



City Commission Meeting Agenda
2 Park Drive South, Great Falls, MT
Virtual Meeting by Zoom
October 19, 2021
7:00 PM

Due to the COVID-19 health concerns, the format of the City Commission meeting will be held in a virtual video-conferencing environment. All City Commission members and City staff will attend the meeting via a remote location, using a virtual meeting method.

In order to honor the Right of Participation and the Right to Know (Article II, Sections 8 and 9 of the Montana Constitution), modifications have also been made for public participation.

To attend and participate in the virtual meeting utilizing Zoom, attendees must register in advance for the Commission Meeting at: https://us02web.zoom.us/webinar/register/WN_-gVsqIYeSheO5zk3tLRcKw

For all other Participation options, Please see **Public Participation Guide for City Commission Meetings**.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL / STAFF INTRODUCTIONS

AGENDA APPROVAL

CONFLICT DISCLOSURE / EX PARTE COMMUNICATIONS

PROCLAMATIONS

Extra Mile Day and Red Ribbon Week

COMMUNITY HEALTH INITIATIVES

1. Community Health Update from Dr. Ray Geyer, Infectious Disease Specialist.

PETITIONS AND COMMUNICATIONS

2. Miscellaneous reports and announcements.

(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 either your address or whether you are a city resident for the record.)

NEIGHBORHOOD COUNCILS

3. Miscellaneous reports and announcements from Neighborhood Councils.

BOARDS AND COMMISSIONS

4. Miscellaneous reports and announcements from Boards and Commissions.

CITY MANAGER

5. Miscellaneous reports and announcements from 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.

- [6.](#) Minutes, October 5, 2021 City Commission Meeting.
- [7.](#) Total Expenditures of \$2,323,581 for the period of August 20, 2021 through October 6, 2021, to include claims over \$25,000, in the amount of \$1,363,104.
- [8.](#) Contracts List.
- [9.](#) Postpone consideration of a bid award and contract approval for the Indoor Aquatics and Recreation Center until the November 2, 2021 Commission Meeting.
- [10.](#) Approve the purchase of one new Caterpillar asphalt paver from Tractor & Equipment Co. of Great Falls, through Sourcewell, formerly known as NJPA, for a total of \$436,906, including trade-in and shipping.

Action: Approve Consent Agenda as presented or remove items for separate discussion and/or vote by any Commission member.

PUBLIC HEARINGS

- [11.](#) Resolution 10428, A request from the Business Improvement District to use Downtown Tax Increment Financing (TIF) funds for the cost of manufacturing and installation of Wayfinding signs within or directing traffic towards the Downtown Urban Renewal District. *Action: Conduct a public hearing and adopt or deny Res. 10428. (Presented by Craig Raymond)*
- [12.](#) Resolution 10429, A request from the Business Improvement District to use West Bank Tax Increment Financing (TIF) funds for the cost of manufacturing and installation of Wayfinding signs within or directing traffic towards the West Bank Urban Renewal District. *Action: Conduct a public hearing and adopt or deny Res. 10429. (Presented by Craig Raymond)*

OLD BUSINESS

- [13.](#) Civic Center Facade Project, Change Order #1. *Action: Approve or not approve Change Order #1 in the amount of \$300,000 and increase the total contract amount from \$5,411,682 to \$5,711,682. (Presented by Craig Raymond)*

NEW BUSINESS

ORDINANCES / RESOLUTIONS

- [14.](#) Ordinance 3238, A request from Tye Habel with TC Glass and Northern Hydraulics to rezone 14.7 acres addressed as 1300 River Drive North from Light Industrial and Mixed-Use Transitional to Planned Unit Development. *Action: Accept or not accept Ord. 3238 on first reading and set or not set a public hearing for November 2, 2021. (Presented by Craig Raymond)*
- [15.](#) Ordinance 3239, Amendment to the Official Code of the City of Great Falls – 17.32.150 (Driveways). *Action: Accept or not accept Ord. 3239 on first reading and set or not set a public hearing for November 2, 2021. (Presented by Craig Raymond)*
- [16.](#) Ordinance 3230, Amending Title 10 of the Official Code of the City of Great Falls (OCCGF) to Prohibit the Long-Term Parking and/or Storage of Recreational Vehicles, Utility Trailers or

Vessels in Residential Districts. *Action: Adopt or Deny Ord. 3230 as written or adopt or deny Ord. 3230 as amended during the course of the meeting. (Presented by Jeff Hindoien)*

CITY COMMISSION

17. Miscellaneous reports and announcements from the City Commission.

18. Commission Initiatives.

ADJOURNMENT

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.

JOURNAL OF COMMISSION PROCEEDINGS
Virtual Meeting by Zoom
October 5, 2021

Regular City Commission Meeting

Mayor Kelly presiding

CALL TO ORDER: 7:00 PM

PLEDGE OF ALLEGIANCE

ROLL CALL/STAFF INTRODUCTIONS: City Commission members participated electronically via Zoom webinar: Bob Kelly, Tracy Houck, Mary Sheehy Moe, Owen Robinson and Rick Tryon. City staff participated electronically via Zoom webinar: City Manager Greg Doyon and Deputy City Manager Chuck Anderson; Finance Director Melissa Kinzler; Park and Recreation Director Steve Herrig; Planning and Community Development Director Craig Raymond; Public Works Director Paul Skubinna; Fire Chief Jeremy Jones; City Attorney Jeff Hindoien; and, Police Captain Rob Moccasin. City Clerk Lisa Kunz was present in the Commission Chambers.

Due to the COVID-19 health concerns, the format of the City Commission meeting was held in a virtual video-conferencing environment. To honor the Right of Participation and the Right to Know (Article II, Sections 8 and 9 of the Montana Constitution), modifications have also been made for public participation. To attend and participate in the virtual meeting utilizing Zoom, attendees must register in advance for the Commission Meeting at: https://us02web.zoom.us/webinar/register/WN_pY3m1oTrTvK6D-1wHgo0yA

For all other participation options, please see **Public Participation Guide for City Commission Meetings**.

AGENDA APPROVAL: City Manager Greg Doyon noted corrections to Item 11. The term of the lease agreement is five years, effective September 1, 2021 and expiring August 31, 2026. There were no proposed changes to the agenda by the City Manager or City Commission. The agenda was approved as presented.

CONFLICT DISCLOSURE/EX PARTE COMMUNICATIONS: None.

MILITARY UPDATES

1. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS FROM MONTANA AIR NATIONAL GUARD (MANG).

Colonel Trace Thomas provided the following updates:

- About 700 participants attended a Family Day event that included a short visit from the governor.
- The last of the H-1 aircraft flew out yesterday and MANG is expecting to receive one more H-3 aircraft.
- The Thunderbirds are the primary act for the open house scheduled July 22-24, 2022.
- A readiness exercise was concluded this summer.

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- MANG is prepping for about 200 deployments, and welcoming back the Red Horse Squadron this fall.
- Thirty-seven personnel are assisting in Covid State active duty support, primarily in the Great Falls, Billings, Kalispell and Missoula hospitals.
- MANG personnel have contributed over 13,000 work days of support to the State of Montana for Covid assistance.

PETITIONS AND COMMUNICATIONS

2. Participating via Zoom were:

Paige Turoski, City resident, commented that holding Commission work sessions and meetings in a virtual format is a disservice to the people of Great Falls. People have to agree to terms and conditions of a private company to participate in a public forum.

John Hubbard, City resident, spoke in opposition to politician pay raises noting they didn't stop the Coronavirus.

NEIGHBORHOOD COUNCILS

3. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

None.

BOARDS AND COMMISSIONS

4. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

None.

CITY MANAGER

5. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

City Manager Greg Doyon updated the Commission on the following:

- Upcoming Work Session Topics: October 19, 2021 – Neighborhood Council 6 and updates on the proposed large vehicle parking ordinance; special work session on November 2, 2021 at 4:00 pm – update and discussion regarding the Opioid litigation; November 2, 2021 – Neighborhood Council 1 and review of recommendations from the Crime Task Force; November 16, 2021 - Neighborhood Council 8 and discussion on Change Orders and Alternate Project Delivery; potential special work session on December 7, 2021 at 4:00 pm – update and discussion regarding the Opioid litigation. Items may need to be shuffled to accommodate other topics.

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- Great Falls Fire Rescue personnel will be reading to students at Valley View elementary school on Friday, presenting to Neighborhood Council 6 about open burn permitting on Wednesday, and will be working with the City-County Health Department to do a flu shot clinic at the Fire Training Center on October 22, 2021 from 1:00-4:00 pm. Fire prevention training is also scheduled for that day.
- Jeffrey Hindoién was appointed as the City Attorney to replace Sara Sexe who retired last Thursday. Hindoién joined the City of Great Falls as the Deputy City Attorney on March 3, 2021. He formerly served as the City Attorney for the City of Helena and as a contract city/town attorney for Deer Lodge, Choteau, and Philipsburg. He also served as Chief Legal Counsel for both the Office of the Governor and the Office of the Secretary of State and most recently as a Deputy Attorney General in the Montana Department of Justice.

His experience in both the public sector and private practice has involved all aspects of Montana governmental operations. In addition to his 25 years of practice in Helena, Hindoién also served for two years as a Commissioner in the chambers of Judge Charles E. “Chip” Erdmann of the U.S. Court of Appeals for the Armed Forces in Washington, D.C.

Jeff Hindoién was born and raised in Great Falls and is a graduate of Montana State University – Bozeman and the University of Wyoming. He is licensed to practice law before all Montana courts.

