



City Commission Agenda
Civic Center 2 Park Drive South, Great Falls, MT
Commission Chambers Room 206
May 16, 2017

CALL TO ORDER 7:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

AGENDA APPROVAL

PROCLAMATIONS

Bison Week

PRESENTATION

Presentation of Award from the Montana Housing Partnership

PETITIONS AND COMMUNICATIONS

(Public comment on any matter that is not on the agenda of the meeting and that is within the jurisdiction of the City Commission. Please keep your remarks to a maximum of 3 minutes. When at the podium, state your name and address for the record.)

1. Miscellaneous reports and announcements.

NEIGHBORHOOD COUNCILS

2. Miscellaneous reports and announcements from Neighborhood Councils.

BOARDS AND COMMISSIONS

3. Miscellaneous reports and announcements from Boards and Commissions.

CITY MANAGER

4. Miscellaneous reports and announcements from the City Manager.

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.

5. Minutes, May 2, 2017, City Commission Meeting Minutes.
6. Contracts List.
7. Total Expenditures of \$3,052,452 for the period of April 14, 2017 through May 3, 2017, to include claims over \$5,000, in the amount of \$2,774,430.
8. Approve the bid award to supply asphaltic concrete material to Great Falls Sand & Gravel, Inc., of Great Falls for \$714,750.
9. Award a contract in the amount of \$207,870.90 to NWESTCO, LLC. for Public Works Fuel Tank Purchase and Installation, and authorize the City Manager to execute the construction contract documents.
10. Award a contract in the amount of \$87,473.00 to Phillips Construction, LLC for the Waste Water Treatment Plant Storm Water Demonstration Projects, and authorize the City Manager to execute the construction contract documents.

Action: Approve Consent Agenda as presented or remove items for separate discussion and/or vote

PUBLIC HEARINGS

11. Lease of Visitor Center. Action: Conduct a public hearing and approve or not approve a month to month lease of city-owned property, the Visitor Center (15 Overlook Drive), to the Convention and Visitors Bureau (CVB). ***(Presented by Greg Doyon)***
12. 2017/2018 HUD Annual Action Plan. Action: Conduct public hearing and schedule or not schedule final action on the 2017/2018 Annual Action Plan for June 6, 2017. ***(Presented by Craig Raymond)***
13. Ord. 3155, An Ordinance amending Title 17, Chapters 32 and 36, of the Official Code of the City of Great Falls (OCCGF), pertaining to driveways and off-street parking. Action: Conduct public hearing and adopt or deny Ordinance 3155. ***(Presented by Craig Raymond)***

OLD BUSINESS

NEW BUSINESS

ORDINANCES/RESOLUTIONS

14. Res. 10191, Intent to Create City of Great Falls Park District Number 1. Action: Set or not set a public hearing for June 6, 2017. ***(Presented by Patty Rearden)***

CITY COMMISSION

15. Miscellaneous reports and announcements from the City Commission.
16. Legislative Initiatives.
17. Commission Initiatives.

ADJOURNMENT

(Please exit the chambers as quickly as possible. Chamber doors will be closed 5 minutes after adjournment of the meeting.) Commission meetings are televised on cable channel 190 and streamed live at <https://greatfallsmt.net>. City Commission meetings are re-aired on cable channel 190 the following Wednesday morning at 10 am, and the following Tuesday evening at 7 pm.



Item: May 2, 2017, City Commission Meeting Minutes
From: Lisa Kunz, City Clerk
Initiated By:
Presented By: City Commission
Action Requested:

ATTACHMENTS:

- May 2, 2017 - - City Commission Meeting Minutes

Regular City Commission Meeting**Mayor Kelly presiding****Call to Order: 7:00 PM****Commission Chambers Room 206****PLEDGE OF ALLEGIANCE** – Boy Scout Troop 1028

ROLL CALL/STAFF INTRODUCTIONS: City Commission members present: Bob Kelly, Bob Jones, Tracy Houck and Bill Bronson. Commissioner Fred Burow was excused. Also present were Deputy City Manager Chuck Anderson; Deputy City Clerk Darcy Dea; Public Works Director Jim Rearden; Planning and Community Development Director Craig Raymond; Fiscal Services Director Melissa Kinzler; City Attorney Sara Sexe; and, Police Captain Rob Moccasin.

AGENDA APPROVAL: No changes were proposed by the Deputy City Manager or City Commission. The agenda was approved as submitted.

PROCLAMATIONS: Commissioner Bronson read a proclamation for National Day of Prayer, and Commissioner Jones read a proclamation for Police Week.

PETITIONS AND COMMUNICATIONS**1. Miscellaneous reports and announcements.**

Doug Williams, 216 39th Avenue NE, expressed concern with regard to paying for storm drains that are not in his area.

Richard Liebert, 289 Boston Coulee Road, thanked the Commission for the Earth Day proclamation. Mr. Liebert encouraged the Commission to work with the Conservation District with regard to the erosion problem at River's Edge Trail. Referring to KGPR radio, he thanked the community for its donations.

Mayor Kelly responded that he, Commissioner Jones, and other staff met last week with the Conservation District regarding the erosion problem at River's Edge Trail.

Brad Livingston, 2704 Big Ranch Road, expressed appreciation to the Police Department for having to deal with the criminal element on a daily basis. Mr. Livingston further thanked the Commission for approving the budget and moving towards a stronger public safety in the community.

John Hubbard, 615 7th Avenue South, expressed opposition to water rates, increased taxes, and the cost of the feasible study.

Ron Gessaman, 1006 36th Avenue NE, discussed that he had attempted to get updated data from the waste water treatment for the digester gas. Mr. Gessaman further commented that the City County Health Department has records pertaining to Calumet's temporary boiler.

Michael Witsoe, 510 11th Street South, discussed starting petitions to recognize military women and requested that the Commission contact Senator Jon Tester.

Mayor Kelly responded that the Commission would contact Senators Jon Tester and Steve Daines.

NEIGHBORHOOD COUNCILS

2. Miscellaneous reports and announcements from Neighborhood Councils.

Kathleen Gessaman, NC 3, announced that the council's next meeting will be held on May 11, 2017, at Riverview School.

BOARDS AND COMMISSIONS

3. Miscellaneous reports and announcements from Boards and Commissions.

There were no miscellaneous reports and announcements from members of boards and commissions.

Commissioner Jones announced that he attended the Cascade Conservation Conference Invasive Mussel Summit. Commissioner Jones reported that mussels are a great hazard and that the Montana State Fish and Game and the Department of Natural Resources and Conservation (DNRC) had immobilized and started a program. Commissioner Jones further reported that water and sewer rates are being invested into a new water intake system and water treatment system. The Disaster and Emergency Services is the direct contact for the City.

CITY MANAGER

4. Miscellaneous reports and announcements from the City Manager.

Deputy City Manager Chuck Anderson announced that he and City Manager Greg Doyon attended the Great Open Spaces City Manager's Association Conference that included briefings regarding work and life, leading across the generations that are in today's work force, as well as why ethics matter.

CONSENT AGENDA

5. April 18, 2017, Commission Meeting Minutes.

6. Contracts List

7. Total expenditures of \$2,778,706 for the period of April 1, 2017 through April 19, 2017, to include claims over \$5,000, in the amount of \$2,506,405.

Commissioner Houck moved, seconded by Commissioner Jones, that the City Commission approve the Consent Agenda as presented.

Mayor Kelly asked if there was any discussion amongst the Commissioners or comments from the public. Hearing none, Mayor Kelly called for the vote.

Motion carried 4-0.

PUBLIC HEARINGS

8. **Ordinance 3152, An Ordinance to rezone the properties legally described as: Marks 2, 3, 5, 11, Block 3, Country Club Addition and lots 1B, 1, 1A-1, Block 1, Tietjen Triangle Addition and Lot 1, Block 1, Montana Addition from C-1 Neighborhood commercial to PUD – Planned Unit Development.**

Mayor Kelly commented that correspondence was received and compiled for the Commission.

Planning and Community Development Director Craig Raymond reported that Brett and Sandra Haverlandt, Meadowlark FF&S LLC, Billings Holdings, LLC, and Galloway Investments Inc., owners of the property in question have filed an application for a zoning map amendment (or rezone) of their respective properties from C-1 Neighborhood Commercial to C-2 General Commercial.

The subject properties are located on the south side of the Country Club Boulevard and Fox Farm Road intersection. In total, the properties consist of ±5.9 acres and the properties are generally known as: Beef 'O Brady's, Holiday Gas Station, Lucky Lil's Casino, Dairy Queen, Dahlquist Realtors and a vacant parcel which historically contained a motel until it was ultimately demolished.

The applicants originally requested the subject properties be rezoned to C-2 General commercial district in order to provide additional flexibility for development plans and to have zoning that fits the existing development in the area. During the March 7th Commission meeting, the City Commission postponed the matter and asked staff to draft a compromise that would allow for greater flexibility but restrict some of the more intensive uses in order to decrease or mitigate some impacts associated with higher intensity uses.

The proposed Planned Unit Development (PUD) zoning district draws its foundation from C-2 standards with some use deviations. The purpose for using C-2 standards as opposed to C-1 standards is due to the existing character of the neighborhood. The properties in question are similarly developed to other C-2 districts such as along the 10th Avenue South corridor, Marketplace, Northwest Bypass and 3rd Street NW. In order to provide some context to the C-1 versus C-2 discussion, the following are the definitions in the Land Development Code:

C-1 Neighborhood Commercial. This district is found near established and developing residential areas and is intended to accommodate low intensity commercial activities that serve the nearby

residential area. Development standards ensure the compatibility of this district to those residential districts that may adjoin.

C-2 General Commercial. This district is primarily intended to accommodate high-traffic businesses that focus on vehicle traffic. Where this district abuts a residential district, appropriate screening and landscaping will be provided to lessen associated impacts. Current residential uses are not considered nonconforming. As such, current residential uses existing at the time this Title was adopted are allowed to expand or to be re-established, if damaged.

City staff has in the past contemplated a rezone of this area as the existing development and businesses in the vicinity most closely resemble the C-2 zoning designation in that they primarily depend on high volume traffic and do not predominantly cater to the nearby residential area. There have also been significant code conflicts primarily pertaining to signage due to the dependence on nearby highway traffic for some of these businesses.

-Visual Presentation on Map of C-1 and C-2 Areas-

The OCCGF, Chapter 20 – Land Use, outlines development standards for each zoning district in Exhibit 20-4. The primary differences between the C-1 and C-2 districts are the maximum height permitted, maximum lot coverage, and front yard setback. In summation, the PUD district will permit:

- an additional 30 feet in building height
- 20% more total lot coverage
- a reduction in the front yard setback to 0 feet
- a 10-foot increase in the maximum height of a free standing sign

The PUD proposal as presented also mirrors some of the use allowances of the C-2 zoning district. In this case however, we are proposing that some of the more intensive or non-compatible C-2 uses not be allowed in this district. The following uses will not be permitted:

- **Campground**
- **Casino, type I**
- **Commercial Kennel**
- **Construction Materials Sales**
- **Contractor Yard, type I**
- **Large equipment rental**
- **Light manufacturing and assembly**
- **Vehicle repair**
- **Vehicle sales and rental**
- **Veterinary Clinic, large animal**

All other C-2 uses would be permissible under this PUD proposal.

Director Raymond reported that whenever development proposals are received, staff always works with project proponents to try and address existing on-site or even off-site problem areas where it can be demonstrated that the project may further impact an off-site concern. Director Raymond further explained that since staff was dealing with a specific development proposal, a hotel, a considerable amount of time had been spent assessing the situation and working with the proponents and Montana Department of Transportation (MDT) to mitigate any potential negative impacts that may be associated with the development and to improve upon the existing condition. Together with the applicants, staff has proposed certain improvements to MDT as follows:

Visual Presentation on Traffic Mitigation- (MDT proposal, circulation plan, island ideas)

It was assumed that the peak traffic between the 4-6 o'clock pm time period was roughly 57 trips in an hour. It's impossible to predict exactly how the trips will be distributed. Staff evenly distributed those trips across each ingress/egress point at Country Club Boulevard and Alder Drive. Based on data gleaned from the Institute of Transportation Engineers Manual, it can be assumed that 51% will be entering and 49% exiting. Therefore, on average, 14 vehicles will be exiting the hotel site during the most congested hour or about one vehicle every four or so minutes. With the existing level of service, the proposed development does not create a situation that is untenable or measurably causes significant delays or additional safety problems.

The applicants have committed to be part of the solution. Constructive ideas have been received from community stakeholders in regards to traffic concerns and possible solutions. One such idea that is being explored is the improvement of the island to enhance visibility at the Alder Drive/Fox Farm intersection. Some of the ideas can be easily implement, others will take further coordination with other entities such as Great Falls Transit, MDT or adjacent property owners.

Director Raymond further pointed out that some have questioned why staff is undergoing a rezone when a height variance for the hotel would have been easier. The answer is two-fold. First and foremost, the Official Code of the City of Great Falls 17.16.32.040 sets forth the basis of decision for dimensional variances. Variances can only be granted when "literal enforcement would result in unnecessary hardship, owing to conditions unique to the property." The owner was not prohibited from requesting a variance but, due to interpretation of the code, staff did not see that there were any conditions on the property that were unique that would meet this criteria. Secondly, staff felt that this property should be rezoned in order to be consistent with its true existing character, which is C-2 zoning.

The basis for decision on zoning map amendments is listed in the Land Development Code, OCCGF § 17.16.40.030. Additionally, the proposed PUD must be consistent with the Criteria and Guidelines for Zoning Regulations outlined in Mont. Code Ann. §§ 76-2-304 and 76-1-605. The recommendation of the Zoning Commission and the decision of City Commission shall, at a minimum, consider the following criteria:

1. The amendment is consistent with and furthers the intent of the City's growth policy.

The proposed PUD is, in general, consistent with the overall intent and purpose of the 2013 City Growth Policy Update, Mont. Code Ann. §76-1-605 and §76-2-304(1)(a), which calls for zoning

regulations to be made in accordance with a growth policy. This project supports the physical portions of the Growth Policy. Given the costs of development that grows outward, contrasted with the redevelopment opportunities that exist within the City's existing boundary, this Growth Policy Update encourages, emphasizes and calls for the evaluation of infill and redevelopment opportunities within the City, as well as other strategies. Additional supportive Policies that this project is consistent with include:

Environmental – Urban Form

Env2.3.1 In order to maximize existing infrastructure, identify underutilized parcels and areas with infill potential as candidates for redevelopment in the City.

Physical - Land Use

Phy4.1.1 Promote and incentivize infill development that is compatible with the scale and character of established neighborhoods.

Phy4.1.5 Encourage and incentivize the redevelopment or adaptive reuse of vacant or underutilized properties so as to maximize the City's existing infrastructure.

Physical - Zoning

Phy4.2.3 Support actions that bring properties into conformance with the City's Land Development Code requirements over time.

The Growth Policy identifies that Great Falls embodies balanced, compatible growth, while at the same time acknowledges the issues of compatibility between zoning districts and certain land uses. Physical Policy 4.2.6 states:

The City may oppose zoning changes that will result in incompatible land uses and or adverse impacts to the residential character or adjoining properties.

This Policy is important to consider when large areas consisting of multiple tracts of land are pursuing rezoning from a transitional, relatively low-impact zoning district (C-1) to a significantly higher impact zoning district (C-2). However, for the properties involved in the subject rezoning application, the existing businesses located on the C-1 lots are already high traffic, general commercial uses in nature (fuel sales, convenience store, restaurant, casino, drive-through fast food). Because the properties are now being proposed for Planned Unit Development zoning, certain higher impact or non-compatible land uses are now being prohibited through land use restrictions.

2. The amendment is consistent with and furthers adopted neighborhood plans, if any.

Great Falls is separated into nine Neighborhood Councils. There are no adopted Neighborhood Plans for any of the Councils within the City. The subject property is located in Neighborhood Council 1. The Owner presented information to Council 1 on December 18, 2016, and the Council voted in favor of the proposed zone change. Although property owners within this district have now expressed opposition, some points of contention such as incompatible land uses and traffic safety are being addressed with the PUD proposal.

3. The amendment is consistent with other planning documents adopted by the City Commission, including the river corridor plan, transportation plan and sub-area plans.

The area of the City in which this project is located is reflected in the 2014 Great Falls Long Range Transportation Plan. The Fox Farm Road and Country Club Boulevard intersection has been identified as having issues with safety and congestion, as well as linear barriers to pedestrians and nonmotorized traffic. If the PUD zoning is approved, a plan has been developed to mitigate traffic congestion and safety concerns on Fox Farm Road.

4. The code with the amendment is internally consistent.

If approved, this area of the City has the potential to redevelop with higher intensity uses with less restrictive development standards. There are existing land uses located on the subject properties that are general commercial in nature, thus the allowed C-2 General commercial type uses that may be established in the future if the rezone is approved would be compatible with adjacent properties. The prohibitions on certain C-2 allowed land uses contained in the PUD remove any inconsistency in the zoning that was raised at the March 7th public hearing.

5. The amendment is the least restrictive approach to address issues of public health, safety, and welfare.

There are commercial properties located within the proposed PUD that receive sewer service from a service line rather than a sewer main. The proposed development within the PUD would resolve this issue through the construction of a new main which could also have the benefit of providing sewer main service to the Country Club Towers. This promotes public health and is a less restrictive approach than installation of a new main by the City of Great Falls.

In regards to public safety, the proposed PUD includes a plan to improve vehicle left turn stacking on Fox Farm Road as well as a plan to formalize the informal access drive into the commercial properties that currently exists via Alder Drive. Cross-access through the Lucky Lil's and Holiday properties should be better controlled by the installation of landscaped medians within the proposed PUD area.

Further, because the proposed PUD is located in an urbanized area within the City, fire danger is mitigated through appropriate water resource design, building and fire code enforcement and Great Falls Fire Rescue response if needed. The developer of the PUD is following all regulations associated with floodplain development to utilize the vacant 2.6 acre tract. Although traffic safety issues have been a key point of discussion, the proposed PUD improvements noted in Finding #5 have been designed to mitigate impacts of future development.

These factors comply with the Land Development Code and MCA §76-2-304(1)(b)(i) and (ii) that zoning be designed to promote public health, public safety, and the general welfare and be designed to secure safety from fire and other dangers.

6. The City has or will have the financial and staffing capability to administer and enforce the amendment.

Approval of the rezoning proposal will allow for increased uses and less restrictive development standards should there be new development or redevelopment on the subject properties. The City has the financial and staffing capability to enforce the amendment if it is approved. Additionally, if

the rezoning results in new development or redevelopment this could benefit the City financially due to increased property tax assessments collected. The proposed traffic safety improvements required by the PUD zoning will be financed by the applicant.

7. The zoning is designed to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements, pursuant to MCA §76-2-304 (1)(b)(iii).

Because the PUD proposes commercial development rather than residential units, there is no need to provide a parks dedication or an in-lieu-of fee. Additionally, the project does not have any impact on school enrollment. The general neighborhood area is also well served with school and park facilities. The PUD is proposing a sewer main upgrade that will improve service to existing commercial properties and could improve service to the nearby Country Club Towers property. Stormwater and water services are also being added to the PUD area. If the PUD zoning is granted, the applicant will be required to implement the transportation improvements noted in Finding #5.

8. Considerations of the reasonable provision of adequate light and air have been made under MCA §76-2-304(2)(a).

If the PUD is approved, there would be some changes to zoning regulations that would reflect some of the C-2 zoning district characteristics rather than the C-1 district. This includes an increased height allowance to 65 feet rather than the current regulation of 35 feet. While this has been brought up as a concern, staff notes that the potential 65 foot allowance is the same as the adjoining R-6 zoning district. Additionally, the Country Club Towers building and other adjacent buildings to the east would still be compatible in size to any future buildings in the PUD.

9. Considerations of the effect on motorized and non-motorized transportation systems have been made under MCA §76-2-304(2)(b).

During City Commission discussion of the original zoning proposal on March 7, significant concerns were expressed over traffic safety issues. The proposed PUD considers the effects on transportation systems through the following measures: 1) access to the vacant 2.6 acre tract will be required to be shared with the adjoining property to the east, 2) current access to commercial properties from Alder Drive must be established through an easement from an adjoining property, 3) cut-through access through commercial properties must be mitigated by the installation of landscaped islands, and 4) the applicant is required to submit a plan to the Montana Department of Transportation to increase the safety of left turns off Fox Farm Road. Additionally, new development within the PUD will add sidewalks to the vacant 2.6 acre site, while sidewalks are present along Fox Farm Road for all the PUD properties.

10. Considerations of promotion of compatible growth have been made under MCA §76-2-304(2)(c).

With the exception of the vacant 2.6 acre tract, all properties within the proposed PUD are already developed. As a result, very little growth is anticipated to occur. In order to address concerns about land uses that might be considered incompatible with nearby residential areas, the PUD proposes to prohibit ten (10) uses that would otherwise be allowed within the C-2 zoning district.

11. Considerations of the character of the district and its particular suitability for particular uses have been made under MCA §76-2-304(2)(d).

Staff has developed the proposed PUD to balance interests between the applicant's desire to redevelop the vacant parcel for a hotel use and the nearby resident concerns about incompatible land uses that would otherwise be permitted by C-2 zoning. By prohibiting certain C-2 land uses in the PUD proposal, staff believes that the current character of the commercial zone is being maintained. Current uses of property, as well as business activity, are already reflective of a less neighborhood-oriented commercial area.

12. Considerations of conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area have been made under MCA §76-2-304(2)(e).

The area being considered in the PUD proposal already contains uses such as restaurants, a convenience store, and casino. The nearby commercial area contains additional casino and hotel uses. Because both the PUD site and nearby area are already providing services outside the immediate neighborhood, a PUD that both allows and prohibits general commercial uses is an appropriate zoning designation for the 5.9 acres.

At the conclusion of a public hearing held on January 10, 2017, the Zoning Commission recommended the City Commission approve rezoning request from C-1 Neighborhood commercial district to C-2 General commercial district for the subject properties. On March 7, 2017, the City Commission postponed final action on the ordinance until this evening.

Mayor Kelly declared the public hearing open.

Written correspondence in opposition to Ordinance 3152 was received from Steve Gillespie, Loran Keller, Chad Elkin, Carrie Elkin, Dan Oakland, Jenny Yoneji, Amy Gillespie, John Schmidt, Patricia Waldo, Tom Lyons, Stephen McCabe, Suzie Taleff, Maria Mathews, Tom Nelson, Diane Seitz, Rick Blevins, MD, Mark Ozog, MD, and Laura Drga.

In addition to written correspondence, petitions were received regarding the Fox Farm rezone and pedestrian safety.

Written correspondence in support of Ordinance 3152 was received from Jeanne Anderson and Great Falls Area Chamber of Commerce President/CEO Shane Etwiler.

Speaking in support of Ordinance 3152 were:

Joe Murphy, Big Sky Civil and Environmental, 1324 13th Avenue SW, provided and discussed a handout with regard to the proposed hotel development. Mr. Murphy explained that the proposed hotel project has never been about casinos and would not contain a casino. With regard to economic impact and benefits, Mr. Murphy reported that the proposed development would be roughly an \$8,000,000 boost to the economy benefiting local businesses, contractors, suppliers, and others. The improvements to the property would increase the City tax base. The proposed buffer zone, lighting and noise standards would meet City recommendations.

Director Raymond provided the proposed hotel development handout to the public.

Brett Doney, Great Falls Development Authority (GFDA), 300 Central Avenue, expressed support with regard to the Planned Development Unit (PUD). Mr. Doney expressed appreciation to City staff and the Commission with regard thoroughly looking at difficult decisions.

