



# City Commission Agenda

for

## April 18, 2006

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

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

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

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**NEIGHBORHOOD COUNCILS**

1. Miscellaneous reports and announcements.

**PUBLIC HEARINGS**

2. Res. 9549, Mansfield Theater Fees and Rates. Establishes fees and rates for the Mansfield Theater. Action: Conduct public hearing and adopt or deny Res. 9549. **(Presented by: Patty Rearden)**

**OLD BUSINESS**

**NEW BUSINESS**

3. Contract Award, Pre-Hospital Emergency Care System Evaluation. Approves contract with Abaris Group to perform an evaluation of the current emergency medical system. Action: Approve or deny contract. **(Presented by: Chief McCamley)**
4. Funding Request, Golf Course Capital Needs. Approves \$95,000 for golf course capital improvements from reserves. Action: Approve or deny request. **(Presented by: John Lawton)**

**ORDINANCES/RESOLUTIONS**

5. Ord. 2936, Establish City Zoning Upon Discovery Meadows Addition Phase 2. Establishes zoning classification of R-3 Single-family, high-density district to Discovery Meadows Addition Phase 2. Action: Accept Ord. 2936 on first reading and set public hearing for May 16, 2006. **(Presented by: Ben Rangel)**
6. Ord. 2937, Establish City Zoning Upon Beebe Tracts 22 & 23 and the Western Portion of Tract 21. Establishes zoning classification of R-3, Single-Family, high density district with a conditional use allowing a worship facility to property located along the north side of 3<sup>rd</sup> Avenue South between 44<sup>th</sup> and 46<sup>th</sup> Streets. Action: Accept Ord. 2937 on first reading and set public hearing for May 16, 2006. **(Presented by: Ben Rangel)**

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

7. Minutes, April 4, 2006, Commission meeting.
8. Total Expenditures of \$992,863 for the period of March 29 through April 10, 2006, to include claims over \$5000, in the amount of \$856,482.
9. Contracts list.
10. Lien Release.
11. Set public hearing for May 2, 2006, on Res. 9564, Cost Recovery at 1418 8<sup>th</sup> Avenue NW.
12. Approve Interlocal Agreement with Cascade County for Fire Protection and Emergency Medical Services.
13. Postpone contract award for the Wastewater Treatment Plant Cogeneration Project.
- 13A. Award bid for twelve Mobile Data Units to Motorola in the amount of \$84,942.

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

#### **BOARDS & COMMISSIONS**

14. Miscellaneous reports and announcements.

#### **CITY MANAGER**

15. Miscellaneous reports and announcements.

#### **CITY COMMISSION**

16. Miscellaneous reports and announcements.

#### **PETITIONS AND COMMUNICATIONS**

17. Miscellaneous reports and announcements.

#### **ADJOURN**

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

DATE April 18, 2006

ITEM Resolution 9549, Mansfield Theater Fees and Rates

INITIATED BY Park and Recreation Department, Mansfield Events Division

ACTION REQUESTED Conduct Public Hearing and Adopt Resolution 9549

PRESENTED BY Dona Hughes, Mansfield Events Division Supervisor

REVIEWED & APPROVED BY Patty Rearden, Interim Parks & Recreation Director

**RECOMMENDATION:**

After closing the public hearing, staff and the Mansfield Center for the Performing Arts Advisory Board recommend that the City Commission adopt Resolution 9549, establishing fees and rates for the Mansfield Theater.

**MOTION:**

“I move the City Commission adopt Resolution 9549.

**SYNOPSIS:**

Resolution 9549 pertains to proposed fees and rate changes for use of Mansfield Theater and box office services for the Theater. A schedule of proposed fees is attached in Exhibit A. Also attached is a market comparison with Helena, MT and Billings, MT.

Traditionally fees for the Mansfield Theater have been established at a subsidized wholesale price with no allowance for cost of living increases. With rising costs through the past three years and with fees remaining the same since 2002, the Mansfield Events Division budget is operating at a deficit. In order to offset costs, Resolution 9549 proposes a rate increase that:

1. Sets the Theater rates/fees and box office services at fair market value
2. Includes an annual increase based on the CPI, Consumers Price Index.

As demonstrated in Exhibit A, Resolution 9549 proposes the Mansfield Theater rent be calculated on 8% of gross admission charges with a minimum rent of \$900 and a maximum rent of \$4,000. Maximum rent and rehearsal rates would increase each year based on the CPI. The rental fee would be inclusive of box office services and all Theater equipment that is City owned. Discount for multiple day/room rentals would be a maximum of fifteen percent (15%). For FY'07, Great Falls Symphony would be offered a twenty percent (20%) discount off of full rental fees and Great Falls School District would be offered a forty percent (40%) discount off of full rental fees for the Theater. Facility surcharge would remain at \$.25/ticket for FY'07 and would increase to \$.50/ticket for FY'08. Merchandising fee for all souvenir items such as T-shirts, CD's, etc. would increase from 18% of gross to 20% of gross sales.

The new rate proposal was weighed and discussed by staff, renters and the Mansfield Center for the Performing Arts Advisory Board. The ability for the Mansfield Events Division to remain in business was balanced with the affordability to users and competitiveness in the market. The Mansfield Center for the Performing Arts Advisory Board approved the proposed fees (Exhibit A) unanimously four to four of the members present.

RESOLUTION 9549

A RESOLUTION ADOPTING NEW RATES AND FEES FOR THE  
MANSFIELD EVENTS & MANSFIELD BOX OFFICE

Effective Date: July 1, 2006

\*\*\*\*\*

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

A. That Resolution 9549 is hereby adopted.

B. That fees for the Mansfield Events Office and the Mansfield Box Office as listed in Exhibit A  
shall be established and made a part hereof.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana on this  
18th day of April, 2006.

\_\_\_\_\_  
Dona Stebbins, Mayor

ATTEST:

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

(SEAL OF CITY)

Approved for legal content, City Attorney  
State of Montana        )  
County of Cascade     : ss.  
City of Great Falls    )

I, Peggy J. Bourne, City Clerk of the City of Great Falls, Montana, do hereby certify that the  
foregoing Resolution No. 9549 was placed on its final passage and passed by the City Commission of the  
City of Great Falls, Montana, at a meeting thereof held on the 18th day of April, 2006, and approved by  
the Mayor of said City, on the 18th day of April, 2006.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City, this  
18th day of April, 2006.

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

(SEAL OF CITY)



Resolution #9549, Exhibit A

Mansfield Events Office Fees and Rates

Daily Room Rate:

<b>Mansfield Theater</b>	<b>Current Rate (set 7/1/02) FY'06</b>	<b>Proposed Rate (For 7/1/06) FY'07</b>	<b>Proposed Rate (For 7/1/07) FY'08</b>	<b>Proposed Rate (For 7/1/08) FY'09</b>
<b>1st performance</b>	<b>\$660.00</b>	<b>8% of gross**</b>	<b>8% of gross**</b>	<b>8% of gross**</b>
Additional performance (same day)	\$330.00	8% of gross**	8% of gross**	8% of gross**
(**Minimum rent: \$900; Cap at \$4000)	\$3,747.50	Cap \$4,000	\$4,000 + CPI %	last yr's + CPI %
Multiple days/rooms discount (Does not apply to special rates or already discounted fees)	15%*	15%*	15%*	15%*
Set-up/tear-down day	\$363.00	\$440.00	\$440.00	\$440.00
Rehearsal rate	\$35/hr	\$40/hr	\$40 + CPI%	FY'07 rate + CPI %
<b>Box office service</b>	<b>5% of gross</b>	<b>Eliminate</b>	<b>Eliminate</b>	<b>Eliminate</b>
<b>Facility surcharge (change to facility/equipment surcharge)</b>	<b>\$0.25</b>	<b>\$0.25</b>	<b>\$0.50</b>	<b>To be reviewed</b>
Ticketing surcharge	\$0.50	Eliminate	Eliminate	Eliminate
<b>Merchandise sales</b>	<b>18% of gross</b>	<b>20% of gross</b>	<b>20% of gross</b>	<b>20% of gross</b>

\*Current discount for GF Symphony is 30%. Will be reduced to 20% for FY'07 and to 15% for FY'08.

\*Current discount for GF School District is 46%. Will be reduced to 40% for the Theater use only for FY'07.

# Agenda Report Attachment



## The Mansfield Theater at the Great Falls Civic Center

Compare current Mansfield Theater's current fees to proposed fees to Billings' fees to Helena's fees

Includes facility fees and ticketing fees

3/31/2006

<u>Event:</u>	# of shows	Mansfield Theater current fees	Mansfield Theater proposed fees for FY'07	Mansfield Theater proposed fees for FY'08	Alberta Bair (Billings) current fees	Helena Civic Center current fees
<b>Based on Performance Day(s) Only</b>		<b>Total</b>	<b>Total</b>	<b>Total</b>	<b>Total</b>	<b>Total</b>
National Tour (Current FS/TS=\$.75)	1	\$4,327.00	\$4,778.00	\$5,167.00	\$5,039.90	\$4,950.00
National Tour (Current FS/TS=\$.75)	1	\$4,985.00	\$4,825.00	\$5,237.50	\$7,476.75	\$5,610.00
National Tour (Current FS/TS=\$.75)	1	\$4,417.75	\$4,785.84	\$5,205.09	\$4,788.97	\$4,950.00
National Tour (Current FS/TS=\$.75)	1	\$1,704.76	\$1,604.00	\$1,662.25	\$1,678.63	\$1,855.76
National Tour (Current FS/TS=\$.75)	2	\$8,662.88	\$9,565.00	\$10,347.50	\$9,490.15	\$10,435.00
National Tour (Current FS/TS=\$.75)	1	\$2,704.88	\$4,721.50	\$5,082.25	\$4,914.85	\$5,610.00
National Tour (Current FS/TS=\$.75)	1	\$1,036.50	\$1,101.00	\$1,101.00	\$1,528.15	\$1,757.50
Fundraiser for Local (Current FS/TS=\$.75)	1	\$3,262.05	\$2,964.76	\$3,359.01	\$3,145.09	\$4,190.13
Local Producing Company (Current FS/TS=\$.75)	2	\$2,419.36	\$2,137.00	\$2,343.00	\$1,816.17	\$2,529.86
Local Producing Company (Current FS/TS=\$.75)	2	\$2,357.95	\$2,207.00	\$2,341.75	\$1,693.12	\$2,398.45
National Tour (Current FS/TS=\$.75)	1	\$4,419.25	\$4,839.50	\$5,259.25	\$5,117.66	\$5,610.00
Local Presenting Co. Season (Current FS=\$.25)	4	\$3,672.00	\$5,916.00	\$7,344.00	\$7,393.00	\$4,377.22
Local Producing Co. Season (Current FS=\$.25)	8	\$6,381.25	\$12,542.91	\$15,228.16	\$16,209.68	\$5,985.00
	<b>26</b>	<b>\$50,350.62</b>	<b>\$61,987.51</b>	<b>\$69,677.76</b>	<b>\$70,292.11</b>	<b>\$60,258.93</b>
		\$50,350.62	\$61,570.51	\$69,327.76	\$70,292.11	\$60,258.93

\*\*\*Doesn't include ticketing service

FS = facility surcharge

FS/TS = facility surcharge & ticketing surcharge

**Agenda Report Attachment**



**The Mansfield Theater at the Great Falls Civic Center**

Compare current Mansfield Theater's current fees to proposed fees to Billings' fees to Helena's fees  
Includes facility fees and ticketing fees