- A special meeting may need to be scheduled to discuss the Civic Center Façade Renovation project (OF 1525.2) due to unforeseen issues that could not have been anticipated until the contractor was able to peel back some of the existing cement pieces and concrete on the facility. He anticipates an additional \$300,000 cost to address the issues the contractor is finding and will bring that forward in the form of a change order or contract amendment.
- The past couple of days he hosted a leadership conference for the Great Open Spaces City Management Association (GOSMA). There were attendees from Montana, Wyoming and North Dakota to hear from great speakers, and participated in a Bird scooter tour to see the good things that are happening in the community.

Mayor Kelly added that 10,000 miles have been traveled in the last 90 days in Great Falls on the Bird scooters. Over 350 people are using the scooters on a regular basis to and from somewhere, either to the university, downtown or to work.

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CONSENT AGENDA.

6. Minutes, September 21, 2021, City Commission Meeting.
7. Total Expenditures of \$2,722,494 for the period of September 9, 2021 through September 22, 2021, to include claims over \$25,000, in the amount of \$2,294,473.
8. Contracts List.
9. Approve Final Payment for the Southside Water Main Replacements - Phase I to Central Plumbing and Excavation in the amount of \$21,742.47, and \$219.62 to the State Miscellaneous Tax Fund and authorize the City Manager to make the payments. **OF 1648**
10. Approve the Interlocal Agreement between Cascade County and the City of Great Falls for Emergency Fire and Medical Services for the term October 1, 2021 to September 30, 2023, and authorize the City Manager to execute the agreement.

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

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

Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

PUBLIC HEARINGS

11. **LEASE OF CITY-OWNED PROPERTY LOCATED AT 600 1ST AVENUE SW WITH BOYS AND GIRLS CLUB OF CASCADE COUNTY (Lots 6 and 7, Block 575, Fifth Addition to Great Falls).**

Mayor Kelly declared the public hearing open and asked for presentation of the staff report.

Park and Recreation Director Steve Herrig reported that the Boys and Girls Club has leased the Westside Community Center since 1999. In addition, the Boys and Girls Club was granted first option to purchase the property at a fair market value to be determined by an independent appraisal. The term of the lease is for five years beginning September 1, 2021 and expiring August 31, 2026, for a fee of \$1.00 for the term of the lease.

The Park Board recommended Commission approval at its September meeting.

Mayor Kelly asked if the Commission members had any questions or if there were any comments from the public in support of or opposition to this lease.

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No one spoke in support of or opposition to the lease of City-owned property with the Boys and Girls Club of Cascade County.

Mayor Kelly closed the public hearing and asked the will of the Commission.

Commissioner Moe moved, seconded by Commissioner Tryon, that the City Commission approve the lease of City-Owned property located at 600 1st Avenue SW between the City of Great Falls and the Boys and Girls Club of Cascade County.

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

Commissioner Robinson noted historical use of the building was a Fire Station and Westside Public Library.

City Manager Doyon added that the Boys and Girls Club do a great service for the kids in the community. For future consideration, he encouraged the Commission to explore the avenue of selling this facility to the Boys and Girls Club. It is likely not a facility that Park and Recreation would ever use, and it will give the Boys and Girls Club the opportunity to make the necessary repairs on the facility.

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

Motion carried 5-0.

OLD BUSINESS

NEW BUSINESS

12. FINAL PLAT FOR WEST RIDGE PHASE IX, LEGALLY DESCRIBED AS PERETTI ADDITION TRACT 2, LOCATED IN THE SE1/4 SECTION 26, TOWNSHIP 21 NORTH, RANGE 3 EAST, PMM, CITY OF GREAT FALLS, CASCADE COUNTY, MT.

Planning and Community Development Director Craig Raymond reported that the subject property is approximately 7.69 acres and is located between 2nd Street Northeast and 4th Street Northeast, and will be a continuation of Choteau Avenue Northeast. The City Commission approved the annexation of West Ridge Phase 9 along with additional phases, and assigned R-3 single-family high density zoning on August 18, 2015. At the request of the applicant, the Commission subsequently approved the rezone of the property to Planned Unit Development on February 21, 2017 to give the applicant the ability to construct 2-unit townhomes. Phase 9 will create 28 new lots that range from 10,656 – 10,662 square feet on the western portion, and 8,420 – 8,446 square feet on the eastern portion. The proposed lot standards are consistent with R-3 zoning district requirements as well as the PUD zoning designation. The City Commission approved the preliminary plat for Phase 9 on July 6, 2021.

The City was also extraordinarily accommodating to the developers in abandoning the long-term

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regional storm water planning objectives. That is an issue that the City will need to address in another way in the future.

The Improvement Agreement stipulated that the developer is responsible to design and construct all other public improvements to support the development and the resulting impact of development in the area including transportation improvements. Traffic has been a significant neighborhood concern during previous phases of West Ridge. As part of the 2015 Agreement, the owner paid a proportionate share of the cost of the North End Transportation Study that is in review at this time in final draft form. Future phases of West Ridge will be required to continue to construct improvements to the transportation network including the construction of 43rd Avenue NE.

The essence of the Commission's duty in considering a final plat of a subdivision is a determination of whether the applicant has essentially met all conditions of approval imposed during the preliminary plat approval process. Although the public improvements are still under construction, they appear to be acting in compliance with the conditions. Staff will withhold filing of any final plat approval until such time as all of the conditions have been satisfactorily met.

On July 27, 2021, the Planning Advisory Board recommended that the Commission approve the final plat.

Commissioner Robinson moved, seconded by Commissioner Houck, that the City Commission approve the Final Plat of West Ridge Phase IX as legally described in the staff report, and the accompanying Findings of Fact, subject to the Conditions of Approval being fulfilled by the applicant.

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

Motion carried 5-0.

ORDINANCES/RESOLUTIONS

CITY COMMISSION

22. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

In response to Mayor Kelly, Fire Chief Jeremy Jones updated the Commission on the department's involvement in response to the Amtrak train derailment in Liberty County.

Commissioner Tryon announced that the Crime Task Force (CTF) wrapped up their work last Monday. He thanked CTF members Sheriff Jesse Slaughter, Sara Sexe, Police Chief Jeff Newton, Sandra Guynn, Dugan Coburn, Judge John Parker, Nichole Griffith, and Shane Etzwiler for their dedication and time participating in this process. The recommendations of the CTF will be coming before the Commission in the near future.

In response to Commissioner Tryon's inquiry pertaining to anonymous text messages referenced during a Commission meeting, City Attorney Jeff Hindoien commented that he is only aware of

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one instance at the last meeting. If folks have public comment to enter into the record regarding items that are before the Commission, they should follow the processes set up to do so.

23. COMMISSION INITIATIVES.

None.

ADJOURNMENT

There being no further business to come before the Commission, **Commissioner Tryon moved, seconded by Mayor Kelly, to adjourn the regular meeting of October 5, 2021, at 7:45 p.m.**

Motion carried 5-0.

Mayor Bob Kelly

City Clerk Lisa Kunz

Minutes Approved: October 19, 2021

Commission Meeting Date: October 19, 2021

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

ITEM: \$25,000 Report
Invoices and Claims in Excess of \$25,000

PRESENTED BY: Finance Director

ACTION REQUESTED: Approval with Consent Agenda

LISTING OF ALL ACCOUNTS PAYABLE CHECKS ISSUED AVAILABLE ONLINE AT
<http://greatfallsmt.net/finance/checkregister>

**TOTAL CHECKS ISSUED AND WIRE TRANSFERS MADE ARE NOTED BELOW WITH AN
ITEMIZED LISTING OF ALL TRANSACTIONS GREATER THAN \$25,000:**

ACCOUNTS PAYABLE CHECK RUNS FROM NEW WORLD	SEPT 23, 20201 - SEPT 29, 2021	707,367.89
ACCOUNTS PAYABLE CHECK RUNS FROM MUNIS	SEPT 23, 20201 - OCT 6, 2021	1,545,487.31
MUNICIPAL COURT ACCOUNT CHECK RUN FOR	AUG 20,2021 -SEPT30,2021	66,313.84
ASIFLEX	SEPT 21, 2021 - OCT 4, 2021	4,412.05
TOTAL: \$		<u>2,323,581.09</u>

GENERAL FUND

OTHER ADMIN

DORSEY & WHITNEY LLP	PARK DISTRICT BONDS ISSUANCE	65,000.00
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SPECIAL REVENUE FUND

STREET DISTRICT

GREAT FALLS SAND AND GRAVEL	TYPE B ASPHALT & TYPE C ASPHALT	59,049.35
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ENTERPRISE FUNDS

WATER

CENTRAL EXCAVATION	PYMT1 OF 1432.1 SOUTHWEST SIDE WMR PHASE 2	163,566.12
FERGUSON ENTERPRISES INC	M501M FA MXU RADIO READ UNITS 405 EA	58,571.10

SEWER

VEOLIA WATER NORTH AMERICA	MONTHLY WWTP OPERATION CONTRACT	270,718.10
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INTERNAL SERVICES FUND

CENTRAL GARAGE

NORTHWEST FUEL SYSTEMS	OF 1755.0 PARKS & RECREATION FUEL STATION	244,586.53
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TRUST AND AGENCY

