



Item: Resolution No. 10090, reopening a previously closed segment of 20th Street South adjacent to Great Falls High School, and rescinding portions of Resolutions Nos. 6859 and 6920

From: Jerry McKinley, Traffic Supervisor

Initiated By: Public Works Department

Presented By: Jim Rearden, Public Works Director

Action Requested: Conduct a Public Hearing to consider Resolution No. 10090, reopening a previously closed segment of 20th Street South adjacent to Great Falls High School, and rescinding portions of Resolutions Nos. 6859 and 6920

Public Hearing:

1. Mayor conducts public hearing, calling three times each for opponents and proponents.
2. Mayor closes public hearing and asks the will of the Commission.

Suggested Motion:

1. Commissioner moves:

“I move the City Commission (adopt/deny) Resolution No. 10090.”

2. Mayor calls for a second, discussion, and calls for the vote.
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Staff Recommendation: Staff recommends that the City Commission adopt Resolution No. 10090, to consider reopening a previously closed segment of 20th Street South adjacent to Great Falls High School, and rescinding portions of Resolutions Nos. 6859 and 6920.

Background and Purpose: The City of Great Falls has retained ownership of the described segment of 20th Street South as a city street since its closure in 1977, and has continued to maintain it as such. Resolution No. 10090 will rescind portions of Resolution Nos. 6859 and 6920, which closed portions of 20th Street South, at 4th Avenue South, and 2nd Avenue South, and segments of 3rd and 4th Alleys South, on August 17, 1976 and March 15, 1977, respectively. Recently, Great Falls Public Schools, School District #1, approached the City of Great Falls with a proposal to reopen portions of 20th Street South for the purpose of easing emergency vehicle access, creating additional school parking, relieving congestion, and discouraging unsafe vehicle

movements created by the “Dead End” status of 3rd Avenue South where it intersects 20th Street South. School District #1 requested that only the following portions of the Street be reopened:

a segment of 20th Street South which is bounded on the south by the south right-of-way line of 2nd Avenue South, and bounded on the north by a line which is parallel to and 22 ½ feet north of the south right-of-way line of 2nd Avenue South; and, a segment of 20th Street South which is bounded on the north by the north right-of-way line of 4th Avenue South, and bounded on the south by a line which is parallel to and 22 ½ feet south of the north right-of-way line of 4th Avenue South.

The remaining areas described in Resolution Nos. 6859 and 6920, including but not limited to the adjacent alleys, will remain closed and not affected by Resolution No. 10090.

The City of Great Falls Public Works Department has reviewed the School District’s proposal and determined that with reopening of the street portions set forth above, two way traffic movements will be restored on 20th Street South between 2nd and 3rd Avenue South, and because of existing geometrics, the segment of 20th Street between 3rd Avenue and 4th Avenue South will, by default become a southbound one way street.

By opening these portions of 20th Street South and by using accepted standard traffic control measures (i.e. signs and pavement markings), orderly ingress and egress to the front of Great Falls High School, will be furthered, reducing congestion and discouraging unsafe vehicle maneuvers. By this action, seventeen new parking spaces will be created for teacher and/or visitor parking, not for student parking. It is understood by the School District that these parking spaces will be available for public use during non-school hours.

Representatives of the City Public Works Department and Great Falls Public Schools met with Neighborhood Council #9 on June 25, 2014 and, said Council passed a motion to reopen the segment of 20th Street South as described above.

In order to monitor the effect of the reopening described above, the City of Great Falls and the School District mutually agree to monitor vehicle and pedestrian traffic after reopening has taken place and to make any necessary modifications to deal with issues that may arise from the reopening of these portions of 20th Street South.

On July 15, 2014 the City Commission set a Public Hearing date for August 5, 2014. A notice of the public hearing ran in the *Great Falls Tribune* on July 20, 2014 and August 3, 2014.

Fiscal Impact: The opening of 20th Street South, at 2nd and 4th Avenues South, would have costs of preparing the area by removal of the barriers now in place, street repairs, pavement markings and signage.

Alternatives: The City Commission could choose not to adopt Resolution No. 10090.