3/31/2006

Event	# of shows	Past Samples	Mansfield Theater current fees		Mansfield Theater Rent, Box Office Fees		Less cap	Facility surcharge	Mansfield Theater proposed fees for FY07	Mansfield Theater Rent, Box Office Fees		Less cap	Facility surcharge	Mansfield Theater proposed fees for FY08	Alberta Bair Theater (Billings) Rent, Box Office Fees		Less cap	Facility surcharge	Ticketing fees	Alberta Bair (Billings) current fees	Helena Auditorium Rent		Less cap (\$2,000)	Ballroom for backstage	Helena 10% of rm rent	Lighting & sound rent	Ticketing	Ticketing	Helena Civic Center current fees	
			Box Office Service Fees (incl cc disc fees)	Subtotal	Facility Surcharge	Total	Project on 8% of gross**	Rent, Box Office Fees	Project \$ .50 per ticket	Total	Project on 8% of gross**	Rent, Box Office Fees	Project \$ .75 per ticket	Total	Rent: flat fee	Rent, Box Office Fees	% of gross	5% of gross (include cr card fees) For comparison figured at 1.5%	Total	7% of gross***	Rent, Box Office Fees	\$550 to \$600 depends on day of wk	Facility Surcharge	According to tech needs	Subtotal on facility chrgs	Service fee % of gross (cap is \$2,500 for all tit fees)	Ticketing surcharge \$.25	Total		
Based on Performance Day(s) Only																														
National Tour (Current FS/TS-\$.75)	1	Don Williams	\$660.00	\$2,500.00	\$3,160.00	\$1,167.00	\$4,327.00	\$4,263.44	(\$263.44)	\$1,167.00	\$4,778.00	\$4,263.44	(\$263.44)	\$1,167.00	\$5,167.00	\$1,500.00	\$0.00	\$2,723.00	\$8,196.90	\$5,039.90	\$3,812.20	(\$1,812.20)	\$0.00	\$200.00	\$250.00	\$2,450.00	\$2,500.00	\$0.00	\$4,950.00	
National Tour (Current FS/TS-\$ .75)	1	Bib King	\$1,247.50	\$2,500.00	\$3,747.50	\$1,237.50	\$4,985.00	\$7,257.00	(\$3,257.00)	\$625.00	\$4,825.00	\$7,257.00	(\$3,257.00)	\$1,237.50	\$5,212.50	\$1,500.00	\$0.00	\$4,597.50	\$1,379.25	\$1,476.75	\$6,436.50	(\$4,436.50)	\$600.00	\$200.00	\$250.00	\$3,100.00	\$2,500.00	\$0.00	\$5,600.00	
National Tour (Current FS/TS-\$ .75)	1	Ernyall	\$660.00	\$2,500.00	\$3,160.00	\$1,257.75	\$4,417.75	\$3,947.34	\$0.00	\$838.50	\$4,785.84	\$3,947.34	\$0.00	\$1,257.75	\$5,205.09	\$1,500.00	\$0.00	\$2,529.98	\$758.99	\$4,788.97	\$3,541.97	(\$1,541.97)	\$0.00	\$200.00	\$250.00	\$2,450.00	\$2,500.00	\$0.00	\$4,950.00	
National Tour (Current FS/TS-\$ .75)	1	Cheremosh	\$1,247.50	\$282.51	\$1,530.01	\$174.75	\$1,704.76	\$1,487.50	\$0.00	\$116.50	\$1,604.00	\$1,487.50	\$0.00	\$174.75	\$1,662.25	\$1,300.00	\$0.00	\$291.25	\$87.38	\$1,678.63	\$550.00	\$0.00	\$600.00	\$115.00	\$250.00	\$1,515.00	\$282.51	\$58.25	\$1,855.76	
National Tour (Current FS/TS-\$ .75)	2	Copperfield	\$2,495.00	\$3,820.38	\$6,315.38	\$2,347.50	\$8,662.88	\$9,726.24	(\$1,726.24)	\$1,565.00	\$9,565.00	\$9,726.24	(\$1,726.24)	\$2,347.50	\$10,347.50	\$1,500.00	(\$343.88)	\$6,148.27	\$1,843.88	\$9,146.27	\$8,604.78	(\$4,604.78)	\$800.00	\$460.00	\$375.00	\$5,435.00	\$5,000.00	\$0.00	\$10,435.00	
National Tour (Current FS/TS-\$ .75)	1	Crazy for You	\$1,247.50	\$375.11	\$1,622.61	\$1,882.25	\$2,704.86	\$4,116.31	(\$1,116.31)	\$721.50	\$4,721.50	\$4,116.31	(\$1,116.31)	\$1,882.25	\$5,982.25	\$1,500.00	\$0.00	\$2,826.81	\$788.04	\$4,914.85	\$3,677.63	(\$1,677.63)	\$800.00	\$200.00	\$250.00	\$3,100.00	\$2,500.00	\$0.00	\$5,600.00	
National Tour (Current FS/TS-\$ .75)	1	D is for Dance	\$660.00	\$175.50	\$835.50	\$201.00	\$1,036.50	\$550.00	\$0.00	\$134.00	\$1,101.00	\$550.00	\$0.00	\$201.00	\$1,101.00	\$1,300.00	\$0.00	\$175.50	\$52.65	\$1,528.15	\$550.00	\$0.00	\$600.00	\$115.00	\$250.00	\$1,515.00	\$175.50	\$67.00	\$1,757.50	
Fundraiser for Local (Current FS/TS-\$ .75)	1	Smalin (McLaughlin Research)	\$660.00	\$1,419.30	\$2,079.30	\$1,182.75	\$3,262.05	\$2,176.26	\$0.00	\$788.50	\$2,964.76	\$2,176.26	\$0.00	\$1,182.75	\$3,359.01	\$1,300.00	\$0.00	\$1,419.30	\$425.79	\$3,145.09	\$1,987.02	\$0.00	\$0.00	\$198.70	\$250.00	\$2,435.72	\$1,360.16	\$394.25	\$4,190.13	
Local Producing Company (Current FS/TS-\$ .75)	2	Quevedo/Messner River Dance	\$1,365.00	\$436.36	\$1,801.36	\$618.00	\$2,419.36	\$1,725.00	\$0.00	\$412.00	\$2,137.00	\$1,725.00	\$0.00	\$618.00	\$2,343.00	\$1,300.00	\$0.00	\$307.05	\$119.12	\$1,816.17	\$1,715.00	\$0.00	\$800.00	\$137.50	\$375.00	\$1,887.50	\$436.36	\$206.00	\$2,529.86	
Local Producing Company (Current FS/TS-\$ .75)	2	Celebrate Our City (Miss Linda)	\$1,577.50	\$376.20	\$1,953.70	\$404.25	\$2,357.95	\$1,937.50	\$0.00	\$269.50	\$2,207.00	\$1,937.50	\$0.00	\$404.25	\$2,341.75	\$1,300.00	\$0.00	\$302.40	\$90.72	\$1,693.12	\$775.00	\$0.00	\$600.00	\$137.50	\$375.00	\$1,887.50	\$376.20	\$134.75	\$2,398.45	
National Tour (Current FS/TS-\$ .75)	1	Charley Pride	\$660.00	\$2,500.00	\$3,160.00	\$1,259.25	\$4,419.25	\$4,351.76	(\$351.76)	\$839.50	\$4,839.50	\$4,351.76	(\$351.76)	\$1,259.25	\$5,259.25	\$1,500.00	\$0.00	\$2,782.81	\$834.84	\$5,117.66	\$3,895.94	(\$1,895.94)	\$600.00	\$260.00	\$250.00	\$3,100.00	\$2,500.00	\$0.00	\$5,600.00	
Local Presenting Co. Season (Current FS-\$ .75)	4	Community Concerts	\$2,244.00	\$0.00	\$2,244.00	\$1,426.00	\$3,670.00	\$3,060.00	\$0.00	\$4,264.00	\$7,344.00	\$3,060.00	\$0.00	\$1,426.00	\$8,770.00	\$5,200.00	\$0.00	\$2,193.00	\$0.00	\$7,393.00	\$3,070.20	\$0.00	\$0.00	\$307.02	\$1,000.00	\$4,377.22	\$0.00	\$0.00	\$4,377.22	
Local Producing Co. Season (Current FS-\$ .75)	8	Symphony	\$3,696.00	\$0.00	\$3,696.00	\$2,685.25	\$6,381.25	\$7,172.41	\$0.00	\$5,370.50	\$12,542.91	\$7,172.41	\$0.00	\$2,685.25	\$15,228.16	\$9,100.00	\$0.00	\$7,109.68	\$0.00	\$16,209.68	\$3,850.00	\$0.00	\$0.00	\$385.00	\$1,750.00	\$5,605.00	\$0.00	\$0.00	\$5,605.00	
	26		<b>\$18,420.00</b>	<b>\$16,885.37</b>	<b>\$35,305.37</b>	<b>\$15,045.28</b>	<b>\$50,350.62</b>	<b>\$51,770.75</b>	<b>(\$5,714.74)</b>	<b>\$15,514.50</b>	<b>\$61,987.51</b>	<b>\$51,770.75</b>	<b>(\$5,714.74)</b>	<b>\$23,271.75</b>	<b>\$69,677.76</b>	<b>\$29,800.00</b>	<b>(\$343.88)</b>	<b>\$33,294.55</b>	<b>\$7,197.56</b>	<b>\$69,948.22</b>	<b>\$41,526.13</b>	<b>(\$15,958.91)</b>	<b>\$4,800.00</b>	<b>\$3,035.72</b>	<b>\$5,875.00</b>	<b>\$39,267.94</b>	<b>\$20,130.74</b>	<b>\$860.25</b>	<b>\$60,258.93</b>	

\*\*\*Doesn't include ticketing service \$46,056.01 (ticketing fee includes cr card fee 2 performances in a day; minimum is \$1200)

FS = facility surcharge  
FS/TS = facility surcharge & ticketing surcharge

AGENDA REPORT

DATE April 18, 2006

**ITEM: AWARD CONTRACT FOR A PRE-HOSPITAL EMERGENCY CARE SYSTEM EVALUATION**

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

**ACTION REQUESTED: APPROVAL OF CONTRACT**

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

**RECOMMENDATION:**

Staff recommends that the City Commission approve the contract submitted by The Abaris Group to conduct an evaluation of the pre-hospital emergency care system in the amount not to exceed \$32,525.00.

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

**SYNOPSIS:** The City Commission expressed an interest in a 3<sup>rd</sup> party evaluation of the emergency medical system currently serving the citizens of Great Falls. The Fire Department developed a “Request for Proposal” identifying eight main areas of examination and analysis including: State Licensing/Local Transport Agreement, City Regulations/Ordinances, Compliance with Federal Regulations and Nationally Recognized Response Standards, Local Response Agencies, Emergency Room Interface, 911 Dispatch Procedures, Cost/Revenue Impact On System Participants and Contracting Ambulance Services.

The city received four qualified proposals from consulting firms interested in submitting proposals, with fees ranging from \$32,525 to \$35,705. A review panel consisting of Commissioner Bill Beecher, Assistant Manager Cheryl Patton, and Fire Chief Randy McCamley reviewed and ranked each proposal. The review panel unanimously felt The Abaris Group submitted the superior proposal, detailing a very comprehensive work plan, and an experienced and diverse consultant workforce. References gave strong recommendations of performance and professional work history. The Abaris Group also submitted the lowest bid.

**BACKGROUND:**

The City of Great Falls is located in Northcentral Montana and has a resident population of 56,560 living within a 22 square mile area. Additionally, the City Fire Department (Great Falls Fire Rescue) provides fire and medical response to 16 contracted fire districts with a collective area of four square miles and approximately 4,600 residents. Historically, prehospital emergency care has consisted of first response by fire based EMS responders and private ambulance companies. Patients are then transported to the receiving health care (Benefis Healthcare) facility by private ambulance. In 2005, Great Falls Fire Rescue responded to 2,851 medical service calls



within the city. In addition to these calls, private ambulances also responded to an additional 1,561 EMS calls in Great Falls and Cascade County.