COURT TRUST MUNICIPAL COURT

CITY OF GREAT FALLS

FINES & FORFEITURES COLLECTIONS

49,477.57

PAYROLL CLEARING

STATE TREASURER

MONTANA TAXES

53,943.00

FIREFIGHTER RETIREMENT

FIREFIGHTER RETIREMENT EMPLOYEE &
EMPLOYER CONTRIBUTIONS

52,269.91

STATEWIDE POLICE RESERVE FUND

POLICE RETIREMENT EMPLOYEE &
EMPLOYER CONTRIBUTIONS

69,808.46

PUBLIC EMPLOYEE RETIREMENT

PUBLIC EMPLOYEE RETIREMENT
EMPLOYEE & EMPLOYER CONTRIBUTIONS

141,595.15

LABORERS INTERNATIONAL UNION

EMPLOYEE CONTRIBUTIONS

42,051.81

WESTERN CONF OF TEAMSTERS

EMPLOYEE CONTRIBUTIONS

26,961.10

UTILITY BILLS

NORTHWESTERN ENERGY

05614938 CHARGES FOR SEPT 2021

65,505.37

CLAIMS OVER \$25000 TOTAL:\$ 1,363,103.57

CITY OF GREAT FALLS, MONTANA**COMMUNICATION TO THE CITY COMMISSION****DATE: October 19, 2021**

ITEM: CONTRACTS LIST
 Itemized listing of administratively approved contracts.
 (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	Public Works – Engineering	Michael Charron	Perpetual	N/A	A 20-foot Easement for the existing storm sewer main that runs through the County's vacated ROW (Park Place Addition, situated in the SE1/4 of S13, T20N, R3E: the east 20-feet of the west half of 10 th Street South vacated ROW located between the southeast portion of Block 5 and the southwest portion of Block 4, containing approximately 4,500 square feet, or 0.103 acres).

B	Events	Snack Shack – Jonathan Bass	09/28/2021- 09/28/2024	Concessionaire pays 20% of gross sales for each event to City	Ratification of Mansfield Theater Concessions Agreement
C	Human Resources	United Association of Plumbers and Pipefitters Local 41	07/01/2021 – 06/30/2023	N/A	Ratification of Memorandum of Understanding correcting the agreed upon hourly rates set forth in Schedule A of the Collective Bargaining Agreement approved by the Commission July 6, 2021, Item 41.
D	Great Falls Police Department	Denver Forensic Psychological Services, PLLC	10/19/2021 - until Canceled	\$425/per pre- employment exam \$200/per fit for duty exam	Professional Services Agreement to provide pre-employment psychological evaluations and psychological fitness for duty evaluations for the Great Falls Police Department and 911 Center
E	Park and Recreation	NCI Engineering Co.	10/19/2021- 12/31/2021	\$24,550 Original Amount + \$17,033.01 Amendment No. 1 = \$41,583.91 Total	Amendment No. 1 to Professional Services Agreement approved by the Commission July 7, 2020, Item 9G, adding to the scope of services and providing additional compensation therefor for the Oddfellows Park ADA Restroom Project OF 1740.4



Commission Meeting Date: October 19, 2021

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Postpone Bid Award: Indoor Aquatics and Recreation Center, O.F. 1770.0

From: Park and Recreation

Initiated By: Park and Recreation

Presented By: Steve Herrig, Park and Recreation Director

Action Requested: Postpone Consideration of Bids and Contract Approval

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (postpone/not postpone) consideration of a bid award and contract approval for the Indoor Aquatics and Recreation Center until the November 2, 2021 Commission Meeting.”

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

Staff Recommendation:

Postpone consideration of a bid award and contract approval for the Indoor Aquatics and Recreation Center until the November 2, 2021 Commission Meeting.

Summary:

The Indoor Aquatics and Recreation Center will consist of approximately 45,000 square feet of new construction, site work such as excavation, new utility extensions, new parking lots, playgrounds, and landscaping. The building will be multi-functional and will include a recreation pool, lap pool, gym, fitness center, walking track, multipurpose room, party room, locker rooms, sauna, restrooms, child watch area, attractive lobby with seating and fireplace, reception area, offices, storage and mechanical rooms, and an elevator. The building will be located at 900 29th St. South.

Background:

The facility will meet the community’s recreational and aquatics needs that were identified in the Park and Recreation Master Plan adopted by the City Commission in November 2016. The facility will also fill unmet training needs for Malmstrom and MANG Airmen, and contribute to the quality of life for Airmen and their families and the community. The facility will be owned and operated by the Great Falls Park and Recreation Department and located on City property.

Design services were completed by LPW Architecture in cooperation with TD&H Engineering (the design team). The design team will provide project management services. City staff will provide general contract management with the design team and the contractor. City staff is providing grant management.

An Invitation to Bid was advertised four times in the Great Falls Tribune on August 23, September 12 & 26, and October 3, 2021 and posted on the City's web site. Three Addendums were issued on September 15, 29 and October 6 respectively. Bids were due on October 13, 2021.

The bid includes a base bid and twenty-two (22) alternates. Due to the complexity of the project, once the bids are opened on October 13, staff time is needed for consideration of bids and to make a recommendation to the City Commission at the November 2, 2021 Commission Meeting.

Fiscal Impact

This is part of the \$20 million Indoor Aquatics and Recreation Center project, which is being funded 50% by an Office of Local Defense Community Cooperation (OLDCC) Grant, and 50% by Great Falls Park District Number 1 funds.

Alternatives:

The City Commission could vote to not postpone the bid award. However, due to the complexity of this project, staff will not have had sufficient time to adequately review the documents and make an informed recommendation to the Commission.

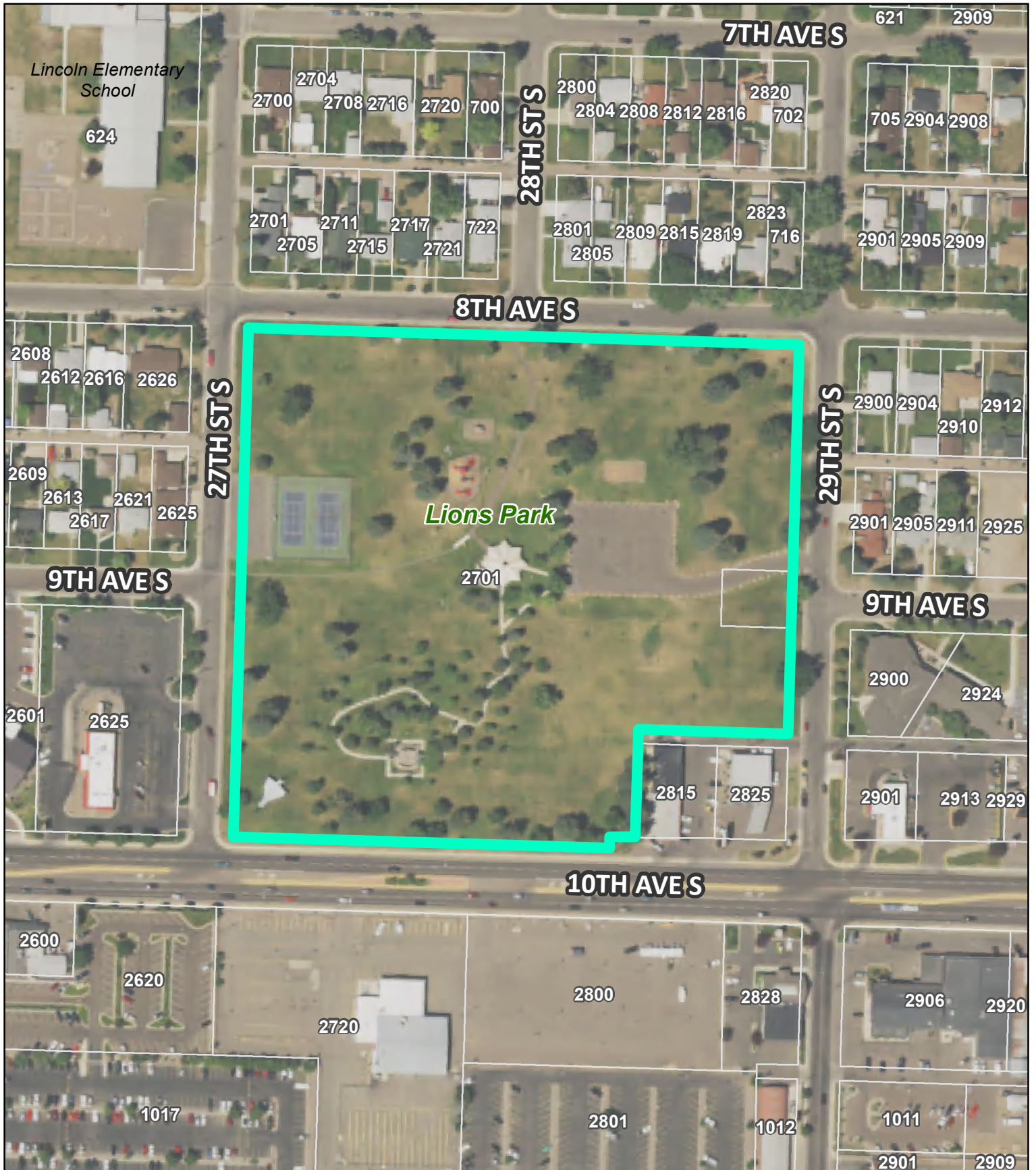
Concurrences:

This project is supported by the City of Great Falls, Malmstrom Air Force Base, Montana Air National Guard, and the Park and Recreation Advisory Board.

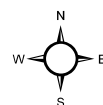
Attachments/Exhibits:

Vicinity Map

Location Map



Subject Property - Lions Park



Date: 3/18/2021
Drawn By: Planning

0 115 230 460 Feet



Commission Meeting Date: October 19, 2021

CITY OF GREAT FALLS COMMISSION AGENDA REPORT

Item: One New Asphalt Paver

From: Doug Alm, Vehicle Maintenance Manager

Initiated By: Public Works Department

Presented By: Paul Skubinna, Public Works Director

Action Requested: Approve Purchase of one new Caterpillar Asphalt Paver from Tractor & Equipment Co.