Attachments: Resolution No. 10090, with attached map
Resolution Nos. 6859 and 6920

RESOLUTION NO. 10090

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, REOPENING A PREVIOUSLY CLOSED SEGMENT OF 20TH STREET SOUTH ADJACENT TO GREAT FALLS HIGH SCHOOL, and RESCINDING PORTIONS OF RESOLUTION NOS. 6859 AND 6920

WHEREAS, the Great Falls City Commission passed Resolution Nos. 6859 and 6920 which closed portions of 20th Street South at 4th Avenue South and 2nd Avenue South, and segments of 3rd and 4th Alleys South, on August 17, 1976 and March 15, 1977, respectively; and

WHEREAS, Great Falls Public Schools, School District #1, approached the City of Great Falls with a proposal to reopen portions of 20th Street South for the purpose of easing emergency vehicle access, creating additional school parking, relieving congestion, and discouraging unsafe vehicle movements created by the “Dead End” status of 3rd Avenue South where it intersects 20th Street South; and

WHEREAS, School District #1 requested that only the following portions of the Street be reopened:

a segment of 20th Street South which is bounded on the south by the south right-of-way line of 2nd Avenue South, and bounded on the north by a line which is parallel to and 22 ½ feet north of the south right-of-way line of 2nd Avenue South; and, a segment of 20th Street South which is bounded on the north by the north right-of-way line of 4th Avenue South, and bounded on the south by a line which is parallel to and 22 ½ feet south of the north right-of-way line of 4th Avenue South, as depicted on the attached map attached as Exhibit A;

and

WHEREAS, the City of Great Falls Public Works Department has reviewed the School District’s proposal and determined that with reopening of the street portions set forth above, two way traffic movements will be restored on 20th Street South between 2nd and 3rd Avenue South, and because of existing geometrics, the segment of 20th Street between 3rd Avenue and 4th Avenue South will, by default become a southbound one way street; and

WHEREAS, by opening these portions of 20th Street South and by using accepted standard traffic control measures (i.e. signs and pavement markings), orderly ingress and egress to the front of Great Falls High School, will be furthered, reducing congestion and discouraging unsafe vehicle maneuvers; and

WHEREAS, by this action, seventeen new parking spaces will be created for teacher and/or visitor parking, not for student parking. It is understood by the School District that these parking spaces will be available for public use during non-school hours; and

WHEREAS, representatives of the City Public Works Department and Great Falls Public Schools met with Neighborhood Council #9 on June 25, 2014 and, said Council passed a motion to reopen the segment of 20th Street South as described above; and

WHEREAS, the City of Great Falls and the School District agree to monitor traffic and pedestrians after reopening as described above has taken place and to make any necessary modifications to deal with issues that may arise from the reopening of these portions of 20th Street South;

WHEREAS, publication of the notice of the reopening of these portions of 20th Street South was accomplished by notice in the *Great Falls Tribune*, pursuant to Mont. Code Ann. §7-14-4114, *et seq.*

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

1. The following portion of 20th Street South is hereby reopened:

a segment of 20th Street South which is bounded on the south by the south right-of-way line of 2nd Avenue South, and bounded on the north by a line which is parallel to and 22 ½ feet north of the south right-of-way line of 2nd Avenue South; and, a segment of 20th Street South which is bounded on the north by the north right-of-way line of 4th Avenue South, and bounded on the south by a line which is parallel to and 22 ½ feet south of the north right-of-way line of 4th Avenue South, as depicted on the attached map attached as Exhibit A;

By this action, pertinent portions of Resolution Nos. 6859 and 6920 are rescinded as to the portions of the street set forth above. The remainder of Resolutions Nos. 6859 and 6920 remain in effect.

2. This Resolution shall be effective immediately upon approval.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, August 5, 2014.

