of one bidder's network vs. another's, assuming that future Great Falls incurred claims will follow historical patterns.

Sincerely,

David E. Turner, FSA

CITY OF GREAT FALLS, MONTANA

AGENDA # 13

AGENDA REPORT

DATE December 5, 2006

ITEM Reappointments, Mansfield Center for the Performing Arts Advisory Board

INITIATED BY City Commission

ACTION REQUESTED Reappoint Three Members

PRESENTED BY City Commission

RECOMMENDATION: It is recommended that the City Commission reappoint three members to the Mansfield Center for the Performing Arts Advisory Board.

MOTION: I move the City Commission reappoint Rick Tryon and Al Faechner to the Mansfield Center for the Performing Arts Advisory Board for three-year terms through December 31, 2009, and reappoint Robert Kampfer to a one-year term through December 31, 2007.

SYNOPSIS: Rick Tryon and Al Faechner were appointed to the Mansfield Center for the Performing Arts Advisory Board in 2004. Both Mr. Tryon and Mr. Faechner are interested in and eligible for another term. Mr. Kampfer was originally appointed in 2001 and, due to a clerical error, has only served five years. He is eligible to serve six years; therefore, Mr. Kampfer it is recommended that he be appointed to a one-year 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
- Judith Sargent

AGENDA REPORT

DATE December 5, 2006

ITEM Appointments, Great Falls Planning Advisory Board

INITIATED BY City Commission

ACTION REQUESTED Reappoint Three Members and Appoint One New Member

PRESENTED BY City Commission

RECOMMENDATION: It is recommended that the City Commission reappoint John Harding, William Roberts, and Ron Kinder for three-year terms and appoint one member to fill the remainder of a three-year term through December 31, 2007, to the Great Falls Planning Advisory Board.

MOTION: I move the Commission reappoint John Harding, William Roberts and Ron Kinder to three-year terms through December 31, 2009, and appoint _____ to fill the remainder of a three-year term through December 31, 2007, to the Great Falls Planning Advisory Board.

SYNOPSIS: John Harding, William Roberts, and Ron Kinder were appointed to the Great Falls Planning Advisory Board on July 1, 2005. Mr. Harding, Mr. Roberts, and Mr. Kinder are all interested in and eligible for reappointment. Mark Gunderson has resigned his position on the Board; therefore, it is necessary to appoint a replacement.

BACKGROUND: The Great Falls Planning Advisory Board was created in lieu of the Great Falls City-County Planning Board. Further, the advisory board has jurisdiction within the City limits; consists of nine citizen members appointed by the City Commission; and, performs and provides the duties, services and functions specified in Ordinance No. 2913, generally involving growth policies, subdivision applications and plats, annexation applications, zoning and rezoning petitions, conditional use permits, long range planning, transportation planning, Community Transportation Enhancement Program administration, historic preservation services, etc. Members must reside within the city limits.

Current members of the Great Falls Planning Advisory Board include:

- William O. Bronson (term through December 31, 2008)
- Danna Duffy (term through December 31, 2007)
- Gregory D. Madson (term through December 31, 2008)
- Arthur E. Bundtrock (term through December 31, 2008)
- Joseph Schaffer (term through December 31, 2007)

Citizens interested in serving on Great Falls Planning Advisory Board include:

- Dennis B. Lott*
- Jan Marie Osterhoudt

* Also has application in for City-County Health Board

AGENDA REPORT

DATE: December 5, 2006

ITEM Appointment, Great Falls Transit District Board

INITIATED BY Transit District

ACTION REQUESTED Appoint One Member

PRESENTED BY City Commission

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RECOMMENDATION:

It is recommended that the City Commission appoint one member to the Great Falls Transit District Board.

MOTION:

I move the City Commission appoint _____ to the Great Falls Transit District Board for a four-year term beginning on December 5, 2006, and expiring on November 30, 2010.

SYNOPSIS:

James Bellessa was appointed to the Great Falls Transit District Board for a four-year term in 1998 and reappointed for another four-year term in 2002. Mr. Bellessa's term expired on November 30, 2006. Mr. Bellessa is not eligible for reappointment; therefore, it is necessary to appoint one new member.

BACKGROUND:

The Great Falls Transit District Board is comprised of five members – three elected, one appointed by the City Commission, and one appointed by Cascade Commissioners. The Board governs the Great Falls Transit District. The Board is responsible for determining an appropriate mill levy, preparing and presenting a budget, and overseeing all aspects of the District, including operations, maintenance and operations.

Applicants:

- Paul H. Eastman
- Byron T. Faulkner
- Kenneth Edwin Johnson