Over the last 14 years, Great Falls has seen six\* different ambulance companies provide EMS services. At one point, three companies were operating simultaneously, and calls were assigned on a rotational basis to the next due service provider. Since 1998, the private ambulance companies have been licensed under the requirements set forth in Title 5 (Emergency Medical Services Licenses) of the Great Falls Municipal Code. Currently the remaining two ambulance companies appear to have combined resources and operate out of one location in the city.

Benefis Healthcare is the largest healthcare facility in the State of Montana. Benefis East Campus Emergency Department serves as the receiving healthcare facility for the residents of Great Falls and much of Northcentral Montana. In 2005, the Benefis Emergency Department saw approximately 30,000 patient visits.

The Cascade County Consolidated 911 Dispatch Center located at the Great Falls Police Department is responsible for emergency medical dispatches occurring within the City of Great Falls and Cascade County. In 2005, the dispatch center received over 140,000 calls for service. Of those calls, there were 4,412 calls for service relating to medical emergencies.

In conclusion, GFFR's research found that a comprehensive assessment of the community's prehospital care system has never been conducted. This service is absolutely critical to the safety and well being of our community. To have a third party expert take a critical look at the many facets of prehospital care and to provide information and recommendations based on national benchmarks and standards will improve the service provided and help the community plan for the future.

\*Bicsak, Blue Star, Northwest, Big Sky, Montana Community, Great Falls Emergency Service.

Attachments: Proposed Budget Sheet  
The Abaris Group Contract  
(Attachments not available online, but are on file in the City Clerk's Office.)

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

**AGENDA #**     4      
**DATE**   April 18, 2006  

**ITEM**     Golf Course Capital Improvements    

**INITIATED BY**     Staff    

**ACTION REQUESTED**   Approve Activating Reserves for Golf Improvements  

**PRESENTED BY**     John Lawton, City Manager    

**RECOMMENDATION:**     Staff recommends the following motion:

**MOTION:**     I move the City Commission approve activating general fund reserves in the amount of \$95,000 for golf capital improvements identified in the attached list.

**SYNOPSIS:** The City of Great Falls has committed to make improvements to both municipal golf courses this season to attract past and new golfers, and to improve satisfaction of the continuing golfers. The approval of the additional funding of \$95,000 will make visible improvements to both courses and allow for improved advertising this season.

**BACKGROUND:** The City of Great Falls contracted with National Golf Foundation (NGF) last fall to evaluate and make recommendations to improve municipal golf management and operations in order to make the courses financially stable. As a result of that study the City Commission has approved a new fee structure to help meet operating costs this year. Also, they have created and organized an Ad-Hoc Committee to advise on the appropriate role of the City in providing golf recreation for citizens. The Ad-Hoc Committee is planning to prepare a RFP to explore possibilities outlined by NGF for a different management/operations structure for the future of the Great Falls courses.

The NGF study made many recommendations to improve both golf courses and the financial stability of the golf fund. Public Hearings were held on the fee issue and many suggested improvements were offered by golfers at that time. Since then, the City Manager has been conferring with different golfers to get input on ways to improve the golf experience this year. The City Manager has also conferred with golf staff. As a result of those discussions, a list of capital items totaling \$95,000 has been compiled for City Commission consideration. The requested funds would come from general fund reserves. The list includes improvements at both courses recommended by NGF and staff, improvements for signage, and increased advertising. Included in the requested funding, is \$23,000 recommended to be available to accept a proposal from golfers to install sand bunkers and mounding to the final four holes at Eagle Falls. The proposal from the golfers is estimated to be valued at \$38,000. By using volunteers the City's financial participation is reduced to \$23,000. A formal contract would be signed with the golf group and the original design prepared by Les Furber, with Golf Design Services, will be followed.

Attachment: 2006 Golf Capital Improvements

## 2006 Golf Capital Improvements

Total Capital Improvements:

\$40,000	Anaconda Hills & Eagle Falls Improvements
\$10,000	Signage
\$22,000	Advertising (includes score cards)
\$20,000	Improvements to 4 holes at Eagle Falls
<u>\$ 3,000</u>	Contingency
<b>\$95,000</b>	

The breakdown for Eagle Falls' and Anaconda Hills' improvements are as follows:

Eagle Falls:

Cart Path #1	\$2,133	
Cart Path #10/11	<u>\$4,867</u>	
Total	\$7,000	
Scoreboard	\$ 500	
Restrooms	\$2,500	(Refinish tile in women's, wall hangings. Men's: Sheetrock ceiling, new faucets, refinish tile.)
Concessions	\$2,500	(Replace plastic chairs, floor covering)
P.A. System	\$5,000	For both courses

Anaconda:

Cart Paths	\$14,000	(Millings, back nine mostly, emphasis on work that would prevent course being closed to carts because of weather. Wade to submit plan ASAP.)
Wireless Control to Pump	\$6,000	
Landscaping	\$ 2,500	Front entrance and two beds by sidewalk going to club house.

These amounts don't include projects already approved such as women's rest room at Eagle Falls, cart path work to be done by Street Dept. at Anaconda, repair of second pump at Eagle Falls, blades for mowers at Eagle Falls.

## AGENDA REPORT

DATE April 18, 2006ITEM Ordinance No. 2936 to Establish City Zoning Upon Discovery Meadows Addition Phase 2INITIATED BY Discovery Meadows Inc., Property Owner and DeveloperACTION REQUESTED Commission Accept Ordinance No. 2936 on First Reading and Set HearingPREPARED BY Charles Sheets, Planner 1APPROVED & PRESENTED BY Benjamin Rangel, Planning Director**RECOMMENDATION:**

It is recommended the City Commission assign a zoning classification of R-3 Single-family high-density district, to Discovery Meadows Addition Phase 2, upon annexation to the City and approve a conditional use permit to allow two-family residences to be constructed on subject lots, subject to the Planning Board's recommendations.

**MOTION:**

"I move the City Commission accept Ordinance No. 2936 on first reading and set a public hearing for May 16, 2006, to consider adoption of Ordinance No. 2936."

**SYNOPSIS:**

Ordinance No. 2936 assigns a zoning classification of R-3 Single-family high-density district, to Discovery Meadows Addition Phase 2, upon annexation of same to City and approves a conditional use permit to allow two-family residences to be constructed on lots, subject to the Planning Board's recommendations.

**BACKGROUND:**

Discovery Meadows Addition Phase 2 is located along 48<sup>th</sup> Street North and directly north of Discovery Meadows Addition Phase 1, which was final platted and annexed to the City in 2001. The developer will install standard City paving, curb, gutter and sidewalks along an extension of 48<sup>th</sup> Street, which will end in a cul-de-sac. The final plat also provides for a segment of 8<sup>th</sup> Avenue North. For review purposes, find attached a vicinity map and a reduced copy of final plat of Discovery Meadows Addition Phase 2.

City water and sanitary sewer mains are proposed to be installed to City standards. The final plat continues an existing 50-foot city utility easement abutting the west boundary of the subdivision and accommodates a gas line in the proposed 8<sup>th</sup> Avenue North. The subdivision plat perpetuates a general 10-foot wide utility easement along the three exterior boundaries.

Surface drainage from the subdivision will flow southerly to existing storm sewer drains in 7<sup>th</sup> Avenue North.

The final engineering documents relative to the final plat of Discovery Meadows Addition Phase 2 have been prepared by the project engineer and are in the process of being submitted to the City Engineer. Staff concludes that the basic conditions set forth in the conditional approval of the preliminary plat are being met by the developer in the overall process of final plat, final engineering and Annexation Agreement preparation for Discovery Meadows Addition Phase 2.

During approval of the preliminary plat, the former City-County Planning Board recommended the subdivision be assigned a zoning classification of "A" Residence Use District, "B" Area District. With the adoption of the Unified Land Development Code by the City Commission on September 6, 2005, the most appropriate zoning classification would now be "R-3" Single-family high density.

The applicant recently has changed his development plans for Phase 2. Instead of constructing single-family units, the intentions now are to construct two-family residences on subject lots. Two-family residences are allowed in the R-3 zoning district upon processing and approval of a conditional use permit.

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

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

Subject property is located on the fringe of the City, which has been attracting development. The subdivision is a natural projection of urban growth.

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

The Zoning Commission, at the conclusion of a public hearing held March 14, 2006, recommended the City Commission assign a zoning classification of R-3 Single-family high density district under the Unified Land Development Code and approve a conditional use permit to allow two-family residences to be constructed on subject lots, at such time the City approves the final plat of the Addition and the annexation of the area contained therein.

Attach: Ord. No. 2936  
Vicinity Map  
Reduced Copy of Drawing Portion of Final Plat

cc: Discovery Meadows Inc, 1725 41<sup>st</sup> St

ORDINANCE NO. 2936

AN ORDINANCE ASSIGNING A ZONING CLASSIFICATION OF R-3 SINGLE-FAMILY HIGH DENSITY DISTRICT AND A CONDITIONAL USE PERMIT TO ALLOW TWO-FAMILY RESIDENCES TO BE BUILT, WITHIN DISCOVERY MEADOWS ADDITION PHASE 2, IN SECTION 4, TOWNSHIP 20 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA

\* \* \* \* \*

WHEREAS, Discovery Meadows Inc., has petitioned the City of Great Falls to annex Discovery Meadows Addition Phase 2, located in the SE¼ of Section 4, Township 20 North, Range 4 East, P.M.M., Cascade County, Montana; and,

WHEREAS, Discovery Meadows Inc., has petitioned a conditional use permit be granted to allow two-family residences to be built on the lots within Discovery Meadows Addition Phase 2, upon annexation to City; and,

WHEREAS, notice of assigning a zoning classification of R-3 Single-family high density district and of a conditional use permit to allow two-family residences to be built on the lots within said Discovery Meadows Addition Phase 2, was published in the Great Falls Tribune advising that a public hearing on this zoning designation would be held on the 16<sup>th</sup> day of May, 2006, before final passage of said Ordinance herein; and,

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

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

Section 1. That the zoning of Discovery Meadows Addition Phase 2, be designated as R-3 Single-family high-density district classification.

Section 2. That a conditional use permit be granted to allow two-family residences to be built on the lots within the subdivision.

Section 3. This ordinance shall be in full force and effect thirty (30) days after its passage and adoption by the City Commission or upon filing in the office of the Cascade County Clerk and Recorder the resolution annexing Discovery Meadows Addition Phase 2 into the corporate limits of the City of Great Falls, Montana whichever event shall occur later.