Michael J. Winters, Mayor

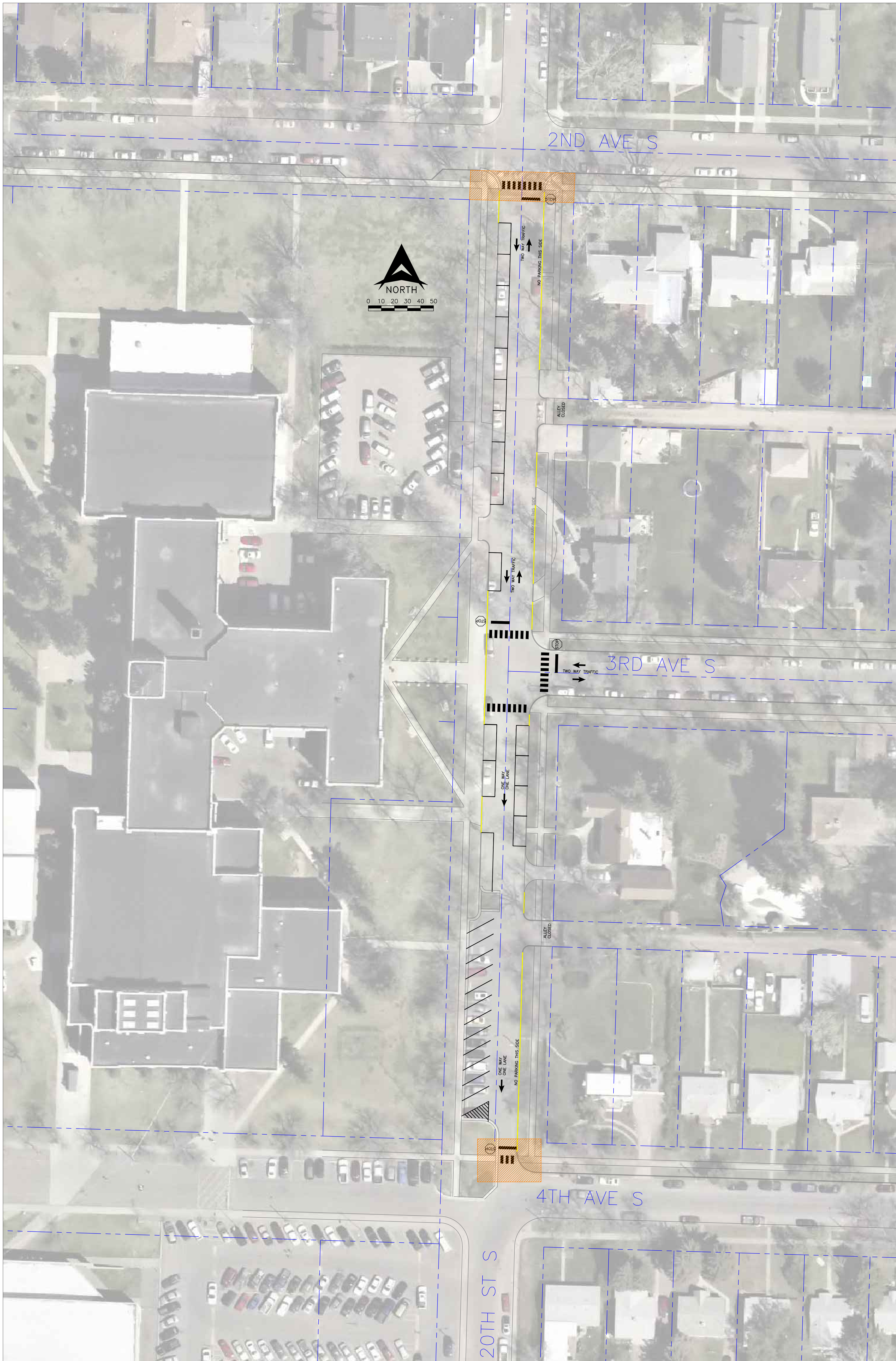
ATTEST:

Lisa Kunz, City Clerk

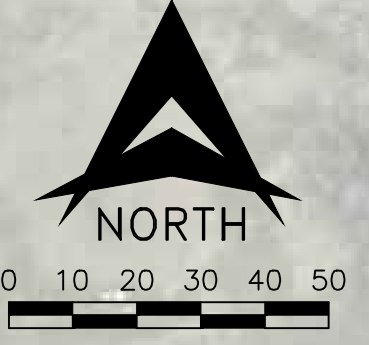
(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