Dan Sampson, 600 South Main, Construction and Development Manager for Town Pump, thanked Director Raymond and City staff for guidance through the project. Mr. Sampson commented that community concerns were taken seriously. He further reported that there is a solution that mitigates traffic concerns caused by the development as well as the casino issue.

Steven Galloway, owner of the Fox Farm Dairy Queen, 1651 Fox Farm Road, expressed support for the proposal. Mr. Galloway commented that developing the piece of property would benefit other business as well as the community with taxes. He commented that there is a need for more hotel rooms and that it would bring more people to the City.

Scott Arensmeyer, 1412 11th Avenue, commented that there would be more traffic with the current zoning if a Starbucks or McDonalds was on the property. Mr. Arensmeyer concluded that as an employee of Town Pump, he is a member of the community.

Brett Haverlandt, 2814 5th Avenue North, owner of Dahlquist Realty and Beef O'Bradys, commented that worse things could be put into a C-1 zoning than a low impact hotel.

Speaking in opposition to Ordinance 3152 were:

Val Keaveny Sr., 1526 B Meadowlark Drive, expressed concern with regard to the crosswalk by Alder Drive. Mr. Keaveny read correspondence from Tom and Cherie Lyons that expressed their concerns with regard to changing from C-1 to a C-2 zoning, pedestrian safety, as well as accessory gaming.

Dan Oakland, 1730 Alder Drive, referred to the map from Planning and Community Development, and expressed concern with regard to the corner being dangerous and accident prone.

Dan Shull, 2208 Cherry Drive, complimented the Planning and Community Development staff for being helpful and professional. Mr. Shull discussed that the Neighborhood Council was not given enough information with regard to the changes from a C-1 to a C-2 zoning. He further requested that a protective covenant remain if the PUD dissolves in the future.

Gloria Smith, 31 Comanche Trail, inquired about the status of the existing casinos as well as the responsibility of the cost to change to the road. She further expressed concern with regard to property values and signage pollution.

Director Raymond responded that the status would remain the same. Mr. Raymond explained that any improvements would be paid for by the developers.

Art Dickhoff, 3027 3rd Avenue North, provided and read correspondence opposing Ordinance 3152 due to increase in traffic, height restrictions, noise and light pollution, as well as the port of entry view.

Patricia Waldo, 2219 Cherry Drive, commented that extra police would need to monitor the additional flow of traffic. She further expressed concern with regard to whether a study was performed to see if a hotel was needed.

Nona Jane Kendall, 2801 Bonita Drive, expressed concerns regarding future building, additional traffic, and enforcing the signage ordinance.

Director Raymond responded that the sign code is being enforced.

Robert Murdock, 804 Adobe Drive, expressed concern with regard to backed-up traffic.

Steve Gillespie, 9 12th Street North, referred to the map from Planning and Community Development, and expressed concern with regard to the ingress access of the intersection being moved south as well as the PUD allowing vehicle fuel sales and accessory gaming. Mr. Gillespie further expressed opposition with regard putting a high intensity commercial use into a single family residential area.

Director Raymond responded that accessory gaming is permissible and would have to remain a minor use of the property.

Russ Kendall, 2801 Bonita Drive, commented that the C-1 zoning ordinance that was adopted 11 years ago was a road map for future Commissions to follow.

Sharon Patton-Griffin, 256 Dune Drive, expressed appreciation to City staff for their hard work and good intentions. She commented that the quality of living and safety should be the foremost concern.

Teddy Nault, 3000 Encino Drive, expressed concern with regard to the elongated proposed median being dangerous.

Kurt Baltrusch, 23 Missouri Bend, expressed concern with regard to the specifics of the proposed traffic plan.

Richard Liebert, 289 Boston Coulee Road, commented that there is traffic congestion at the Fox Farm intersection and that it is a public safety issue.

With regard to the access and easement, Mayor Kelly reported that before the building can start to be permitted there has to be proof of easement.

Carol Drga, 1538 Meadowlark Drive, commented that citizens should be included in the beginning of any discussions in the future. She further expressed opposition with regard to the notification process.

Director Raymond responded that there was proper notification.

Loran Keller, 25 Comanche Trail, commented that the C-1 zoning had been working for the past 11 years.

Ron Gessaman, 1006 36th Avenue NE, expressed concerns about the proposed changes making traffic at the Fox Farm intersection worse, not enough adequate parking, and that an accessory use could be just as many gambling machines.

Commissioner Houck stepped out at 9:40 and returned at 9:42.

Mayor Kelly called for a recess at 9:43 pm, and reconvened the meeting at 9:52 pm.

There being no one further to address the Commission, Mayor Kelly closed the public hearing and asked the will of the Commission.

Commissioner Jones moved, seconded by Commissioner Bronson, that the City Commission adopt Ordinance 3152 to assign a City zoning classification of PUD – Planned Unit Development to the subject property.

Referring to the zoning study, Commissioner Jones commented that the area is a high density and should have never been zoned as a C-1. It should have been a C-2 from the beginning.

Mayor Kelly inquired the status of proposed improvements to the pedestrian crossing at Alder Drive.

Director Raymond responded that City staff has been working with the Montana Department of Transportation (MDT) with regard to addressing the issues with the pedestrian crossing.

Mayor Kelly received clarification with regard to the downside to keeping the area as a C-1 as opposed to changing it to a C-2 zoning.

Commissioner Bronson commented that traffic and safety are the biggest concerns that need to be addressed. Commissioner Bronson further explained that the old land development code was intended to restart the community knowing that over time zoning changes would have to be made in certain areas to accommodate changes taking place in the City and that the PUD was added after 2005. Commissioner Bronson reported that from 1987 until approximately 2005 the Beef O' Brady property was zoned under the old code as general business (GB) which is equivalent to C-2 today. In 1987 the prior owner applied for a beer and wine license and wanted to enhance his business opportunities on the property. A GB designation was granted by the Commission approximately 30 years ago and noted that if it had stayed a GB it would be a C-2 property today. When the zoning map was changed in 2005, the property was zoned as a C-1. The property owner requested a C-2 designation, but it was refused due to opposition.

Commissioner Bronson referred to a report from Planning and Community Development Planner Andrew Finch and commented that the City is mitigating to the maximum extent possible with the property owned by Billings Holdings.

Commissioner Bronson referred to the land development code developing and implementing a broader neighborhood plan that would focus on traffic, congestion and safety issues. He further commented that the PUD would restrict some uses. Commissioner Bronson concluded that the decisions made by the Commission should not depend on whether or not the applicant is from outside of the community.

Commissioner Houck commented that the development was the least impactful business plans and that Town Pump is a partner in the community. She further expressed concern with regard to the current traffic issues in Fox Farm.

Commissioner Jones reiterated that the property would be a PUD with limitations.

Mayor Kelly explained that this is not a choice between citizens or corporations. He commented that Town Pump is an employer that provides jobs. He concluded that time and detail needs to be spent on the traffic issues.

There being no further discussion, Mayor Kelly called for the vote.

Motion carried 4-0.

9. Resolution 10172, Establishing Residential and Commercial Water, Sewer and Storm Drain Utility Service Rates effective June 1, 2017.

Public Works Director Jim Rearden reviewed PowerPoint slides summarizing the 2017 utility rate analysis and the current needs. The proposed rates were presented at the March 21, 2017, Work Session and individual customer notices were published and mailed. If adopted, the new rates would take effect June 1, 2017. The proposed rates include a 10% or \$3.54 per month average increase for water, 3% or \$0.73 for sewer, and 10% or \$0.52 for storm drain. Director Rearden reported that a portion of the expenditures and revenues goes back into the community and enhances the systems. Director Rearden further reported that Great Falls has the lowest combined water and sewer rates of the seven largest cities in Montana.

Mayor Kelly declared the public hearing open.

Written letters in opposition to Resolution 10172 were received from: Val Keaveny, Sr., Dan Nezworski, Evelyn Vogl, and Gary Jensen.

Speaking in support of Resolution 10172 was:

Mike Kynett, 726 6th Ave NW, commented that the utility service rate increase is an investment for the City and keeps the quality of drinking water clean.

Speaking in opposition to Resolution 10172 were:

John Hubbard, 615 7th Avenue South, expressed opposition with regard to the rate increase and wasting money on the feasibility study.

Doug Williams, 216 39th Avenue NE, expressed concern with regard to not having storm drains in the Skyline Addition and that there is a problem with mosquitos from the runoff. Mr. Williams further expressed opposition to paying for services that he is not receiving.

Director Rearden responded that the area is a retention pond with a closed basin. Mr. Rearden commented that he would have someone take a look at the problem.

Ron Gessaman, 1006 36th Avenue NE, referred to page 2 of the agenda report, expressed opposition with regard to the large numbers for the increase when the national inflation index number is less than half of that. Mr. Gessaman further expressed concern with regard to the problems caused by standing water.

There being no one further to address the Commission, Mayor Kelly closed the public hearing and asked the will of the Commission.

Commissioner Jones moved, seconded by Commissioner Bronson, that the City Commission adopt Resolution 10172 Establishing Residential and Commercial Water, Sewer and Storm Drain Utility Service Rates to include increases of 10%, 3% and 10% respectively to become effective June 1, 2017.

Mayor Kelly asked if there was any discussion amongst the Commissioners.

Commissioner Jones reported that raising the utility rates at smaller percentages avoids getting into a position where utility rates would have to be raised at higher percentages, and to avoid disasters. He further reported that the rate increase was planned and the public was informed that there was a need for a new waste water plant. He commented that the increase would help to provide safe, drinkable water and further noted that what goes back into the Missouri river would be clean and treated.

Mayor Kelly received clarification with regard to reserve money from the enterprise funds being taken out for the ECP payoff.

Mayor Kelly inquired if there were any assistance programs available for senior citizens. Director Rearden responded that the Low Income Energy Assistance program offers a 10% rate reduction for water and sewer services.

Mayor Kelly received clarification that the City would contact the Low Income Energy Assistance program and cross reference the clients that would be eligible.

Commissioner Bronson reported that Resolution 10172, Appendix A reflects the low income residential rate adjustments.

Mayor Kelly referred to the “Malta Pipelines Burst” article in the *Tribune*, and commented that he is impressed with regard to being the low cost provider and aggressive with taking care of maintenance issues.

Director Rearden commented that rate increases are necessary to avoid water main breaks, as well as to plan for the future.

Mayor Kelly requested that Fiscal Services respond to the citizens that sent correspondence opposing Resolution 10172.

There being no further discussion, Mayor Kelly called for the vote.

Motion carried 4-0.

OLD BUSINESS

NEW BUSINESS

ORDINANCES/RESOLUTIONS

10. Ordinance 3155 – An Ordinance amending Title 17, Chapters 32 and 36, of the Official Code of the City of Great Falls (OCCGF), pertaining to driveways and off-street parking.

Planning and Community Development Director Craig Raymond reported that this item is a first reading of Ordinance 3155 and as request to set a public hearing regarding residential parking areas and surfacing on private property.

City staff began discussions in 2016 regarding the amount of recreational and auxiliary vehicles being parked on public rights of way within the incorporated City limits. Planning and legal staff began to explore options to cure this problem.

Additionally, beginning in October, 2016, a large amount of complaints was filed with the City’s Code Enforcement Officer. The complaints were consistently referring to vehicles being parked on non-paved surfaces in violation of several sections of the Official Code of the City of Great Falls.

Based on the problem of accessory vehicles like RVs being parked on City rights of way and the large number of complaints of gravel and grass parking violations, City Planning, Legal, and Engineering staffs began a committed effort to provide workable revisions to the City Code that would improve these problems. The concern and debate during that process was trying to find the balance between City beautification policy and the realities of living in a vastly rural state where citizens place a high value on outdoor recreation and where alternative parking for additional vehicles is needed.

The Planning Advisory Board/Zoning Commission held a public hearing on February 14, 2017, to review the ordinance proposal presented by City staff. Although the action was tabled at the

hearing, the Board was very supportive of the code changes and directed Staff to make some very minor modifications to the proposal.

Staff was directed to delete a provision that would have required gravel parking areas to have a two foot setback against side property lines. The impetus for the request was that these small two-foot areas would be hard to maintain due to grade changes, retaining walls, etc. Additionally, the Board requested that more maneuvering room be allowed to pull in larger recreational vehicles onto the gravel parking areas. This issue has been incorporated into the proposed ordinance. The Board requested that larger gravel areas be allowed for properties over one acre. This has also been added to the proposed ordinance.

Staff originally planned to take the minor revisions of the ordinance to a second Planning Board meeting prior to City Commission. However, staff was not able to get a quorum of Planning Board members to hold a hearing in a timely fashion. As a result, the ordinance is being sent to City Commission with only minor changes from the Planning Board's version.

Commissioner Bronson moved, seconded by Commissioner Houck, that the City Commission accept Ordinance 3155 on first reading and set a public hearing for May 16, 2017.

Mayor Kelly asked if there was any discussion amongst the Commissioners or comments from the public.

John Hubbard, 615 7th Avenue South, expressed concern with regard to the cost to build a rental garage.

Ron Gessaman, 1006 36th Avenue NE, expressed support with regard to having the public hearing on May 16.

There being no one further to address the Commission, Mayor Kelly called for the vote.

Motion carried 4-0.

CITY COMMISSION

11. Miscellaneous reports and announcements from the City Commission.

Commissioner Houck reported that the special elections would be at the Fairgrounds on May 25th.

12. Legislative Initiatives.

There were no Legislative initiatives.

13. Commission Initiatives.

There were no Commission initiatives.

ADJOURNMENT

There being no further business to come before the Commission, **Mayor Kelly moved, seconded by Commissioners Jones and Houck, to adjourn the regular meeting of May 2, 2017, at 11:12 p.m.**

Motion carried 4-0.

Mayor Bob Kelly

Deputy City Clerk Darcy Dea

Minutes Approved: May 16, 2017

DRAFT



Item: Contracts List
From: Lisa Kunz, City Clerk
Initiated By: Various Departments
Presented By:
Action Requested:

ATTACHMENTS:

- ▣ Contracts List, May 16, 2017

COMMUNICATION TO THE CITY COMMISSION

DATE: May 16, 2017

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

PRESENTED BY: Lisa Kunz, City Clerk

ACTION REQUESTED: Ratification of Contracts through the Consent Agenda

MAYOR’ S SIGNATURE: _____

CONTRACTS LIST

	DEPARTMENT	OTHER PARTY (PERSON OR ENTITY)	PERIOD	AMOUNT	PURPOSE
A	Park & Recreation	Great Falls Original Farmer’s Market	06/01/2017 – 09/30/2017	\$250	Use Agreement for use of a portion of City property - Whittier Park, Park Drive between Central Avenue and 1 st Avenue South, and the City parking lot behind the Downtowner to conduct the Saturday and Wednesday Markets
B	Park and Recreation	Asplundh	05/16/17- 07/14/17	\$728.26 per tree, up to a maximum of \$16,750	Non-Construction Services Agreement for boulevard tree trimming within close distance of transmission lines
C	Great Falls Police Department	Ox & Sons Towing	06/05/2017 – 06/4/2022	\$6,600 paid annually to the City of Great Falls	City of Great Falls Towing & Recovery Services Contract



Item: Total Expenditures of \$3,052,452 for the period of April 14, 2017 through May 3, 2017, to include claims over \$5,000, in the amount of \$2,774,430.
From: Fiscal Services
Initiated By: City Commission
Presented By: Melissa Kinzler, Fiscal Services Director
Action Requested:

ATTACHMENTS:

- 5000 Report for May 16, 2017



ITEM: \$5,000 Report
 Invoices and Claims in Excess of \$5,000

PRESENTED BY: Fiscal Services Director

ACTION REQUESTED: Approval with Consent Agenda

LISTING OF ALL ACCOUNTS PAYABLE CHECKS ISSUED AVAILABLE ONLINE AT
www.greatfallsmt.net/fiscalservices/check-register-fund

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

ACCOUNTS PAYABLE CHECK RUNS FROM APRIL 20, 2017 - MAY 3, 2017	2,986,233.15
MUNICIPAL COURT ACCOUNT CHECK RUN FOR APRIL 14, 2017 - APRIL 28, 2017	66,219.18
TOTAL: \$	<u>3,052,452.33</u>

GENERAL FUND

FIRE

STRYKER SALES CORPORATION	LIFEPAK 15 LEASE PMT 1 OF 5	27,365.44
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SPECIAL REVENUE FUND

FEDERAL BLOCK GRANTS

NEIGHBORWORKS GREAT FALLS	RLF 505 2ND AVE SW	25,683.87
GREAT FALLS DEVELOPMENT	CDBG CONTRACT GFDA HOUSEHOLD	30,000.00
AUTHORITY INC	LABOR SURVEY & ANALYSIS	
GAME TIME	CDBG CONTRACT RHODES PARK ADA	34,153.12
	PLAY STRUCTURE	
GAME TIME	CDBG CONTRACT OUTDOOR FITNESS	49,959.54
	STATIONS GIBSON PARK	
MONTANA SCHOOL EQUIPMENT CO	CDBG CONTRACT ADA COMPLIANT	71,999.00
	PLAY STRUCTURE GIBSON PARK	
GREAT FALLS DEVELOPMENT	CDBG CONTRACT TO GFDA FOR GAP	90,000.00
AUTHORITY INC	FINANCING TO MONTANA EGG	

PERMITS

THE HON COMPANY LLC	BUILDING DEPARTMENT WORK STATIONS	14,142.64
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ENTERPRISE FUNDS

WATER

INDUSTRIAL AUTOMATION CONSULTING	NEW SCADA SERVERS-PROGRAMMING & INSTALL	8,127.38
FERGUSON ENTERPRISES INC	WATER & HYDRANT METERS	19,969.50
BLACK & VEATCH CORPORATION	OF 1519.6 WTP IMP PH1 CONSTRUCTION	85,345.78
S & L DEVELOPMENT LLC	OF 1341.7 WEST RIDGE ADDITION PH7 REIMBURSEMENT FOR WM OVERSIZE	21,068.00

SEWER

VEOLIA WATER NORTH AMERICA	MONTHLY WWTP OPERATION CONTRACT	339,075.17
VEOLIA WATER NORTH AMERICA	MONTHLY CONTRACTED CAPITAL IMPROVEMENTS	12,500.00

911 DISPATCH CENTER

CENTURYLINK	DISPATCH MONTHLY LINE CHARGES	5,840.08
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INTERNAL SERVICES FUND

HEALTH & BENEFITS

MONTANA MUNICIPAL INTERLOCAL AUTHORITY	HEALTH INSURANCE PREMIUM FOR MAY 2017	698,537.10
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INFORMATION TECHNOLOGY

EMERGENCY REPORTING	EMERGENCY REPORTING SOFTWARE FOR FIRE DEPARTMENT	20,078.00
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CENTRAL GARAGE

NORMONT EQUIPMENT CO	CLASSIC II SERVICE BODY INSTALLED	6,715.00
MOUNTAIN VIEW CO-OP	FUEL	42,551.31
STRYKER SALES CORPORATION	POWER PRO XT	22,793.94
PAT'S AUTO BODY	2011 CHEVY CRUZE HAIL DAMAGE REPAIR	9,631.03
FLAWLESS AUTOBODY INC	2015 FORD EXPLORER HAIL DAMAGE REPAIR	10,068.08
PIERCE MANUFACTURING INC	FIRE ENGINE	411,375.00

TRUST AND AGENCY

COURT TRUST MUNICIPAL COURT

CITY OF GREAT FALLS	FINES & FORFEITURES COLLECTIONS	49,545.00
CASCADE COUNTY TREASURER	FINES & FORFEITURES COLLECTIONS	5,792.00

TRUST AND AGENCY (CONTINUED)

PAYROLL CLEARING

STATE TREASURER	MONTANA TAXES	42,671.00
FIREFIGHTER RETIREMENT	FIREFIGHTER RETIREMENT EMPLOYEE & EMPLOYER CONTRIBUTIONS	50,262.91
STATEWIDE POLICE RESERVE FUND	POLICE RETIREMENT EMPLOYEE & EMPLOYER CONTRIBUTIONS	63,173.93
PUBLIC EMPLOYEE RETIREMENT	PUBLIC EMPLOYEE RETIREMENT EMPLOYEE & EMPLOYER CONTRIBUTIONS	122,108.81
US BANK	FEDERAL TAXES, FICA & MEDICARE	202,511.54
AFLAC	EMPLOYEE CONTRIBUTIONS	11,376.47
LABORERS INTERNATIONAL UNION	EMPLOYEE CONTRIBUTIONS	22,248.45
WESTERN CONF OF TEAMSTERS	EMPLOYEE CONTRIBUTIONS	15,033.79
MONTANA OE - CI TRUST FUND	EMPLOYEE CONTRIBUTIONS	21,644.88
NATIONWIDE RETIREMENT SOLUTIONS	EMPLOYEE CONTRIBUTIONS	12,753.32

UTILITY BILLS

NORTHWESTERN ENERGY	FEBRUARY 2017 TRANSMISSION CHARGES	12,478.01
NORTHWESTERN ENERGY	MARCH 2017 WATERPLANT CHARGES	7,692.95
NORTHWESTERN ENERGY	APRIL 2017 SLD CHARGES	78,157.97

CLAIMS OVER \$5000 TOTAL: \$ 2,774,430.01



Item: Asphaltic Concrete Material
From: Kenny Jorgensen, Street Supervisor
Initiated By: Public Works Department
Presented By: Jim Rearden, Public Works Director
Action Requested: Award Bid

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (approve/reject) the bid award to supply asphaltic concrete material to Great Falls Sand & Gravel, Inc., of Great Falls for \$714,750.”

2. Mayor requests a second to the motion, Commission discussion, public comment, and calls for the vote.

Staff Recommendation:

Staff recommends that the City Commission approve the bid award to supply asphaltic concrete material to Great Falls Sand & Gravel, Inc., of Great Falls for \$714,750.

Background:

Purpose

The asphaltic concrete material requested will be used by the Street Division to conduct street repair and maintenance projects, including overlays and street opening patches.

Evaluation and Selection Process

The specifications were advertised two times in the Great Falls Tribune, mailed to two prospective bidders and advertised on the City of Great Falls website. The bids were opened on May 3, 2017, with two bidders responding.

Along with price per ton numbers staff calculates a mileage factor: calculations are figured using the miles from the City Shop to the manufacturer source. Great Falls Sand & Gravel is 3.3 miles and United Materials is 7.3 miles. Great Falls Sand & Gravel submitted the low bid. They are also closer in miles from the City Shop so the mileage factor calculations below will not be necessary.

Great Falls Sand & Gravel: $14,000 \times \$0.21 \text{ per ton} = \$2,940.00 \times 3.3 \text{ miles} = \$ 9,720.00$
United Materials: $14,000 \times \$0.21 \text{ per ton} = \$2,940.00 \times 7.3 \text{ miles} = \$21,462.00$

Conclusion

The materials bid by Great Falls Sand & Gravel, Inc., meets specifications for the asphaltic concrete material.

Fiscal Impact:

The current bid price from Great Falls Sand & Gravel is \$51.00 per ton for MPWSS Type B; and \$51.25 per ton for MPWSS Type C. The contracted price for asphaltic concrete in FY 2017 was \$51.00 per ton for MPWSS Type B; and \$51.75 per ton for MPWSS Type C. The total bid price difference from last year is a decrease of \$1,500 or .2%. Funding for this year's purchase of asphaltic concrete is in the proposed FY 2018 Street Maintenance Budget.