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (approve/reject) the purchase of one new Caterpillar asphalt paver from Tractor & Equipment Co. of Great Falls, through Sourcewell, formerly known as NJPA, for a total of \$436,906, including trade-in and shipping.”

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

Staff Recommendation: Staff recommends that the City Commission approve the purchase of one new asphalt paver from Tractor & Equipment Co. of Great Falls, through Sourcewell, formerly known as NJPA, for a total of \$436,906, including trade-in and shipping.

Summary: The old paver was purchased in 1998, and scheduled for replacement in 2013. This purchase has been deferred the past eight years, trying to exhaust its service life. Many of the parts for this piece of equipment have been discontinued.

Background:

Purpose

The paver will be used for the Street Division’s Pavement Preservation Program, which provides 50-60 blocks of asphalt overlays per year to the City of Great Falls street network. In addition, the paver is used to perform contractor patches and provide paving services to other City Departments.

Evaluation and Selection Process

The City of Great Falls has a membership with Sourcewell to view their competitive bid contracts. As a Sourcewell member, the City of Great Falls can interact directly with awarded vendors to facilitate a purchase. This also allows the City of Great Falls to work with the Sourcewell contract manager to verify pricing, answer contract questions or any other questions that may arise.

Conclusion

The bid specifications from Sourcewell meet specifications for the asphalt paver.

Fiscal Impact: The new asphalt paver will replace Unit #859, a 1998 Blaw Knox. VIN #317211-06, with 6,939 hours. The trade-in allowance for the old asphalt paver is \$20,000.

Alternatives: The City Commission could vote to reject the purchase of this new Caterpillar asphalt paver. Rejecting the purchase of a new asphalt paver could jeopardize the current Pavement Preservation Program and allow city street infrastructure to fall into disrepair.

Attachments/Exhibits:

Tractor & Equipment Co. – Caterpillar Inc. Asphalt Paver Purchase Order
Sourcewell Contract Acceptance & Award – Cat 302119
Photos 1998 Blaw Knox 2022 Caterpillar AP655F



Purchaser's Order

DATE
Quote No.

Agenda #10.

PURCHASER S O L D T O		CITY OF GREAT FALLS ATTN: FISCAL SERVICES PO BOX 5021 GREAT FALLS, MT 59403-5021 EQUIPMENT KENNY JORGENSEN PRODUCT SUPPORT DOUG ALM LOCAL GOVERNMENT (GV93)		COUNTY CASCADE PHONE NO. 406 771 1401	PRINCIPAL WORK CODE HIGHWAYS & STREETS: CONSTRUCTION (200)	F.O.B. AT: Great Falls
CUSTOMER NUMBER 9100732		Sales Tax Exemption # (if applicable) N/A		CUSTOMER PO NUMBER		
PAYMENT TERMS: NET PAYMENT ON RECEIPT OF INVOICE <input checked="" type="checkbox"/> NET ON DELIVERY <input type="checkbox"/> FINANCIAL SERVICES <input type="checkbox"/> CSC <input type="checkbox"/> LEASE <input type="checkbox"/> LKE Assignment <input type="checkbox"/> CASH WITH ORDER \$0.00 BALANCE TO FINANCE INTEREST RATE PAYMENT PERIOD PAYMENT AMOUNT NUMBER OF PAYMENTS OPTIONAL BUY-OUT						(All terms and payments are subject to Finance Company - OAC approval)
DESCRIPTION OF EQUIPMENT ORDERED / PURCHASED						
MAKE: CATERPILLAR STOCK NUMBER: TBA		MODEL: AP655F SERIAL NUMBER: TBA		YEAR: 2022 SMU: New		
AP655F MTS ASPHALT PAVER, HRC		424-9114	EXTENSION, MAINFRAME, POWER	433-7577	COMMISSIONING, NEEDED	0P-2586
LANE 2 - AVAILABLE FROM MINNEAPOLIS FACTORY			AUGER 18" EXTENSION PER SIDE	438-6252	INSTRUCTIONS, NORTH AMERICAN	424-9116
LANE 3 - AVAILABLE FROM MINNEAPOLIS FACTORY			ADAPTER, VIBE SCREED	433-6621	PAINT, STANDARD, ANSI/ISO	567-0751
			TANK, WASHDOWN	424-9195	LIGHT, HAZARD	198-8284
Mobil-trac System. Fully bogied undercarriage with rubber			ENGINE, TIER 4F EPA/STG IV EU	424-9229	UMBRELLA, CAT	187-6649
coated steel mid-wheels. Two-speed planetaries and single			HEATER, ENGINE COOLANT, 120V	477-9916	CONTROL, BASE CAT G&S SYSTEM	416-2003
speed motors. Automatic track tensioning, hydraulic			TRACK, MTS, SMOOTH	297-9687	SENSOR, SLOPE	362-8687
MUST select rubber belt from Mandatory Attachment section.			LIGHTS, WORKING	424-0927	SENSOR, GRADE, SONIC	416-2006
For use with Tier 4F EPA/STG IV EU, aftertreatment and DEF systems.			SENSOR, FEEDER, SONIC	416-1467	GUIDE, STEERING	273-9969
			STEERING, FRICTION	416-4119	HOSE, REEL WITH WAND	463-6563
LANE 3 ORDER		0P-9003	COVER, NO DECEL PEDAL	416-1454	VISORS, DISPLAY, TRACTOR	490-4132
APRON, STR HYD FOLD, MTS		565-4371	SEAT, VINYL, DELUXE	416-1447	FLASHING, SIDE, SHORT	567-5095
FLASHING, STR HYD FOLD		567-5057	VENTILATION SYSTEM, NO CANOPY	433-7574	SCREED, WEILER SE10F, BASIC	495-8981
HITCH, HYD PREP, TRACTOR		433-7570	PRODUCT LINK, CELLULAR PLE641	462-2916	THICKNESS SCREWS, CCW	495-9001
HITCH, HYDRAULIC TRUCK		448-5079	CYLINDER KIT, 3M STANDARD	433-7566	PACK, DOMESTIC TRUCK	0P-0210
TRADE-IN EQUIPMENT						
MODEL: PF3172 - BLAW KNOX(BK)		YEAR: 1998	SN: 10424-02	SELL PRICE		\$456,906.00
PAYOUT TO:		AMOUNT: \$	PAID BY: Dealer	LESS GROSS TRADE ALLOWANCE		(\$20,000.00)
MODEL:		YEAR:	SN:	NET BALANCE DUE		\$436,906.00
PAYOUT TO:		AMOUNT:	PAID BY:	BALANCE		\$436,906.00
MODEL:		YEAR:	SN:			
PAYOUT TO:		AMOUNT:	PAID BY:			
MODEL:		YEAR:	SN:			
PAYOUT TO:		AMOUNT:	PAID BY:			
ALL TRADE-INS ARE SUBJECT TO EQUIPMENT BEING IN "AS INSPECTED CONDITION" BY VENDOR AT TIME OF DELIVERY OF REPLACEMENT MACHINE PURCHASE ABOVE.						
PURCHASER HEREBY SELLS THE TRADE-IN EQUIPMENT DESCRIBED ABOVE TO THE VENDOR AND WARRANTS IT TO BE FREE AND CLEAR OF ALL CLAIMS, LIENS, MORTGAGES AND SECURITY INTEREST EXCEPT AS SHOWN ABOVE.						
<input type="checkbox"/> CATERPILLAR EQUIPMENT WARRANTY		INITIAL		<input type="checkbox"/> USED EQUIPMENT WARRANTY		INITIAL
The customer acknowledges that he has received a copy of the Caterpillar Warranty and has read and understood said warranty. Warranty applicable including expiration date where necessary:				All used equipment is sold as is where is and no warranty is offered or implied except as specified here: Warranty applicable:		
CSA:						
NOTES: SourceWell Contract: #032119-CAT						

THIS AGREEMENT IS SUBJECT TO THE TERMS AND CONDITIONS ON THE REVERSE

ORDER RECEIVED BY

Kraig Pester

REPRESENTATIVE

APPROVED AND ACCEPTED ON
CITY OF GREAT FALLS

PURCHASER

PURCHASER

BY

SIGNATURE

PRINT NAME TITLE

20

ADDITIONAL TERMS AND CONDITIONS

1. Terms of Payment: Purchaser agrees to pay the balance shown together with any applicable sales, use and similar taxes and governmental charges that are not included within the balance and that are payable by reason of the sale of the Equipment. All payments shall be made to such address as Seller from time to time provides to Purchaser. If any amount of the Unpaid Balance is not paid when due, Purchaser agrees to pay Seller a charge calculated thereon at the rate of 1.25% per month from the date when the delinquent amount was due, or, at Seller's option, a charge equal to 5% of the delinquent amount, provided that the charge shall not exceed the amount the Purchaser can legally obligate itself to pay and Seller can legally collect.