PASSED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA,  
this 16<sup>th</sup> day of May, 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. 2936 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 16<sup>th</sup> day of May, 2006, wherein it was approved by said City Commission.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City this 16<sup>th</sup> day of May, 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 16<sup>th</sup> day of May, 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 No. 2936 of the City of Great Falls, in three conspicuous places within the limits of said City to-wit:

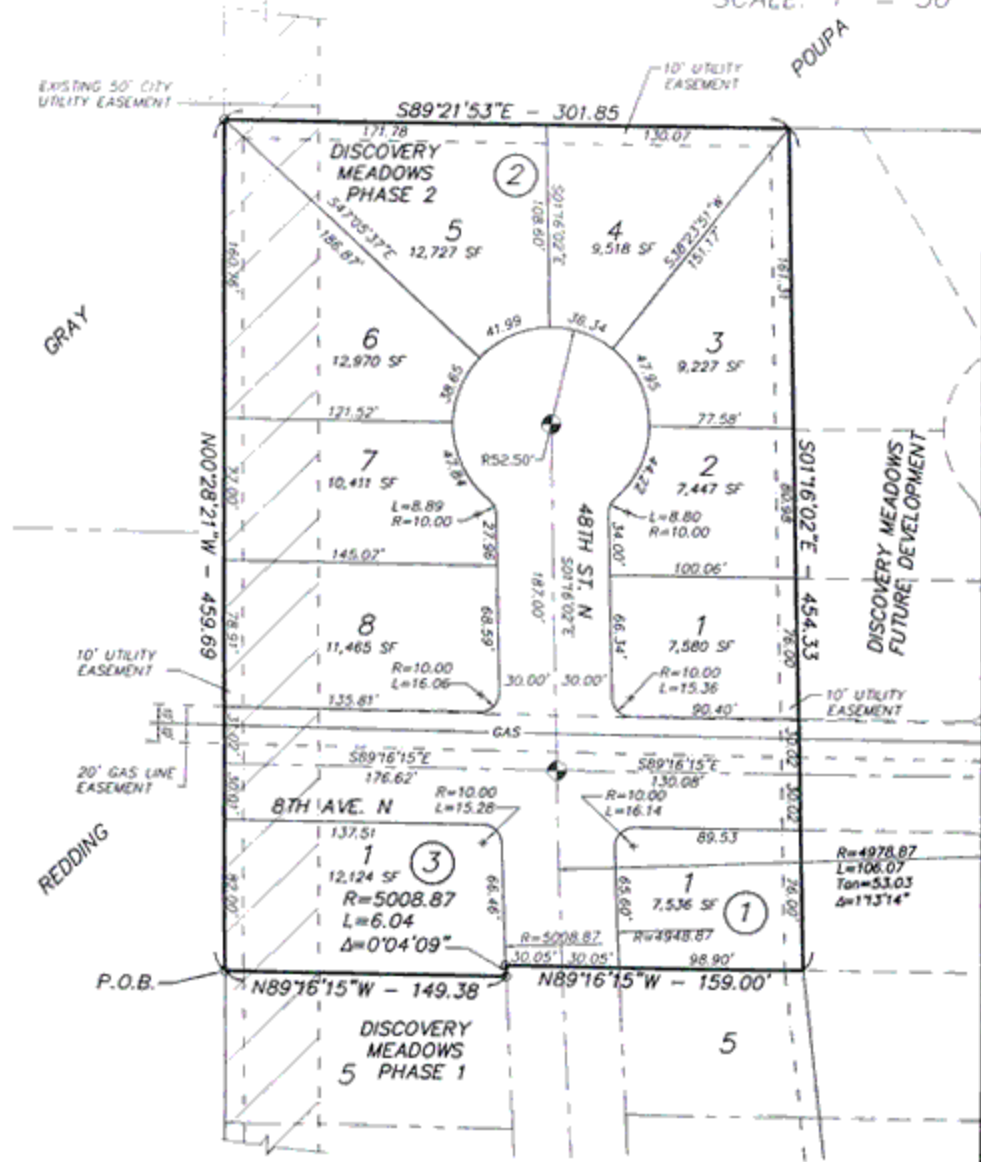
On the Bulletin Board, first floor, Civic Center Building;  
On the Bulletin Board, first floor, Cascade County Court House;  
On the Bulletin Board, Great Falls Public Library

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

(SEAL OF CITY)

PLAT OF  
DISCOVERY MEADOWS ADDITION  
PHASE 2

TO THE CITY OF GREAT FALLS  
A SUBDIVISION IN THE NE¼ SEC 4, T20N, R4E,  
P.M., MT., CASCADE COUNTY, MONTANA



AREAS

SWEETS	36.04 SF	4.88 ACRES
LOT	30.80 SF	0.42 ACRES
TOTAL	136.59 SF	1.76 ACRES

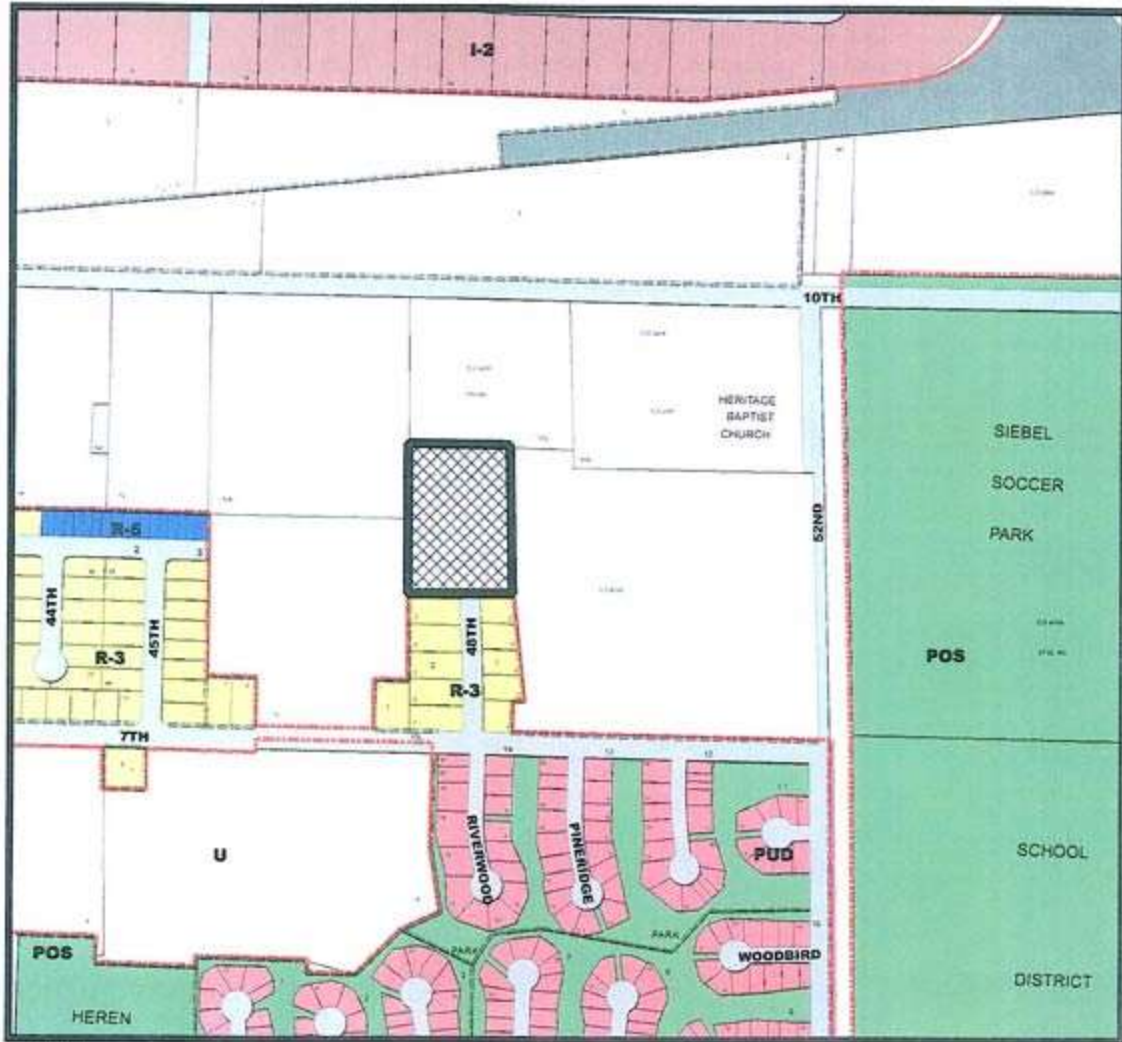
T/4	SEC	TSP	RGE
SW	4	T20N	R4E
SE	4	T20N	R4E
NE	4	T20N	R4E
NW	4	T20N	R4E

**WOITH ENGINEERING, INC.**  
ENGINEERS & SURVEYORS  
P.O. BOX 1106, GREAT FALLS, MONTANA 59404

JOB NO.	0008
F.R. NO.	00
FILE	11/17/14
DRAWN	GC
DATE	1-17-14



# VICINITY / ZONING MAP



**Legend**

- City Limits
- STREETS
- RAIL ROAD ROW
- PARCELS OUT OF CITY LIMITS
- ZONING**
- Base Zoning Districts**
- R-3 Single-family high density
- R-5 Multi-family medium density
- R-10 Mobile home park
- POS Parks and Open Space
- PUD Planned unit development
- I-2 Heavy industrial
- U Unincorporated



PROPOSED DISCOVERY MEADOWS PHASE 2



## A G E N D A   R E P O R T

DATE April 18, 2006ITEM Ordinance No. 2937 to Establish City Zoning Upon Beebe Tracts 22 & 23 and the Western Portion of Tract 21INITIATED BY Roman Catholic Bishop of Great Falls, Property OwnerACTION REQUESTED Commission Accept Ordinance No. 2937 on First Reading and Set HearingPREPARED BY Bill Walters, Senior PlannerAPPROVED & PRESENTED BY Benjamin Rangel, Planning Director**RECOMMENDATION:**

The Planning Board early last year recommended the City Commission assign a zoning classification of "B" Residence Use, "B" Area District, to Beebe Tracts 22 and 23 and the westerly portion of Tract 21, upon annexation to the City. With the advent of the new Unified Land Development Code during the interim, a comparable zoning assignment is R-3 Single-family high density district with a conditional use allowing a worship facility.

**MOTION:**

"I move the City Commission accept Ordinance No. 2937 on first reading and set a public hearing for May 16, 2006, to consider adoption of Ordinance No. 2937."

**SYNOPSIS:**

Ordinance No. 2937 assigns a zoning classification of R-3 Single-family high density district, to Beebe Tracts 22 and 23 and the westerly portion of Tract 21, upon annexation of same to City. Subject property is located along the north side of 3<sup>rd</sup> Avenue South between 44<sup>th</sup> and 46<sup>th</sup> Streets. The Catholic Church intends to construct a worship facility on the property.

**BACKGROUND:**

The Planning Office is in receipt of applications from the Roman Catholic Bishop of Great Falls, regarding the following:

- 1) Annexation to the City of Great Falls of Parcel Mark No.s 22 and 23 and the westerly portion of 21, Beebe Tracts, in the SW1/4NE1/4 of Section 9, Township 20 North, Range 4 East, Cascade County, Montana.
- 2) Rezoning the 8.72 acres requested to be annexed to the City from the current County "A" Agricultural District to a City zoning classification permitting construction of a worship facility.

Said 8.72 acres requested to be annexed is located along the north side of 3<sup>rd</sup> Avenue South between 44<sup>th</sup> and 46<sup>th</sup> Streets. The applicant intends to construct a church and accompanying parking lots upon subject property.

For additional information, please refer to the attached vicinity/zoning map and preliminary site plan.

Access to subject property is from the abutting 44<sup>th</sup> Street South and 3<sup>rd</sup> Avenue South which are fully improved and maintained by the City. Reimbursement is owed to the City for subject property's proportionate share of the costs for improving the abutting portion of 3<sup>rd</sup> Avenue South by SID 1232. Beebe Tract 22 has an assessment of \$9,089.09 and Beebe Tract 23 has an assessment of \$8,991.35 for a total reimbursement owed

City of \$18,080.44.

An 8-inch water main is located in the abutting portion of 44<sup>th</sup> Street South and 6-inch and 24-inch water mains are located in the abutting portion of 3<sup>rd</sup> Avenue South. A 10-inch sanitary sewer main is located in the abutting portions of 44<sup>th</sup> Street and 3<sup>rd</sup> Avenue South. According to the attached preliminary site plan, the property's surface runoff will be directed to a proposed storm water detention facility near the northwest corner which will discharge into the storm sewer main in Clark Avenue.