Sara R. Sexe, City Attorney



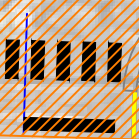
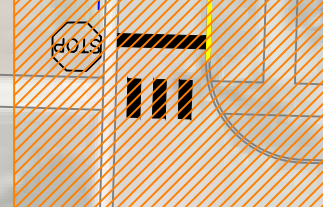
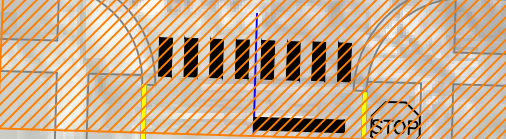
2ND AVE S



3RD AVE S

4TH AVE S

20TH ST S



LULU
CLOSED

ALLEY
CLOSED

ALLEY
CLOSED

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CLOSED

TWO WAY TRAFFIC

TWO WAY TRAFFIC

TWO WAY TRAFFIC

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RESOLUTION NO. 6859

A RESOLUTION CLOSING A SEGMENT OF 20TH STREET SOUTH WHICH IS BOUNDED ON THE NORTH BY THE NORTH RIGHT-OF-WAY LINE OF 4TH AVENUE SOUTH, AND BOUNDED ON THE SOUTH BY A LINE WHICH IS PARALLEL TO AND 22½ FEET SOUTH OF THE NORTH RIGHT-OF-WAY LINE OF 4TH AVENUE SOUTH; AND, A SEGMENT OF 4TH AVENUE SOUTH WHICH IS BOUNDED ON THE EAST BY A LINE WHICH IS PARALLEL TO AND 22½ FEET EAST OF THE WEST RIGHT-OF-WAY LINE OF 20TH STREET SOUTH, AND BOUNDED ON THE WEST BY A LINE WHICH IS PARALLEL TO AND 230 FEET WEST OF THE WEST RIGHT-OF-WAY LINE OF 20TH STREET SOUTH.

* * * * *

WHEREAS, the plats of the Tenth Addition and Huy Addition to the City of Great Falls, Cascade County, Montana, and containing said segments of 20th Street South and 4th Avenue South were filed in the Office of the Clerk and Recorder of Cascade County, Montana, on the 19th day of April, 1913, and the 28th day of May, 1890, respectively; and

WHEREAS, the owners of all platted lots adjacent to said segments of 20th Street South and 4th Avenue South, have filed and presented to the City Commission of the City of Great Falls, Montana, a petition in writing dated August 4, 1976, to close said dedicated right-of-way; and

WHEREAS, the City-County Planning Board during a regular meeting held July 27, 1976, passed a recommendation to the City Commission that said segments of 20th Street South and 4th Avenue South be closed; and

WHEREAS, the City Commission of the City of Great Falls, Montana, duly and regularly passed and adopted on the 4th day of August, 1976, Resolution No. 6858 entitled:

"A RESOLUTION OF INTENTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO CLOSE A SEGMENT OF 20TH STREET SOUTH WHICH IS BOUNDED ON THE NORTH BY THE NORTH RIGHT-OF-WAY LINE OF 4TH AVENUE SOUTH, AND BOUNDED ON THE SOUTH BY A LINE WHICH IS PARALLEL TO AND 22½ FEET SOUTH OF THE NORTH RIGHT-OF-WAY LINE OF 4TH AVENUE SOUTH; AND, A SEGMENT OF 4TH AVENUE SOUTH WHICH IS BOUNDED ON THE EAST BY A LINE WHICH IS PARALLEL TO AND 22½ FEET EAST OF THE WEST RIGHT-OF-WAY LINE OF 20TH STREET SOUTH, AND BOUNDED ON THE WEST BY A LINE WHICH IS PARALLEL TO AND 230 FEET WEST OF THE WEST RIGHT-OF-WAY LINE OF 20TH STREET SOUTH:" and