Alternatives:

The City Commission could vote to reject the bids for asphaltic concrete material.

ATTACHMENTS:

- ▣ Bid Tab
- ▣ Bid List

ASPHALTIC CONCRETE MATERIAL

NAME & ADDRESS OF BIDDER	Bid Security	Affidavit of Non- Collusion	MPWSS		Total Bid	Site of Manuf. Source	Miles to City Shop
			Type B Cost per Ton Total-11,000 Tons	Type C Cost per Ton Total-3,000 Tons			
Great Falls Sand & Gravel, Inc.	√	√	\$51.00 \$561,000.00	\$51.25 \$153,750.00	\$714,750.00	GF Sand & Gravel	3.3 miles
United Materials of Great Falls, Inc.	√	√	\$52.00 \$572,000.00	\$55.00 \$165,000.00	\$737,000.00	McIver Ranch Pit	7.3 miles

ASPHALTIC CONCRETE MATERIAL BID LIST

1. GREAT FALLS SAND & GRAVEL
P.O. BOX 1989
GREAT FALLS, MT 59403

2. UNITED MATERIALS
P.O. BOX 1690
GREAT FALLS, MT 59403



Item: Public Works Fuel Tank Purchase and Installation Office File 1445.9
From: Engineering Division
Initiated By: Public Works Department
Presented By: Jim Rearden, Public Works Director
Action Requested: Consider Bids and Approve Contract for Office File #1455.9.

Suggested Motion:

1. Commissioner moves:

"I move that the City Commission (award/not award) a contract in the amount of \$207,870.90 to NWESTCO, LLC. for Public Works Fuel Tank Purchase and Installation, and authorize the City Manager to execute the contract documents."

2. Mayor requests a second to the motion, Commission discussion, public comment, and calls for the vote.

Staff Recommendation:

Approve construction contract award.

Summary:

This project was initiated to relocate the current fueling station at the Public Works complex. The project consists of installing a two compartment 20,000 gallon (10k/10k), double wall horizontal UL-2085 aboveground fuel storage tank (AST) for dispensing unleaded gasoline and diesel fuels, design and construction of the support foundation, installation of fuel dispensers, and tank monitoring equipment of the latest commercial type and design.

Background:

Workload Impacts:

Design phase engineering and plans and specifications were completed by the City Engineering staff with assistance from Central Garage Division. City Street Division, Sanitation Division and Utilities all provided input to the project. City Engineering staff will provide construction phase engineering services and project inspection.

Purpose:

One of the objectives of this project is to relocate the existing fleet fueling station at the Public Works complex. The existing fueling station is located behind the maintenance shop at the Public Works complex. The access route is a narrow high traffic one way route located between the Streets and Sanitation building and the maintenance shop. The lack of sight distance and number of potential obstructions creates a potentially hazardous safety issue for employees and visitors. The current location is also known to back up traffic during peak use hours. Moving the fueling station to the proposed location in the Public Works complex will help improve employee safety and reduce congestion during peak usage hours.

Another objective of this project is to avoid any underground ruptures from the older fuel storage tanks. The original underground tanks were installed in 1991 and had an expected service life of 25 years. Over the life of these aging tanks the City of Great Falls has had a clean record of inspections with DEQ. By removing the old underground tanks and installing new above ground fuel storage tanks, the City will be reducing the risk of tank failure and leakage that would subject the City of Great Falls to fines and cleanup fees.

Project Work Scope:

Work to be performed under this contract includes the following:

- The project consists of installing a two compartment 20,000 gallon (10k/10k), double wall horizontal UL-2085 aboveground fuel storage tank (AST) for dispensing unleaded gasoline and diesel fuels.
- Installing reinforced concrete drive pads.
- Installing new fueling island location including gas pumps.
- Moving and resetting existing FuelMaster® Plus Advanced Fuel Management System, and additional components necessary for compatibility with existing system.

Evaluation and Selection Process:

The specifications were advertised two times in the Great Falls Tribune. Two bids were received on May 3, 2017 with the bids ranging between \$207,870.90 and \$261,337.00. NWESTCO, LLC. submitted the low bid.

Fiscal Impact:

The attached bid tabulation summarizes bids that were received. City Motor Fuel Overhead Surcharges funding is programmed to fund this project.

Alternatives:

The City Commission could vote to deny award of the construction contract and re-bid, or cancel the project.

ATTACHMENTS:

- Bid Tab

CITY OF GREAT FALLS ENGINEERING
 P.O. BOX 5021
 GREAT FALLS, MT 59403

bid tabulation summary
 office file 1455.9
 pw fuel tank purchase / installation

bids taken at civic center
 date: 3-May-17
 Tabulated by: kari wambach

	Name & Address of Bidder	Acknowledge Add. #1	Acknowledge Add. #2	10% Bid Security	Certificate of Non-Segregated Facilities	Certificate of Compliance with Insurance Req.	Total Bid
1	Kuglin Construction P.O. Box 491 Black Eagle, MT 59414		n/a				did not bid
2	nwestco llc 115 Industrial court kalispell, mt 59901	√	n/a	√	√	√	\$207,870.90
3	Bjorn Construction PO Box 961 Missoula, MT 59806	√	n/a	√	√	√	\$261,337.00
4							
5							
6							
7							
8							
9							
10							



Item: Construction Contract Award: WWTP Storm Water Demonstration Projects, O.F. 1633.6
From: Engineering Division
Initiated By: Public Works Department
Presented By: Jim Rearden, Public Works Director
Action Requested: Approve Construction Contract for the Waste Water Treatment Demonstration Projects

Suggested Motion:

1. Commissioner moves:

“I move the City Commission (award/not award) a contract in the amount of \$87,473.00 to Phillips Construction, LLC for the Waste Water Treatment Plant Storm Water Demonstration Projects, and authorize the City Manager to execute the construction contract documents.”

2. Mayor requests a second to the motion, Commission discussion, public comment, and calls for the vote.

Staff Recommendation:

Approve construction contract award.

Background:

Purpose and Project Work Scope

The City of Great Falls Waste Water Treatment Plant (WWTP) has two areas of open land that currently have little vegetation and experience problems with poor drainage in one area and excessive erosion in the other. The first area is a flat section of land on the north side of the plant entrance road, and the second area is in the northeast corner of the plant, adjacent to Calumet and a Northwestern Energy Substation. The work done in association with this project is intended to improve the quality of the storm water that leaves the site.

At the entrance to the plant, this project will install curb and gutter, improve drainage, add river rock landscaping, add topsoil and seed all disturbed areas.

At the northeast corner of the plant, this project will re-grade slopes, install check dams, and provide seed and topsoil to control erosion. Also in this area, this project will install a containment curb around a concrete pad used to hold iron sponge filter media.

This project also sets up multiple seeding zones to evaluate different methods of dryland seed establishment.

Workload Impacts:

City Engineering Staff provided design services for the project and will provide construction inspection and administration duties.

Evaluation and Selection Process:

Four bids were received and opened on May 3, 2017. The bids ranged between \$113,536.00 and \$87,473.00, with Phillips Construction providing the low bid of \$87,473.00.

Conclusion:

City Staff recommends awarding the construction contract to Phillips Construction in the amount of \$87,473.00.

Fiscal Impact:

The attached bid tabulation summarizes the received bids. This project will be funded through the Sewer Treatment Fund.

Alternatives:

The City Commission could vote to deny award of the construction contract and rebid or cancel the project.

ATTACHMENTS:

- OF 1633.6 Bid Tab

CITY OF GREAT FALLS ENGINEERING
 P.O. BOX 5021
 GREAT FALLS, MT 59403

BID TABULATION SUMMARY

OFFICE FILE 1633.6
 WWTP STORM DRAIN DEMONSTRATION PROJECTS

BIDS TAKEN AT CIVIC CENTER
 DATE: 3-MAY-17
 TABULATED BY: KARI WAMBACH

	NAME & ADDRESS OF BIDDER	ACKNOWLEDGE ADD. #1	ACKNOWLEDGE ADD. #2	10% BID SECURITY	CERTIFICATE OF NON-SEGREGATED FACILITIES	CERTIFICATE OF COMPLIANCE WITH INSURANCE REQ.	TOTAL BID
1	KUGLIN CONSTRUCTION P.O. BOX 491 BLACK EAGLE, MT 59414	√	N/A	√	√	√	\$96,110.00
2	GREGOIRE CONSTRUCTION 710 49TH ST. SO. GREAT FALLS, MT 59405		N/A				DID NOT BID
3	PHILLIPS CONSTRUCTION 2607 9TH AVENUE NW GREAT FALLS, MT 59404	√	N/A	√	√	√	\$87,473.00
4	M&D CONSTRUCTION PO BOX 2728 GREAT FALLS, MT 59403	√	N/A	√	√	√	\$108,190.00
5	BONSER CONSTRUCTION PO BOX 5 SUN RIVER, MT 59483		N/A				DID NOT BID
6	UNITED MATERIALS, INC. P.O. BOX 1690 GREAT FALLS, MT 59403	√	N/A	√	√	√	\$113,536.00
7							
8							
9							
10							



Item: Lease of the Visitor Center located at 15 Overlook Drive.
From: Greg Doyon, City Manager
Initiated By: Great Falls Convention and Visitors Bureau (CVB)
Presented By: Greg Doyon, City Manager
Action Requested: Conduct Public Hearing for the Lease of city owned property located at 15 Overlook Drive for the purpose of a Visitor Center and approve or deny the lease agreement.

Public Hearing:

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 that the City Commission (approve/not approve) a month to month lease of city-owned property, the Visitor Center (15 Overlook Drive), to the Convention and Visitors Bureau (CVB).”

2. Mayor calls for a second to the motion, Commission discussion, and calls for the vote.
-

Background:

The Visitor Center was built by the City of Great Falls in 1993. Originally it was operated in partnership with the Great Falls Area Chamber of Commerce (Chamber). The Chamber proposed that if the City built a new Visitor Center, the Chamber would operate it. The City entered into an operating agreement/contract with the Great Falls Area Chamber of Commerce on December 21, 1993. For 11 years, the City and Chamber shared the costs of the Visitor Center.

The Chamber’s operating contract expired on September 1, 2004. In 2005 the Park and Recreation Department continued operating the Visitor Center due to a lack of interest by the Chamber to continue to fund operations. In July 2014, the CVB and Tourism Business Improvement District (TBID) as well as Great Falls Development Authority (GFDA) began operating the Visitors Center. The CVB is the lead agency.

The CVB recently decided to relocate the Visitor Center operations from 15 Overlook Dr, to the downtown tourism office location beginning October 1st. Since the current lease expires in on June 30, 2017, the CVB seeks a month to month lease until they relocate the Visitors Center by October 1, 2017. Staff will explore other

potential uses and lease options in the coming months. Unfortunately, visitations at the facility have significantly dropped.

City Code 3.04.030 states: Before final consideration by the City Commission of the sale, trade or lease of City property, the City Commission shall hold a public hearing thereon and allow at least fifteen (15) days' notice of the time and place of such hearing to be published in a paper of general circulation in the City.

Fiscal Impact:

Current lease is \$1.00 annually or .08 per month.

Alternatives:

- Terminate lease at expiration date of June 30, 2017.
- Waive .08 Monthly Lease Amount.

Concurrences:

CVB Board of Directors.

ATTACHMENTS:

- Lease Agreement
- Visitor Center Statistics
- Notice of Public Hearing

VISITOR CENTER LEASE AGREEMENT

This Agreement, made and entered into this _____ day of _____, 2017, by and between the CITY OF GREAT FALLS, a municipal corporation, P.O. Box 5021, Great Falls, Montana 59403-5021, hereinafter called "City" and GREAT FALLS CONVENTION AND VISITORS BUREAU, _____, hereinafter called "Lessee."

WHEREAS, Lessee desires to enter into a lease a portion of City property (hereafter Visitor Center) for the purpose of providing an information center for citizens and visitors to the City of Great Falls, a public purpose, and;

WHEREAS, the City deems it to be in the public interest and serving a public purpose to lease the Visitor Center under the conditions as hereinafter set forth, and;

WHEREAS, the parties do hereby covenant and agree as follows:

WITNESSETH:

The City, for and in consideration of the lease amounts to be paid and the agreement to be performed by lessee, does hereby lease, and let unto the Lessee the building, contents and parking lot, (commonly identified herein as the Visitor Center), on property located at 15 Overlook Drive, Great Falls, Cascade County, Montana, Parcel Number 1896510. Other than the property identified herein to which this Agreement applies, the City shall retain the exclusive use of the remainder of the property identified above, without interference from Lessee.

TERM OF LEASE

The Lease will start on July 1, 2017 and will continue as a month-to-month tenancy. To terminate tenancy the City or Lessee must give the other party a written 30 day notice of Lease non-renewal. The Lessee may only terminate their Lease on the last day of any month and the City must receive a written notification of non-renewal at least 15 days prior to the last day of that month.

Notwithstanding the above term of lease, this lease is terminated if the Lessee's use of the Visitor Center ceases to be for a public purpose, in such event, the use of the Visitor Center immediately reverts to the City of Great Falls.

RENTAL

In consideration therefore, the Lessee agrees to pay to the City the sum of eight cents per month and other valuable consideration, commencing on the effective date of this agreement, payable on or before the 1st day of each month during the term of the lease. If an extension to this agreement is granted, the City has the right to increase the monthly rental amount for the period of the extension by an amount based upon the Consumers Price Index-Urban for the immediate previous calendar year.

ACCEPTANCE OF CONDITION

Lessee acknowledges familiarity with the condition of said Visitor Center states that no representation, statement or warranty, expressed or implied, has been made by or on behalf of the City as to such condition. In no event shall the City be liable for any defect in such property or for any limitation on its use. The taking of possession of the Visitor Center shall be conclusive evidence that Lessee accepts the same "as is" and that the Visitor Center was in good condition at the time possession took place. Lessee agrees to accept the Visitor Center in the condition in which it exists at the date of taking possession, without representation or warranty, express or implied, in fact or by law, by the City, and without recourse to the City as to the nature, condition or unsuitability thereof, or as to the uses to which the premises may be put.

COVENANTS OF THE LESSEE

The Lessee hereby covenants and agrees that the Lessee will:

1. Use and occupy said Visitor Center in a careful and proper manner and not commit any waste therein;
2. Not use or occupy said Visitor Center for any unlawful purpose, and will conform to and obey all present and future laws, ordinances, and all rules and regulations of all governmental authorities or agencies, respecting the use and occupation of the premises;
3. Not use the Visitor Center for any purpose other than for providing a visitor's center and other Convention and Visitors Bureau purposes for the Great Falls area and for vehicle parking, without written consent of Landlord;
4. Provide routine maintenance of the flower pots near the entry of the building;
5. Not assign the lease, nor sublet said Visitor Center, nor any part thereof, without the written consent of the City;
6. Not use or occupy said Visitor Center, or permit the same to be used or occupied, for any purpose deemed extra hazardous on account of fire or otherwise;
7. To not make any alterations, changes, remodeling or capital improvements to the Visitor Center, without prior written permission signed by the City Manager, and in addition thereto, shall make such changes in compliance with the law and shall obtain all permits required for such work under City ordinance. Approval for such proposed work shall not be unreasonably withheld. Any such alterations or additions shall be the sole responsibility of the Lessee, inclusive of any and all financial, material, or labor considerations and will become the property of the City upon termination of this or any subsequent lease with the exception of trade fixtures not affixed to the building, which shall remain the property of the Lessee;
8. Permit the City to enter upon the said premises at all reasonable times and with 24-hour notice (except in case of emergent or safety reasons) to examine the condition of same;
9. Ensure that routine janitorial, trash removal, and cleaning is effectively accomplished;
10. Pay all utilities, including electricity, water, gas, or other utilities servicing the Visitor Center in a timely manner;
11. Provide the Lessor the opportunity to reclaim any and all personal property which is in the building at the time of the initiation of the lease term, if Lessee intends to discard or not use such property;

12. Independently arrange with the Retired Senior Volunteer Program, any continuation of assignment of volunteer workers in the Visitor's Center building;
13. Be responsible for all damage to property, public or private, that may be caused by this operation in the performance of this agreement; and
14. Leave Visitor Center at the expiration or prior to termination of this lease and any extension thereof in as good condition as received, except for reasonable wear and tear.

REPAIRS AND MAINTENANCE

1. **Lessee Maintenance of Leased Premises.** Subject to a limitation of \$1,000.00 per occurrence in actual costs with a \$3,000.00 per year maximum, Lessee shall, throughout the term of this Lease Agreement, and at its own cost and without any expense to Lessor, keep and maintain the leased premises, including the building and improvements, and all appurtenances thereto, excepting sidewalks adjacent thereto and parking lots, in good condition and repair by conducting ordinary day-to-day maintenance and repair, including but not limited to, timely removal of rubbish and trash. Lessee shall maintain the Visitor Center in a functional condition, inspect premises on a regular basis to determine any hazardous conditions which may exist, and take immediate action to correct such conditions if they exist.

For items less than \$1,000.00 per occurrence in which the \$3,000.00 per year maximum has not been met, Lessor shall not be obligated to make any repairs, replacements or renewals of any kind, nature or description whatsoever to the leased premises or any improvements thereon; PROVIDED further that Lessor shall not be responsible for repairs or maintenance resulting from the negligence of Lessee, its employees, agents, or invitees, which shall be the sole responsibility of Lessee.

For items more than \$1,000.00 per occurrence or after the \$3,000.00 maximum maintenance amount by Lessee has been reached, Lessor shall be obligated to make reasonable repairs, replacements or renewals of any kind, nature or description whatsoever to the leased premises or any improvements thereon; PROVIDED further that Lessor shall not be responsible for repairs or maintenance resulting from the negligence of Lessee, its employees, agents, or invitees, nor will Lessor be responsible for remodeling costs or expenses undertaken by Lessee, which shall be the sole responsibility of Lessee.

2. **Maintenance by Lessor.** Notwithstanding the paragraph above, Lessor agrees to maintain the foundation of the building, all structural components, concrete slabs, exterior walls and façade, roof, ceiling and all utility lines serving the premises regardless of the cost of repairs. Lessor also agrees to provide maintenance, repair and snow removal of the parking lot, sidewalks, and remaining parkland surrounding the leased premises.
3. **Entry by Lessor for Maintenance.** Should Lessee at any time fail, neglect or refuse to fulfill this obligation to repair and maintain after receiving written notice of such default and a minimum of 30 days to correct such default,

Lessor may, but need not, enter the leased premises and make such repairs or alternations as in its opinion it may deem necessary, and may charge the costs of the same to Lessee to be paid upon the first day of the following month as part of the rental, and should said costs not be so paid, this Lease Agreement shall be considered in default.

MUTUAL COVENANTS:

It is mutually agreed by and between the City and Lessee that:

1. If the Lessee pays the rental as herein provided, and keeps, observes and performs all of the other covenants of this lease, the Lessee may, peaceably and quietly, have, hold and enjoy the said premises for the term aforesaid;
2. That all merchandise stored or displayed in the Visitor Center at the Lease initiation date shall become the property of Lessee;
3. This lease and all the covenants and provisions herein contained shall inure to the benefit of and be binding upon the successors and assigns of the parties and the public hereto; provided, however, that no assignment by, from, through or under the Lessee in violation of any of the provisions hereof shall vest in the assigns any right, title or interest whatsoever;
4. The City is not and never shall be liable to any creditor of Lessee or any claimant against the estate or property of Lessee for any debt, loss, contract or other obligation of Lessee. The relationship between the City and Lessee is solely that of landlord and tenant, and does not and never shall be deemed a partnership or joint venture.
5. Lessor's interest in and to said leased premises shall not be subject to or permitted to become subject to any lien or claims from or arising out of the use and occupation of the leased premises by Lessee. If and in the event such liens or claims arise or occur, Lessee shall promptly and forthwith cause the same to be released or discharged to the extent that the interest of the City is encumbered thereby.

INSURANCE REQUIREMENTS

During the term of the Lease and its extensions the Lessee agrees to carry Commercial General Liability insurance in at least the following amounts: \$1,000,000 per occurrence; \$2,000,000 annual aggregate.

The insurance policy or policies must be issued by a company licensed to do business in the State of Montana and having at least an "A" rating in the current A.M. Best's Manual. All such policies will be written on an occurrence basis. The policy must include the City as a named insured and primary with no right of subrogation against the City. The Lessee shall furnish to the Parks and Recreation Director on or before possession and thereafter on or before July 1 of each year, the certificate of insurance including a copy of the Additional Insured Endorsement. Claims-made policies are not acceptable and do not constitute compliance with the Lessee's obligation under this paragraph.

Lessee shall comply with the applicable requirements of the Workers' Compensation Act, Title 39, Chapter 71, MCA, and the Occupational Disease Act of Montana, Title 39, Chapter 71,

MCA. Lessee shall maintain workers' compensation coverage for all members, employees and volunteers of Lessee's business, except for those members who are exempted as independent contractors under the provisions of §39-71-401, MCA.

Lessee shall furnish Lessor with a certificate of insurance for workers' compensation coverage by an insurer licensed and authorized to provide workers' compensation insurance in the State of Montana.

Should the Lessee fail to maintain this coverage or to provide such certificate(s) or make other arrangements as required by this Lease, this failure constitutes a breach of this Lease.

INDEMNIFICATION

The Lessee agrees to defend, indemnify, and hold the City harmless against claims, demands, suits, damages, losses, and expenses connected therewith that may be asserted or claimed against, recovered from or suffered by the City by reason of any injury or loss, including but not limited to, personal injury, including bodily injury or death, property damage, occasioned by, growing out of, or in any way arising or resulting from Lessee's use of the premises, including use by his agents, assigns, renters, employees and others using the Visitor Center.

NONDISCRIMINATION

Lessee agrees that in the use of this Visitor Center Lessee will not discriminate on the basis of race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, or national origin, or any other classification protected under the law.

DEFAULT AND TERMINATION

If either party fails to comply with any condition of this Agreement at the time or in the manner provided for, the other party, at its option, may terminate this Agreement and be released from all obligations if the default is not cured within thirty (30) days after written notice is provided to the defaulting party. Said notice shall set forth the items to be cured. Additionally, the non-defaulting party may bring suit for damages, specific performance, and any other remedy provided by law. These remedies are cumulative and not exclusive. Use of one remedy does not preclude use of the others. Notices shall be provided in writing and hand-delivered or mailed to the parties at the addresses set forth in the first paragraph of this Agreement.

ENFORCEMENT

In the event either party resorts to judicial proceedings to enforce any rights under this Lease or to obtain relief for the breach of any covenant hereof, the party ultimately prevailing in such proceedings shall be entitled to recover from the defaulting party the costs of such proceedings, including reasonable attorneys' (including city attorneys') fees and costs.

INVALIDITY

The invalidity or ineffectiveness, for any reason, of any portion of this Lease Agreement shall in no way affect the validity or enforceability of the remaining portion thereof and any invalid or unenforceable provisions shall be deemed severed from the remainder of the Lease Agreement.

WAIVER

The waiver by the City of, or the failure of the City to take action with respect to, any breach of any term, covenant or condition herein contained shall not be deemed to be a waiver of such term, covenant or condition, or subsequent breach of same, or any other term, covenant or condition herein contained.

EFFECT OF LESSEE'S HOLDING OVER

Any holding over after the expiration of the term of this Lease Agreement with the consent of the City shall be construed to be a tenancy from month to month, at the same monthly rental as required pursuant to the terms of this Lease Agreement, and shall otherwise be on the terms and conditions herein specified so far as applicable.