2. Additional Terms and Conditions : This Order is subject to ADDITIONAL TERMS and CONDITIONS including but not limited to DISCLAIMER AND RELEASE AND EXCLUSION OF CONSEQUENTIAL AND OTHER DAMAGES, all of which Purchaser has read and understands and agrees to. The terms and conditions on all pages of this Order, together with any agreements entered into pursuant to Paragraph 4, constitute the entire agreement of Seller and Purchaser with respect to the subject matter of this Order. Purchaser acknowledges that all of such terms and conditions, including but not limited to such LIMITED WARRANTY AND DISCLAIMER and EXCLUSION OF CONSEQUENTIAL AND OTHER DAMAGES, were freely negotiated and bargained for with Seller and that Purchaser has agreed to purchase the Equipment subject to these terms and conditions. SELLER'S ACCEPTANCE OF THIS ORDER IS EXPRESSLY CONDITIONED ON PURCHASER'S ASSENT TO ALL OF SUCH TERMS AND CONDITIONS. ANY ADDITIONAL OR DIFFERENT TERMS OF CONDITIONS WHICH MAY APPEAR IN ANY COMMUNICATION FROM PURCHASER, INCLUDING BUT NOT LIMITED TO ANY SEPARATE DOCUMENT SUBMITTED BY PURCHASER IN CONNECTION WITH THE PURCHASE OF THE EQUIPMENT, ARE HEREBY OBJECTED TO AND SHALL NOT BE EFFECTIVE OR BINDING UNLESS SPECIFICALLY ACCEPTED IN WRITING BY SELLER'S SALES/BRANCH MANAGER AND APPROVED IN WRITING BY SELLER'S CREDIT DEPARTMENT.

3. LKE/RENTAL SALE: YES or NO: (circle one)

4. ADDITIONAL DOCUMENTS: If any portion of the Unpaid Balance is to be paid following delivery of the Equipment. Purchaser agrees to execute and deliver to Seller such security agreements, financing statements, and other documents as Seller may request from time to time in order to permit Seller to obtain and maintain a perfected security interest in the Equipment on Terms and Conditions acceptable to Seller.

5. ACCEPTANCE; MODIFICATION: This Order shall be binding on Seller only when it has been both accepted in writing on behalf of Seller by Seller's Sales / Branch Manager and if the Seller is extending credit to the Purchaser or arranging for credit for the Purchaser, approved in writing by Seller's Credit Department. No modifications of the Terms and Conditions of this Order shall be effective or binding upon Seller unless it is in writing and executed by both Seller's Sales / Branch Manager and by Seller's Credit Department. The Terms and Conditions of this Order shall not be modified or otherwise affected by statements and actions of sales people or others unless and until there is such a written modification.

6. SECURITY INTEREST: In order to secure the payment of the Unpaid Balance. Purchaser grants to Seller a purchase money security interest in the Equipment. This security interest shall be superseded if Purchaser and Seller enter into a separate security agreement covering the Equipment.

7. DELIVERY, INSPECTION, and ACCEPTANCE: The Equipment is sold F.O.B., the F.O.B. location shown on (Page 1) of this Order. Any delivery or shipping dates indicated on (Page 1) are estimated and approximate, and Seller shall not be liable for any delay in delivery, however occasioned. Seller may deliver the Equipment in installments as the equipment becomes available. Title and risk of loss shall pass to Purchaser upon delivery. Delivery of the Equipment to Purchaser shall take place when physical possession of the Equipment is given to Purchaser or to a carrier, or when the Seller receives directions from Purchaser to place the Equipment in storage, whichever first occurs. The securing of the Equipment on board a carrier shall be deemed to occur subsequent to delivery. If the Equipment is to be shipped, Seller's authorized to execute in Purchaser's name and carrier's standard bill of lading for the Equipment. Without being required to do so, Seller may, on behalf of Purchaser, advance the cost of shipping and/or insurance for the Equipment. To the extent not separately included in calculating the Unpaid Balance, Purchaser agrees to immediately reimburse Seller on demand for such cost. Purchaser agrees to inspect each item of Equipment, at its sole expense, promptly following receipt and will be deemed to have accepted the item unless it notifies Seller within (10) days following receipt, of any claimed discrepancy between the item as described on (Page 1) and the item as received by Purchaser. Any claim for shortages, delays, or damages occurring after Seller has delivered the Equipment to a carrier shall be made directly to the carrier, and Seller shall have no liability with respect thereto.

8. PERFORMANCE EXCUSED: Seller shall not be liable for Seller's inability to perform any or all of its obligations hereunder due to causes beyond Seller's control, including but not limited to acts of God, acts of omissions of Purchaser, acts of civil or military authorities, fire, weather, strikes or other labor disturbances, civil commotion, war, delays in transportation, late delivery by Seller's suppliers, fuel or other energy shortages, or the inability to obtain necessary labor, materials, supplies, equipment, or manufacturing facilities. If any such cause results in a delay in performance by Seller, the dates of the performance shall be extended for a period equal to the time lost by reason of the delay, and such extension shall be purchaser's exclusive remedy.

9. NEW and USED EQUIPMENT: The term "New Equipment" means any items of Equipment that are registered or registerable as new equipment for the purposes of the warranty provided by the manufacturer thereof. All other items of Equipment are "Used Equipment". Seller does not represent or warrant that items of New Equipment are unused or newly manufactured or that they are the most current models available from the manufacturer thereof.

10. LIMITED WARRANTY and DISCLAIMER: Each item of New Equipment is entitled to the benefits of such warranties as are made in writing by the manufacturer thereof, as set forth on the manufacturer's warranty form in effect at the time this order is accepted by Seller. If it is expressly noted on (Page 1) of this Order that there is a separate warranty of Seller that applies to one or more specified item or items of New or Used Equipment, such item or items are entitled to the benefits of such warranty as set forth on Seller's warranty form for such warranty in effect at the time this Order is accepted by Seller, subject to any disclaimers of warranties and limitations of remedies set forth in such form, as well as to the disclaimers of warranties and limitations of remedies set forth below. Purchaser acknowledges receipt of the manufacturers' and, if applicable, Seller's current warranty forms for the items of Equipment purchased under this Order. EXCEPT FOR A WARRANTY OF TITLE BY SELLER, SELLER MAKES NO WARRANTY WHATSOEVER WITH RESPECT TO ITEMS OF USED EQUIPMENT, AND PURCHASER AGREES THAT IT HAS PURCHASED ALL SUCH ITEMS "AS IS" WITH ALL FAULTS AND DEFECTS.

11. WARRANTY PROCEDURES: Purchaser shall promptly notify Seller of any claim under any special warranty (such notice to be in addition to compliance with the procedural requirements of the warranty) and to make the affected item of Equipment available for inspection by Seller. Any replacements or repairs to be made by Seller as a warranty representative of the manufacturer shall be made at a repair and service facility of Seller or its designee during regular business hours, the cost of the transportation of the Equipment to and from the service facility of Seller or its designee and the cost of the Seller's personnel traveling to and from the location of the Equipment and related cost shall be borne solely by Purchaser. The failure of any item of Equipment purchased hereunder to fulfill any applicable warranties shall not affect the liability of Purchaser to Seller for the purchase price of that item or any other obligation of Purchaser to Seller.

12. DISCLAIMER and RELEASE: THE SOLE AND EXCLUSIVE REMEDY OF PURCHASER FOR DEFECTIVE ITEMS OF NEW EQUIPMENT SHALL BE AS PROVIDED IN THE MANUFACTURER'S WARRANTY, ANY OTHER RIGHTS PROVIDED BY LAW AGAINST THE MANUFACTURER, AND ANY APPLICABLE SELLER'S WARRANTY REFERRED TO IN PARAGRAPH 10 EXCEPT FOR ITS OBLIGATION TO DELIVER THE EQUIPMENT IN ACCORDANCE WITH THE EXPRESS TERMS AND CONDITIONS OF THIS ORDER. SELLER SHALL HAVE NO OTHER WARRANTIES, OBLIGATIONS OR LIABILITIES, EXPRESS OR IMPLIED, ARISING BY LAW OR OTHERWISE, WITH RESPECT TO ANY NONCONFORMANCE OR DEFECT IN ANY ITEM PURCHASED HEREUNDER, INCLUDING BUT NOT LIMITED TO; (A) ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. (B) ANY IMPLIED WARRANTY ARISING FROM COURSE OF PERFORMANCE, COURSE OF DEALING, USAGE, OR TRADE. (C) ANY OBLIGATION, LIABILITY, RIGHT, CLAIM, OR REMEDY FOR LOSS OF OR DAMAGE TO ANY EQUIPMENT.

13. EXCLUSION of CONSEQUENTIAL and OTHER DAMAGES: SELLER SHALL HAVE NO OBLIGATION OR LIABILITY, WHETHER ARISING IN CONTRACT (INCLUDING WARRANTY), TORT (INCLUDING ACTIVE, PASSIVE, OR IMPUTED NEGLIGENCE) OR OTHERWISE, FOR LOSS OF USE, REVENUE OR PROFIT, COST OF CAPITAL, COST OF SUBSTITUTE EQUIPMENT, ADDITIONAL COST INCURRED BY PURCHASER AT ITS PLANT OR IN THE FIELD (WHETHER BY WAY OF CORRECTION OR OTHERWISE), CLAIMS BY PURCHASER, PURCHASER'S CUSTOMERS, OR OTHER THIRD PARTIES FOR DAMAGES RESULTING FROM PERSONAL INJURY OR PROPERTY DAMAGE OR ANY OTHER INCIDENTAL OR CONSEQUENTIAL DAMAGE WITH RESPECT TO ANY NONCONFORMANCE OR DEFECT IN ANY ITEMS PROVIDED HEREUNDER.