WHEREAS, the City Manager of said City, pursuant to said resolution and in accordance with the provisions of Section 11-2801, Revised Codes of Montana, forthwith caused notice of said Resolution No. 6858 to be published in the Great Falls Tribune; and

WHEREAS, the publication of said notice herein before referred to was published on the 7th day of August, 1976; and

WHEREAS, a hearing was held by the City Commission of the City of Great Falls on August 17, 1976, at 9:00 o'clock A.M. in the Commission Chambers of the Great Falls Civic Center, where said Commission heard all persons relative to the proposed closure of said segments of 20th Street South and 4th Avenue South; and

WHEREAS, in a determination, it has been concluded that closure of the two street segments will not be detrimental to the public interest.

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

Section 1. That the segment of 20th Street South which is bounded on the north by the north right-of-way line of 4th Avenue South, and bounded on the south by a line which is parallel to and 22½ feet south of the north right-of-way line of 4th Avenue South; and, the segment of 4th Avenue South which is bounded on the east by a line which is parallel to and 22½ feet east of the west right-of-way line of 20th Street South, and bounded on the west by a line which is parallel to and 230 feet west of the west right-of-way line of 20th Street South as shown on the map attached hereto marked Exhibit "A" and by this reference made a part hereof, be and the same is hereby closed.

Section 2. That this resolution shall become effective thirty (30) days after its passage and approval.

PASSED by the Commission of the City of Great Falls,
Montana, this _____ day of _____, 1976, and APPROVED
by the Mayor (Commissioners) of said City this _____ day of
_____, 1976.

Mayor or Two (2) Commissioners

ATTEST:—

Fred L. Hill, Clerk of Commission

(SEAL OF CITY)

STATE OF MONTANA,)
County of Cascade, : ss.
City of Great Falls,)

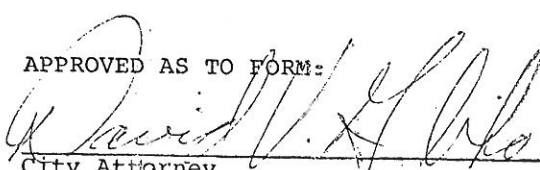
I, FRED L. HILL, Clerk of the Commission of the City
of Great Falls, Montana, do hereby certify that the foregoing
Resolution No. 6859 was regularly placed on its final passage
by the Commission of said City at a regular meeting thereof held
on the _____ day of _____, 1976, and that the same
was approved by the Mayor (Commissioners) of said City on the
_____ day of _____, 1976.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed the Seal of said City this _____ day of _____,
1976.

Fred L. Hill, Clerk of Commission

(SEAL OF CITY)

APPROVED AS TO FORM:



City Attorney

RESOLUTION NO. 6920

A RESOLUTION CLOSING A SEGMENT OF 20TH STREET SOUTH WHICH IS BOUNDED ON THE SOUTH BY THE SOUTH RIGHT-OF-WAY LINE OF 2ND AVENUE SOUTH, AND BOUNDED ON THE NORTH BY A LINE WHICH IS PARALLEL TO AND 22½ FEET NORTH OF THE SOUTH RIGHT-OF-WAY LINE OF 2ND AVENUE SOUTH; AND, SEGMENTS OF 3RD ALLEY SOUTH AND 4TH ALLEY SOUTH WHICH ARE BOUNDED ON THE WEST BY A LINE WHICH IS 22½ FEET WEST OF THE EAST RIGHT-OF-WAY LINE OF 20TH STREET SOUTH, AND BOUNDED ON THE EAST BY THE EAST RIGHT-OF-WAY LINE OF 20TH STREET SOUTH.