BINDING EFFECT

It is mutually understood and agreed that each and every provision of this Lease Agreement shall bind and inure to the benefit of the heirs, executors, administrators, successors and assigns of the respective parties hereto. Masculine pronouns shall be construed as feminine or neuter pronouns and singular pronouns and verbs shall be construed as plural in any place in which the context may require such construction.

NOTICE

Any notice required to be given under this lease shall be in writing and may be served on either of the parties by mailing same in a sealed, postpaid envelope addressed to the City Manager at the Civic Center, Great Falls, Montana, and to the Lessee at address above stated, and by depositing such notice in any United States Post Office or letter receptacle, and which notice shall be deemed to have been made upon the date of mailing.

ENTIRE AGREEMENT

There are no conditions to the lease, either subsequent or precedent, except as set forth herein. This Lease constitutes the entire agreement between the parties and no representations or warranties have been made by the City to the Lessee save those contained herein.

APPLICABILITY

This Lease and any extensions hereof shall be governed and construed in accordance with the laws of the State of Montana.

CITY OF GREAT FALLS, Lessor

(printed name)

Its: _____

Title or Office

Gregory T. Doyon, City Manager

By: _____

(signature)

ATTEST:

(printed name)

Lisa Kunz, City Clerk

Its: _____

Title or Office

(SEAL OF THE CITY)

APPROVED FOR LEGAL CONTENT:

Sara R. Sexe, City Attorney

**CONVENTION AND VISITORS
BUREAU, Lessee**

By: _____

(signature)

Great Falls Montana Visitors*

Source: <http://www.itrr.umt.edu/interactive-data/default.php>

	Spent at Least One Night					Drove Through					% who stayed
	Q1	Q2	Q3	Q4	Total	Q1	Q2	Q3	Q4	Total	
2012	76,202	161,091	335,326	127,216	699,835	222,483	349,218	993,076	283,273	1,848,050	38%
2013	76,567	186,173	411,143	151,455	825,338	143,520	328,927	865,813	300,659	1,638,919	50%
2014	87,864	237,539	388,504	158,002	871,909	193,390	499,698	960,881	320,761	1,974,730	44%
2015	90,218	276,622	349,866	150,751	867,457	154,072	664,226	772,680	335,920	1,926,898	45%
2016	101,397	351,780	504,184	155,819	1,113,180	224,983	810,200	1,289,154	316,886	2,641,223	42%
2017					0					0	
2018					0					0	
2019					0					0	
2020					0					0	

*Sample Size Small on Quarterly Data. Use Data with Caution. Totals of Quarterly Data will differ from Annual Totals

Visitors Who Spent at Least One Night

Source: <http://www.itrr.umt.edu/interactive-data/default.php>

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Great Falls	744,518	589,027	706,200	822,069	898,730	861,685	1,107,690				
Helena	469,385	518,702	477,263	552,641	487,364	610,719	758,968				
Kalispell	525,569	512,740	464,393	681,766	792,098	719,456	803,645				
Bozeman	1,015,259	1,244,073	1,433,478	1,316,837	1,282,396	1,515,520	1,724,621				
Billings	1,542,640	1,700,218	1,652,112	1,273,241	1,218,146	1,258,530	1,291,669				
Missoula	1,150,093	1,303,847	1,487,481	1,163,602	1,393,901	1,402,949	1,456,409				
Whitefish	474,220	322,001	411,948	558,105	613,243	604,238	620,420				
Glacier National Park	375,167	467,732	342,583	315,593	384,271	386,585	2,963,844				
Yellowstone National Park	271,934	310,097	383,510	361,910	297,125	401,478	4,085,517				
Cheyenne WY											
Bismark ND											
Montana						11,729,000	12,334,000				

Glacier National Park Visitation

Source: <http://www.itrr.umt.edu/interactive-data/default.php>

		Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	TOTAL
7/1/2012 - 6/30/2013	FY13	630,092	601,339	355,254	54,127	16,158	9,862	10,836	11,388	15,758	20,922	108,998	343,560	2,178,294
7/1/2013 - 6/30/2014	FY14	645,514	626,556	355,471	25,965	14,924	10,482	12,111	10,242	13,214	28,667	112,187	334,074	2,189,407
7/1/2014 - 6/30/2015	FY15	699,650	675,119	353,497	72,694	15,706	11,367	12,087	14,530	18,139	48,270	134,741	414,671	2,470,471
7/1/2015 - 6/30/2016	FY16	689,064	579,007	337,005	71,297	19,505	13,357	15,674	13,500	21,257	39,947	178,218	429,909	2,407,740
7/1/2016 - 6/30/2017	FY17	818,481	736,868	468,802	75,797	30,823	12,877							2,143,648
7/1/2017 - 6/30/2018	FY18													0
7/1/2018 - 6/30/2019	FY19													0
7/1/2019 - 6/30/2020	FY20													0

Yellowstone National Park Visitation

Source: <http://www.itrr.umt.edu/interactive-data/default.php>

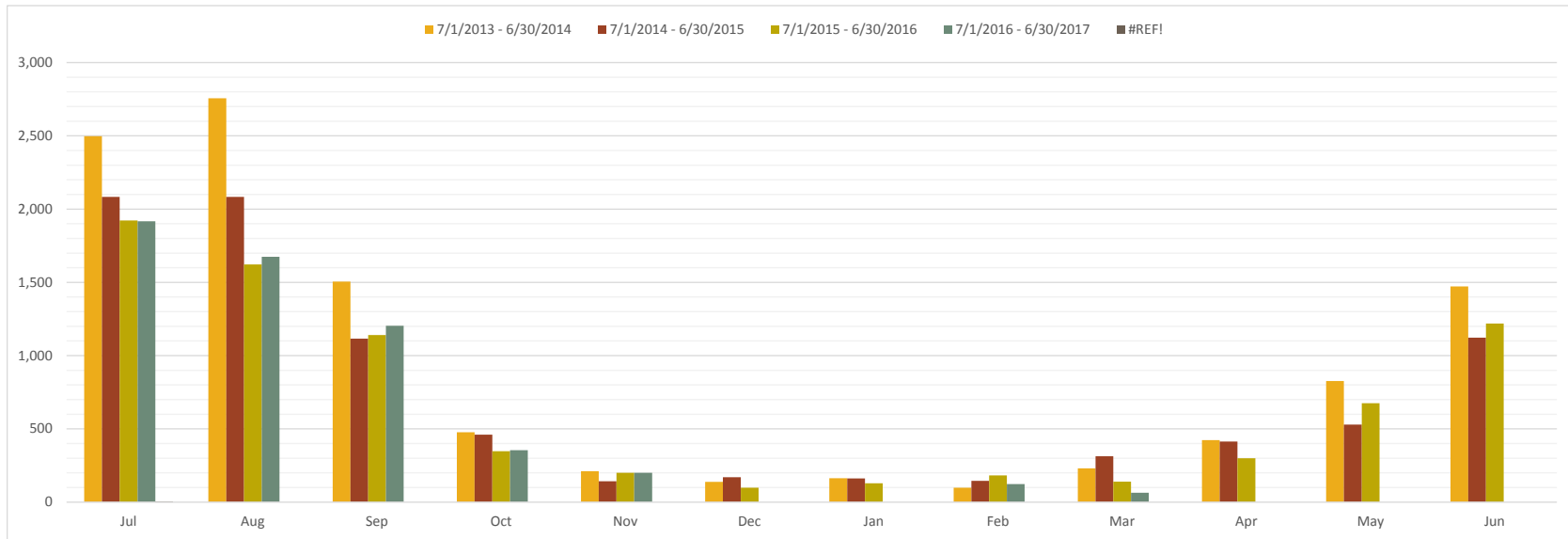
		Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	TOTAL
7/1/2012 - 6/30/2013	FY13	886,335	780,286	527,610	177,069	14,058	18,471	24,699	31,053	18,613	24,606	293,250	624,429	3,420,479
7/1/2013 - 6/30/2014	FY14	812,212	725,136	557,925	47,560	11,169	17,378	26,778	28,233	18,788	31,356	310,039	669,642	3,256,216
7/1/2014 - 6/30/2015	FY15	858,856	773,357	571,764	194,804	11,537	18,340	28,091	34,389	22,989	46,600	386,064	780,768	3,727,559
7/1/2015 - 6/30/2016	FY16	980,702	854,409	680,213	252,013	11,049	20,470	30,621	36,327	22,924	59,253	444,630	838,316	4,230,927
7/1/2016 - 6/30/2017	FY17	1,070,371	701,754	701,754	242,004	24,710	19,685							2,760,278
7/1/2017 - 6/30/2018	FY18													0
7/1/2018 - 6/30/2019	FY19													0
7/1/2019 - 6/30/2020	FY20													0

Visitor Center Monthly Guest Numbers

Source: Visitor Center Guest Book

		Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total	Growth
7/1/2013 - 6/30/2014	FY14	2,497	2,757	1,505	477	211	138	164	99	231	424	827	1,472	10,802	
7/1/2014 - 6/30/2015	FY15	2,084	2,084	1,116	461	143	170	162	145	313	414	529	1,123	8,744	-19%
7/1/2015 - 6/30/2016	FY16	1,922	1,622	1,141	348	200	99	129	182	140	300	676	1,219	7,978	-9%
7/1/2016 - 6/30/2017	FY17	1,917	1,674	1,204	354	200	0	0	123	64	0	0	0	5,536	-31%
7/1/2017 - 6/30/2018	FY18														
7/1/2018 - 6/30/2019	FY19														
7/1/2019 - 6/30/2020	FY20														

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total	Growth
2014	164	99	231	424	827	1,472	2,084	2,084	1,116	461	143	170	9,275	
2015	162	145	313	414	529	1,123	1,922	1,622	1,141	348	200	99	8,018	-14%
2016	129	182	140	300	676	1,219	1,917	1,674	1,204	354	200	2	7,997	0%
2017	0	123	64	0	0	0								
2018														
2019														
2020														



Attention Legal Ads

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City Commission of the City of Great Falls will conduct a public hearing on May 16, 2017, at 7:00 o'clock p.m. in the Commission Chambers Room 206, Civic Center Building, 2 Park Drive South, Great Falls, Montana, for the purpose of considering a Lease Agreement for use of city-owned property (Visitor Center) located at 15 Overlook Drive. Any interested person may provide public comment at the public hearing or may provide written comment prior to or during said Commission meeting by addressing said comments to the City Clerk, City of Great Falls, P.O. Box 5021, Great Falls, MT 59403.

/s/ Lisa Kunz
City Clerk

DO NOT PUBLISH BELOW THIS LINE:

Publication dates: May 7 & 14, 2017



Item: 2017/2018 HUD Annual Action Plan Public Hearing
From: Craig Raymond, Director, Planning and Community Development
Initiated By: Maria Porter, CDBG/HOME Administrator, Planning and Community Development
Presented By: Craig Raymond, Director, Planning and Community Development
Action Requested: Conduct public hearing and schedule final action on the Annual Action Plan for June 6, 2017

Public Hearing:

1. Mayor conducts public hearing, opens the floor for public comment.
2. Mayor closes public hearing and asks the will of the Commission.

Suggested Motion:

1. Commission moves:

“I move to (schedule/not schedule) final action on the 2017/2018 Annual Action Plan for June 6, 2017.”

2. Mayor calls for a second to the motion, Commission discussion, and calls for the vote.
-
-

Staff Recommendation:

Staff recommends the City Commission conduct the public hearing to receive citizen input regarding the proposed 2017/2018 HUD Annual Action Plan required by U.S. Department of Housing & Urban Development (HUD). The City Commission will take final action during the June 6, 2017, regular meeting.

Summary:

The City Commission is required to conduct a public hearing, seeking input regarding the proposed use of funding for the 2017/2018 annual award of Community Development Block Grant funds. The public hearing allows citizens within Great Falls an opportunity to inform the Commission and to provide input to the allocation process conducted by the City.

Background:

CDBG and HOME programs are federal programs administered by the US Department of Housing and Urban Development (HUD) to help fund local community development programs including affordable housing, public service, economic development and public infrastructure projects. The primary goal of these programs is to assist low and moderate income (LMI) persons in their respective communities. State and local governments receive funding from HUD based on a formula derived from population and housing statistics.

In order to receive HUD funding, a jurisdiction must submit a five year Consolidated Plan that is updated annually with an Action Plan containing the proposed use of Community Development Block Grant (CDBG) and

HOME Program (HOME) funds. On June 2, 2015, the City Commission approved the 2015-2019 HUD Consolidated Plan. The Annual Action Plan is developed through the Community Development Council's funding recommendations as approved by the City Commission on April 18, 2017. The recommendations take into consideration community needs and funding priority percentages as set by the City Commission. Information regarding community needs is garnered from a HUD required annual Community Needs Hearing which was most recently held by the Commission on January 3, 2017.

Citizen Participation

The Proposed Annual Action Plan was made available to the citizens of Great Falls for review and comment for a 30-day period beginning April 28, 2017, continuing through May 30, 2017. The public is also encouraged to comment on the City's overall CDBG & HOME program performance and policies. A copy of the proposed Annual Action Plan is available for review in the Planning and Community Development Office, the Great Falls Public Library, and on the web at <http://www.greatfallsmt.net/planning/consolidated-plan-annual-action-plan>.

Purpose

HUD requires that a public hearing be held regarding the proposed use of CDBG and HOME funds presented in the 2017/2018 Annual Action Plan for the upcoming funding year.

Evaluation and Selection Process

The City Commission will be asked to give consideration to citizen comments received during this public hearing in taking final action on the Annual Action Plan. At the end of the 30-day comment period, the City Commission will accept or deny the proposed Annual Action Plan and vote to authorize submittal of the Annual Action Plan to HUD.

Conclusion

The public hearing provides the citizens of Great Falls an important opportunity to comment on the proposed HUD 2017/2018 Annual Action Plan, including projects recommended for funding during the 2017/2018 program year.

Fiscal Impact:

Conducting the Annual Action Plan public hearing is a pre-condition for the City receiving its annual allocation of HUD CDBG and HOME grant funds.

Alternatives:

The public hearing is required for the City to be awarded 2017/2018 CDBG and HOME funding, and for the Annual Action Plan to be accepted by HUD.

Concurrences:

The Community Development Council (CDC) reviewed the applications and made funding recommendations included in the proposed Annual Action Plan to the City Commission.

ATTACHMENTS:

- ▢ CDBG 2017/2018 Schedule
- ▢ 2017/2018 CDBG Project Recommendation List

2017 - 2018 CDBG/HOME Allocation and Annual Action Plan Schedule

Application available on City web site	Monday November 21, 2016
CDBG/HOME Application Workshop	Thursday December 8, 2016
City Commission sets date for Public Needs Hearing	Tuesday December 20, 2016
Pre-deadline review of applications	Tuesday December 27, 2016
City Commission conducts "Needs" Public Hearing	Tuesday January 3, 2017
Funding application deadline (Please note it is a 5 pm deadline)	Tuesday January 17, 2017
Commission Work Session to set CDBG funding Priorities & Policy	Tuesday January 17, 2017
City Commission appoints Community Development Council (CDC) members	Tuesday January 17, 2017
Community Development Council (CDC) Orientation Meeting	Monday January 23, 2017
City Commission sets CDBG funding priorities and policies	Tuesday February 7, 2017
CDC reviews applications and develops funding recommendations for CDBG projects.	Wednesday February 8, 2017 to Friday February 24, 2017
CDC/Staff presents funding recommendations for CDBG applications to the City Commission (Work	Tuesday March 7, 2017

Session)	
City Commission votes on project application funding recommendations for inclusion in 2017/2018 Annual Action Plan, sets the public hearing date.	Tuesday April 18th, 2017
Proposed 2016/2017 Annual Action Plan completed and available for review.	Friday April 28, 2017
30 day comment period for proposed 2016/2017 Annual Action Plan	Friday April 28, 2017 to May 30, 2017
Public Hearing on Proposed Annual Action Plan	Tuesday May 16, 2017
Commission votes on Annual Action Plan	Tuesday June 6, 2017
ConPlan/Annual Action Plan submitted to HUD	Wednesday June 7, 2017

NOTE: Schedule is tentative depending on Commission meeting dates and actual meeting dates.

**2017/2018 USE OF FEDERAL GRANT FUNDS
COMMUNITY DEVELOPMENT BLOCK GRANT**

Affordable Housing

	<u>Requested</u>	<u>Recommended</u>
<p>GREAT FALLS CITY PLANNING & COMMUNITY DEVELOPMENT- CODE ENFORCEMENT Provide services to preserve and enhance public health and safety and reduce slums and blight by enforcing international and city codes related to maintenance of property and buildings.</p>	\$25,097	\$25,097
<p>GREAT FALLS CITY PLANNING & COMMUNITY DEVELOPMENT- REVOLVING LOAN FUND SERVICING Provide servicing for rehab counseling, loan processing, inspections and construction monitoring for all CDBG-funded City revolving loan housing programs for low income people.</p>	\$50,000	\$40,000
<p>HABITAT FOR HUMANITY Infrastructure improvements for two including concrete work, sidewalks, site excavation, and water/sewer connections Habitat for Humanity homes located within the city limits and remainder to towards the purchase of lots to build future homes.</p>	\$124,400	\$65,000
<p>NEIGHBORHOOD HOUSING SERVICES, INC. Construct high school homes with Great Falls HS and CM Russell HS - New construction/purchase, demolition, and/or rehabilitation of houses to address neighborhood revitalization activities in their CBDO-designated neighborhoods.</p>	\$150,000	\$82,903

Economic Development

<p>GREAT FALLS DEVELOPMENT AUTHORITY Expand revolving loan fund to provide gap financing to existing and start-up businesses to create new jobs for persons from LMI households, agency located at 300 Central Avenue</p>	\$200,000	\$40,000
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Public Facility Improvements

<p>Opportunities Inc. For repair and replacement of the roof at the Opportunities, Inc. Head Start Prenatal to 5 Annex Building</p>	\$95,870	\$86,177
<p>Paris Gibson Square ADA restroom renovation for LMI intergenerational students</p>	\$38,000	\$27,927

April 4, 2017

	<u>Requested</u>	<u>Recommended</u>
YWCA Seal and replace the asbestos flooring located on the 2 nd floor of the YWCA, which houses the Emergency Housing Shelter	\$38,307	\$19,937
Family Promise Purchase supplies, equipment, and furniture, including portable AC's, for homeless families participating in the Family Promise program	\$11,276	\$0
Quality Life Concepts Seal and replace the asbestos flooring of South Park Group Home	\$32,653	\$20,877
GREAT FALLS CITY PUBLIC WORKS Grant program to provide assistance to low income homeowners to remove and replace hazardous sidewalks within the city limits and replacement of existing intersections with ADA accessible ramps	\$118,200	\$29,177
GREAT FALLS CITY PARK & RECREATION – COMMUNITY RECREATION CENTER – ADA BATHROOM and LOCKER ROOM Update the basement bathroom and locker room to be ADA accessible for the community recreation center located at 801 2 nd Avenue North	\$81,100	\$27,177
GREAT FALLS CITY PARK & RECREATION – GIBSON PARK Purchase and install handicap accessible play structure and play area border at Gibson Park	\$80,000	\$0
GREAT FALLS CITY PARK & RECREATION – PARK SIDEWALKS Install ADA compliant sidewalks to play structures at multiple City Parks: Rhodes, Elks Riverside	\$41,470	\$14,978
CENTER FOR MENTAL HEALTH Provide external repairs, including exterior paint, for Passages Group Home located at 704 5 th Ave N	\$40,249	\$10,000
<u>Public Service Activities</u>		
FAMILY CONNECTIONS MT Ready, Set, Read to Succeed Program; to give books and a developmentally appropriate activity to LMI Families.	\$11,174	\$0
INGENIUM Purchase gaming equipment, training materials, and scholarships for LMI youth to participate in Game Development and	\$21,950	\$0

April 4, 2017

Technology Curriculum

RURAL DYNAMICS, INC.	\$11,250	\$11,250
Rent Reporting Program, provide grants to assist renters in raising their credit scores through rent reporting, financial coaching, and education		
GREAT FALLS SENIOR CITIZENS CENTER	\$10,000	\$0
Purchase food and supplies for on-site meal program for the elderly administered in elderly facility located at 1004 Central Avenue		
GREAT FALLS CITY PARK & RECREATION— MORONY NATATORIUM & COMMUNITY RECREATION CENTER	\$10,000	\$10,000
Provide scholarships for disabled adults to participate in special needs water activities at community indoor pool facility located at 111 12 th Street North; provide scholarships for children from low income families for after school programs and summer camp programs at community center located at 801 2 nd Avenue North		
AREA VIII AGENCY ON AGING-MEALS ON WHEELS	\$25,000	\$25,000
Purchase food for Meals on Wheels, a citywide home delivery meal program for low/moderate income elderly who are handicapped or unable to prepare meals		
YOUNG PARENTS EDUCATION CENTER	\$20,000	\$10,000
Provide day care scholarships for very low to low income teen or young adult parents completing high school or GED programs, programs		
BOYS & GIRLS CLUB OF CASCADE COUNTY	\$30,000	\$22,500
Provide scholarships for summer day camps for children from low income families, programs located at Great Falls Housing Authority (1722 Chowen Springs Loop) and Boys & Girls Club (600 1 st Avenue Southwest)		

Administration

	<u>Requested</u>	<u>Recommended</u>
CDBG PROGRAM ADMINISTRATION	\$142,110	\$142,110
General oversight, promotion, financial accountability, monitoring, reporting, and coordination of the CDBG program including activities to further fair housing and the Continuum of Care for Homelessness		
TOTAL 2017/2018 CDBG FUNDING REQUESTED	\$1,265,996	
2017/2018 CDBG ALLOCATION		\$710,110
TOTAL AVAILABLE CDBG GRANT FUNDS		\$710,110

April 4, 2017



Item: Public Hearing - Ordinance 3155 – An Ordinance amending Title 17, Chapters 32 and 36, of the Official Code of the City of Great Falls (OCCGF), pertaining to driveways and off-street parking
From: Planning & Community Development Department
Initiated By: City of Great Falls Planning and Community Development
Presented By: Craig Raymond, Planning & Community Development Director
Action Requested: City Commission adopt Ordinance 3155.

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 that the City Commission (adopt/deny) Ordinance 3155"
 2. Mayor calls for a second to the motion, Commission discussion, and calls for the vote.
-
-

Staff Recommendation:

Staff recommends adoption of Ordinance 3155.

Summary:

The Planning Advisory Board/Zoning Commission held a public hearing on February 14, 2017, to review the ordinance proposal presented by City staff. Although the action was tabled at the hearing, the Board was very supportive of the code changes and directed Staff to make some very minor modifications to the proposal. Specifically, they directed Staff to delete a provision that would have required gravel parking areas to have a two (2) foot setback against side property lines. The impetus for the request was that these small two-foot areas would be hard to maintain due to grade changes, retaining walls, etc. Additionally, the Board requested that more maneuvering room be allowed to pull in larger recreational vehicles onto the gravel parking areas. This issue has been incorporated into the proposed ordinance. Finally, the Board requested that larger gravel areas be allowed for properties over one acre. This has also been added to the proposed ordinance.

Staff originally planned to take the minor revisions of the ordinance to a second Planning Board meeting prior to City Commission. However, Staff was not able to get a quorum of Planning Board members to hold a hearing in a timely fashion. As a result, the ordinance is being sent to City Commission with only minor changes from the Planning Board's version.