Traffic Analysis:

Based upon a 23,000 sq ft church facility, trip generation is as follows:

- 23,000 sq. ft. x 9.11 trips/1000 sq. ft. = 210 (rounded) trips per weekday
- 23,000 sq. ft. x 10.37 trips/1000 sq. ft. = 239 (rounded) trips per Saturday
- 23,000 sq. ft. x 36.63 trips/1000 sq. ft. = 843 (rounded) trips per Sunday

It is assumed that the Phase I parking lot fulfills City parking requirements, and that the Phase II parking lot would only be constructed if future Church needs warranted development of same. Therefore, the traffic would be accessing the parking lot via 44<sup>th</sup> Street from either 3<sup>rd</sup> Avenue South or from the north via Central Avenue or 2<sup>nd</sup> Avenue North and 46<sup>th</sup> Street South. Since the church membership is fairly broad throughout the community, it is assumed that traffic would be relatively evenly distributed among the various feeder roadways (i.e., 3<sup>rd</sup> Avenue South (east and west), Central Avenue (east) and 2<sup>nd</sup> Avenue North/46<sup>th</sup> Street South (east and west).

Weekday traffic counts in the vicinity are:

	<u>Count</u>	<u>Year</u>
• 46 <sup>th</sup> Street South, just south of Central Avenue	1963	(02)
• 3 <sup>rd</sup> Avenue South, just east of 46 <sup>th</sup> Street South	2398	(02)
• 2 <sup>nd</sup> Avenue North, just east of 38 <sup>th</sup> Street North	8330	(02)
• 2 <sup>nd</sup> Avenue North, just west of 57 <sup>th</sup> Street North	7278	(00)

The functional classifications of roadways in the immediate area that would serve the proposed project are as follow:

- |                                 |                |
|---------------------------------|----------------|
| • 44 <sup>th</sup> Street South | Local          |
| • 46 <sup>th</sup> Street South | Collector      |
| • 3 <sup>rd</sup> Avenue South  | Collector      |
| • Central Avenue                | Collector      |
| • 2 <sup>nd</sup> Avenue North  | Minor Arterial |

In conclusion, the impacted roadways have enough capacity to accommodate the projected volumes. The projected trips per day generated by the proposed church would vary, depending upon the day of the week. However, even at the most extreme (843 trips on Sunday), the project would not have a significant impact upon neighboring roadways. The 843 Sunday trips would occur on a day when traffic is at its lowest – lower than the average weekday traffic counts shown above.

It is recommended the north approach for the proposed Phase I parking lot should be moved, if possible, to be aligned directly across from Clark Avenue for improved safety of turning movements.

The east approach for the Phase II parking lot appears to be quite close to the intersection of 46<sup>th</sup> Street South and 3<sup>rd</sup> Avenue South. During the permitting process for the approaches, the relocation or even elimination of this approach should be considered. One relocation option would be to relocate it to 46<sup>th</sup> Street South, if legal access could be obtained.

### Zoning Analysis:

Subject property is presently zoned in the County as “A” Agricultural District and the applicant has requested the property be rezoned to accommodate a worship facility.

Section 76-2-304 Montana Code Annotated lists criteria and guidelines which must be considered in conjunction with a proposed zoning or rezoning of land:

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

The attached vicinity map also reflects the current zoning.

Subject property is surrounded by R-3 Single-family high density zoning district and is bordered on three sides by existing churches. The existing churches are considered legal nonconforming uses in the R-3 zoning district and the proposed worship facility upon subject Tracts 21 through 23 can be accommodated through granting of a conditional use permit.

Annexation of subject Tracts 22 & 23 and the remainder of Tract 21 will enhance health, safety, and welfare, through application of City Code and provisions of municipal services.

The Great Falls Growth Policy provides “annexation should be logical and efficient extension of the City’s boundaries and service area.” The Growth Policy also encourages infill development, which this project manifests as it is an unincorporated enclave surrounded by the City Limits.

As the annexation will result in development not out of character with existing abutting uses, staff concludes the above-cited criteria are substantially met.

### Planning Board Recommendation:

The Planning Board conducted a public hearing on the annexation and rezoning of Beebe Tracts 22 and 23 and the westerly portion of Tract 21 on January 11, 2005. Mr. Jerry Boland of Holy Spirit Parish and Mr. Joe Loncki, Business Manager for the Catholic Diocese of Great Falls-Billings, represented the applicant and answered some questions from Board members. No proponents, opponents or public comments were presented during the hearing. At the conclusion of the hearing, the Planning Board passed a motion recommending the City Commission annex Beebe Tracts 22 and 23 and the westerly portion of Tract 21, rezoning subject parcels to “B” Residence Use, “B” Area District (now R-3 Single-family high density district with a conditional use permit allowing a worship facility), subject to the applicant fulfilling the following conditions:

- 1) Payment of all applicable fees owed as a condition of annexation approval including:
  - a) Annexation Agreement Fee \$ 200.00
  - b) Resolution of Annexation Fee 100.00
  - c) City Storm Sewer Fee (\$250.00/acre x 8.47 acres) 2,117.50
  - d) Reimbursement to City for improvements installed in 3<sup>rd</sup> Ave So by SID 1232 18,080.44
  - e) Recording fees for Agreement and Resolution (\$6.00 per page) To be determined
  
- 2) Enter into an agreement with the City, agreeing to the typical terms and conditions associated with annexation including agreeing to:
  - a) install sidewalk around the property in conjunction with building permitting and as stipulated by the City Public Works Department;
  - b) prepare a detailed drainage plan and obtain City Public Works Department approval of same in conjunction with building permitting;
  - c) obtain City Public Works Department approval of location of approaches to parking lots (Based upon the attached site plan, the northerly approach to the Phase I parking lot should align with Clark Avenue and the easterly approach to the Phase II parking lot is situated too close to the intersection of 3<sup>rd</sup> Ave So and 46<sup>th</sup> St So.);
  - d) pay for applicable public roadway lighting facilities and street maintenance assessments; and
  - e) participate in the installation of, and pay for, proportionate share of future area wide storm drainage facilities.

The above two conditions have been fulfilled.

An annexation resolution, annexation agreement and minutes of the Planning Board hearing held January 11, 2005, will be submitted to the Commission prior to the hearing on May 16.

Attach: Ord. No. 2937  
 Vicinity/Zoning Map  
 Preliminary Site Plan

cc: Chuck Paul, Parish Administrator, 2816 Central Avenue, Great Falls, MT 59401

ORDINANCE NO. 2937

AN ORDINANCE ASSIGNING A ZONING CLASSIFICATION OF R-3 SINGLE-FAMILY HIGH DENSITY DISTRICT WITH A CONDITIONAL USE ALLOWING A WORSHIP FACILITY, FOR BEEBE TRACTS 22 AND 23 AND THE WESTERLY PORTION OF TRACT 21, IN SECTION 9, TOWNSHIP 20 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA

\* \* \* \* \*

WHEREAS, the Roman Catholic Bishop of Great Falls, has petitioned the City of Great Falls to annex Beebe Tracts 22 and 23 and the western portion of Tract 21, located in the SW1/4NE1/4 of Section 9, Township 20 North, Range 4 East, P.M.M., Cascade County, Montana; and,

WHEREAS, the Roman Catholic Bishop of Great Falls, has petitioned said Beebe Tracts 22 and 23 and the western portion of Tract 21, be assigned a City zoning classification to accommodate a worship facility, upon annexation to City; and,

WHEREAS, notice of assigning a zoning classification of R-3 Single-family high density district with a conditional use allowing a worship facility, to said Beebe Tracts 22 and 23 and the western portion of Tract 21, was published in the Great Falls Tribune advising that a public hearing on this zoning designation would be held on the 16th day of May, 2006, before final passage of said Ordinance herein; and,

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

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

Section 1. That the zoning of Beebe Tracts 22 and 23 and the western portion of Tract 21, be designated as R-3 Single-family high density district classification with a conditional use allowing a worship facility.

Section 2. This ordinance shall be in full force and effect either thirty (30) days after its passage and adoption by the City Commission or upon filing in the office of the Cascade County Clerk and Recorder the resolution annexing Beebe Tracts 22 and 23 and the westerly portion of Tract 21, into the corporate limits of the City of Great Falls, Montana, whichever event shall occur later.

PASSED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, this 16th day of May, 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. 2937 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 16th day of May, 2006.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City on this 16th day of May, 2006.

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

(SEAL OF CITY)

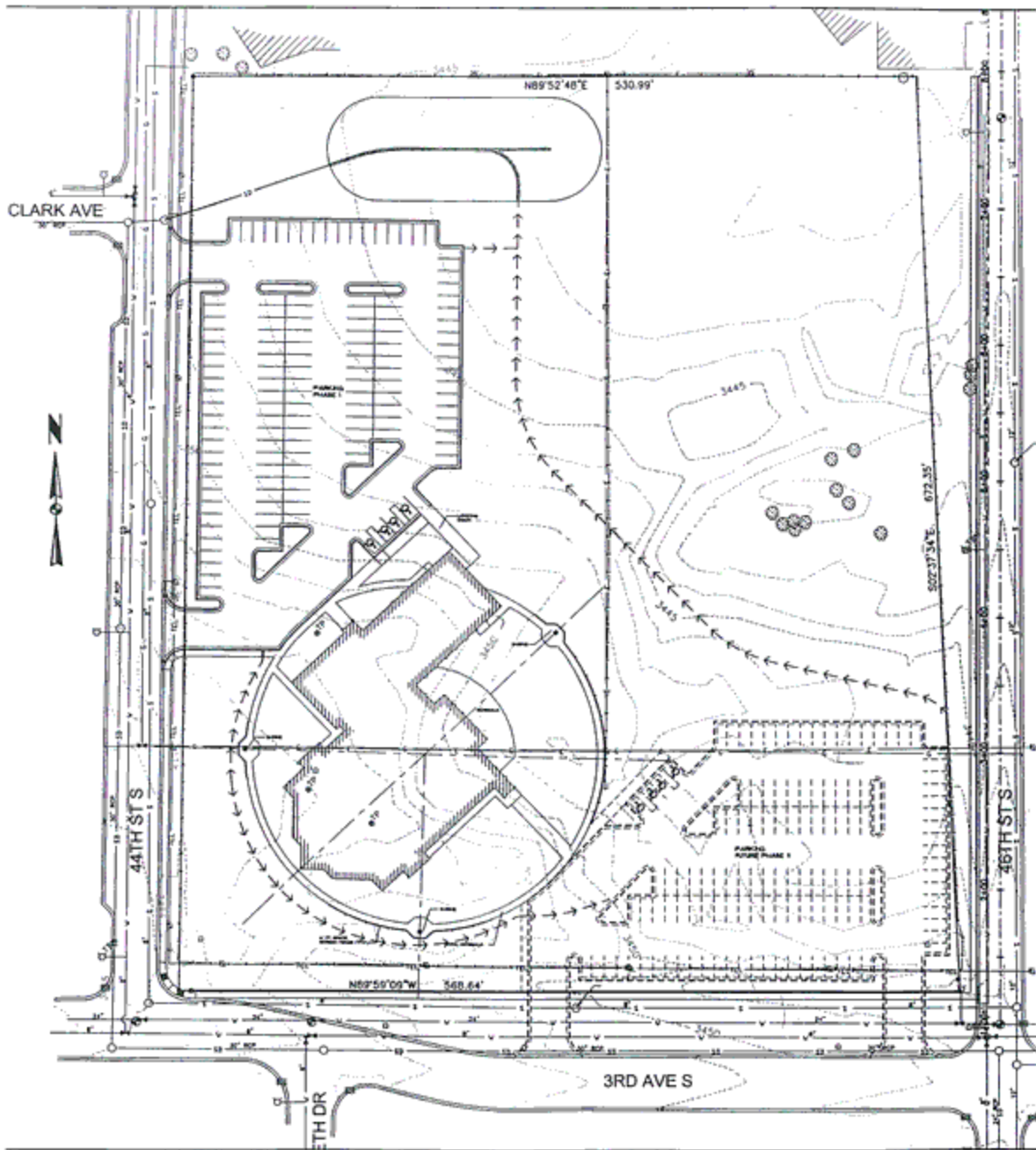
State of Montana     )  
County of Cascade    : ss.  
City of Great Falls    )