14. PURCHASER'S RESPONSIBILITIES: Except to the extent provided in the express warranties under paragraph 10, Purchaser agrees that, e receive technical information, drawings, or advice from Seller, Purchaser will have sole responsibility (a) for the safety, operation, and performance (b) for its suitability for Purchaser's intended use, and (c) where the Equipment is to be used as part of a power, propulsion, or other system, for the installation of the Equipment, the design and performance of such systems, and the adequacy of such system for the particular needs of the Purchaser or any customer of Purchaser.

15. PURCHASER'S INDEMNITY: PURCHASER SHALL INDEMNIFY, DEFEND, AND SAVE SELLER AND ITS AGENTS AND EMPLOYEES HARMLESS FROM AND AGAINST ALL CLAIMS, LIABILITIES, AND CIVIL PENALTIES, INCLUDING COSTS AND EXPENSES (INCLUDING ATTORNEYS' FEES) INCIDENT THERETO OR INCIDENT TO SUCCESSFULLY ESTABLISHING THE RIGHT TO INDEMNIFICATION, FOR INJURY TO OR DEATH OF ANY PERSON OR PERSONS, INCLUDING EMPLOYEES OF PURCHASER, OR FOR LOSS OF, OR DAMAGE TO ANY PROPERTY, INCLUDING EQUIPMENT, OR FOR ANY INCIDENTAL OR CONSEQUENTIAL DAMAGES ARISING OUT OF OR IN ANY WAY RELATED TO THE POSSESSION, USE, MAINTENANCE, OR OPERATION OF THIS EQUIPMENT, WHETHER OR NOT ARISING IN TORT OR CAUSED IN WHOLE OR IN PART BY THE NEGLIGENCE OF SELLER, WHETHER ACTIVE, PASSIVE, OR IMPUTED. TO THE EXTENT OF THIS INDEMNITY, PURCHASER HEREBY WAIVES ANY IMMUNITY PROVIDED BY TITLE 51 REVISED CODE OF WASHINGTON OR ANY OTHER INDUSTRIAL INSURANCE LAW OR WORKERS COMPENSATION STATUTE. IF THIS INDEMNITY IS LIMITED IN SCOPE BY OPERATION OF LAW THEN IT SHALL EXTEND TO THE FULL EXTENT ALLOWED BY SUCH LAW.

16. INSURANCE: Purchaser is solely responsible for any loss or damage that occurs to any item or items of Equipment after delivery to Purchaser, and to such loss or damage shall diminish any obligation of Purchaser to Seller hereunder. At all times following delivery, Purchaser agrees to maintain one or more policies insuring the Equipment, in an amount not less than the full amount of the Unpaid Balance from time to time remaining unpaid against all hazards generally covered by extended coverage hazard insurance and against any other hazards required by Seller. Each such policy shall name Seller as an additional insured and loss payee and shall provide that no cancellation or material changes to the policy will be effective as to Seller unless Seller has been given written notice at least thirty (30) days prior to the effective date thereof. Purchaser agrees, if Seller request, to deliver to Seller copies of all such policies or certificates of the insurers evidencing such coverage.

17. DEFAULT: If Purchaser fails to pay when due any amount owing to Seller, or to perform any other obligation to Seller hereunder or otherwise, or if Purchaser becomes insolvent or makes an assignment for the benefit of creditors, or if there shall be instituted by or against Purchaser any proceeding under any bankruptcy, insolvency, or similar law of any jurisdiction, or for the appointment of a receiver or trustee in respect of any Purchaser's property, or if the Seller reasonably believes that Purchaser is unable to meet its debts as they mature, then, in addition to any other rights and remedies that Seller may have, Seller may, upon notice to Purchaser at any time, declare the entire Unpaid Balance immediately due and payable, require progress payments for the Equipment, require payment for the Equipment in cash upon delivery, apply amounts held for Purchaser's account hereunder or otherwise to the Unpaid Balance or to any other obligations of Purchaser to Seller, or terminate all of Seller's obligations under this Order.

18. NON-WAIVER: No term or condition of this Order shall be deemed waived and no breach excused, unless such waiver or excuse is in writing signed by the party claimed to have waived or executed. Any such waiver in a particular instance shall not constitute a waiver of future compliance with such term condition.

19. NOTICES: If Purchaser fails to pay when due any amount owing to Seller, or to perform any other obligation to Seller hereunder or otherwise, or if Purchaser becomes insolvent or makes an assignment for the benefit of creditors, or if there shall be instituted by or against Purchaser any proceeding under any bankruptcy, insolvency, or similar law of any jurisdiction, or for the appointment of a receiver or trustee in respect of any Purchaser's property, or if the Seller reasonably believes that Purchaser is unable to meet its debts as they mature, then, in addition to any other rights and remedies that Seller may have, Seller may, upon notice to Purchaser at any time, declare the entire Unpaid Balance immediately due and payable, require progress payments for the Equipment, require payment for the Equipment in cash upon delivery, apply amounts held for Purchaser's account hereunder or otherwise to the Unpaid Balance or to any other obligations of Purchaser to Seller, or terminate all of Seller's obligations under this Order.

20. ASSIGNMENT: This Order may not be assigned or otherwise transferred by Purchaser in whole or in part without Seller's prior written consent. Subject to this limitation on assignment and transfer, the terms and condition of this Order shall bind and benefit the parties and their respective successors and assigns.

21. SEVERABILITY: Should any provision of this Order be found by a court of competent jurisdiction to be invalid, illegal, or unenforceable the remaining provisions shall not be affected or impaired thereby except to the extent reasonably necessary to preserve the intent of the parties.

22. MERGER; NO CREDIT AGREEMENT: The terms and conditions of this Order merge and supersede all prior and contemporaneous agreements and negotiations regarding the subject matter hereof, except for any agreements entered into pursuant to Paragraph 4 above. ORAL AGREEMENTS OR ORAL COMMITMENTS TO LOAN MONEY, EXTEND CREDIT, OR TO FORBEAR FROM ENFORCING REPAYMENT OF A DEBT ARE NOT ENFORCEABLE UNDER WASHINGTON LAW.

23. ATTORNEYS' FEES; APPLICABLE LAW: In any suit or action arising out of this Order, the losing party shall pay to the prevailing party its reasonable attorneys' fees and all other cost, fees, and expenses incurred by the prevailing party at trial and upon appeal. This Order shall be governed by and construed in accordance with the laws of the State of Washington..

24. INVALIDITY: Each provision of this shall be considered separable, and if for any reason any provision herein is determined to be invalid, such invalidity shall not impair or otherwise affect the validity of the other provisions of this agreement. If any provision is deemed to be invalid, it shall be modified, if possible to the extent necessary to remove such invalidity.

25. LKE ASSIGNMENT: PURCHASER IS HEREBY NOTIFIED THAT SELLER HAS ASSIGNED TO "HGI EXCHANGE LLC" ACTING SOLEY IN IT'S CAPACITY AS SELLER'S QUALIFIED INTERMEDIARY, RIGHTS TO ACCEPT AND RECEIVE ALL CONSIDERATION PAYABLE BY PURCHASER (INCLUDING ALL MONEY AND ANY TRADE-IN), BUT NONE OF SELLER'S OBLIGATIONS IN THIS SALE WITH RESPECT TO THE PURCHASE OF QUALIFIED LKE/RENTAL EQUIPMENT FOR THE PURPOSES OF COMPLETING A LIKE-KIND EXCHANGE UNDER SECTION 1031 OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED.

26. Telematics Disclaimer: In the event this machine is equipped with "Product Link" or other systems for the transfer of equipment health and diagnostic information ("Telematics Systems"), Purchaser understands that data concerning this machine, its condition, and its operation is being transmitted by "Product Link" or by other, similar Telematics Systems, to Caterpillar Inc. or the manufacturer of your equipment, and/or their affiliates, subsidiaries and dealers. The information transmitted may include: machine serial number, machine location, and operational data, including but not limited to: fault codes, emissions data, fuel usage, service meter hours, software and hardware version numbers, and installed attachments. For more information about the information collected in connection with "Product Link," and how this information is used and shared, please see the Caterpillar Telematics Data Privacy Statement, available at http://www.cat.com/en_US/support/operations/fleet-management-solutions/product-link/caterpillar-telematicsdataprivacystatement.html. For more information regarding the information collected in connection with Telematics Systems used on other manufacturers' equipment, and how this information is used and shared, please see the data privacy statement issued by the manufacturer. By using any machine equipped with "Product Link" or other Telematics Systems, you consent to the collection, use and disclosure of information as described in the applicable privacy statement and to the processing, transfer and storage of information in and to the United States and other countries, where you may not have the same rights and protections as you do under local law. PURCHASER RELEASES AND FOREVER DISCHARGES SELLER FOR ALL CLAIMS OR CAUSES OF ACTION ARISING FROM THE COLLECTION, USE AND DISCLOSURE OF TELEMATICS SYSTEMS' DATA VIA PRODUCT LINK OR OTHER TELEMATICS SYSTEM.

INITIAL HERE _____



DIGITAL AUTHORIZATION

CATERPILLAR TELEMATICS DATA AND CAT REMOTE SERVICES-SOFTWARE UPDATES PROCESS FOR SELECT PRODUCT LINK TELEMATICS AND CAT EQUIPMENT CONTROL MODULE SOFTWARE.

Customer equipment has installed devices that transmit data to Caterpillar Inc. ("Caterpillar").