Ordinance 3155 upon City Commission approval was accepted by the City Commission on the first reading on May 2, 2017. Notice of Public Hearing before the City Commission was published in the *Great Falls Tribune* on May 7, 2017, and May 14, 2017.

Staff believes that the proposal, in its slightly altered form, provides property owners with more options to park larger vehicles that have traditionally been parked on grass, dirt, or on adjoining City streets.

Background:

City staff began discussions in 2016 regarding the amount of recreational and auxiliary vehicles being parked on public rights of way within the incorporated City limits. Planning and Legal staff began to explore options to cure this problem.

Additionally, beginning in October 2016, a large amount of complaints were being filed with the Planning and Community Development Code Enforcement Officer, Heather Rohlf. The complaints were consistently referring to vehicles being parked on non-paved surfaces in violation of several sections of the Official Code of the City of Great Falls (OCCGF). A photograph showing a typical gravel parking problem has been included in this packet for reference. The overwhelming number of complaints clearly showed that this is a significant issue throughout the City.

Based on the problem of accessory vehicles like RVs being parked on City rights of way and the large number of complaints of gravel and grass parking violations, City Planning, Legal, and Engineering staffs began a committed effort to provide workable revisions to the OCCGF that would improve these problems. The concern and debate during that process was trying to find the balance between City beautification policy and the realities of living in a vastly rural state where alternative parking for additional vehicles is needed.

OCCGF §17.32.150 Driveway access currently states:

A. Generally. Prior to the installation of a driveway curb cut or other access point onto a public street or right-of-way, the developer or owner shall obtain approval from the Montana Department of Transportation, Cascade County, or from the City. The City Engineer may require site driveway plans prior to approval and the start of construction on any driveway accessing any public street or right of way within the City.

B. Width. Curb cuts shall not be wider than the widths listed in Exhibit 32-3. For single-family and duplex uses, the width of curb cuts shall conform to the standards listed in Exhibit 32-3 or the following, whichever is more restrictive:

1. For lots less than sixty-one (61) feet in width of frontage, the cumulative width of curb cuts shall not be more than thirty (30) percent of the lot frontage width.

2. For lots sixty-one (61) feet or greater width of frontage, the cumulative width of curb cuts shall not be more than thirty-five (35) percent of the lot frontage width.

3. For commercial and industrial zoning districts where commercial trucking or transportation is a significant use, driveway width may exceed widths listed in Exhibit 32-3 with approval of the City Engineer. If approved, boulevard landscaped area used for the additional driveway width shall be relocated elsewhere upon the private property.

4. Driveway width shall not be wider than the curb cut bottom width (excluding driveway wings) for the entire length of the driveway.

Exhibit 32-3. Maximum curbcut widths

Type of Use	Maximum Width
Single-family residential & Duplex *(see 17.32.150(B) for further restrictions)	• One stall, 10 feet*
	• Two stalls, 20 feet*
	• Three or more stalls, 30 feet*

- 30 feet is the maximum allowed width*
 - 24 feet, two-way
 - 12 feet, one-way
- Multi-family
- 36 feet, two-way
 - 45 feet with City Engineer approval
- Commercial zoning district
- 45 feet
 - 55 feet with City Engineer approval
- Industrial zoning district

C. Number. The number of curb cuts shall conform to the standards listed in Exhibit 32-4.

Exhibit 32-4. Number of curb cuts

Residential Lot Frontage Number Allowed

less than 101 feet	1
101 feet or more	2

Commercial-Industrial/PLI Lot Frontage Number Allowed

Less than 51 feet	1
51 feet to 400 feet	2
More than 400 feet	3

D. Location. Curb cuts shall be located at the discretion and by the approval of the City Engineer to ensure traffic safety and the character of the neighborhood is maintained.

E. Off street parking. Approval of curb cuts to serve off street parking that is not connected to a garage or covered carport in residential areas is discouraged and shall be at the discretion of the City Engineer. If approved, such driveways shall be of adequate length onto the private property to allow parking on the private property beyond the building setback. "U" shaped driveways (one continuous driveway with two curb cuts) in single-family residential zoned areas are prohibited.

F. Drainage structures. All driveways shall be constructed so as to not impair drainage within the right-of-way nor alter the stability of the roadway subgrade and at the same time not impair or materially alter drainage of the adjacent areas. All drainage structures required within the public right-of-way and under the driveways as a result of the property being developed shall be installed in accordance with the standards of the City.

G. Driveway paving. Driveways connecting to a public street must be surfaced and maintained with cement concrete from the back of curb to property line. The remainder of the driveway must be surfaced and maintained with cement or asphaltic concrete. Paving of driveways connecting to a public street in R-1 Zoning District shall be required at the discretion of the City Engineer.

Additionally, OCCGF §17.36.2.030 states:

A. Surfacing. All off-street parking areas shall be surfaced and maintained with cement or asphaltic concrete in accordance with standards prescribed by the City Engineer.

B. Border barricades. Every parking area located adjacent to a property line shall be provided with a suitable curb (asphalt or concrete) so as to protect the adjacent property. Such curb shall be placed at least two (2) feet from the property line to prevent extension of vehicles beyond the property line.

C. Outdoor lighting. Outdoor lighting shall be provided consistent with Chapter 40 of this Title.

D. Landscaping. Landscaping shall be provided consistent with Chapter 44 of this Title.

E. Curb cuts and driveway access. Curb cuts and driveway accesses to parking areas shall be provided consistent with Chapter 32 of this Title.

These two provisions do not allow any additions to off-street parking areas, in residential zones, within the incorporated City limits. Furthermore, these provisions do not allow for off-street parking to be surfaced with materials other than cement or asphaltic concrete. For many Great Falls residents, these restrictions prevent them from moving any additional vehicles off of the public rights of way.

Analysis:

The result of the several month long efforts of City staff to address the issues listed above is Ordinance 3155 and its attached Exhibit A, which outlines revisions to Chapter 32 – Transportation Facilities and Exhibit B which outlines revisions to Chapter 36 - Parking. Changes to these chapters are shown through the use of bold text, red text, and strikethroughs. The revisions to the above cited code provisions properly balance the City’s beautification policy and the reality that many property owners and occupants simply cannot meet the off-street parking requirements as they are currently written.

The first major change to the above cited code provisions can be found in Section 17.32.150(B)(4)(a) of Exhibit A. This revision proposes that driveway width in front yards may be expanded by ten (10) feet, and may extend along the residential structure. The combined driveway and parking area may, under no circumstances, exceed forty (40) feet. A new code exhibit (Exhibit 32-4a&b) has been provided to assist homeowners in installing these parking areas. In order to reduce cost to homeowners, the expanded driveways may utilize gravel. Various restrictions related to the use of gravel have been included in the code amendment, Section 17.32.150(B)(4)(f) to protect both adjoining owners as well as the City from improperly installed gravel parking areas. An Administrative Policy drafted by City Engineer, Dave Dobbs, will also be utilized to further assist homeowners in their selection of gravel or other non-paved materials for these parking pads, which is attached.

The second major change to the City Code can also be found in Section 17.32.150(4)(c) and will primarily affect owners who live within older neighborhoods in the City. These lots are typically characterized by more on-street parking and vehicle access to the lots via alleys. For these situations, the expansion of existing street-accessed driveways or the installation of new street-accessed driveways will be prohibited unless approval is granted by Planning and Community Development and Engineering. In such cases, parking should be in the rear of the property. The code revisions propose that alley-serviced lots will be allowed a maximum of nine hundred (900) square feet of combined driveway access and associated off-street parking area. For lots that are one (1) acre or larger, the area of the combined driveway and associated parking area may not exceed six percent (6%) of the gross lot area. To assist homeowners in installing such areas, another new code exhibit (Exhibit 32-5) has been added to the City’s proposal. Once again, the installation of gravel is proposed to be allowed – with the same restrictions as noted in the previous paragraph.

By incorporating these changes, the City Commission will continue to strive to keep Great Falls streets safe for vehicle travel, promote city beautification, and allow residential property owners additional options for off-street parking of auxiliary vehicles. For these reasons, City Staff recommends that the City Commission vote in favor of recommending the adoption of Ordinance 3155.

Fiscal Impact:

There is no fiscal impact to the city.

Alternatives:

The City Commission could deny adoption of Ordinance 3155.

ATTACHMENTS:

- ▣ Ordinance 3155
- ▣ Ordinance 3155 Exhibit A
- ▣ Ordinance 3155 Exhibit B
- ▣ Administrative Policy Parking Areas Surfacing Materials
- ▣ Administrative Policy Driveways and Parking Areas Site Plan
- ▣ Gravel Parking Example

ORDINANCE 3155

**AN ORDINANCE AMENDING TITLE 17, CHAPTERS 32 AND 36, OF
THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF),
PERTAINING TO DRIVEWAYS AND OFF-STREET PARKING**

* * * * *

WHEREAS, the City Commission recognizes the need for City residents to be allowed additional vehicle parking within the incorporated City limits; and

WHEREAS, the City Commission wishes to provide additional options for off-street parking surfaces within the incorporated City limits; and

WHEREAS, the City Commission recognizes that additional restrictions should ensure off-street parking areas do not negatively impact neighborhood character and City beautification efforts.

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

Section 1. Title 17, Chapter 32, Section 150, 160, 190, and 200 of the OCCGF pertaining to driveways and residential off-street parking be amended as depicted in Exhibit "A" attached hereto, which removes any language indicated by a ~~strike-out~~ and adds any language which is **bolded**; and,

Section 2. Title 17, Chapter 36, Article 2, Section 030 of the OCCGF pertaining to driveways and residential off-street parking be amended as depicted in Exhibit "B" attached hereto, which removes any language indicated by a ~~strike-out~~ and adds any language which is **bolded**; and,

Section 3. This ordinance shall be in full force and effect thirty (30) days after second reading and final adoption by the City Commission.

APPROVED by the City Commission on first reading May 2, 2017.

ADOPTED by the City Commission of the City of Great Falls, Montana, on second reading
May 16, 2017.

Bob Kelly, Mayor

ATTEST:

Lisa Kunz, City Clerk

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

Sara R. Sexe, City Attorney

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

I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do certify that I did post as required by law and as prescribed and directed by the Commission, Ordinance 3155 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 Courthouse;
On the Bulletin Board, Great Falls Public Library

Lisa Kunz, City Clerk

(CITY SEAL)

Title 17 - LAND DEVELOPMENT CODE

Chapter 32 TRANSPORTATION FACILITIES

17.32.150 Driveways access.

- A. **Generally.** Prior to the installation of a driveway curb cut or other access point onto a public street or right-of-way, the developer or owner shall obtain approval from the **City, and if applicable, the Montana Department of Transportation, or Cascade County, or from the City.** The City Engineer may require site driveway plans prior to approval and the start of construction on any driveway accessing any public street or right of way within the City, **and may deny, limit, or modify access.**
- B. **Width and Surfacing.** Curb cuts shall not be wider than the widths listed in Exhibit 32-3. For single-family and duplex uses, the width of curb cuts shall conform to the standards listed in Exhibit 32-3 or the following, whichever is more restrictive:
1. For lots less than sixty-one (61) feet in width of frontage, the cumulative width of curb cuts shall not be more than thirty (30) percent of the lot frontage width.
 2. For lots sixty-one (61) feet or greater width of frontage, the cumulative width of curb cuts shall not be more than thirty-five (35) percent of the lot frontage width.
 3. For commercial and industrial zoning districts where commercial trucking or transportation is a significant use, driveway width may exceed widths listed in Exhibit 32-3 with approval of the City Engineer. If approved, boulevard landscaped area used for the additional driveway width shall be relocated elsewhere upon the private property.
 4. Driveway width shall not be wider than the curb cut bottom width (excluding driveway wings) for the entire length of the driveway. **Exception: For single-family and two-family residential uses, driveways accessing a street may taper to be wider than the curb cut width at the street in order to accommodate vehicle parking needs. This allowance is subject to the following restrictions:**
 - a. **Maximum Additional Width –** The additional width of the driveway to accommodate vehicle parking may not be more than ten (10) feet greater than the curb cut bottom width (excluding driveway wings). The combined driveway and associated parking area shall be limited to no more than forty (40) total feet, measured parallel to the residential structure's frontage, and not be located in front of the living area of the structure. See Exhibit 32-4.
 - b. **Surfacing –** The associated parking area shall be surfaced and maintained with Portland cement concrete, asphaltic concrete, pavers, or gravel conforming to the standards prescribed by the City Engineer. The main driveway area must be paved except noted in 17.32.150(B)(4)(d) and 17.32.150 (G).
 - c. **Alley Accessed Lots –** For those properties which are served by an alley, no new driveways or expansions of existing driveways accessing the street are allowed unless authorized by both the City Engineer and the Director of Planning and Community Development. A driveway accessing an alley is allowed. Such driveway and associated parking area shall be surfaced and maintained with Portland cement concrete, asphaltic concrete, pavers, or gravel conforming to the standards prescribed by the City Engineer. The combined driveway and associated parking area shall be limited to no greater than nine hundred (900) square feet. See Exhibit 32-5. For lots that are one (1) acre or larger, the area of the combined driveway and associated parking area may not exceed six percent (6%) of the gross lot area.

Exhibit "A"

Title 17 - LAND DEVELOPMENT CODE

Chapter 32 TRANSPORTATION FACILITIES

- d. **Unpaved Streets.** Where a property abuts an unpaved street, a gravel driveway and associated parking area otherwise conforming to the chapter may be installed directly off the unpaved street.
- e. **Separation for Sidewalk and Street Boulevard –** For properties that do not contain sidewalks or have a sidewalk connected to the curb, associated parking areas shall not encroach beyond the front property line into the street boulevard. See Exhibit 32-4a. For properties where the sidewalk is separated from curb, the associated parking area shall only connect at a point where the driveway intersects the sidewalk. The remaining associated parking area must be set back from the sidewalk as shown in Exhibit 32-4b.
- f. **Gravel Driveway and Parking Area Maintenance –** All gravel driveways and associated parking areas shall be maintained to ensure that they do not become rutted, contain standing water, or contain noxious or nuisance weeds. Gravel shall not be tracked, erode, nor spill over any paved driveway or onto any public sidewalk, path, paved street, or adjacent property. Stormwater runoff from driveways associated parking areas shall not negatively impact adjacent properties.

Exhibit 32-3. Maximum curbcut widths

Type of Use	Maximum Width
Single-family residential & Duplex Two-family residential *(see 17.32.150(B) for further restrictions)	<ul style="list-style-type: none"> • One stall, 10 feet* • Two stalls, 20 feet* • Three or more stalls, 30 feet* • 30 feet is the maximum allowed width*
Multi-family	<ul style="list-style-type: none"> • 24 feet, two-way • 12 feet, one-way
Commercial zoning district	<ul style="list-style-type: none"> • 36 feet, two-way • 45 feet with City Engineer approval
Industrial zoning district	<ul style="list-style-type: none"> • 45 feet • 55 feet with City Engineer approval

Exhibit 32-4. Street accessed driveway and parking area

Exhibit "A"

Title 17 - LAND DEVELOPMENT CODE

Chapter 32 TRANSPORTATION FACILITIES

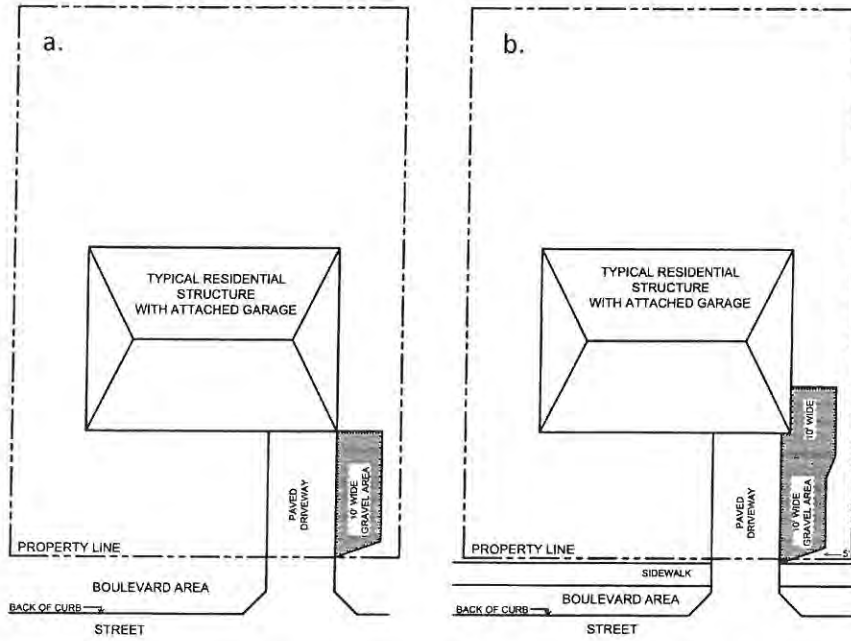
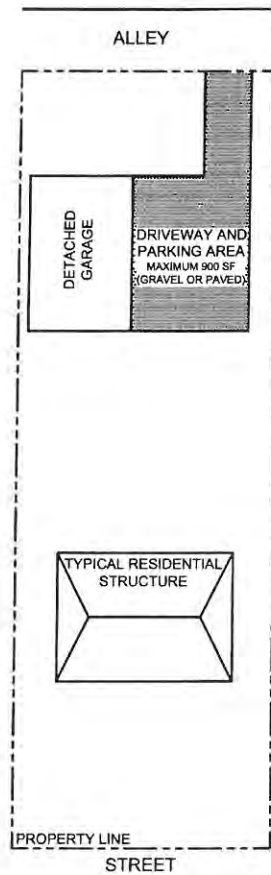


Exhibit 32-5. Alley accessed driveway and parking area

Exhibit "A"

Title 17 - LAND DEVELOPMENT CODE

Chapter 32 TRANSPORTATION FACILITIES



C. **Number.** The number of curb cuts shall conform to the standards listed in Exhibit 32-432.6.

Exhibit 32-432.6. Number of curb cuts

Residential Lot Frontage	Number Allowed
less than 101 feet	1
101 feet or more	2

Commercial-Industrial/PLI Lot Frontage	Number Allowed
--	----------------

Exhibit "A"

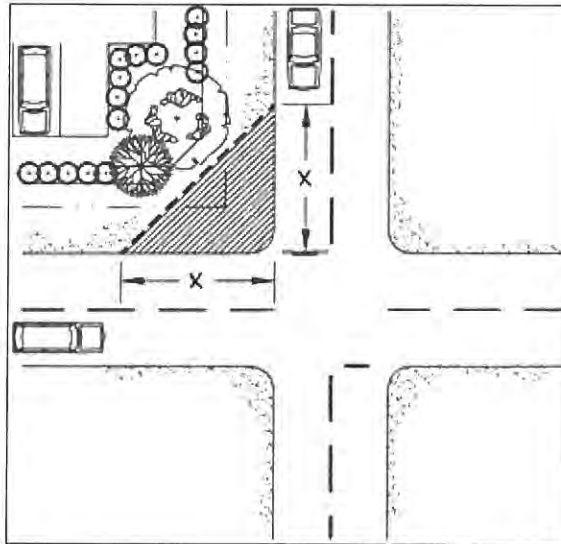
Title 17 - LAND DEVELOPMENT CODE

Chapter 32 TRANSPORTATION FACILITIES

Less than 51 feet	1
51 feet to 400 feet	2
More than 400 feet	3

- D. **Location.** Curb cuts shall be located at the discretion and by the approval of the City Engineer to ensure traffic safety and the character of the neighborhood is maintained.
- E. **Off street parking.** Approval of curb cuts to serve off street parking that is not connected to a garage or covered carport in residential areas is discouraged and shall be at the discretion of the City Engineer. If approved, such driveways shall be of adequate length onto the private property to allow parking on the private property beyond the building setback. "U" shaped driveways (one continuous driveway with two curb cuts) in single-family residential zoned areas are prohibited.

Exhibit 32-532.7. Clear visibility triangle



- F. **Drainage structures.** All driveways shall be constructed so as to not impair drainage within the right-of-way nor alter the stability of the roadway subgrade and at the same time not impair or materially alter drainage of the adjacent areas. All drainage structures required within the public right-of-way and under the driveways as a result of the property being developed shall be installed in accordance with the standards of the City.
- G. **Driveway paving in the public right of way.** Driveways connecting to a **paved** public street must be surfaced and maintained with **Portland** cement concrete from the back of curb to **the front** property line. ~~The remainder of the driveway must be surfaced and maintained with cement or asphaltic concrete. Paving of~~ **The use of gravel for** driveways connecting to a public street in **the R-1 Zoning District shall may be required allowed** at the discretion of the City Engineer.

Title 17 - LAND DEVELOPMENT CODE

Chapter 32 TRANSPORTATION FACILITIES

(Ord. 3155, 2017; Ord. 3087, 2012; Ord. 2950, 2007)

17.32.160 Intersection visibility.

- A. **Generally.** To provide motorists with a clear view of intersecting streets, alleys and driveways, nothing within the clear visibility triangle shall be erected, placed, parked, planted, or allowed to grow at a level between two and one-half (2.5) feet and eight (8) feet above the adjoining street center line surface elevation. A tree whose branches are eight (8) feet or higher may be located in this area.

(Ord. 2950, 2007)

- B. **Size.** The configuration of a clear visibility triangle is shown in Exhibit 32-532.7 and the length of each leg measured along the curblineline or edge of roadway, (indicated on Exhibit 32-532.7 as "x") shall be forty-five (45) feet for street intersections, and ten (10) feet for alleys and fifteen (15) feet for driveways. (Ord. 3155, 2017; Ord. 2950, 2007)
- C. **Exemption.** Properties in the C-4 Central Business zoning district are required to comply with the provisions in this section unless compliance is not possible due to the setback of the building. (Ord. 2950, 2007)

17.32.170 Dedication of streets.

- A. Streets shall be dedicated to the City upon City Commission approval of the plat of the subdivision describing subject streets and filing of the plat in the Cascade County Clerk and Records Office.
- B. Private streets may be allowed within developments that will remain under common ownership, provided they are designed and constructed pursuant to the standards as provided for in this chapter, and a homeowner's association is formed to own the streets.

(Ord. No. 3056, § 1, 8-17-2010)

17.32.180 Right-of-way.

- A. **Width.** Right-of-way widths shall be provided for new streets and alleys consistent with Exhibit 32-2.
- B. **Allowable uses within right-of-way.** The following may be placed within the right-of-way subject to applicable specifications: streets, sidewalks, pedestrian ways, bikeways, and public or private utilities, including, sanitary sewer, potable water, telephone wires, cable television wires, gas lines, or electricity transmission.

17.32.190 Bridges.

- A. **Load capacity.** Bridges shall have a load capacity of H-20 (as described by the American Association of State Highway Officials).
- B. **Width.** The bridge shall be at least as wide as the street surface.
- C. **Vertical clearance over another street.** Where a bridge passes over another street, there shall be a vertical clearance of at least fourteen and one-half (14.5) feet.

Exhibit "A"

Title 17 - LAND DEVELOPMENT CODE

Chapter 32 TRANSPORTATION FACILITIES

D. **Bridges.** When a bridge crosses a watercourse or channel, it shall be designed to handle storm events as listed in Exhibit 32-632-8.

(Ord. 3155, 2017)

17.32.200 Culverts.

Culverts shall be installed where appropriate and designed to handle storm events as listed in Exhibit 32-632-8. Under no circumstance shall the cross-section of the culvert be smaller than 15 inches in diameter.