Peggy J. Bourne, being first duly sworn, deposes and says: That on the 16th day of May, 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 No. 2937 of the City of Great Falls, in three conspicuous places within the limits of said City to-wit:

- On the Bulletin Board, first floor, Civic Center Building;
- On the Bulletin Board, first floor, Cascade County Court House;
- On the Bulletin Board, Great Falls Public Library

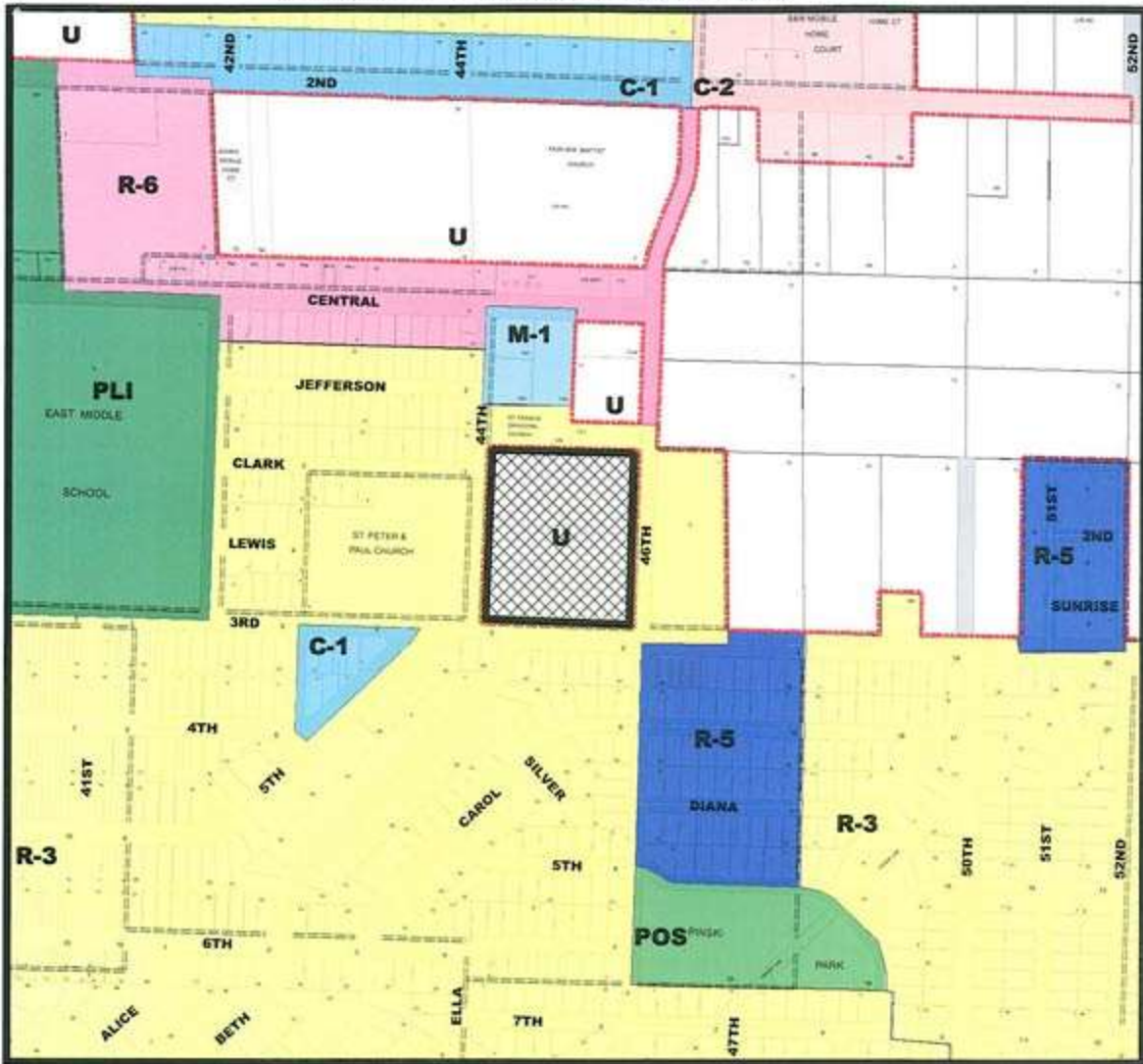
\_\_\_\_\_  
Peggy J. Bourne, City Clerk

(SEAL OF CITY)





# VICINITY / ZONING MAP

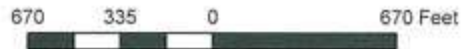


## Legend

- City Limits
- STREETS
- RAIL ROAD ROW
- PARCELS OUT OF CITY LIMITS
- Zoning**
- Base Zoning Districts**
- R-3 Single-family high density
- R-5 Multi-family medium density
- R-6 Multi-family high density
- C-1 Neighborhood commercial
- C-2 General commercial
- M-1 Mixed-use district
- PLI Public Lands and Institutional
- POS Parks and Open Space
- PUD Planned unit developments
- U Unincorporated



AREA PROPOSED TO BE ANNEXED AND REZONED FROM COUNTY "AG" AGRICULTURAL TO THE CITY "R-3" SINGLE-FAMILY HIGH DENSITY DISTRICT WITH A CONDITIONAL USE PERMIT ALLOWING A WORSHIP FACILITY



Regular City Commission Meeting

Mayor Stebbins presiding

**CALL TO ORDER:** 7:00 PM

**PLEDGE OF ALLEGIANCE**

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

**PROCLAMATIONS:** Mayor Stebbins read the following proclamations: Fair Housing Month, Crop Walk Day, Equal Pay Day and Sexual Assault Awareness Month.

**NEIGHBORHOOD COUNCILS**

**1. SWEARING IN CEREMONY.**

**NC Swearing-in.**

Erin Tropila was unable to attend the meeting. The swearing-in ceremony will take place at a future meeting.

**2. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

**Good Neighbor Award.**

**2A.** Bob Stubbs, NC 4, reported on the Good Neighbor Award. The ceremony honoring two recipients will take place on April 24, 2006.

**Bloomingtondale Park.**

**2B.** Phyllis Hemstad, NC 2, thanked staff for their work on the Bloomingtondale project.

**PUBLIC HEARINGS**

**CDBG and HOME Program Funds. Approved funding recommendations.**

**3. CDBG AND HOME PROGRAM FUNDS.**

Community Development Director Mike Rattray reported that the City Commission approved the 5-year Consolidated Plan on April 19, 2005. Each year an Annual Action Plan must be submitted to the U.S. Department of Housing and Urban Development (HUD) that contains the proposed use of CDBG and HOME funds for the coming fiscal year. CDBG project proposals were received in February of 2006. The Community Development Council met to hear presentations from the applicants and then formulated recommendations which they presented to the City Commission at a work session.

The HOME project proposals were also received in February of 2006 and presented to the City Commission during the work session on March 21,

2006.

Mayor Stebbins declared the public hearing open. No one appeared to speak in opposition to the funding recommendations. **Richard Cornwell**, 509 1<sup>st</sup> Avenue South; **Carrie Pepos**, 2108 4<sup>th</sup> Avenue South; and **Cynthia Corda**, Consumer Counseling Services, spoke in support of the funding recommendations.

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

**Commissioner Hinz moved, seconded by Commissioners Jovick-Kuntz and Rosenbaum, that the City Commission approve the proposed use of funds for the 2006/2007 Community Development Block Grant and the HOME Investment Partnership Program for inclusion in the Proposed Annual Action Plan.**

Motion carried 5-0.

### **NEW BUSINESS**

**Res. 9561, Intent to Annex T20N R4E Sec 17, Marks 10 and 10B. Adopted.**

#### **ORDINANCES/RESOLUTIONS**

**4A. RESOLUTION 9561, INTENT TO ANNEX T20N R4E SEC 17, PARCEL MARKS NOS 10 & 10B.**

**Ord. 2935, Zoning for T20N R4E Sec. 17, Marks 10 and 10B. Accepted on first reading and set the public hearing for May 2, 2006.**

**4B. ORDINANCE 2935, ESTABLISH ZONING ON T20N R4E SEC 17 PARCEL MARKS NOS 10 AND 10B.**

Planning Director Ben Rangel reported that a portion of the block located along the south side of 10<sup>th</sup> Avenue South and between 26<sup>th</sup> and 29<sup>th</sup> Streets South had never been annexed to the City. The unincorporated enclave, comprised of two acres, was entirely surrounded by the incorporated area of the City and consisted of two parcels owned by Zollie Kelman.

Additionally, Mr. Rangel reported that the City Commission expressed an interest in annexing unincorporated enclaves to the City. These unincorporated enclaves have been a source of confusion and inconsistent code application. An example was County fireworks requirements differ significantly from City requirements in the type of fireworks that can be sold, the time period during when they may be sold, and the type of fireworks that can be discharged. Equity issues also arise where property in the midst of an urban setting was not subject to the same code requirements for community decay, weed control and signage. These properties also benefit from readily available public improvements, such as paved roadways, curb and gutter, and sidewalks

which in many cases have been funded by taxpayers within the City. MCA 7-2-4501 states that a city may include as part of the city any platted or unplatted tract or parcel of land that is wholly surrounded by the city upon passing a resolution of intent, giving notice, and passing a resolution of annexation. Further, Section 7-2-4502, MCA, provides that wholly surrounded land is annexed, if so resolved by the city or town council, whether or not a majority of the real property owners of the area to be annexed object.

In a letter dated February 28, 2006, from Steven Potts, attorney representing the property owner, Zollie Kelman, Mr. Potts requested the annexation process be postponed until a declaratory judgment could be decided. After reviewing Mr. Potts' letter and definitions and land use designations in the Unified Land Development Code, the City Attorney directed staff to proceed with processing the annexation unless directed otherwise by a court of competent jurisdiction.

In a letter dated March 16, 2006, Planning Staff also heard from Michael Maeder, requesting any action to annex subject property not become effective until after July 4 in order for him to proceed with planned fireworks sales for this calendar years.

The existing vehicle display and sales lot was a permitted use in the proposed C-2 general commercial district and would be allowed to continue following annexation. Fireworks stands could continue to operate from the site in accordance with City standards.

The Planning Board/Zoning Commission on March 14, 2006, conducted a joint public hearing on the annexation and establishment of City zoning on the property. No proponents or opponents spoke at the public hearing. At the conclusion of the public hearing, the Planning Board passed a motion recommending the City Commission annex the land and the Zoning Commission approved the requested zoning.

Mayor Stebbins asked if anyone wanted to comment on this issue.

**Michael Maeder**, owner of Liberty Fireworks, asked the Commission to delay action on this item until after the 4<sup>th</sup> of July. He explained that he already purchased the inventory for the fireworks stand that was usually on that piece of property and if the property was annexed, much of the inventory could not be sold because it was not legal in the City limits. Further, he asserted that the City targeted only enclaves he used for firework stands and not those used by his competitors.

**Commissioner Beecher moved, seconded by Commissioner Rosenbaum that the City Commission adopt Resolution 9561.**

Motion carried 5-0.

**Commissioner Beecher moved, seconded by Commissioners Hinz and Jovick-Kuntz that the City Commission accept Ordinance No. 2935 on first reading and set a public hearing for May 2, 2006, to consider adoption of Ordinance 2935.**

Commissioner Hinz clarified that the action was only to set the public hearing on the issue.

Motion carried 5-0.