Data transmitted to Caterpillar is used in accordance with Caterpillar's [Data Governance Statement](https://www.caterpillar.com/en/legal-notice/data-governance-statement.html) ("DGS"), which describes Caterpillar's practices for collecting, sharing and using data and information related to customer's machines, products, Devices or other Assets and their associated worksites. The DGS can be reviewed at <https://www.caterpillar.com/en/legal-notice/data-governance-statement.html>

Caterpillar's process for performing remote diagnostics and making available remote software and firmware updates and upgrades, such as configuration, patches, bug fixes, new or enhanced features, etc., for Assets and Devices is described in the [Cat® Remote Services – Software Update Process for select Product Link™ Telematics and Cat Equipment Control Module Software](https://www.cat.com/remoteservicesprocess?_ga=2.245276421.1412167159.1561985855-475983137.1559312215) document (the "RSP Document") The RSP Document can be reviewed at https://www.cat.com/remoteservicesprocess?_ga=2.245276421.1412167159.1561985855-475983137.1559312215.

Company acknowledges and agrees to data transmission to Caterpillar via devices installed on Company equipment or by other means as outlined and described in the DGS, and grants to Caterpillar the right to collect, use, and share such information, including to its Distribution Networks or other affiliates, in accordance with the [Caterpillar Data Governance Statement](#) . Company's authorization also applies to any data and information previously collected by Caterpillar.

AGREE ☐

DECLINE ☐

Company acknowledges and agrees to participate in Remote Services (including, remote diagnostics and remote updates and upgrades) and authorizes Caterpillar to remotely access, program, and install updates and upgrades for Company's Assets and Devices in accordance with the [Remote Services Process Document](#).

AGREE ☐

DECLINE ☐

The rights granted in this authorization survive the termination or expiration of the Company's subscriptions to any Digital Offerings. Except as set out in a written agreement between Company and Caterpillar expressly referencing the Data Governance Statement, this authorization supercedes and replaces any other authorizations with regard to the subject matter hereof.

Company

Company (Print)

Company Representative (Print)

Signature

Date

FOR DEALER USE ONLY

Company UCID

Company Representative CWS ID

Main Store Dealer Code

Dealer Representative Name

Dealer Representative CWS ID

October 8, 2021

Kenny Jorgensen
Street / Traffic Division Manager
1025 25th Avenue NE
Great Falls, MT 59404

Re: 2022 Caterpillar AP655F Asphalt Paver

Tractor & Equipment Co. agrees to provide the following:

- **1 Yr. / Unlimited Hours full machine warranty.**
- **3 Year contract Electronic Technician (ET) software with Communications Adapter 3 Group.**
- **Caterpillar Factory Representative asphalt paver training. (Commissioning).**
- **All parts, Operation / maintenance, & service manuals.**

Proposed delivery date: **On or before June 1st, 2022**

Sincerely,



Kraig Pester
Sales Representative
Tractor & Equipment Co.

Tractor & Equipment Co.

1835 Harnish Blvd.
Billings, MT 59101
406-656-0202 tel
406-652-6865 fax

Tractor & Equipment Co.

5200 Southgate Drive
Billings, MT 59101
406-256-0707 tel
406-256-9971 fax

Tractor & Equipment Co.

4001 River Drive North
Great Falls, MT 59405
406-761-7900 tel
406-771-1733 fax

Tractor & Equipment Co.

14078 West Front Street
Williston, ND 58801
701-572-8377 tel
701-774-0513 fax

The Cat Rental Store

5200 Southgate Drive
Billings, MT 59101
406-245-4426 tel
406-245-8387 fax

The Cat Rental Store

3598 Centennial Drive
Helena, MT 59601
406-442-2990 tel
406-442-2038 fax

The Cat Rental Store

4001 River Drive North
Great Falls, MT 59405
406-761-7900 tel
406-771-1733 fax

The Cat Rental Store

2770 North 19th Ave.
Bozeman, MT 59718
406-585-5800 tel
406-587-5710 fax

The Cat Rental Store

3321 Big Horn Ave.
Worland, WY 82401
307-347-4747 tel
307-347-3009 fax

The Cat Rental Store

14078 West Front Street
Williston, ND 58801
701-572-8377 tel
701-774-0513 fax

FORM E**CONTRACT ACCEPTANCE AND AWARD**

(Top portion of this form will be completed by Sourcewell if the vendor is awarded a contract. The vendor should complete the vendor authorized signatures as part of the RFP response.)

Sourcewell Contract #: 032119-CAT

Proposer's full legal name: Caterpillar Inc.

Based on Sourcewell's evaluation of your proposal, you have been awarded a contract. As an awarded vendor, you agree to provide the products and services contained in your proposal and to meet all the terms and conditions set forth in this RFP, in any amendments to this RFP, and in any exceptions that are accepted by Sourcewell.

The effective date of the Contract will be May 13, 2019 and will expire on May 13, 2023 (no later than the later of four years from the expiration date of the currently awarded contract or four years from the date that the Sourcewell Chief Procurement Officer awards the Contract). This Contract may be extended for a fifth year at Sourcewell's discretion.

Sourcewell Authorized Signatures:

DocuSigned by:

Jeremy Schwartz

CAED2A138D0648B
SOURCEWELL DIRECTOR OF OPERATIONS AND
PROCUREMENT/CPO SIGNATURE

Jeremy Schwartz
(NAME PRINTED OR TYPED)

DocuSigned by:

Chad Coauette

7E42B8F817A64CC...
SOURCEWELL EXECUTIVE DIRECTOR/CEO SIGNATURE

Chad Coauette
(NAME PRINTED OR TYPED)

Awarded on May 10, 2019

Sourcewell Contract # 032119-CAT

Vendor Authorized Signatures:

The Vendor hereby accepts this Contract award, including all accepted exceptions and amendments.

Vendor Name Caterpillar Inc.

Authorized Signatory's Title North America Industry Manager

Patrick Kearns

VENDOR AUTHORIZED SIGNATURE

Patrick Kearns

(NAME PRINTED OR TYPED)

Executed on May 10, 2019

Sourcewell Contract # 032119-CAT

1998 Blaw Knox



2022 Caterpillar AP655F





Commission Meeting Date: October 19, 2021

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Resolution 10428 – A request from the Business Improvement District to use Downtown Tax Increment Financing (TIF) funds for the cost of manufacturing and installation of Wayfinding signs within or directing traffic towards the Downtown Urban Renewal District.

From: Brad Eatherly, Planner II, Planning and Community Development

Initiated By: Joan Redeen, Great Falls Business Improvement District

Presented By: Craig Raymond, Director, Planning and Community Development

Action Requested: City Commission adopt Resolution 10428 to allow the Business Improvement District to use \$128,950 of Downtown TIF funds for the cost of manufacturing and installation of Wayfinding signs within or directing traffic towards the Downtown Urban Renewal District.

Public Hearing:

1. Mayor conducts public hearing, pursuant to OCCGF 1.2.050 and Title 17, Chapter 16, Article 6.
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) Resolution 10428.”
2. Mayor requests a second to the motion, Commission discussion, and calls for the vote.

Staff Recommendation:

Staff recommends approval of the request based on the findings of the required criteria. Additionally, the Great Falls Downtown Development Partnership reviewed the BID’s request at their August 24, 2021 meeting and recommended that the City Commission approve the requested TIF funds.

Background:

A wayfinding plan has been a community goal for several years. Establishing a wayfinding plan was listed as a goal in the 2012 City of Great Falls Downtown Master Plan, the 2013 City of Great Falls Growth Policy Update, and the Downtown Urban Renewal Plan. Several attempts over the years were made to secure funding for creating a wayfinding plan for the City.

With the hopes of being awarded a Montana Main Street grant, the BID released a Wayfinding Plan RFP on October 18, 2019. The award of the Main Street grant on February 5, 2020, allowed the City and the BID to move forward with the project. The Wayfinding Plan contract was awarded to Cushing Terrell on March 9, 2020. Over the course of the spring and summer of 2020, the Core Team, consisting of the consultant, the BID, and City Planning and Community Development staff, worked to complete the Wayfinding Plan. A Steering Committee and a Stakeholder's Group were formed in order to receive input from larger, more diverse groups. The Core Team also sought public participation in the process by asking them to pinpoint destinations they felt were important to the community and participate in a scavenger hunt in order to bring awareness to the planning effort without encouraging large public gatherings during the Covid-19 pandemic.

The Wayfinding Plan is essential to connect people travelling to Great Falls to the historic downtown and to the surrounding cultural, natural and recreational amenities. By having access to prominent, appealing signage, many who would otherwise simply travel through Great Falls or those who are not familiar with the area, will learn about the services, destinations and points of interest that are available. There are five goals included in the Wayfinding Plan. They include: 1) Establish clear and consistent citywide signage geared toward vehicles and pedestrians that connect residents and visitors with downtown Great Falls and the area's cultural, natural, and recreational amenities, 2) To incorporate elements from existing logo/branding effort into the sign design, 3) To incorporate a variety of signs that reinforce a "sense of place and identity"- providing visitors and residents with an understanding of where to find existing amenities and destinations, 4) Develop signs that add to a Great Falls aesthetic without creating clutter or discord, and 5) Ensure signs comply with all applicable local, state, and federal sign regulations.

On April 6, 2021, the Great Falls City Commission formally adopted the City of Great Falls Wayfinding Plan. The estimated cost for the implementation of the wayfinding plan is \$220,000. The Great Falls BID has secured several funding sources for the construction and installation of the signage within the plan, including \$12,500 from Montana Main Street, \$84,184 from Montana Tourism, \$5,000 from Great Falls Montana Tourism, \$1,300 from Great Falls Association of Realtors, \$6,500 from both the Great Falls BID and Great Falls Downtown Development Partnership, and \$1,000 from both the Great Falls Development Authority and the Great Falls Downtown Association. These amounts total \$117,984 committed to the implementation of the wayfinding plan.