* * * * *

WHEREAS, the plats of the Fourth Addition and Huy Addition to the City of Great Falls, Cascade County, Montana, and containing said segments of 20th Street South, 3rd Alley South and 4th Alley South were filed in the office of the Clerk and Recorder of Cascade County, Montana, on the 6th day of March, 1891, and the 28th day of May, 1890, respectively; and

WHEREAS, the owners of at least seventy-five percent (75%) of all platted lots adjacent to said segments of 20th Street South, 3rd Alley South and 4th Alley South have filed and presented to the City Commission of the City of Great Falls, Montana, a petition in writing dated November 24, 1976, to close said dedicated right-of-way; and

WHEREAS, the City Commission of the City of Great Falls during a regular meeting held August 17, 1976, adopted a motion to close one segment each of 4th Avenue South and 20th Street South for a trial period not to be less than six (6) months and not to exceed twelve (12) months; and

WHEREAS, the Great Falls City-County Planning Board during a regular meeting held January 11, 1977, passed a recommendation to the City Commission that said segments of 20th Street South, 3rd Alley South and 4th Alley South be closed for a trial period concurrent with that of the abovementioned closures of 4th Avenue South and 20th Street South; and

WHEREAS, the City Commission of the City of Great Falls, MONTANA, duly and regularly passed and adopted on the 22nd day of February, 1977, Resolution No. 6905 entitled:

"A RESOLUTION OF INTENTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO CLOSE A SEGMENT OF 20TH STREET SOUTH WHICH IS BOUNDED ON THE SOUTH BY THE SOUTH RIGHT-OF-WAY LINE OF 2ND AVENUE SOUTH, AND BOUNDED ON THE NORTH BY A LINE WHICH IS PARALLEL TO AND 22½ FEET NORTH OF THE SOUTH RIGHT-OF-WAY LINE OF 2ND AVENUE SOUTH; AND, SEGMENTS OF 3RD ALLEY SOUTH AND 4TH ALLEY SOUTH WHICH ARE BOUNDED ON THE WEST BY A LINE WHICH IS 22½ FEET WEST OF THE EAST RIGHT-OF-WAY LINE OF 20TH STREET SOUTH, AND BOUNDED ON THE EAST BY THE EAST RIGHT-OF-WAY LINE OF 20TH STREET SOUTH;" and

WHEREAS, the City Manager of said City, pursuant to said resolution and in accordance with the provisions of Section 11-2801, Revised Codes of Montana, forthwith caused notice of said Resolution No. 6905 to be published in the Great Falls Tribune; and

WHEREAS, the publication of said notice hereinbefore referred to was published on the 1st day of March, 1977; and

WHEREAS, in a determination, it has been concluded that closure of the two street segments will not be detrimental to the public interest.

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

Section 1. That the segment of 20th Street South which is bounded on the south by the south right-of-way line of 2nd Avenue South, and bounded on the north by a line which is parallel to and 22½ feet north of the south right-of-way line of 2nd Avenue South; and, segments of 3rd Alley South and 4th Alley South which are bounded on the west by a line which is 22½ feet west of the east right-of-way line of 20th Street South, and bounded on the east by the east right-of-way line of 20th Street South be and same are hereby closed for a trial period ending on or before August 17, 1977.

Section 2. That this resolution shall become effective thirty (30) days after its passage and approval.

PASSED by the Commission of the City of Great Falls,
Montana, this 15th day of March, 1977, and APPROVED
by the Mayor (Commissioners) of said City this 15th day of
March, 1977.


Mayor or Two (2) Commissioners

ATTEST:


Fred L. Hill, Clerk of Commission

(SEAL OF CITY)

STATE OF MONTANA,)
County of Cascade, : ss.
City of Great Falls.)

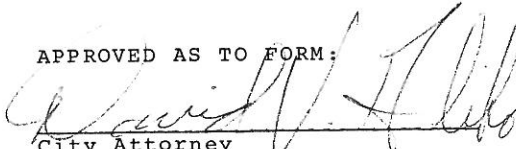
I, FRED L. HILL, Clerk of Commission of the City of
Great Falls, Montana, do hereby certify that the foregoing
Resolution No. 6920 was regularly placed on its final passage
by the Commission of said City at a regular meeting thereof held
on the 15th day of March, 1977, and that the same
was approved by the Mayor (Commissioners) of said City on the
15th day of March, 1977.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed the Seal of said City this 15th day of March,
1977.


Fred L. Hill, Clerk of Commission

(SEAL OF CITY)

APPROVED AS TO FORM:


City Attorney