**Res. 9558, Intent To Modify SLD-A 1294. Adopted.**

**5. RESOLUTION 9558, INTENT TO MODIFY THE BOUNDARIES OF SPECIAL IMPROVEMENT LIGHTING DISTRICT – ALLEY LIGHTING “SLD-A” NO. 1294 AND INSTALL FOUR (4) 70 WATT HPS ALLEY LIGHTS ON DISTRIBUTION POLES BETWEEN 38<sup>TH</sup> STREET NORTH AND 40<sup>TH</sup> STREET NORTH ALONG 4<sup>TH</sup> ALLEY NORTH**

Fiscal Services Director Coleen Balzarini reported that property owners in the general location of 4<sup>th</sup> Avenue North between 38<sup>th</sup> Street North and 40<sup>th</sup> Street North petitioned for the installation of four 70 watt HPS alley lighting units on 28 foot distribution poles with overhead wiring. There are twenty-nine (29) properties within the proposed boundaries of the alley lighting district.

In order to provide alley lighting for the petitioned area within a timely manner, staff proposed entering into a lease agreement with Northwestern Energy rather than City ownership of the alley lights.

A modification to the boundary lines of SLD-A 1294 was required in order to include the properties as requested. The estimated annual assessment would result in \$12.22 for an average lot size of 7,925 square feet.

Additionally, Mrs. Balzarini reported that during the original consolidation of SLD 1294-A some properties were included in the district in error. To correct this, the properties located at Lots 1 through 16, Block 12, West Great Falls Addition will be removed from the district.

**Commissioner Jovick-Kuntz moved, seconded by Commissioners Beecher, Hinz and Rosenbaum, that the City Commission adopt Resolution 9558 and set a public hearing date for May 2, 2006, at 7:00 p.m.**

Motion carried 5-0.

**Consent Agenda.**

**CONSENT AGENDA**

**Approved as printed.**

6. Minutes, March 21, 2006, Commission meeting.
7. Total expenditures of \$842,584 for the period of March 15-22, 2006, to include claims over \$5,000 in the amount of \$695,175.
8. Contracts list.
9. Set public hearing for April 18, 2006, on Resolution 9549, Mansfield Theatre Fees and Rates.
10. Set public hearing for May 2, 2006, on the Justice Assistance Grant recommendation.
11. Set public hearing for May 2, 2006, regarding a lease agreement for a portion of Clara Park.
12. Set public hearing for May 2, 2006, regarding a lease agreement for a portion of City property adjacent to the Gore Hill Water Tower.
13. Authorize co-sponsorship in the amount of \$500 for use of the Convention Center for the Great Falls Community Ice Foundation Event, Frozen Explosion.
14. Approve Inter-local Agreement with the Montana Department of Labor and Industry, Building Codes Bureau.
15. Award construction contract in the amount of \$673,125 to Phillips Construction for the 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, and 5<sup>th</sup> Avenues Northwest Water Main Replacement. (OF 1435).
16. Postpone bid award for the Wastewater Treatment Plant Cogeneration Plant Project. (OF 1404).
17. Award contract in the amount of \$70,850.30 to Great Falls Sand and Gravel, Inc., for the Community Recreation Center Parking Lot. (OF 1443).
18. Award bid in the amount of \$154,611 to Forde Nursery for Schedule A of the Bloomingdale Park Landscaping project. (OF 1306.6).
19. Award bid to DPC Industries, Inc., for anhydrous ammonia in the amount of \$145 per 148-lb. cylinder.
20. Award bid to Thatcher Company for liquid aluminum sulfate in the amount of \$271 per dry ton.
21. Award bid to DPC Industries, Inc., for liquid chlorine in the amount of \$559 per ton.
- 21A. Approve Terms and Conditions for a natural gas supply contract.

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

Motion carried 5-0.

### **BOARDS AND COMMISSIONS**

**Historic  
Preservation  
Advisory  
Commission.**

#### **22. APPOINTMENTS, HISTORIC PRESERVATION ADVISORY COMMISSION.**

Aart Dolman has served on the Historic Preservation Advisory

**Appointed Clark and reappointed McKinney.**

Commission since May of 2000 and is not eligible for reappointment. Therefore, it was necessary to appoint one new member to fill his vacancy. Jerry McKinney was appointed to the Historic Preservation Advisory Commission on December 21, 2004, to fill the remainder of a three-year term. Mr. McKinney was eligible for and interested in reappointment.

**Commissioner Hinz moved, seconded by Commissioners Beecher and Jovick-Kuntz, that the City Commission Gerald Clark and reappoint Jerry McKinney for three-year terms, expiring April 30, 2009.**

Motion carried 5-0.

**PETITIONS AND COMMUNICATIONS****Streetlights.**

**26A. Clay Braden**, 2708 4<sup>th</sup> Avenue NW, reported that some street lights were out in the vicinity of the Crossroads Café. He also stated that he's noticed that some street lights were on during the day. Mr. Braden suggested that when City staff noticed these things, to call it in.

**Streetlights.**

**26B. Phyllis Hemstad**, NC 2, concurred with Mr. Braden and asked that this gets taken care of.

Fiscal Services Director Coleen Balzarini explained that Northwestern Energy should be contacted regarding the street lights, and, if they had already been contacted, the delay in repairing them could be due to the need for special equipment. She also explained that street lights were not metered, so those that were on during the day did not result in a higher cost to the City.

**EPA Investigation.**

**26C. John Hubbard** asked if the City Commission knew the outcome of the EPA investigation on the Weissman property. Mayor Stebbins stated that this was not something the City Commission would hear about and suggested Mr. Hubbard contact the EPA.

Adjourn

**ADJOURNMENT**

There being no further business to come before the Commission, the regular meeting of April 4, 2006, adjourned at 7:48 p.m.

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Mayor Dona R. Stebbins

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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:**

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MASTER ACCOUNT CHECK RUN FOR MARCH 29, 2006	386,527.13
MASTER ACCOUNT CHECK RUN FOR APRIL 5, 2006	307,248.72
MUNICIPAL COURT ACCOUNT CHECK RUN FOR MARCH 24, 2006	1,960.00
MUNICIPAL COURT ACCOUNT CHECK RUN FOR MARCH 31, 2006	84,816.50
MUNICIPAL COURT ACCOUNT CHECK RUN FOR APRIL 7, 2006	3,282.00
WIRE TRANSFERS FROM MARCH 29, 2006 THRU APRIL 10, 2006	<u>209,028.22</u>
TOTAL: \$	<u>992,862.57</u>

**GENERAL FUND**

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**POLICE**

NORTHWESTERN ENERGY	FEB 06 CHARGES-SPLIT	467.80
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**FIRE**

NORTHWESTERN ENERGY	FEB 06 CHARGES-SPLIT	698.20
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**PARK & RECREATION**

MONTANA WASTE SYSTEMS	LAND FILL FEES FEB 2006-SPLIT	256.92
NORTHWESTERN ENERGY	FEB 06 CHARGES-SPLIT	267.47

**SPECIAL REVENUE FUND**

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**CTEP PROJECT**

UNITED MATERIALS	WEST BANK CONNECTOR TRAIL	154,780.06
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**SPECIAL REVENUE FUND**

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**LIGHTING DISTRICT**

NORTHWESTERN ENERGY	MARCH 2006 CHARGES	7,573.37
NORTHWESTERN ENERGY	MARCH 2006 CHARGES	54,548.12

**LIBRARY**

NORTHWESTERN ENERGY	FEB 06 CHARGES-SPLIT	750.32
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**NATURAL RESOURCE**

MONTANA WASTE SYSTEMS	LANDFILL FEES FOR FEB 06-SPLIT	13.80
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**FEDERAL BLOCK GRANTS**

WESTERN MUNICIPAL CONSTRUCTION	CDBG ALLOCATION-ULRR WSD	41,907.00
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**HOME GRANTS**

ACCESSIBLE SPACE INC	HOME ALLOCATION	29,930.00
NEIGHBORHOOD HOUSING SERVICES	HOME ALLOCATION	18,749.75

**ECONOMIC REVOLVING**

CAPITOL DECISIONS INC	MAR 2006 RETAINER	8,800.00
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**ENTERPRISE FUNDS**

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**WATER**

UPPER LOWER RIVER RD WATER SEWER	CITY PORTION UTILITY UPSIZING	71,023.70
NORTHWESTERN ENERGY	FEB 06 CHARGES-SPLIT	6,235.43

**SEWER**

UPPER LOWER RIVER RD WATER SEWER	CITY PORTION UTILITY UPSIZING	51,670.00
UNITED MATERIALS	WEST BANK CONNECTOR TRAIL	27,494.29

**SANITATION**

MONTANA WASTE SYSTEMS	LANDFILL FEES FEB 06	42,578.74
NORTHWESTERN ENERGY	FEB 06 CHARGES-SPLIT	254.66

**SAFETY SERVICES**

NORTHWESTERN ENERGY	FEB 06 CHARGES-SPLIT	116.95
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**PARKING**

NORTHWESTERN ENERGY	FEB 06 CHARGES-SPLIT	587.67
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**ENTERPRISE FUNDS**

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**SWIM POOLS**

MONTANA ELASTOMER INC	REPAIR FLOW RIDER PAD	9,695.00
NORTHWESTERN ENERGY	FEB 06 CHARGES	333.85

**RECREATION**

NORTHWESTERN ENERGY	FEB 06 CHARGES	429.45
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**CIVIC CENTER**

BERTOLINI INC	BANQUET CARTS & CHAIRS	8,622.40
LCD EXPOSITION SERVICES	BOOTHS & CARPET-MADE IN MT	6,049.00
WELLS FARGO BROKERAGE SERVICES	EXPO PARK TICKETING SYSTEM	13,858.44
HBSC BANK USA	GEORGE CARLIN TICKET SALES	22,509.16

**INTERNAL SERVICES FUND**

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**HEALTH INSURANCE**

BLUE CROSS BLUE SHIELD	GROUP & HMO CLAIMS-3-22-06-3-28-06	33,535.70
BLUE CROSS BLUE SHIELD	GROUP & HMO CLAIMS-3-29-06-3-31-06	129,992.16
BLUE CROSS BLUE SHIELD	GROUP & HMO CLAIMS-4-1-06-04-04-06	8,832.76

**CENTRAL GARAGE**

POWER PLAN	CLUTCH DISCS & THRUST WASHERS	5,439.14
MOUNTAIN VIEW CO-OP	UNLEADED & DIESEL FUEL	18,366.70

**PUBLIC WORKS**

NORTHWESTERN ENERGY	FEB 06 CHARGES-SPLIT	819.00
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**PARK & RECREATION ADMINISTRATION**

NORTHWESTERN ENERGY	FEB 06 CHARGES-SPLIT	270.25
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**FACILITY SERVICES**

NORTHWESTERN ENERGY	FEB 06 CHARGES-SPLIT	1,429.19
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**MUNICIPAL COURT**

CASCADE COUNTY TREASURE	COURT SURCHARGES	15,374.00
CITY OF GREAT FALLS	FINES & FORFEITURES TRANSFER TO MASTER ACCOUNT	62,221.50

CITY OF GREAT FALLS, MONTANA  
COMMUNICATION TO THE CITY COMMISSION

**FINAL**

AGENDA 8  
DATE: 04-18.2006

CLAIMS OVER \$5000 TOTAL:

\$ 856,481.95

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

**AGENDA: 9  
DATE: April 18, 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**

	<b>DEPARTMENT</b>	<b>OTHER PARTY (PERSON OR ENTITY)</b>	<b>PERIOD</b>	<b>FUND</b>	<b>AMOUNT</b>	<b>PURPOSE</b>
<b>A</b>	Fiscal Department	A & A Carriers	04/01/06 – 03/31/08	615-0000-371-8515	\$836 per 20-day month	Mail and Deposit Courier Services Contract
<b>B</b>	Park and Recreation Mansfield Events Office	Co-present with Great Falls Community Concert Association/The Montana Repertory Theater	01/19/07	571-6272-562-3561	\$3,500	Artist Fee for The Montana Repertory Theater: 1 performance and 1 workshop
<b>C</b>	Public Works – Engineering	Montana Department of Transportation	03/06-09/06	No additional funding required	None	MACI Sidewalk Program, O.F. 1254 Addendum allows for construction of sidewalks along Fox Farm Road this summer.
<b>D</b>	Public Works – Engineering	M & D Construction	04/03/06 - 05/31/06	Tax Increment	\$21,046	Community Recreation Center Stairwell, O.F. 1443.2

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

**AGENDA: 10  
DATE: April 18, 2006**

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

**PRESENTED BY:** Peggy Bourne, City Clerk

**ACTION REQUESTED:** Ratification of Lien Releases through the Consent Agenda

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

**LIEN RELEASES**

	<b>DEPARTMENT</b>	<b>OTHER PARTY (PERSON OR ENTITY)</b>	<b>PERIOD</b>	<b>FUND</b>	<b>AMOUNT</b>	<b>PURPOSE</b>
<b>A</b>	Fiscal Services	Jess Enright. GFO, B500 W40' of N50' 13 and N50' L14			\$73.33	Resolution 9448, for unpaid sewer, fire hydrant, storm drain and sanitation charges, during calendar year 2004.
<b>B</b>	Fiscal Services	Xept LLC (formerly Joaquin, Calixto & Anita Linda) GF10, B755 L7			\$53.20	Resolution 9448, for unpaid sewer, fire hydrant, storm drain and sanitation charges, during calendar year 2004.
<b>C</b>	Fiscal Services	Greenwood, Harlen & Geraldyn (formerly Deronda, Timothy J & Kimberly J) GF3 B143, L4			\$400	Resolution 9543, for assessing the cost of removal and disposal of nuisance weeds in violation during calendar year 2005.

