



**Work Session Meeting Agenda**  
**2 Park Drive South, Great Falls, MT**  
**Gibson Room, Civic Center**  
**November 19, 2024**  
**5:30 PM**

The agenda packet material is available on the City's website: <https://greatfallsmt.net/meetings>. The Public may view and listen to the meeting on government access channel City-190, cable channel 190; or online at <https://greatfallsmt.net/livestream>.

Public participation is welcome in the following ways:

- Attend in person.
- Provide public comments in writing by 12:00 PM the day of the meeting: Mail to City Clerk, PO Box 5021, Great Falls, MT 59403, or via email to: [commission@greatfallsmt.net](mailto:commission@greatfallsmt.net). Include the agenda item or agenda item number in the subject line, and include the name of the commenter and either an address or whether the commenter is a city resident. Written communication received by that time will be shared with the City Commission and appropriate City staff for consideration during the agenda item, and, will be so noted in the official record of the meeting.

## **CALL TO ORDER**

## **PUBLIC COMMENT**

*(Public comment on agenda items or any matter that is within the jurisdiction of the City Commission. Please keep your remarks to a maximum of five (5) minutes. Speak into the microphone, and state your name and either your address or whether you are a city resident for the record.)*

## **WORK SESSION ITEMS**

1. Montana State Historic Preservation Grant Award to Union Bethel African Methodist Episcopal Church - Presented by Tom Hazen and Kate Hampton, Community Preservation Coordinator, MT State Historic Preservation Office. (estimated 20 minutes)
2. Official Code of the City of Great Falls, Title 5 Proposed Changes and Updates - Presented by Brock Cherry and Jeremy Jones. (estimated 40 minutes)

## **DISCUSSION POTENTIAL UPCOMING WORK SESSION TOPICS**

## **ADJOURNMENT**

*City Commission Work Sessions are televised on cable channel 190 and streamed live at <https://greatfallsmt.net>. Work Session meetings are re-aired on cable channel 190 the following Thursday morning at 10 a.m. and the following Tuesday evening at 5:30 p.m.*

*Wi-Fi is available during the meetings for viewing of the online meeting documents.*

## **UPCOMING MEETING SCHEDULE**

City Commission Work Session - Tuesday December 3, 2024 5:30 p.m.

City Commission Meeting - December 3, 2024 7:00 p.m.



## Internal Memo

**Date:** October 16, 2024

**To:** Greg Doyon, City Manager

**From:** Tom Hazen, Finance Department, Grants and Program Administrator,

**Re:** Montana State Historic Preservation Grant Award to Union Bethel African Methodist Episcopal Church.

### Background

The Montana State Historic Preservation Office (“SHPO”) applied to the Department of the Interior’s National Park Service African American Civil Rights (“The Federal Govt.”) grant program on behalf of the Union Bethel African Methodist Episcopal Church (“Union Bethel”). SHPO requested \$497,712.00 to finance the installation of an elevator, replacement of aged wiring, and the improvement of the Union Bethel building. The award was approved and a Grant Agreement was executed between the State of Montana Historical Society (“the State”) to be administered by SHPO. SHPO is required by Montana statute to recoup twenty-five percent of the total award (or \$124,428.00) for administrative costs. SHPO and Union Bethel seek to maximize the amount of the award received by the Church. It has been proposed that SHPO issue the funds to the City of Great Falls (“the City”) which will serve as a pass through and issue payments to Union Bethel. It is also proposed that the City process the award and take an administrative amount from the grant that is less than the SHPO would assume. It has also been discussed that the SHPO would pay an increased portion of the City Historic Preservation Officer’s salary for the life of the grant and preempt any reduction to the award for administrative purposes.

### Areas of Concern

This is not a novel proposition for the City. The City has acted as a pass through entity before. The City has acted as an administrator/pass-through facilitator on several Big Sky Economic Trust Fund (“BSTF”) awards. Additionally, it could be said that the City’s administration of Community Development Block Grant (“CDBG”) funds is similar. However, the administration of these awards demonstrates certain considerations that should be taken into account.

First, the City must accept certain risks if Union Bethel does not perform. Financially, the City may be held liable for any distributions that do not meet the requirements of the Federal Award. The City has experienced this in the past. In 2015, the City served as the pass through on a BSTF award to B/E Aerospace (“B/E”). B/E was unable to meet the performance requirements of the award and was forced to return \$160,312.50. B/E was able to issue payment for the funds back to the State. However, if the company had been insolvent or fiscally limited the City may have been liable for reimbursing the issued funds. Additionally, if the above award had been a federal grant, the City may also have been exposed to negative records on SAM.gov that could impact future eligibility.

Another element to consider is the reimbursement model in this award. Currently, Union Bethel would submit a draw request to the City, the City would “front” the request (from an as-yet unidentified fund), the City would then submit a reimbursement request to the State, which would then be passed to



the Federal Govt., the Fed reimburses the State, and the State reimburses the City. The City has been told that this process will be completed within 30 days. During that period, though, the identified fund would be operating at a diminished balance.

Finally, there are Federal compliance and auditing ramifications to take into account. All federal awards must adhere to federal guidelines on wage standards, procurement practices, retention requirements following award closeout, and other statutory requirements. The City must certify that all of these mandates are met during and after the award. Additionally, this funding must be included on the City's Schedule of Financial Awards in its Annual Comprehensive Financial Report and reviewed as part of the City's Annual Single Audit. Sub-recipient awards have been subject to higher scrutiny in recent years due to perceived malfeasance. These considerations will require the City to monitor, document, retain, and report on all financial records related to this project. This will require a significant amount of time from multiple employees.