Exhibit 32-632-8.. Sizing for bridges and culverts

	Storm Event
Principal arterial	50-year
Minor arterial	50-year
Collector	25-year
Local	25-year
Driveway	10-year

(Ord. 3155, 2017)

Title 17 - LAND DEVELOPMENT CODE

Chapter 36 PARKING

17.36.2.030 Construction and maintenance requirements.

- A. **Surfacing. Except as otherwise noted in 17.32.150.** All off-street parking areas shall be surfaced and maintained with **Portland cement concrete** or asphaltic concrete in accordance with standards prescribed by the City Engineer.
- B. **Border barricades.** Every parking area located adjacent to a property line shall be provided with a suitable curb (asphalt or concrete) so as to protect the adjacent property. Such curb shall be placed at least two (2) feet from the property line to prevent extension of vehicles beyond the property line.
- C. **Outdoor lighting.** Outdoor lighting shall be provided consistent with Chapter 40 of this Title.
- D. **Landscaping.** Landscaping shall be provided consistent with Chapter 44 of this Title.
- E. **Curb cuts and driveways-access.** Curb cuts and driveways **that access** accesses-to parking areas shall be provided consistent with Chapter 32 of this Title.

(Ord. 3155, 2017)



Administrative Policy

Policy Title: Parking Areas Surfacing Materials
Code Section: OCCGF 17.32.150 Driveways, Parking Areas, and Surfacing
By: Dave Dobbs, P.E., City Engineer
Effective Date: May 16, 2017

Background:

On May 16, 2017, the City Commission of the City of Great Falls approved Ordinance 3155, which modified section 17.32.150, Official Code of the City of Great Falls (OCCGF), to allow the use of materials other than Portland cement concrete under certain conditions for private driveways and parking areas. Other modifications were also made to the Code by this Ordinance. The revised Code directs the City Engineer to prepare standards for non-concrete materials.

Effected Code Sections: OCCGF 17.32.150

Policy:

The following materials may be used to surface those portions of driveways and parking areas that do not otherwise require hard surfacing with Portland cement concrete or asphaltic concrete:

1. Gravel Surfacing Materials
 - a. Gravel road base is a processed natural gravel material commonly used under asphaltic or Portland cement concrete pavement. Material shall comply with Section 02235 Crushed Base Course, of the Montana Public Works Standard Specifications, 6th Edition. Material complying with the gradations of 1½ inch minus, 1 inch minus, or ¾ inch minus may be used. Ground under the road base shall be graded and compacted prior to gravel installation. Gravel shall also be graded and compacted. A minimum of 6 inches of gravel shall be installed, although thickness must also be adequate to support the proposed loading. Separation fabric is recommended to increase strength and reduce weeds.
 - b. Screened or Washed rock is a processed natural gravel material from which fine grain material (clay and sand) has been removed. It may be crushed. This category



Administrative Policy

Policy Title: Driveways and Parking Areas – Site Plan **Exhibit A**
Code Section: OCCGF 17.32.150 Driveways, Parking Areas, and Surfacing
By: Dave Dobbs, P.E., City Engineer
Effective Date: May 16, 2017

Background:

On May 16, 2017, the City Commission of the City of Great Falls approved Ordinance 3155, which modified section 17.32.150, Official Code of the City of Great Falls (OCCGF). Among other things, the Code revisions direct the City Engineer to prepare standards for non-concrete materials, as well as approval of new driveways and parking areas, or modifications to driveways or parking areas.

Effected Code Sections: 17.32.150

Policy:

To be considered for a new driveway or parking area, or modifications to an existing driveway or parking area, the homeowner or contractor must provide a site plan illustrating the proposed improvements. The site plan can be drawn on the back of this paper or provided separately. The site plan should include the following information:

- The overall configuration of the parcel, including existing or proposed buildings and adjoining streets, avenues, and alleys. The plan does not need to be drawn to scale, although this would be helpful.
- Show existing driveway(s) and public sidewalks. Label all public streets. Dimensions and north arrow would be helpful.
- Show and label proposed new driveways and or modifications to existing driveway. Note the type of materials proposed.
- Contact Engineering Division Concrete Inspectors to answer any questions at 771-1258. Completed site plans should be provided to the Engineering Division at 1025 25th Avenue NE, Great Falls. Mailing address: Engineering Division, City of Great Falls, P. O. Box 5021, Great Falls, MT 59403-5021

Site Plan

1. Property Owner(s): _____
2. Physical Address: _____
3. Contractor (if determined): _____
4. Phone numbers: Owner: _____ Contractor: _____

The request has been: _____ Approved _____ Denied _____ Modified (See notes)

By: _____ David W. Dobbs, P.E., City Engineer

The request has been: _____ Approved _____ Denied _____ Modified (See notes)

By: _____ Craig Raymond, Director of Planning & Community Development

Modifications and Notes:

File: PolicyTempPkgSur3



Google Earth

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Item: Resolution 10191 Intent to Create City of Great Falls Park District Number 1
From: Park and Recreation
Initiated By: Park and Recreation
Presented By: Patty Rearden, Interim Park & Recreation Director
Action Requested: Set a Public Hearing

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (set/not set) a public hearing on Resolution 10191 Intent to Create Great Falls Park District Number 1 for June 6, 2017.”

2. Mayor requests a second to the motion, Commission discussion, public comment, and calls for the vote.

Staff Recommendation:

Staff recommends the City Commission set a public hearing for June 6, 2017 for consideration of Resolution 10191 Intent to Create Great Falls Park District Number 1.

Summary:

Staff requests that the Commission consider a Resolution declaring it to be the intention of the City Commission of the City of Great Falls, Montana, to create a special park district as authorized by Title 7, Chapter 11, Part 10 MCA, more specifically a City-wide park district entitled “City of Great Falls Park District Number 1,” to establish an annual assessment and provide for a method of assessments for the purposes of funding and/or financing costs associated with providing services including but not limited to:

- (1) maintenance, repair, replacement, upkeep, installation, improvement, operational enhancement, construction, reconstruction, acquisition of land, and/or
- (2) implementation of measures required to maintain public health and safety or meet legal or regulatory requirements, and/or
- (3) purchasing, replacing, and/or maintaining equipment, tools or vehicles used to carry out the functions described herein, and/or
- (4) any other functions, labor, supplies and/or materials necessary for management and maintenance of City-owned facilities, lands and equipment under the responsibility and care of the City of Great Falls Parks and Recreation Department including but not limited to: public parks and park areas (as described in the City of Great Falls Park and Recreation Master Plan), recreation facilities, trails, open space, urban forest, medians, boulevards, pathways, sidewalks, public easements and other facilities located in the city and/or owned by the City; and providing for other matters properly relating thereto.

If adopted, the effective duration of City of Great Falls Park District 1 would be for a period of 20 years from the date of the adoption of Resolution 10192 Creation of City of Great Falls Park District Number 1.

Background:

The Park and Recreation Master Plan was adopted by the City Commission on November 15, 2016. The plan included an intensive public process to ensure a complete understanding of the community's priorities; including town meetings, 84 focus group meetings, a statistically accurate survey, and an on-line survey open to the entire community. The Park and Recreation Master Plan identified \$12,000,000 in deferred maintenance critical projects, \$1,150,000 for sustainable projects, and \$20,250,000 for visionary projects. The \$12,000,000 in deferred maintenance does not include unfunded staffing and daily operational needs. Without funding to address deferred maintenance that \$12,000,000 number will continue to grow and amenities will have to be removed or closed. The Master Plan recommended completion of the deferred maintenance projects in 1-5 years. Current funding does not allow for adequate maintenance of facilities and parks; there has been no funding for capital improvements or major repairs. (In FY2017, the City's Capital Improvement Plan recommended \$438,676; however, no dollars were funded.)

The Master Plan identified other unfunded needs in staffing and operations. The Parks Division currently has 23.5 full time equivalent employees (FTE's). The recommended level under the Master Plan is 39 FTE's; the addition of 12 positions within 3 years is recommended. In Forestry, the industry standard for trimming trees is every 4-7 years. The current schedule is 30-35 years. Lack of inspections and pruning may create safety hazards and potential property damage; is detrimental to the health of the trees/urban forest; and substantially increases the cost/time to trim each individual tree. The Master Plan recommended three Forestry staff additions within 3 years.

The City's general fund cannot adequately fund parks and recreation. The Parks and Recreation Master Plan recommends the Creation of a City-wide Parks District to supplement current funding and create a sustainable funding source for the purpose of providing the park and recreation system services.

Park District funds may be used for parks, forestry and trails for capital improvements, staff, and operations. Funds may also be used for maintenance/improvements to recreation and aquatics facilities. The funds may not be used for programming.

Great Falls has had a long history of creating designated park areas within developed housing areas. The amenities provided in the park areas and other City owned facilities have enriched our community's livability, beautification, physical fitness and overall well-being. A committee comprised of members of the Park Board, City Staff, and Park & Recreation Staff have been meeting to consider options for creating a Special Park District. Interim Park and Recreation Director, Patty Rearden, gave a presentation at the City Commission Work Sessions on April 4, 2017, and May 16, 2017; as well as an update at the City Commission Retreat on April 17, 2017. The committee is now prepared to move forward with a recommendation to proceed with creation of the park district for a period of 20 years, in the estimated amount of \$2,267,796 million/year, and develop a projects/spending plan to be completed over a three year period, with assessments determined annually based on taxable value of properties within the City.

Creation of the Park District would help fund the deferred maintenance, may prevent removal/closure of amenities, and fund some of the sustainable projects. Proposed improvements over a three year period include but are not limited to:

1. Rest Room Improvements for Gibson, Oddfellows, and Lions Parks;
2. Picnic Pavilions and Tables;
3. Play Equipment;
4. Resurface sports courts (basketball, tennis/pickleball);
5. ADA sidewalks to play structures;
6. Improvements to Electric City Water Park Bath House;
7. Replacement of Gibson Park and Elks Riverside Trails;
8. Improvements to River's Edge Trail & Multi Sports Softball Complex (match money);
9. New dog park;
10. New asphalt park trail;
11. Feasibility study for a recreation/aquatics facility;

12. Mature tree trimming and tree replacement; and
13. Operations/Equipment/Irrigation Upgrades/Labor/Staff/Contracted Services.

Fiscal Impact:

The proposed amount is for \$2,267,796 annually for the first three years; the assessment would be based on taxable value; on average, the assessment for a \$100,000 property would be \$43.28 per year. The assessment can be adjusted annually and must be set by City Commission Resolution.

Alternatives:

1. The Commission could choose not to set the Public Hearing for June 6, 2017. The City would be faced with finding an alternative funding source for deferred maintenance and needed improvements to the park system including facilities and the urban forest; or maintenance will not improve and facilities will deteriorate or close; or
2. The Commission could pass a Resolution to conduct a special referendum election for the creation of City of Great Falls Special Park District Number 1.

Concurrences:

At its May 8, 2017, monthly meeting, the Park and Recreation Advisory Board recommended that the City Commission set a Public Hearing for the Resolution of Intent to Create City of Great Falls Park District Number One, and adopt the Resolution of Intent to Create City of Great Falls Park District Number One at the June 6, 2017, Commission Meeting. City and Park and Recreation staff are also in support of the creation of a Park District.

ATTACHMENTS:

- ▢ Resolution 10191
- ▢ Exhibit A District Boundary Map and Certifying Letter
- ▢ Exhibit B District Boundary Defined
- ▢ Exhibit C Notice of Public Hearing for June 6
- ▢ Exhibit D Notice of Public Hearing for August 15

RESOLUTION OF INTENT NO. 10191

A RESOLUTION DECLARING IT TO BE THE INTENTION OF THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO CREATE A SPECIAL PARK DISTRICT AS AUTHORIZED BY TITLE 7, CHAPTER 11, PART 10 MCA, MORE SPECIFICALLY A CITY-WIDE PARK DISTRICT ENTITLED “CITY OF GREAT FALLS PARK DISTRICT NUMBER 1,” TO ESTABLISH AN ANNUAL ASSESSMENT AND PROVIDE FOR A METHOD OF ASSESSMENTS FOR THE PURPOSES OF FUNDING AND/OR FINANCING COSTS ASSOCIATED WITH PROVIDING SERVICES INCLUDING BUT NOT LIMITED TO: (1) MAINTENANCE, REPAIR, REPLACEMENT, UPKEEP, INSTALLATION, IMPROVEMENT, OPERATIONAL ENHANCEMENT, CONSTRUCTION, RECONSTRUCTION, ACQUISITION OF LAND, AND/OR (2) IMPLEMENTATION OF MEASURES REQUIRED TO MAINTAIN PUBLIC HEALTH AND SAFETY OR MEET LEGAL OR REGULATORY REQUIREMENTS, AND/OR (3) PURCHASING, REPLACING, AND/OR MAINTAINING EQUIPMENT, TOOLS OR VEHICLES USED TO CARRY OUT THE FUNCTIONS DESCRIBED HEREIN, AND/OR (4) ANY OTHER FUNCTIONS, LABOR, SUPPLIES AND/OR MATERIALS NECESSARY FOR MANAGEMENT AND MAINTENANCE OF CITY-OWNED FACILITIES, LANDS AND EQUIPMENT UNDER THE RESPONSIBILITY AND CARE OF THE CITY OF GREAT FALLS PARKS AND RECREATION DEPARTMENT INCLUDING BUT NOT LIMITED TO: PUBLIC PARKS AND PARK AREAS (AS DESCRIBED IN THE CITY OF GREAT FALLS PARK AND RECREATION MASTER PLAN), RECREATION FACILITIES, TRAILS, OPEN SPACE, URBAN FOREST, MEDIANS, BOULEVARDS, PATHWAYS, SIDEWALKS, PUBLIC EASEMENTS AND OTHER FACILITIES LOCATED IN THE CITY AND/OR OWNED BY THE CITY; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

WHEREAS, the City of Great Falls, Montana (the “City”) is a municipality duly organized and existing under and by virtue of the constitution and laws of the State of Montana; and

WHEREAS, the City Commission (the “Commission”) is authorized by Montana Code Annotated (MCA), Title 7, Chapter 11, Part 10, to create special districts to serve the inhabitants of the special district; and

WHEREAS, the City Commission has made the determination to initiate the creation of a special district; and

WHEREAS, the City Commission finds that the creation of a special park district is necessary to provide funding for the effective implementation of the Great Falls Park and Recreation Master Plan; and

WHEREAS, in accordance with MCA Section 7-11-1007, the City Commission has conducted a public hearing on June 6, 2017, at the Civic Center, 2 Park Drive South, Commission Chambers Room 206, Great Falls, Montana, at 7:00 p.m., prior to the passage of this Resolution of Intention to create a special district in the form of a City-wide park district;

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

Section 1. Proposed Services; Intention to Create District. It is the intention of the Commission to create and establish in the City a special district pursuant to MCA, Title 7, Chapter 11, Part 10, specifically a park district called the City of Great Falls Park District Number 1 (the "District") for the benefit of inhabitants of the District. The City proposes to establish the District for the purpose of providing services including but not limited to: (1) maintenance, repair, replacement, upkeep, installation, improvement, operational enhancement, construction, reconstruction, acquisition of land, and/or (2) implementation of measures required to maintain public health and safety or meet legal or regulatory requirements; and/or (3) purchasing, replacing, and/or maintaining equipment, tools or vehicles used to carry out the functions described herein, and/or (4) any other functions, labor, supplies and/or materials necessary for management and maintenance of City-owned facilities, lands and equipment under the responsibility and care of the City of Great Falls Parks and Recreation Department including but not limited to: public parks and park areas (as described in the City of Great Falls Park and Recreation Master Plan), recreation facilities, trails, open space, urban forest, medians, boulevards, pathways, sidewalks, public easements and other facilities which are located in the city limits and/or are owned by the City. The Commission hereby determines that it is necessary to create the District in order to properly accomplish the purposes set forth in this Section 1.

Section 2. Number of District. The District, if created and established, shall be known and designated as the City of Great Falls Park District Number 1.

Section 3. Boundaries of District. It is hereby declared to be the judgment of the City that the boundaries of the District are the current incorporated limits of the City as well as all properties later annexed thereto. In accordance with MCA Section 7-11-1006 (1) and (3), the current boundaries of the City are depicted on a map attached hereto as Exhibit "A" (which is incorporated herein and made a part hereof by reference), which boundaries are designated and confirmed as the boundaries of the District. In accordance with MCA Section 7-11-1006 (2) and (3), the Commission will cause a legal description of the boundaries of the proposed District to be prepared in consultation with a professional land surveyor prior to the approval of the District.

Section 4. Benefited Property. It is hereby declared to be the judgment of the Commission that the territory included within the boundaries of the District described in Section 3 of this Resolution and as shown on exhibits "A" and "B" is hereby declared to be the territory which will be benefited by the maintenance of the existing improvements and future public area improvements proposed for the District and will be assessed for a portion of the costs of performing such services as described in Section 1 of this Resolution.

Section 5. General Character of the Items to be Maintained/Improved. The general character of the items to be maintained/improved includes but is not limited to: native and turf grasses, trees, shrubs, and other vegetation, lighting, restrooms, irrigation systems, irrigation system water services, drainage ways, groundwater drains, storm water facilities, weed and pest control, equipment, tools, vehicles, fences, recreation facilities and equipment, parking lots, support facilities, signage, trails, pathways, sidewalks, public amenities, public easements and/or other public improvements maintained and/or under the responsibility of the City Park and Recreation Department.

Section 6. Method of Governing the District. The District shall be governed by the Mayor and Commission pursuant to the general respective exercise of their duties, responsibilities and powers as respectively set forth in the City Charter, the Official Code of the City of Great Falls, and the Montana Code Annotated.

Section 7. Assessment Methods; Property to be Assessed. All eligible properties located in the District are to be assessed for a portion of the cost of services listed in Section 1. In accordance with MCA Section 7-11-1024, the costs to provide services in the District shall be assessed against each lot or parcel of land, including the improvements on the lot or parcel, for that part of the cost of the District that its taxable valuation bears to the total taxable valuation of the property in the District. Taxable value shall be determined by the Montana Department of Revenue. Such taxable valuation shall be based upon the last-completed assessment roll for state, city, county and school district taxes.

Section 8. Estimated Cost of District and Method of Financing. In fiscal year 2017, the Commission estimates the cost of the services to be performed in the District to total \$2,267,296. On average, the assessment for a \$100,000 property would be \$43.28 per year.

In accordance with MCA Sections 7-11-1021 and 7-11-1025, prior to annually levying assessments necessary to carry out the services to be performed in the District, each year the City Manager shall prepare, or cause to be prepared, for Commission approval, a work plan, budget and estimate of expenses for the services to be performed in the District and the Commission shall specify the method of assessment for the lots and parcels of land located in the District, provide for any methods of financing such services, publish notice and conduct a public hearing on such assessments before finally adopting a resolution levying assessments against the lots and parcels of land in the District. The Commission annually must adopt a resolution establishing the annual assessment for the District.

Section 9. Payment of Assessments. The special assessments for the costs of providing services in the District shall be payable as provided in MCA Sections 7-11-1024 through 7-11-1028.

Section 10. List of Properties Available. In accordance with MCA Section 7-11-1007(3)(b), the Commission hereby declares the official list of those properties subject to potential assessment, fees or taxation under the creation of the District is on file and available for public inspection in the City Clerk's Office, and further that such list is the last completed property tax record maintained by the Department of Revenue for the county, within the boundaries of the District provided in Section 3. The list may not be distributed or sold for use as a mailing list in accordance with MCA Section 2-6-1017.

Section 11. Public Hearing; Protests: MCA Section 7-11-1008 provides for a 60-day period from the date of the first publication of the notice of passage and approval of this Resolution of Intention to make written protest against the proposed program or improvements. At any time prior to 5:00 p.m., Mountain Time, on August 9, 2017, any owner of real property within the District subject to assessment and taxation for the costs of the services proposed hereunder may make and file with the City Clerk written protest against the creation of the District. At its regular meeting on August 15, 2017, at 7:00 p.m., Mountain Time, Civic Center, 2 Park Drive South, Commission Chambers Room 206, Great Falls, Montana, the Commission will proceed to hear and determine all such protests so made and filed.

Section 12. Duration. The District shall exist for a period of 20 years beginning on adoption of the Resolution to Create the District approved by the Commission. The District may be dissolved if it is considered to be in the best interest of the City, and approved by the Commission, as prescribed in MCA Section 7-11-1029.

Section 13. Public Hearing Notifications. As prescribed by MCA Section 7-11-1107, the City is required to hold a public hearing of a proposed special district prior to passage of a resolution of intention to create the special district (Exhibit “C” attached hereto). Further, the governing body shall publish notice of passage of the resolution of intention to create a special district and creation of the special district (Exhibit “D” attached hereto).

The City Clerk is hereby authorized and directed to publish, or cause to be published, a copy of Exhibit “C” in the *Great Falls Tribune*, a newspaper of general circulation in Cascade County on May 21, 2017, and May 28, 2017, as applicable in the form and manner prescribed by MCA Section 7-1-4127.

The City Clerk is also authorized and directed to publish, or cause to be published, a copy of Exhibit “D” in the *Great Falls Tribune*, on June 9, 2017, and June 16, 2017. As required in MCA Section 7-11-1007 (3) (a) and (c), Notice of Passage of the Resolution of Intention shall be mailed to each owner, or purchaser under contract for deed, of the property included in the creation of the proposed special district based on the current property tax record maintained by the Department of Revenue for the county at his or her last-known address, in the form and manner prescribed by MCA Section 7-1-4129.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, this 6th day of June, 2017.

Bob Kelly, Mayor

ATTEST:

Darcy Dea, Deputy City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

Sara Sexe, City Attorney

May 4, 2017

Patty Rearden
Interim Park & Recreation Director
City of Great Falls
P.O. Box 5021
Great Falls, MT 59403

RE: Special District Boundary (Park District)

Mrs. Reardon,

I, Mark Leo, a registered professional engineer and land surveyor in the State of Montana, hereby certify that the map provided by the City of Great Falls' GIS department sufficiently represents the corporate boundaries of the City of Great Falls for the purpose of the creation of a special district. The boundary, as shown, generally follows public right-of-way, subdivision boundaries, property ownership, municipal, and county lines. A complete retracement survey on the ground is impractical at this time; however, the intent of the corporate boundary map is clear and portions thereof or its entirety can be recreated by field survey should it become a necessity.

Attached is a general metes and bounds legal description pursuant to M.C.A. 7-11-1006. Areas exist within the bounds of this legal description that are excluded from the corporate boundaries of the City and can be identified per the GIS map and recreated with a field survey, if necessary.

Respectfully,



Mark Leo, E.S.

Big Sky Civil & Environmental, Inc.