<b>D</b>	Fiscal Services	Myhre Advertising GF5, B607, L11			\$400	Resolution 9543, for assessing the cost of removal and disposal of nuisance weeds in violation during calendar year 2005.
<b>E</b>	Fiscal Services	Ward, Kenneth & Barbara BO1, B9, L19			\$350	Resolution 9543, for assessing the cost of removal and disposal of nuisance weeds in violation during calendar year 2005.
<b>F</b>	Fiscal Services	Rea, Sunnye CRU L17A			\$200	Resolution 9543, for assessing the cost of removal and disposal of nuisance weeds in violation during calendar year 2005.

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

**DATE:** April 18, 2006

**ITEM** Res. 9564, Cost Recovery, L11, B10, GF Bloomingdale 1<sup>st</sup> Add., 1418 8 Ave NW

**INITIATED BY** Community Development Department

**ACTION REQUESTED** Set Public Hearing for May 2, 2006

**PREPARED BY** Jay Parrott, Building Inspector

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

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**RECOMMENDATION:**

Staff recommends the City Commission set May 2, 2006, at 7:00 P.M. for a public hearing to assess costs for razing and clean-up of the condemned property located at 1418 8<sup>th</sup> Avenue Northwest of Lot 11, Block 10, Great Falls Bloomingdale 1<sup>st</sup> Addition, Great Falls, Cascade County, Montana and that the charge shall be assessed against the property.

A public hearing for assessing said costs is mandated by the Official Codes for the City of Great Falls, Nuisance Abatement Code, Chapter 8, Section 8.49.070.

**MOTION:**

I move a public hearing be set for May 2, 2006, at 7:00 P.M., on Resolution 9564.

**SYNOPSIS:**

The owner of the property on Lot 11, Block 10, Great Falls Bloomingdale 1<sup>st</sup> Addition, Great Falls, Cascade County, Montana, was issued a notice of hearing before the City Commission of Great Falls to appear at 7:00 P.M., May 2, 2006. The hearing is to show cause why the owner of the property should not be held liable for the costs incurred in razing and clean-up of the structure known as 1418 8<sup>th</sup> Avenue Northwest.

**BACKGROUND:**

Staff has taken the following action:

<u>Action</u>	<u>Date</u>
• Abate property	06-03-97
• Abate property	06-16-98
• Abate property	05-04-99



- Abate property 11-02-05
- Agreement between City of Great Falls and Cascade County  
for razing residence 11-03-05
- Razing started 11-03-06
- Found illegally dug basement
- Public Works Department removes 5500 gallons water, sludge  
and sewage from basement 11-03-06
- Razing completed and approved by staff 11-13-06

Cost for cleanup as follows:

Administrative Costs	\$ 260.00
Recording Fees	\$ 12.00
Publishing - Legal Ad	\$ 35.00
Razing Fee	\$ 45.00
Dirt fill for illegal basement	\$ 1,595.00
City vacuum truck for removal of water, sludge & sewage	\$ 601.09
Demolition & cleanup by <i>MRTF, Inc.</i>	<u>\$ 2,900.00</u>
<b>TOTAL COSTS INCURRED</b>	<u><b>\$ 5,448.09</b></u>

Resolution 9564 would allow staff to assess the razing cost against the property itself.

RESOLUTION 9564

A RESOLUTION ASSESSING THE COSTS INCURRED IN RAZING AND CLEANING OF THE PROPERTY LOCATED AT LOT 11, BLOCK 10, GREAT FALLS BLOOMINGDALE 1<sup>ST</sup> ADDITION, GREAT FALLS, CASCADE COUNTY, MONTANA, ADDRESSED AS 1418 8 AVENUE NORTHWEST, AGAINST SAID PROPERTY.

WHEREAS, the owner of the property located at Lot 11, Block 10, Great Falls Bloomingdale 1<sup>st</sup> Addition, Great Falls, Cascade County, Montana, was issued a notice to raze the structure.

WHEREAS, after due notice the property owner did not raze the structure.

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

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

WHEREAS, the City Commission set May 2, 2006, at 7:00 p.m. for this hearing, to show cause why the property owner should not be held liable for the costs incurred in razing and cleanup of said property.

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

The amount of \$ 5,448.09 for razing and cleanup costs incurred in the abatement of a nuisance at Lot 11, Block 10, Great Falls Bloomingdale 1<sup>st</sup> Addition, Great Falls, Cascade County, Montana, described as 1418 8<sup>th</sup> Avenue Northwest, be assessed against the property itself, with interest and penalties on the unpaid balance.

PASSED by the Commission of the City of Great Falls, Montana, on this 2 day of May, 2006.

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Dona R. Stebbins, Mayor

ATTEST:

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Peggy J. Bourne, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

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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 the foregoing Resolution 9564 was placed on its final passage and adoption, and was passed and adopted by the City Commission of said City at a Regular Meeting thereof held on the 2 day of May 2006, and approved by the Mayor of said City, on the 2 day of May, 2006.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said City, this 2 day of May, 2006.

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Peggy J. Bourne, City Clerk

**AGENDA REPORT**

**DATE April 18, 2006**

**ITEM: INTERLOCAL AGREEMENT/FIRE DISTRICT CONTRACT**

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

**ACTION REQUESTED: APPROVE INTERLOCAL AGREEMENT**

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

**RECOMMENDATION:**

Staff recommends that the City Commission approve the Inter-Local Agreement with Cascade County for Fire Protection and Emergency Medical Services, for July 1, 2005 to September 30, 2009 as approved and signed by the Cascade County Commissioners.

**MOTION:**

“I move the City Commission approve the Cascade County Inter-Local Agree for Fire Protection and Emergency Medical Services, for July 1, 2005 to September 30, 2009 and that the City Manager be authorized to execute the same.”

**SYNOPSIS:**

This Fire District Contract with Cascade County has been approved by the County Commissioners for the period of July 1, 2005 thru September 30, 2009. The contract provides for the proceeds from the Rural Fire Control Special District Levy for emergency fire and medical services, computed from the maximum allowed by 15-10-420, MCA be paid to the City. This mill was 71.19 mills in FY 05/06 for a total of \$160,000.00 in revenue. MCA 15-10-420 provides for slight annual inflation increases which I would approximate at \$1,500 per year during this contract term. Payments shall be in two equal installments due on or before December 15 and June 15.

In past years, this agreement was renewed annually. This year, the County Commission requested we make this a multi-year agreement to facilitate a more timely process and to avoid the annual renewal delays held up by Department of Revenue data. In this agreement the County agrees to provide the number of mills levied in each subsequent year of this agreement.

**BACKGROUND:**

Great Falls Fire Rescue has been providing contracted fire and EMS services for the County fire districts for over 20 years. During this time GFFR has provided prompt, efficient emergency service to these districts enhancing the quality of life to these areas of the county. State statue MCA 7-33-2107 and 7-33-2125 provides for these districts to contract with the City of Great Falls for fire and other emergency services. This contract includes fire suppression, emergency medical response, inspection services and fire

investigation. There are currently 16 separate and distinct areas that comprise our response areas. The combined total of these service areas is 4.03 square miles, with an estimated resident population of 4590. The typical resource response to structure fires in these service include 2 Engines Companies, 1 Ladder Company, 1 Chief Officer and 1-2200 gallons Water Tender. The Water Tender was purchased new in 2001 specifically for fire district responses; its cost was \$127,000. In 2005, we responded to 132 calls for service in these fire districts.

AGENDA REPORT

DATE April 18, 2006

**ITEM:** WASTEWATER TREATMENT PLANT COGENERATION PROJECT, (O.F. 1404),  
CONTRACT 01 – SUPPLY OF ENGINE / GENERATOR / GAS TREATMENT  
EQUIPMENT

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

**ACTION REQUESTED:** POSTPONE CONTRACT AWARD

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

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**RECOMMENDATION:** Staff recommends that award of a contract for the Wastewater Treatment Plant Cogeneration Project, (O.F. 1404) be postponed until the next City Commission meeting on May 2, 2006.

**MOTION:** "I move the City Commission postpone the award of a contract for the Wastewater Treatment Plant Cogeneration Project, (O.F. 1404)".

**SYNOPSIS:** Bids were received March 22, 2006. Smith Power Products was the sole bidder on the project. Due to the scope and technical complexity of the equipment being procured, additional time is necessary to evaluate the bid and finalize the recommendation for a contract award. Procurement contract terms and conditions are being finalized. It is anticipated that this evaluation will be completed in time to consider a bid award at the May 2 Commission meeting.

**BACKGROUND:** Stanley Consultants, Inc. was hired to provide procurement documents to furnish and deliver a digester gas and natural gas fueled reciprocating engine generator, gas treatment equipment, and other auxiliary equipment. This equipment will be installed during the project's upcoming construction phase. The project will utilize digester gas produced during the solids treatment process to generate electricity and heat to meet over half of the plant's energy requirements.

**CITY OF GREAT FALLS, MONTANA**

**AGENDA # 13A**

**A G E N D A   R E P O R T**

**DATE 04/18/2006**

**ITEM Mobile Data Systems**

**INITIATED BY Great Falls Police Department**

**ACTION REQUESTED Award Bid**

**PREPARED & PRESENTED BY Cloyd Grove, Acting Chief of Police**

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**RECOMMENDATION:**

Great Falls Police Department staff recommends that the City Commission award the bid to Motorola for twelve (12) Mobile Data Units for the sum of \$84,942.00.

**MOTION:**

I move that the City Commission award the bid to Motorola for twelve (12) Mobile Data Units for the sum of \$84,942.00.

**SYNOPSIS:**

Great Falls Police Department received the 2005 Justice Assistance Grant, presented to the City Commission on June 21, 2005 for a public hearing. After receiving the grant, we researched the systems and it was determined that Motorola was a sole provider for these units.

**BACKGROUND:**

Mobile Data Terminals provide voice communication between patrol units, dispatch, and the state of Montana (CJIN). Both the police department and the sheriff's office have a number of vehicles that do not currently have mobile data communication in them and in an effort to provide data communications the purchase of these units is recommended. The police department has been adding to its voiceless communication system over the past several years with the eventual aim of equipping every vehicle in its fleet with this capability.