One final consideration would be potentially opening the door for future similar requests. The City is not a direct recipient of the federal funds in question (which distinguishes this award from CDBG). The City is not required to be a participant for the award to be issued (which distinguishes this from BSTF). The City was not a participant in the preparation of the application for this award. The City is only being asked to participate as a cost saving measure. If similar situations present themselves in the future how will the City respond? Should the City establish requirements to be an ad-hoc grant administrator for local organizations if there is a financial benefit?

This award does propose a benefit to a local historical landmark. This is an admirable funding and result. I would suggest, however, that certain considerations be brought to mind before determining if the City should be a contractual legally responsible party to this process.

I would be happy to answer any questions.

Sincerely,

Tom Hazen



City Commission Work Session  
***Title 5 Proposed Changes & Updates***

11/19/2024

Great Falls Fire Rescue  
Planning & Community Development Department  
City Attorney

The proposal can be broken down into two parts:

1. Proposed Title 5 Amendments
2. Updating Pertinent Fees



## “Business License” Replaces “Safety Inspection Certificate”

### Current:

Annual inspections of businesses for life & fire safety and zoning compliance are currently completed as a “Safety Inspection Certificate” (SIC).

### Proposed:

A “Safety Inspection Certificate” will now be known as a “Business License”.

### Justification:

Annual inspections play a crucial role beyond just life safety compliance. Many businesses and commercial entities do not fully grasp the importance or urgency of obtaining a "Safety Inspection Certificate." As a result, a "Business License" is often perceived as a more significant and essential requirement.



3

## Creation of a “Mobile Food Vendor” definition

### Current:

The current City Ordinance does not address “Mobile Food Vendors” (food trucks).

### Proposed:

Add a Mobile Food Vendor Definition.

### Justification:

Defining “Mobile Food Vendors” will include those individuals who must obtain a “Business License” to ensure compliance with regulations. Additionally, establishing this definition will facilitate the possible creation of an ordinance for “Mobile Food Vendors” in the future, should the City Commission choose to pursue it.



4

## Requires Cannabis Businesses to obtain a Business License

### Current:

Current Cannabis Businesses are required to obtain a "Safety Inspection Certificate". Currently Cannabis Businesses are not charged an additional fee as are businesses that sell alcohol and liquor.

### Proposed:

Cannabis Businesses will explicitly be required to obtain a Business License and to possibly pay an additional fee similar to alcohol and liquor.

### Justification:

Ensures that all cannabis businesses comply with local regulations and rules. An additional fee may be required, similar to alcohol and liquor businesses, if deemed appropriate by the City Commission.



5

## "Violation Penalty" Language Cleaned Up

### Current:

The current City Ordinance's "Violation Penalty" is not straight forward.

### Proposed:

There is a prescribed and explicit violation penalty for those operating a business without a business license, which consists of a violation being deemed a misdemeanor, or for those businesses who fail to renew their business licenses within the time frame listed in the Title.

### Justification:

This new language cleans up existing language for those businesses who do not obtain a business license, and for those businesses that fail to renew their business license in a timely manner.



6

## Elimination of Antiquated or Unenforceable Requirements

### Current:

The current City Ordinance includes special requirements for specific business types, including mechanically operated devices depicting sexual activities, Teen Night Licenses, Plumbing Contractor Licenses, Plumber Licenses, and Electrical Contracting.

### Proposed:

Eliminate the following special licenses and associated special requirements for: Mechanically Operated Devices Depicting Sexual Activities, Teen Night Licenses, Plumbing Contractors Licenses, Plumber Licenses, and Electrical Contracting.

### Justification:

The City either does not currently administer Mechanically Operated Devices Depicting Sexual Activities or Teen Night Licenses. The State of Montana does not allow the City to provide duplicative development contractor licensing, such as Plumbing Contractors Licenses, Plumber Licenses, and Electrical Contracting.



7

## Codify “License Verification” Prior to the Issuance of Specialty Building Permits

### Current:

The State of Montana no longer allows for municipalities to require duplicative licensing for licenses administered at State level, in particular Plumbing Contractors Licenses, Plumber Licenses, and Electrical Contracting.

### Proposed:

Require an annual “License Verification” of specialty development contractors

### Justification:

Verifying that specialty contractors, such as plumbers and electricians, hold valid state-issued licenses is crucial for the City. This responsibility ensures that qualified individuals are performing work that directly impacts the health, safety, and well-being of residents. To fulfill this obligation, the City must review the annual state database, as well as check the required insurance and bonding information.



8

## PCD Fee Resolution Updates

### Current:

The Business License Zoning Permit fee is covered under the same fee as a Zoning Permit for a Building Permit. The fee was previously \$100 and was increased to \$1,000 for building permits as part of Resolution 10521.

### Proposed:

PCD Staff recommends separating the Business License Zoning Permit fee from the Zoning Permit fee that is applied for Building Permits.

PCD Staff recommends a new fee of \$130 for a Business License Zoning Permit.

### Justification:

PCD Staff determined a separate fee for a Business License Zoning Permit is necessary to cover the fully burdened cost of required staff time to complete the task, which is substantially less staff time than processing a Zoning Permit that is incurred as part of a building permit.



## GFFR Fee Resolution Updates

### Current:

Fees were most recently updated as part of Resolution 10436 in 2022

### Proposed:

GFFR Staff recommends increased fees listed within Fire Department Fee Schedule

### Justification:

GFFR Staff determined the fees needed to be updated to reflect the current fully burdened cost of required staff time to administer each type of activity. The increases are based on the change in Western Consumer Price Index (CPI) provided by the Finance Department. See Attached fee schedule for reference.