GENERAL METES AND BOUNDS LEGAL DESCRIPTION CORPORATE BOUNDARIES OF THE CITY OF GREAT FALLS

BEGINNING AT THE SOUTHWESTERN MOST CORNER OF THE CORPORATE BOUNDARY OF THE CITY OF GREAT FALLS, MT WITH A STATE PLANE 83, MT 2500 COORDINATES OF N=1174944.1251, E=1496184.8750;
THENCE N03°26'06"E A DISTANCE OF 688.49 FEET TO AN ANGLE POINT;
THENCE N70°50'55"E A DISTANCE OF 2155.81 FEET TO AN ANGLE POINT;
THENCE N00°32'55"E A DISTANCE OF 1500.94 FEET TO AN ANGLE POINT;
THENCE S86°16'08"E A DISTANCE OF 908.55 FEET TO AN ANGLE POINT;
THENCE N46°21'41"E A DISTANCE OF 2398.81 FEET TO AN ANGLE POINT;
THENCE N01°06'51"E A DISTANCE OF 890.61 FEET TO AN ANGLE POINT;
THENCE S88°11'15"E A DISTANCE OF 609.92 FEET TO AN ANGLE POINT;
THENCE N01°03'21"E A DISTANCE OF 2607.25 FEET TO AN ANGLE POINT;
THENCE S88°18'18"E A DISTANCE OF 739.16 FEET TO AN ANGLE POINT;
THENCE N01°57'07"E A DISTANCE OF 2635.76 FEET TO AN ANGLE POINT;
THENCE S88°24'54"E A DISTANCE OF 1315.13 FEET TO AN ANGLE POINT;
THENCE N01°49'24"E A DISTANCE OF 3614.33 FEET TO AN ANGLE POINT;
THENCE N68°17'23"E A DISTANCE OF 1198.25 FEET TO AN ANGLE POINT;
THENCE S83°01'27"E A DISTANCE OF 1542.80 FEET TO AN ANGLE POINT;
THENCE S00°50'31"W A DISTANCE OF 1318.64 FEET TO AN ANGLE POINT;
THENCE S88°42'51"E A DISTANCE OF 3397.73 FEET TO AN ANGLE POINT;
THENCE N46°19'31"E A DISTANCE OF 732.26 FEET TO AN ANGLE POINT;
THENCE N30°21'15"E A DISTANCE OF 834.53 FEET TO AN ANGLE POINT;
THENCE S72°14'39"E A DISTANCE OF 952.72 FEET TO AN ANGLE POINT;
THENCE N02°30'54"E A DISTANCE OF 1519.70 FEET TO AN ANGLE POINT;
THENCE N42°53'31"W A DISTANCE OF 771.36 FEET TO AN ANGLE POINT;
THENCE N61°34'19"W A DISTANCE OF 141.00 FEET TO AN ANGLE POINT;
THENCE N89°28'52"W A DISTANCE OF 303.64 FEET TO AN ANGLE POINT;
THENCE S00°04'01"E A DISTANCE OF 855.88 FEET TO AN ANGLE POINT;
THENCE N75°59'54"W A DISTANCE OF 201.49 FEET TO AN ANGLE POINT;
THENCE N01°21'18"E A DISTANCE OF 808.73 FEET TO AN ANGLE POINT;
THENCE N67°56'51"W A DISTANCE OF 164.13 FEET TO AN ANGLE POINT;
THENCE N89°09'41"W A DISTANCE OF 905.35 FEET TO AN ANGLE POINT;
THENCE N20°39'28"E A DISTANCE OF 454.40 FEET TO AN ANGLE POINT;
THENCE N05°25'27"W A DISTANCE OF 776.95 FEET TO AN ANGLE POINT;
THENCE N66°02'16"W A DISTANCE OF 566.56 FEET TO AN ANGLE POINT;
THENCE N01°03'50"E A DISTANCE OF 518.34 FEET TO AN ANGLE POINT;
THENCE N88°35'20"W A DISTANCE OF 664.95 FEET TO AN ANGLE POINT;
THENCE S01°35'13"W A DISTANCE OF 582.22 FEET TO AN ANGLE POINT;
THENCE S42°02'00"W A DISTANCE OF 601.14 FEET TO AN ANGLE POINT;
THENCE N01°11'47"E A DISTANCE OF 1329.16 FEET TO AN ANGLE POINT;
THENCE S88°40'18"E A DISTANCE OF 965.26 FEET TO AN ANGLE POINT;
THENCE N02°08'30"E A DISTANCE OF 180.63 FEET TO AN ANGLE POINT;
THENCE S88°34'16"E A DISTANCE OF 110.28 FEET TO AN ANGLE POINT;
THENCE S02°04'10"W A DISTANCE OF 179.99 FEET TO AN ANGLE POINT;
THENCE S88°21'27"E A DISTANCE OF 2669.10 FEET TO AN ANGLE POINT;
THENCE N01°11'07"E A DISTANCE OF 435.09 FEET TO AN ANGLE POINT;

THENCE N88°20'47"W A DISTANCE OF 391.50 FEET TO AN ANGLE POINT;
THENCE N01°37'48"E A DISTANCE OF 673.40 FEET TO AN ANGLE POINT;
THENCE N05°22'17"E A DISTANCE OF 1236.62 FEET TO AN ANGLE POINT;
THENCE N21°51'29"E A DISTANCE OF 301.67 FEET TO AN ANGLE POINT;
THENCE N82°50'47"E A DISTANCE OF 213.02 FEET TO AN ANGLE POINT;
THENCE N89°45'41"E A DISTANCE OF 1276.56 FEET TO AN ANGLE POINT;
THENCE N17°06'13"W A DISTANCE OF 1744.91 FEET TO AN ANGLE POINT;
THENCE S88°50'59"E A DISTANCE OF 643.23 FEET TO AN ANGLE POINT;
THENCE S02°01'00"W A DISTANCE OF 390.50 FEET TO AN ANGLE POINT;
THENCE N88°50'11"W A DISTANCE OF 398.81 FEET TO AN ANGLE POINT;
THENCE S17°28'40"E A DISTANCE OF 1222.07 FEET TO AN ANGLE POINT;
THENCE S80°34'23"E A DISTANCE OF 27.20 FEET TO AN ANGLE POINT;
THENCE N89°27'03"E A DISTANCE OF 1285.97 FEET TO AN ANGLE POINT;
THENCE N01°57'33"E A DISTANCE OF 342.62 FEET TO AN ANGLE POINT;
THENCE S81°55'44"E A DISTANCE OF 1952.49 FEET TO AN ANGLE POINT;
THENCE N01°27'54"E A DISTANCE OF 79.03 FEET TO AN ANGLE POINT;
THENCE S81°59'56"E A DISTANCE OF 199.08 FEET TO AN ANGLE POINT;
THENCE S01°15'46"W A DISTANCE OF 166.29 FEET TO AN ANGLE POINT;
THENCE S88°56'08"E A DISTANCE OF 489.71 FEET TO AN ANGLE POINT;
THENCE N25°28'42"E A DISTANCE OF 88.24 FEET TO AN ANGLE POINT;
THENCE N72°56'15"W A DISTANCE OF 135.73 FEET TO AN ANGLE POINT;
THENCE N78°24'05"W A DISTANCE OF 148.37 FEET TO AN ANGLE POINT;
THENCE N81°49'25"W A DISTANCE OF 1594.33 FEET TO AN ANGLE POINT;
THENCE N08°13'14"E A DISTANCE OF 179.22 FEET TO AN ANGLE POINT;
THENCE N81°50'23"W A DISTANCE OF 1008.33 FEET TO AN ANGLE POINT;
THENCE N16°17'10"W A DISTANCE OF 473.37 FEET TO AN ANGLE POINT;
THENCE N46°54'44"E A DISTANCE OF 455.63 FEET TO AN ANGLE POINT;
THENCE N58°11'00"E A DISTANCE OF 1300.25 FEET TO AN ANGLE POINT;
THENCE N59°31'47"E A DISTANCE OF 475.26 FEET TO AN ANGLE POINT;
THENCE S30°39'43"E A DISTANCE OF 20.34 FEET TO AN ANGLE POINT;
THENCE N59°31'07"E A DISTANCE OF 529.56 FEET TO AN ANGLE POINT;
THENCE S30°27'21"E A DISTANCE OF 149.94 FEET TO AN ANGLE POINT;
THENCE S59°33'03"W A DISTANCE OF 88.30 FEET TO AN ANGLE POINT;
THENCE S30°36'47"E A DISTANCE OF 140.16 FEET TO AN ANGLE POINT;
THENCE N59°30'58"E A DISTANCE OF 314.90 FEET TO AN ANGLE POINT;
THENCE N30°22'58"W A DISTANCE OF 179.68 FEET TO AN ANGLE POINT;
THENCE N59°29'27"E A DISTANCE OF 91.84 FEET TO AN ANGLE POINT;
THENCE S30°25'02"E A DISTANCE OF 179.74 FEET TO AN ANGLE POINT;
THENCE N59°29'42"E A DISTANCE OF 128.54 FEET TO AN ANGLE POINT;
THENCE S89°08'31"E A DISTANCE OF 292.16 FEET TO AN ANGLE POINT;
THENCE N00°52'35"W A DISTANCE OF 367.79 FEET TO AN ANGLE POINT;
THENCE N01°28'37"E A DISTANCE OF 310.35 FEET TO AN ANGLE POINT;
THENCE S88°34'02"E A DISTANCE OF 309.97 FEET TO AN ANGLE POINT;
THENCE S01°28'45"W A DISTANCE OF 300.23 FEET TO AN ANGLE POINT;
THENCE S88°31'47"E A DISTANCE OF 267.96 FEET TO AN ANGLE POINT;
THENCE N00°36'07"E A DISTANCE OF 309.39 FEET TO AN ANGLE POINT;
THENCE N88°32'06"W A DISTANCE OF 337.36 FEET TO AN ANGLE POINT;
THENCE N00°22'44"E A DISTANCE OF 1001.52 FEET TO AN ANGLE POINT;
THENCE N01°28'41"E A DISTANCE OF 353.74 FEET TO AN ANGLE POINT;

THENCE S88°28'12"E A DISTANCE OF 365.13 FEET TO AN ANGLE POINT;
THENCE N00°57'34"E A DISTANCE OF 126.89 FEET TO AN ANGLE POINT;
THENCE S89°42'56"E A DISTANCE OF 50.38 FEET TO AN ANGLE POINT;
THENCE N00°46'16"E A DISTANCE OF 195.02 FEET TO AN ANGLE POINT;
THENCE S89°39'39"E A DISTANCE OF 190.00 FEET TO AN ANGLE POINT;
THENCE N00°25'10"E A DISTANCE OF 239.01 FEET TO AN ANGLE POINT;
THENCE N89°40'49"W A DISTANCE OF 179.13 FEET TO AN ANGLE POINT;
THENCE N00°40'29"W A DISTANCE OF 350.27 FEET TO AN ANGLE POINT;
THENCE N00°13'49"E A DISTANCE OF 373.00 FEET TO AN ANGLE POINT;
THENCE S89°33'45"E A DISTANCE OF 638.39 FEET TO AN ANGLE POINT;
THENCE S00°26'55"W A DISTANCE OF 287.38 FEET TO AN ANGLE POINT;
THENCE S89°56'52"E A DISTANCE OF 547.50 FEET TO AN ANGLE POINT;
THENCE N00°43'29"E A DISTANCE OF 217.39 FEET TO AN ANGLE POINT;
THENCE S89°38'24"E A DISTANCE OF 99.50 FEET TO AN ANGLE POINT;
THENCE N00°20'17"E A DISTANCE OF 402.38 FEET TO AN ANGLE POINT;
THENCE S89°40'40"E A DISTANCE OF 711.14 FEET TO AN ANGLE POINT;
THENCE N22°04'52"E A DISTANCE OF 123.70 FEET TO AN ANGLE POINT;
THENCE S89°41'09"E A DISTANCE OF 182.38 FEET TO AN ANGLE POINT;
THENCE S00°19'20"W A DISTANCE OF 111.13 FEET TO AN ANGLE POINT;
THENCE N56°14'01"E A DISTANCE OF 469.14 FEET TO AN ANGLE POINT;
THENCE N00°47'56"E A DISTANCE OF 143.58 FEET TO AN ANGLE POINT;
THENCE N89°16'26"W A DISTANCE OF 281.15 FEET TO AN ANGLE POINT;
THENCE N00°41'33"E A DISTANCE OF 1561.79 FEET TO AN ANGLE POINT;
THENCE N89°40'17"W A DISTANCE OF 2366.54 FEET TO AN ANGLE POINT;
THENCE N01°25'49"E A DISTANCE OF 2638.50 FEET TO AN ANGLE POINT;
THENCE N89°59'34"E A DISTANCE OF 4425.48 FEET TO AN ANGLE POINT;
THENCE S04°14'27"E A DISTANCE OF 1411.42 FEET TO AN ANGLE POINT;
THENCE S00°34'27"W A DISTANCE OF 1255.86 FEET TO AN ANGLE POINT;
THENCE S89°25'02"E A DISTANCE OF 737.29 FEET TO AN ANGLE POINT;
THENCE N24°38'15"E A DISTANCE OF 578.41 FEET TO AN ANGLE POINT;
THENCE N00°50'32"E A DISTANCE OF 280.66 FEET TO AN ANGLE POINT;
THENCE S89°10'42"E A DISTANCE OF 400.92 FEET TO AN ANGLE POINT;
THENCE S00°08'46"W A DISTANCE OF 98.00 FEET TO AN ANGLE POINT;
THENCE S89°54'16"E A DISTANCE OF 600.25 FEET TO AN ANGLE POINT;
THENCE N00°04'18"E A DISTANCE OF 600.25 FEET TO AN ANGLE POINT;
THENCE S88°41'19"E A DISTANCE OF 1360.49 FEET TO AN ANGLE POINT;
THENCE N00°14'38"E A DISTANCE OF 535.60 FEET TO AN ANGLE POINT;
THENCE S89°15'32"E A DISTANCE OF 1379.49 FEET TO AN ANGLE POINT;
THENCE S17°04'43"W A DISTANCE OF 496.75 FEET TO AN ANGLE POINT;
THENCE S00°00'30"W A DISTANCE OF 1401.97 FEET TO AN ANGLE POINT;
THENCE N88°49'24"W A DISTANCE OF 97.74 FEET TO AN ANGLE POINT;
THENCE S00°00'35"W A DISTANCE OF 135.48 FEET TO AN ANGLE POINT;
THENCE S88°48'28"E A DISTANCE OF 1425.27 FEET TO AN ANGLE POINT;
THENCE N00°17'58"E A DISTANCE OF 3370.12 FEET TO AN ANGLE POINT;
THENCE N88°51'37"W A DISTANCE OF 422.86 FEET TO AN ANGLE POINT;
THENCE S00°23'49"W A DISTANCE OF 600.17 FEET TO AN ANGLE POINT;
THENCE N88°50'07"W A DISTANCE OF 1995.06 FEET TO AN ANGLE POINT;
THENCE N00°24'27"E A DISTANCE OF 1450.12 FEET TO AN ANGLE POINT;
THENCE S88°46'33"E A DISTANCE OF 853.76 FEET TO AN ANGLE POINT;

THENCE S75°19'24"E A DISTANCE OF 424.22 FEET TO AN ANGLE POINT;
THENCE S00°24'27"W A DISTANCE OF 150.13 FEET TO AN ANGLE POINT;
THENCE S88°50'13"E A DISTANCE OF 890.00 FEET TO AN ANGLE POINT;
THENCE N00°24'27"E A DISTANCE OF 150.05 FEET TO AN ANGLE POINT;
THENCE S88°50'13"E A DISTANCE OF 259.99 FEET TO AN ANGLE POINT;
THENCE N00°24'32"E A DISTANCE OF 645.91 FEET TO AN ANGLE POINT;
THENCE S89°58'49"E A DISTANCE OF 133.07 FEET TO AN ANGLE POINT;
THENCE S00°36'51"W A DISTANCE OF 5106.55 FEET TO AN ANGLE POINT;
THENCE S65°43'07"E A DISTANCE OF 11.61 FEET TO AN ANGLE POINT;
THENCE N26°37'18"E A DISTANCE OF 3777.62 FEET TO AN ANGLE POINT;
THENCE N29°00'57"E A DISTANCE OF 1143.50 FEET TO AN ANGLE POINT;
THENCE N30°54'12"E A DISTANCE OF 348.59 FEET TO AN ANGLE POINT;
THENCE N90°00'00"E A DISTANCE OF 160.52 FEET TO AN ANGLE POINT;
THENCE S00°46'10"W A DISTANCE OF 251.81 FEET TO AN ANGLE POINT;
THENCE S89°30'50"E A DISTANCE OF 1322.32 FEET TO AN ANGLE POINT;
THENCE S00°50'13"W A DISTANCE OF 1322.77 FEET TO AN ANGLE POINT;
THENCE S89°25'54"E A DISTANCE OF 868.49 FEET TO AN ANGLE POINT;
THENCE S00°42'52"W A DISTANCE OF 1335.49 FEET TO AN ANGLE POINT;
THENCE N89°32'29"W A DISTANCE OF 1321.71 FEET TO AN ANGLE POINT;
THENCE S00°43'22"W A DISTANCE OF 949.63 FEET TO AN ANGLE POINT;
THENCE N89°26'35"W A DISTANCE OF 1683.40 FEET TO AN ANGLE POINT;
THENCE N00°47'06"E A DISTANCE OF 615.07 FEET TO AN ANGLE POINT;
THENCE N88°50'46"W A DISTANCE OF 842.45 FEET TO AN ANGLE POINT;
THENCE S26°36'04"W A DISTANCE OF 1473.45 FEET TO AN ANGLE POINT;
THENCE S62°02'44"E A DISTANCE OF 348.91 FEET TO AN ANGLE POINT;
THENCE S88°52'36"E A DISTANCE OF 103.68 FEET TO AN ANGLE POINT;
THENCE S01°07'24"W A DISTANCE OF 104.58 FEET TO AN ANGLE POINT;
THENCE N88°50'17"W A DISTANCE OF 513.21 FEET TO AN ANGLE POINT;
THENCE S16°39'32"W A DISTANCE OF 601.33 FEET TO AN ANGLE POINT;
THENCE S77°33'38"E A DISTANCE OF 157.76 FEET TO AN ANGLE POINT;
THENCE S88°50'25"E A DISTANCE OF 1199.16 FEET TO AN ANGLE POINT;
THENCE N01°09'45"E A DISTANCE OF 1219.35 FEET TO AN ANGLE POINT;
THENCE S89°05'38"E A DISTANCE OF 819.99 FEET TO AN ANGLE POINT;
THENCE S01°09'16"W A DISTANCE OF 946.19 FEET TO AN ANGLE POINT;
THENCE S46°16'15"W A DISTANCE OF 349.79 FEET TO AN ANGLE POINT;
THENCE S69°23'56"W A DISTANCE OF 264.92 FEET TO AN ANGLE POINT;
THENCE N89°45'50"W A DISTANCE OF 1601.28 FEET TO AN ANGLE POINT;
THENCE N88°45'56"W A DISTANCE OF 98.66 FEET TO AN ANGLE POINT;
THENCE S01°14'03"W A DISTANCE OF 186.27 FEET TO AN ANGLE POINT;
THENCE N88°55'31"W A DISTANCE OF 455.83 FEET TO AN ANGLE POINT;
THENCE N26°41'45"E A DISTANCE OF 432.59 FEET TO AN ANGLE POINT;
THENCE S63°48'59"E A DISTANCE OF 25.04 FEET TO AN ANGLE POINT;
THENCE N26°41'46"E A DISTANCE OF 512.53 FEET TO AN ANGLE POINT;
THENCE N11°20'36"W A DISTANCE OF 176.98 FEET TO AN ANGLE POINT;
THENCE N00°43'52"E A DISTANCE OF 248.05 FEET TO AN ANGLE POINT;
THENCE N88°49'13"W A DISTANCE OF 188.56 FEET TO AN ANGLE POINT;
THENCE S00°48'42"W A DISTANCE OF 151.11 FEET TO AN ANGLE POINT;
THENCE N88°46'21"W A DISTANCE OF 301.35 FEET TO AN ANGLE POINT;
THENCE S01°28'18"W A DISTANCE OF 684.24 FEET TO AN ANGLE POINT;

THENCE N88°28'04"W A DISTANCE OF 408.11 FEET TO AN ANGLE POINT;
THENCE S01°07'45"W A DISTANCE OF 740.02 FEET TO AN ANGLE POINT;
THENCE N88°51'08"W A DISTANCE OF 528.04 FEET TO AN ANGLE POINT;
THENCE S01°18'25"W A DISTANCE OF 145.22 FEET TO AN ANGLE POINT;
THENCE N78°31'56"W A DISTANCE OF 565.13 FEET TO AN ANGLE POINT;
THENCE N00°44'53"E A DISTANCE OF 88.61 FEET TO AN ANGLE POINT;
THENCE N88°52'48"W A DISTANCE OF 257.24 FEET TO AN ANGLE POINT;
THENCE S00°53'35"W A DISTANCE OF 865.97 FEET TO AN ANGLE POINT;
THENCE S88°50'16"E A DISTANCE OF 1349.53 FEET TO AN ANGLE POINT;
THENCE S26°42'02"W A DISTANCE OF 1464.13 FEET TO AN ANGLE POINT;
THENCE N88°58'00"W A DISTANCE OF 928.78 FEET TO AN ANGLE POINT;
THENCE S04°05'48"W A DISTANCE OF 964.09 FEET TO AN ANGLE POINT;
THENCE S01°04'16"W A DISTANCE OF 287.55 FEET TO AN ANGLE POINT;
THENCE S89°48'39"E A DISTANCE OF 189.38 FEET TO AN ANGLE POINT;
THENCE N01°07'34"E A DISTANCE OF 292.56 FEET TO AN ANGLE POINT;
THENCE S88°54'29"E A DISTANCE OF 209.91 FEET TO AN ANGLE POINT;
THENCE S55°43'13"E A DISTANCE OF 984.23 FEET TO AN ANGLE POINT;
THENCE S00°11'09"W A DISTANCE OF 355.81 FEET TO AN ANGLE POINT;
THENCE S70°22'04"W A DISTANCE OF 990.49 FEET TO AN ANGLE POINT;
THENCE S62°54'47"W A DISTANCE OF 1089.42 FEET TO AN ANGLE POINT;
THENCE S67°37'58"W A DISTANCE OF 908.44 FEET TO AN ANGLE POINT;
THENCE N84°09'38"W A DISTANCE OF 1251.43 FEET TO AN ANGLE POINT;
THENCE S56°08'37"E A DISTANCE OF 955.37 FEET TO AN ANGLE POINT;
THENCE S01°16'24"W A DISTANCE OF 894.47 FEET TO AN ANGLE POINT;
THENCE S88°08'08"E A DISTANCE OF 703.12 FEET TO AN ANGLE POINT;
THENCE N51°43'04"E A DISTANCE OF 1603.69 FEET TO AN ANGLE POINT;
THENCE N83°33'32"E A DISTANCE OF 2532.09 FEET TO AN ANGLE POINT;
THENCE S84°31'17"E A DISTANCE OF 1373.10 FEET TO AN ANGLE POINT;
THENCE S63°26'38"E A DISTANCE OF 2210.54 FEET TO AN ANGLE POINT;
THENCE N64°50'46"E A DISTANCE OF 1840.42 FEET TO AN ANGLE POINT;
THENCE N64°51'41"E A DISTANCE OF 3142.90 FEET TO AN ANGLE POINT;
THENCE N51°56'19"E A DISTANCE OF 2475.44 FEET TO AN ANGLE POINT;
THENCE N53°53'57"E A DISTANCE OF 2870.58 FEET TO AN ANGLE POINT;
THENCE S32°06'57"E A DISTANCE OF 1017.15 FEET TO AN ANGLE POINT;
THENCE S58°15'48"W A DISTANCE OF 1492.11 FEET TO AN ANGLE POINT;
THENCE S51°39'04"W A DISTANCE OF 1650.62 FEET TO AN ANGLE POINT;
THENCE N88°51'12"W A DISTANCE OF 156.16 FEET TO AN ANGLE POINT;
THENCE S00°08'41"W A DISTANCE OF 1285.63 FEET TO AN ANGLE POINT;
THENCE S70°19'14"E A DISTANCE OF 491.45 FEET TO AN ANGLE POINT;
THENCE N00°09'09"E A DISTANCE OF 1033.25 FEET TO AN ANGLE POINT;
THENCE S88°53'53"E A DISTANCE OF 2053.88 FEET TO AN ANGLE POINT;
THENCE S00°32'08"E A DISTANCE OF 1243.93 FEET TO AN ANGLE POINT;
THENCE S88°30'30"E A DISTANCE OF 120.04 FEET TO AN ANGLE POINT;
THENCE N00°32'47"W A DISTANCE OF 209.76 FEET TO AN ANGLE POINT;
THENCE S88°31'24"E A DISTANCE OF 485.04 FEET TO AN ANGLE POINT;
THENCE S00°32'43"E A DISTANCE OF 210.13 FEET TO AN ANGLE POINT;
THENCE S88°59'48"E A DISTANCE OF 1113.67 FEET TO AN ANGLE POINT;
THENCE N02°11'50"E A DISTANCE OF 420.42 FEET TO AN ANGLE POINT;
THENCE N55°20'24"E A DISTANCE OF 177.10 FEET TO AN ANGLE POINT;

THENCE N89°53'29"E A DISTANCE OF 195.97 FEET TO AN ANGLE POINT;
THENCE N12°19'08"E A DISTANCE OF 1148.88 FEET TO AN ANGLE POINT;
THENCE S88°29'43"E A DISTANCE OF 1640.18 FEET TO AN ANGLE POINT;
THENCE N01°17'16"E A DISTANCE OF 1325.20 FEET TO AN ANGLE POINT;
THENCE S88°24'37"E A DISTANCE OF 659.05 FEET TO AN ANGLE POINT;
THENCE N01°07'03"E A DISTANCE OF 663.46 FEET TO AN ANGLE POINT;
THENCE S88°33'57"E A DISTANCE OF 3997.46 FEET TO AN ANGLE POINT;
THENCE S01°15'47"W A DISTANCE OF 1983.20 FEET TO AN ANGLE POINT;
THENCE N88°53'54"W A DISTANCE OF 600.41 FEET TO AN ANGLE POINT;
THENCE S00°47'13"W A DISTANCE OF 1807.90 FEET TO AN ANGLE POINT;
THENCE N88°52'22"W A DISTANCE OF 4474.19 FEET TO AN ANGLE POINT;
THENCE S42°53'46"E A DISTANCE OF 314.53 FEET TO AN ANGLE POINT;
THENCE S24°23'46"E A DISTANCE OF 267.72 FEET TO AN ANGLE POINT;
THENCE S08°51'53"E A DISTANCE OF 228.13 FEET TO AN ANGLE POINT;
THENCE S00°00'11"E A DISTANCE OF 546.90 FEET TO AN ANGLE POINT;
THENCE N90°00'00"E A DISTANCE OF 206.67 FEET TO AN ANGLE POINT;
THENCE S00°11'53"E A DISTANCE OF 855.61 FEET TO AN ANGLE POINT;
THENCE N89°11'16"W A DISTANCE OF 203.79 FEET TO AN ANGLE POINT;
THENCE S00°38'12"E A DISTANCE OF 502.35 FEET TO AN ANGLE POINT;
THENCE S88°21'28"E A DISTANCE OF 608.35 FEET TO AN ANGLE POINT;
THENCE S00°00'08"E A DISTANCE OF 1363.96 FEET TO AN ANGLE POINT;
THENCE N88°38'24"W A DISTANCE OF 628.24 FEET TO AN ANGLE POINT;
THENCE S00°40'26"W A DISTANCE OF 584.80 FEET TO AN ANGLE POINT;
THENCE S54°22'24"E A DISTANCE OF 129.72 FEET TO AN ANGLE POINT;
THENCE S01°22'17"W A DISTANCE OF 101.83 FEET TO AN ANGLE POINT;
THENCE S24°01'20"W A DISTANCE OF 295.86 FEET TO AN ANGLE POINT;
THENCE N88°57'51"W A DISTANCE OF 124.41 FEET TO AN ANGLE POINT;
THENCE N00°23'02"E A DISTANCE OF 71.63 FEET TO AN ANGLE POINT;
THENCE N21°20'12"W A DISTANCE OF 233.10 FEET TO AN ANGLE POINT;
THENCE N88°18'16"W A DISTANCE OF 1668.25 FEET TO AN ANGLE POINT;
THENCE S00°00'12"E A DISTANCE OF 297.90 FEET TO AN ANGLE POINT;
THENCE N88°21'20"W A DISTANCE OF 157.57 FEET TO AN ANGLE POINT;
THENCE N00°00'20"W A DISTANCE OF 298.27 FEET TO AN ANGLE POINT;
THENCE N88°13'19"W A DISTANCE OF 198.58 FEET TO AN ANGLE POINT;
THENCE S00°11'01"E A DISTANCE OF 195.13 FEET TO AN ANGLE POINT;
THENCE N88°14'22"W A DISTANCE OF 569.64 FEET TO AN ANGLE POINT;
THENCE N00°19'50"W A DISTANCE OF 195.00 FEET TO AN ANGLE POINT;
THENCE S31°13'06"W A DISTANCE OF 666.49 FEET TO AN ANGLE POINT;
THENCE S02°01'24"W A DISTANCE OF 694.55 FEET TO AN ANGLE POINT;
THENCE S88°40'22"E A DISTANCE OF 254.78 FEET TO AN ANGLE POINT;
THENCE S00°35'11"E A DISTANCE OF 671.66 FEET TO AN ANGLE POINT;
THENCE N75°18'39"E A DISTANCE OF 577.24 FEET TO AN ANGLE POINT;
THENCE S88°34'00"E A DISTANCE OF 159.93 FEET TO AN ANGLE POINT;
THENCE N35°42'51"E A DISTANCE OF 623.77 FEET TO AN ANGLE POINT;
THENCE N86°04'42"E A DISTANCE OF 497.67 FEET TO AN ANGLE POINT;
THENCE S89°23'43"E A DISTANCE OF 675.04 FEET TO AN ANGLE POINT;
THENCE S35°41'53"E A DISTANCE OF 893.51 FEET TO AN ANGLE POINT;
THENCE S00°24'13"W A DISTANCE OF 2643.32 FEET TO AN ANGLE POINT;
THENCE S83°54'11"E A DISTANCE OF 171.30 FEET TO AN ANGLE POINT;

THENCE S00°32'48"W A DISTANCE OF 402.33 FEET TO AN ANGLE POINT;
THENCE S58°30'14"E A DISTANCE OF 1281.29 FEET TO AN ANGLE POINT;
THENCE S40°33'34"W A DISTANCE OF 847.37 FEET TO AN ANGLE POINT;
THENCE N75°03'44"W A DISTANCE OF 999.49 FEET TO AN ANGLE POINT;
THENCE N89°42'47"W A DISTANCE OF 1032.16 FEET TO AN ANGLE POINT;
THENCE N00°17'13"E A DISTANCE OF 1211.13 FEET TO AN ANGLE POINT;
THENCE N88°12'44"W A DISTANCE OF 1238.01 FEET TO AN ANGLE POINT;
THENCE S00°15'03"E A DISTANCE OF 867.37 FEET TO AN ANGLE POINT;
THENCE N88°22'48"W A DISTANCE OF 843.22 FEET TO AN ANGLE POINT;
THENCE S01°54'20"W A DISTANCE OF 254.47 FEET TO AN ANGLE POINT;
THENCE S48°43'18"W A DISTANCE OF 723.42 FEET TO AN ANGLE POINT;
THENCE S61°33'02"W A DISTANCE OF 567.82 FEET TO AN ANGLE POINT;
THENCE N88°02'29"W A DISTANCE OF 501.04 FEET TO AN ANGLE POINT;
THENCE S05°23'31"E A DISTANCE OF 160.96 FEET TO AN ANGLE POINT;
THENCE S01°49'44"W A DISTANCE OF 454.36 FEET TO AN ANGLE POINT;
THENCE N64°33'31"E A DISTANCE OF 210.96 FEET TO AN ANGLE POINT;
THENCE N75°04'45"E A DISTANCE OF 351.48 FEET TO AN ANGLE POINT;
THENCE S00°25'54"W A DISTANCE OF 215.76 FEET TO AN ANGLE POINT;
THENCE S75°02'57"W A DISTANCE OF 260.18 FEET TO AN ANGLE POINT;
THENCE S64°42'38"W A DISTANCE OF 336.50 FEET TO AN ANGLE POINT;
THENCE S04°16'26"W A DISTANCE OF 335.47 FEET TO AN ANGLE POINT;
THENCE S31°42'55"W A DISTANCE OF 353.15 FEET TO AN ANGLE POINT;
THENCE S64°35'34"W A DISTANCE OF 843.84 FEET TO AN ANGLE POINT;
THENCE N88°21'12"W A DISTANCE OF 404.54 FEET TO AN ANGLE POINT;
THENCE S00°50'49"W A DISTANCE OF 245.28 FEET TO AN ANGLE POINT;
THENCE N81°20'50"W A DISTANCE OF 449.49 FEET TO AN ANGLE POINT;
THENCE N35°59'57"W A DISTANCE OF 185.87 FEET TO AN ANGLE POINT;
THENCE N16°41'02"E A DISTANCE OF 179.82 FEET TO AN ANGLE POINT;
THENCE N69°50'57"W A DISTANCE OF 124.10 FEET TO AN ANGLE POINT;
THENCE N49°02'12"W A DISTANCE OF 366.74 FEET TO AN ANGLE POINT;
THENCE S42°59'44"W A DISTANCE OF 1999.04 FEET TO AN ANGLE POINT;
THENCE S59°38'21"W A DISTANCE OF 466.22 FEET TO AN ANGLE POINT;
THENCE N88°42'00"W A DISTANCE OF 773.67 FEET TO AN ANGLE POINT;
THENCE N12°17'14"W A DISTANCE OF 906.55 FEET TO AN ANGLE POINT;
THENCE N01°23'48"W A DISTANCE OF 303.86 FEET TO AN ANGLE POINT;
THENCE N88°32'33"W A DISTANCE OF 1849.95 FEET TO AN ANGLE POINT;
THENCE S01°28'26"W A DISTANCE OF 528.40 FEET TO AN ANGLE POINT;
THENCE N88°45'59"W A DISTANCE OF 1341.87 FEET TO AN ANGLE POINT;
THENCE N82°29'34"W A DISTANCE OF 745.10 FEET TO AN ANGLE POINT;
THENCE N72°39'40"W A DISTANCE OF 593.09 FEET TO AN ANGLE POINT;
THENCE N88°20'23"W A DISTANCE OF 348.28 FEET TO AN ANGLE POINT;
THENCE S88°45'41"W A DISTANCE OF 2081.27 FEET TO AN ANGLE POINT;
THENCE N88°44'19"W A DISTANCE OF 182.57 FEET TO AN ANGLE POINT;
THENCE S01°26'20"W A DISTANCE OF 729.95 FEET TO AN ANGLE POINT;
THENCE S88°20'41"E A DISTANCE OF 601.50 FEET TO AN ANGLE POINT;
THENCE S07°26'29"E A DISTANCE OF 92.66 FEET TO AN ANGLE POINT;
THENCE S88°30'07"E A DISTANCE OF 674.59 FEET TO AN ANGLE POINT;
THENCE S01°10'52"W A DISTANCE OF 2008.76 FEET TO AN ANGLE POINT;
THENCE N88°45'20"W A DISTANCE OF 1340.83 FEET TO AN ANGLE POINT;

THENCE N02°33'57"W A DISTANCE OF 2915.52 FEET TO AN ANGLE POINT;
THENCE N81°12'02"W A DISTANCE OF 2233.21 FEET TO AN ANGLE POINT;
THENCE N76°47'06"W A DISTANCE OF 1628.89 FEET TO AN ANGLE POINT;
THENCE S01°06'38"W A DISTANCE OF 917.39 FEET TO AN ANGLE POINT;
THENCE S01°35'37"W A DISTANCE OF 3340.51 FEET TO AN ANGLE POINT;
THENCE S45°50'18"W A DISTANCE OF 1837.35 FEET TO AN ANGLE POINT;
THENCE S34°15'34"E A DISTANCE OF 1606.86 FEET TO AN ANGLE POINT;
THENCE S18°09'01"W A DISTANCE OF 738.03 FEET TO AN ANGLE POINT;
THENCE S82°50'35"W A DISTANCE OF 403.97 FEET TO AN ANGLE POINT;
THENCE N81°12'54"W A DISTANCE OF 794.05 FEET TO AN ANGLE POINT;
THENCE N85°09'06"W A DISTANCE OF 467.80 FEET TO AN ANGLE POINT;
THENCE N41°04'12"W A DISTANCE OF 809.29 FEET TO AN ANGLE POINT;
THENCE N24°07'01"W A DISTANCE OF 555.29 FEET TO AN ANGLE POINT;
THENCE N20°51'48"W A DISTANCE OF 1086.63 FEET TO AN ANGLE POINT;
THENCE N10°05'33"W A DISTANCE OF 646.14 FEET TO AN ANGLE POINT;
THENCE N06°33'18"E A DISTANCE OF 1144.02 FEET TO AN ANGLE POINT;
THENCE N24°41'59"E A DISTANCE OF 469.50 FEET TO AN ANGLE POINT;
THENCE N36°21'17"E A DISTANCE OF 858.75 FEET TO AN ANGLE POINT;
THENCE N41°28'47"E A DISTANCE OF 851.73 FEET TO AN ANGLE POINT;
THENCE N03°07'07"E A DISTANCE OF 978.59 FEET TO AN ANGLE POINT;
THENCE N18°33'40"W A DISTANCE OF 578.57 FEET TO AN ANGLE POINT;
THENCE N31°40'33"W A DISTANCE OF 1423.09 FEET TO AN ANGLE POINT;
THENCE N16°06'59"W A DISTANCE OF 749.08 FEET TO AN ANGLE POINT;
THENCE N10°06'14"E A DISTANCE OF 1240.49 FEET TO AN ANGLE POINT;
THENCE N88°23'22"W A DISTANCE OF 982.89 FEET TO AN ANGLE POINT;
THENCE N00°53'38"W A DISTANCE OF 384.55 FEET TO AN ANGLE POINT;
THENCE N83°31'01"E A DISTANCE OF 586.75 FEET TO AN ANGLE POINT;
THENCE N83°00'18"E A DISTANCE OF 908.39 FEET TO AN ANGLE POINT;
THENCE N40°54'46"E A DISTANCE OF 421.62 FEET TO AN ANGLE POINT;
THENCE N88°34'45"W A DISTANCE OF 1557.60 FEET TO AN ANGLE POINT;
THENCE S39°18'44"W A DISTANCE OF 1354.68 FEET TO AN ANGLE POINT;
THENCE S53°44'50"W A DISTANCE OF 1647.72 FEET TO AN ANGLE POINT;
THENCE S69°17'24"E A DISTANCE OF 337.56 FEET TO AN ANGLE POINT;
THENCE S35°21'26"E A DISTANCE OF 1213.12 FEET TO AN ANGLE POINT;
THENCE S23°35'31"E A DISTANCE OF 1340.82 FEET TO AN ANGLE POINT;
THENCE S19°18'43"E A DISTANCE OF 1198.17 FEET TO AN ANGLE POINT;
THENCE S35°16'45"W A DISTANCE OF 942.92 FEET TO AN ANGLE POINT;
THENCE S55°38'33"E A DISTANCE OF 1046.11 FEET TO AN ANGLE POINT;
THENCE S24°12'33"W A DISTANCE OF 908.39 FEET TO AN ANGLE POINT;
THENCE S63°18'26"W A DISTANCE OF 677.59 FEET TO AN ANGLE POINT;
THENCE S83°03'26"W A DISTANCE OF 1980.27 FEET TO AN ANGLE POINT;
THENCE S43°49'26"W A DISTANCE OF 1903.39 FEET TO AN ANGLE POINT;
THENCE N88°39'52"W A DISTANCE OF 605.29 FEET TO AN ANGLE POINT;
THENCE N74°57'45"W A DISTANCE OF 795.55 FEET TO AN ANGLE POINT;
THENCE N60°56'14"W A DISTANCE OF 2976.18 FEET TO AN ANGLE POINT;
THENCE N37°17'51"W A DISTANCE OF 1926.30 FEET TO AN ANGLE POINT;
THENCE N01°20'03"E A DISTANCE OF 177.17 FEET TO AN ANGLE POINT;
THENCE N43°07'10"E A DISTANCE OF 2898.22 FEET TO AN ANGLE POINT;
THENCE N43°01'05"E A DISTANCE OF 1192.83 FEET TO AN ANGLE POINT;

THENCE N20°33'43"E A DISTANCE OF 940.34 FEET TO AN ANGLE POINT;
THENCE S72°57'04"W A DISTANCE OF 973.97 FEET TO AN ANGLE POINT;
THENCE S43°05'40"W A DISTANCE OF 1360.87 FEET TO AN ANGLE POINT;
THENCE S43°26'35"W A DISTANCE OF 3268.97 FEET TO AN ANGLE POINT;
THENCE S38°25'19"W A DISTANCE OF 1554.48 FEET TO AN ANGLE POINT;
THENCE N63°48'24"E A DISTANCE OF 175.13 FEET TO AN ANGLE POINT;
THENCE S32°50'33"E A DISTANCE OF 772.37 FEET TO AN ANGLE POINT;
THENCE S88°27'59"E A DISTANCE OF 216.56 FEET TO AN ANGLE POINT;
THENCE N01°27'52"E A DISTANCE OF 78.56 FEET TO AN ANGLE POINT;
THENCE S85°14'37"E A DISTANCE OF 170.21 FEET TO AN ANGLE POINT;
THENCE N74°40'18"E A DISTANCE OF 155.96 FEET TO AN ANGLE POINT;
THENCE N59°34'43"E A DISTANCE OF 109.45 FEET TO AN ANGLE POINT;
THENCE S01°15'07"W A DISTANCE OF 231.38 FEET TO AN ANGLE POINT;
THENCE S01°15'01"W A DISTANCE OF 945.23 FEET TO AN ANGLE POINT;
THENCE S01°14'54"W A DISTANCE OF 189.81 FEET TO AN ANGLE POINT;
THENCE S88°45'06"E A DISTANCE OF 530.33 FEET TO AN ANGLE POINT;
THENCE S01°14'54"W A DISTANCE OF 600.32 FEET TO AN ANGLE POINT;
THENCE N88°45'06"W A DISTANCE OF 600.32 FEET TO AN ANGLE POINT;
THENCE N01°14'54"E A DISTANCE OF 790.33 FEET TO AN ANGLE POINT;
THENCE N88°35'26"W A DISTANCE OF 600.84 FEET TO AN ANGLE POINT;
THENCE S01°16'24"W A DISTANCE OF 359.96 FEET TO AN ANGLE POINT;
THENCE N88°38'51"W A DISTANCE OF 90.03 FEET TO AN ANGLE POINT;
THENCE N01°17'30"E A DISTANCE OF 705.02 FEET TO AN ANGLE POINT;
THENCE N88°10'40"W A DISTANCE OF 34.01 FEET TO AN ANGLE POINT;
THENCE N12°02'58"W A DISTANCE OF 359.51 FEET TO AN ANGLE POINT;
THENCE N33°10'20"W A DISTANCE OF 677.36 FEET TO AN ANGLE POINT;
THENCE S33°10'20"E A DISTANCE OF 677.36 FEET TO AN ANGLE POINT;
THENCE N33°10'20"W A DISTANCE OF 677.36 FEET TO AN ANGLE POINT;
THENCE S41°05'24"W A DISTANCE OF 1154.24 FEET TO AN ANGLE POINT;
THENCE S47°07'46"W A DISTANCE OF 1441.91 FEET TO AN ANGLE POINT;
THENCE S63°35'11"W A DISTANCE OF 1816.48 FEET TO AN ANGLE POINT;
THENCE S72°27'37"W A DISTANCE OF 9141.24 FEET TO THE POINT OF BEGINNING, CONTAINING 16035.134 ACRES, MORE OR LESS;

EXCEPTING THEREFROM PORTIONS WITHIN THE AFOREMENTIONED DESCRIPTION AND IDENTIFIED BY THE CITY OF GREAT FALLS GIS MAP AS NOT INCLUDED WITHIN THE CORPORATE BOUNDARY OF THE CITY OF GREAT FALLS.

EXHIBIT “B”

The District boundary is described as the incorporated boundary of the City of Great Falls in accordance with City Commission municipal annexation resolutions and municipal annexation ordinances filed in the City of Great Falls City Clerk’s public records as well as all properties later annexed thereto. Parcels within the boundary are the current parcels subject to the City of Great Falls property taxes as shown in the tax rolls of the Montana Department of Revenue and inclusive of those parcels that are exempt from property taxes.

EXHIBIT “C”

NOTICE OF PUBLIC HEARING

The City Commission of the City of Great Falls, Montana (the “Commission”) will hold a public hearing and take action on a Resolution of Intent to Create No. 10191 (the “Resolution”) to create a City-Wide Park District designated as the “City of Great Falls Park District Number 1” (the “District”).

The City Commission will hold a public hearing on the Resolution of Intent to Create the District at its regular meeting on June 6, 2017, at 7:00 p.m., Mountain Time, Civic Center, 2 Park Drive South, Commission Chambers Room 206, Great Falls, Montana. Copies of the Resolution and more information are available at <https://greatfallsmt.net/cityclerk>, or in the office of the City Clerk, Lisa Kunz, (406) 455-8451, Civic Center Room 204. The Resolution describes the District’s nature, boundaries, location, the improvements or maintenance that can be funded and other particulars. Additional information may also be obtained from Patty Rearden, Park and Recreation, (406) 771-1265, 1700 River Drive North.

In fiscal year 2017, the Commission estimates the cost of the services to be performed in the District to total \$2,267,296. On average, the assessment for a \$100,000 home would be \$43.28/year.

Any interested person may appear and speak for or against said Resolution or submit in writing any comments to the City Clerk prior to or during the Commission meeting.

Great Falls Tribune

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 May 28, 2017

EXHIBIT “D”

NOTICE OF PUBLIC HEARING

The City Commission of the City of Great Falls, Montana (the “Commission”) passed a Resolution of Intent to Create No. 10191, intending to create a City-Wide Park District designated as the “City of Great Falls Park District Number 1” (the “District), and is therefore required to conduct a public hearing on creation of the District, Resolution to Create No. 10192 (the “Resolution”).

The City Commission will hold a public hearing on Resolution to Create No. 10192, creating the City of Great Falls Park District Number 1, at its regularly scheduled meeting on August 15, 2017, at 7:00 p.m., Mountain Time, Civic Center, 2 Park Drive South, Commission Chambers Room 206, Great Falls, Montana. Copies of the Resolution and more information are available at <https://greatfallsmt.net/cityclerk>, or in the office of the City Clerk, Lisa Kunz, (406) 455-8451, Civic Center Room 204. The Resolution describes the District’s nature, boundaries, location, the improvements or maintenance that can be funded and other particulars. Additional information may also be obtained from Patty Rearden, Park and Recreation, (406) 771-1265, 1700 River Drive North.

In fiscal year 2017, the Commission estimates the cost of the services to be performed in the District to total \$2,267,296. On average, the assessment for a \$100,000 home would be \$43.28/year.

Written protests against the District must be signed by majority of the property owners, identified by either its street address or legal description, and delivered to the City Clerk, 2 Park Drive South, Room 204, Great Falls MT 59401 by August 9, 2017, 5:00 p.m., Mountain Time.

Great Falls Tribune

Publish: June 9, 2017
 June 16, 2017