There are a total of 39 motorist signs and 20 pedestrian signs that are eligible to be funded with funds from the Downtown Tax Increment Financing District. The estimated price per motorist sign is \$3050. The estimated price per pedestrian sign is \$700. The amount requested (\$128,950), coupled with the \$117,984 committed from other entities, will cover the implementation of signs eligible for funding from the Downtown TIF District, as well as account for any contingencies there may be in the installation process. The BID has requested that the requested funds be potentially reimbursed in phases as work is completed. There are an additional 2 motorist signs to be installed which will be included in the West Bank Urban Renewal District. There will be an additional request from the BID to use West Bank TIF funds to supplement funding for the implementation of these signs.

Review Criteria:

Preliminary Findings

After thorough review and evaluation of the Project, City Staff has determined:

- No persons will be displaced from their housing by the Project or the infrastructure improvements.
- The Project and the infrastructure improvements substantially satisfy the review criteria of the funding application process and meet the purpose and goals of the State Law, the District and Plan.
- The infrastructure improvements constitute public improvements in accordance with the Act.
- A sound and adequate financial program exists for the financing of the infrastructure improvements.

Montana Code Annotated (MCA) TIF Regulations

The creation and administration of TIF Districts are governed by State Law. According to Montana Code Annotated (MCA) (7-15-4288), tax increment can only be used for the following purposes: The tax increment may be used by the local government to pay for the following costs of or incurred in connection with an urban renewal plan or targeted economic development district comprehensive plan:

1. land acquisition;
2. demolition and removal of structures;
3. relocation of occupants;
4. the acquisition construction, and improvement of public improvements or infrastructure, including streets, roads, curbs, gutters, sidewalks, pedestrian malls, alleys, parking lots and off-street parking facilities, sewers, sewer lines, sewage treatment facilities, storm sewers, waterlines, waterways, water treatment facilities, natural gas lines, electrical lines, telecommunication lines, rail lines, rail spurs, bridges, publicly owned buildings, and any public improvements authorized by Title 7, chapter 12, parts 41 through 45; Title 7, chapter 13, parts 42 and 43; and Title 7, chapter 14, part 47, and items of personal property to be used in connection with improvements for which the foregoing costs may be incurred;
5. costs incurred in connection with the redevelopment activities allowed under 7-15-4233;
6. acquisition of infrastructure-deficient areas or portions of areas;
7. administrative costs associated with the management of the urban renewal area or targeted economic development district;
8. assemblage of land for development or redevelopment by private enterprise or public agencies, including sale, initial leasing, or retention by the local government itself at its fair value;
9. the compilation and analysis of pertinent information required to adequately determine the needs of the urban renewal area or targeted economic development district;
10. the connection of the urban renewal area or targeted economic district to existing infrastructure outside the area or district;
11. the provision of direct assistance to secondary value-adding industries to assist in meeting their infrastructure and land needs within the area or district; and
12. the acquisition, construction, or improvement of facilities or equipment for reducing, preventing, abating, or eliminating pollution.

City of Great Falls TIF Review Criteria

In order for the Planning Advisory Board and eventually the City Commission to approve any TIF funding request, the request must meet the criteria recommended in the Urban Renewal Plan, as well as be eligible for TIF participation in accordance with MCA guidelines noted in this report. To aid in this determination, the City of Great Falls' Tax Increment Application Process established twelve specific criteria to assess the merits of projects against the Plan. Those criteria are:

- 1) Public Infrastructure Improvements – Public infrastructure improvements have the benefit of

improving and impacting an entire district. Each district may have its own Capital Improvement Plan, which may include things such as roadway improvements, storm drains, sewer and waterlines, railroads, etc.

Staff Analysis – Public signage that is intended to advertise unique districts and civic enterprises within the City can be considered public infrastructure and will improve and impact the Downtown TIF District in a positive way. The proposed expenditure of a maximum of \$128,950 has the potential to add important economic development into the Downtown TIF District. These signs will potentially direct a higher number of visitors to the Downtown area.

- 2) Economic Stimulus- The amount of economic activity to be generated within a district through the development is assessed, as well as the leverage ratio of public to private investment. In general, the maximum limit of any one development is 10% of the construction/rehabilitation costs, exclusive of acquisition costs. Projects demonstrating extraordinary benefit to Districts or the community may, at the discretion of City Commission, receive additional TIF assistance for eligible items. All applications should contain credible, measurable information substantiating the project's economic stimulus in the District and the community.

Staff Analysis – The economic benefits of community wayfinding are well established. The installation of wayfinding signs within the Downtown will increase visitation and economic activity at key destinations within the TIF District.

- 3) Tax Generation – The increase in taxable value due to the new district development, including construction/rehabilitation, as estimated by the County Assessor's office to determine tax increment generation.

Staff Analysis – With the implementation of the Wayfinding Plan, the amount of business and traffic that the district sees will increase and spur further build out of the area. The future development within Downtown will continue to become more feasible and create additional assessed property tax valuation for the District.

- 4) Employment Generation – Total employment generated by the district development is assessed in terms of permanent and part-time jobs, and construction jobs.

Staff Analysis – If approved, the TIF funds will be used to implement the City of Great Falls Wayfinding Plan, which will create construction jobs for the installation of a large number of wayfinding signs. Also, through spurred investment, increased tourism, and growing businesses, the Wayfinding Plan should indirectly help expand the availability of employment opportunities within the Downtown TIF District.

- 5) Elimination of Blight – The development's direct and indirect impact on the physical and fiscal deterioration within the appropriate district and the community, as identified in the appropriate district plan.

Staff Analysis –The Downtown TIF District was specifically adopted to implement the Downtown Urban Renewal Plan. Additional visitation of destinations within the Downtown Urban Renewal Plan Area will lead to economic development opportunities to further eliminate blight within the District.

- 6) Special or Unique Opportunities – The extent to which the district's development represents a

unique opportunity, meets a special need, or addresses specific district or community goals. The restoration of a historic property or the provisions of an unmet community need is an example of special or unique opportunities.

Staff Analysis – Staff believes that the opportunity to leverage TIF District funds to benefit not only the Downtown and West Bank TIF Districts but create a community wayfinding plan, is a unique opportunity to meet an unmet community need. A wayfinding plan has been listed as goal of the community since 2012 when it was included in the City’s Downtown Master Plan.

- 7) Impact Assessment – The extent of both positive and negative environmental impacts, appropriateness of the developer’s project design, and impact on existing businesses or residents.

Staff Analysis –The implementation of wayfinding signs within the District will create positive impacts to existing businesses within the Urban Renewal Area by driving more visitors to the district. The installation of wayfinding signs will have no environmental impacts.

- 8) Financial Assistance – Other forms of financing available to the Applicant, Lender participation, industrial development revenue bonds, and state and federal grant monies, for example are examined to assess the need for TIF assistance.

Staff Analysis – This request for TIF funds will be used in addition to a request for \$6,820 from the West Bank TIF District. The BID has already been awarded \$84,184 from a Montana Tourism grant, \$12,500 from a Montana Main Street Grant, as well as funds committed by the BID, Downtown Development Partnership, Great Falls Development Authority, Great Falls Downtown Association, Great Falls Montana Tourism, and the Great Falls Realtors Association for a total of \$117,984.

- 9) Development’s Feasibility – A determination of feasibility is made on the strength of the Applicant’s demonstration of market demand for the development in the district and is contained primarily on the pro forma and financing commitments.

Staff Analysis – Because this criterion is tailored to fit development project proposals seeking TIF funds, it is not applicable to the applicant’s request to financially support the Wayfinding project. The applicant is currently executing a TIF funded project to maintain the boulevard tree inventory within the TIF area.

- 10) Developer Ability to Perform – An assessment of the Applicant’s capability to undertake the relative complexities of the development based on past performance on similar projects.

Staff Analysis – The project has been put out to bid, with the BID accepting the bid offer from the only contractor who applied. The contractor whose bid was accepted is known to be able to perform the work as described within the Wayfinding Plan.

- 11) Timely Compensation – The feasibility of completing the development according to the Applicant’s development schedule.

Staff Analysis – Staff believes that the applicant will be able to meet the development schedule as noted within the application.

- 12) Payment of Taxes – All property taxes, special improvement district assessments and other assessments on the project property must be paid to date.

Staff Analysis – There are currently no outstanding tax issues related to the project or applicant.

Fiscal Impact:

The funding request will allow for a greater economic impact to the Downtown Urban Renewal District. Currently the Downtown TIF has a balance of \$748,553, with a few cash payments and a debt service still to be fulfilled. This request will not affect the City's other financial obligations for the TIF District.

Alternatives:

The City Commission could deny the TIF funding request, in which case alternative findings would need to be provided.

Concurrences:

The applicant's request for TIF funding had been reviewed by the City's outside legal counsel from Dorsey & Whitney LLP.

Attachments/Exhibits:

Resolution 10428

TIF Application

Downtown TIF District Map

Downtown Urban Renewal Plan

RESOLUTION 10428

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, APPROVING THE BUSINESS IMPROVEMENT DISTRICT'S APPLICATION FOR USE OF DOWNTOWN URBAN RENEWAL TAX INCREMENT FINANCING (TIF) DISTRICT FUNDS

* * * * *

WHEREAS, under the provisions of the Montana Code Annotated, Title 7, Chapter 15, Parts 42 and 43, as amended, an urban renewal district may be established so that a municipality may undertake urban renewal projects therein, provide for the segregation and collection of tax increment with respect to taxes collected in such district, and apply all or a portion of the tax increment derived from such district to the payment of costs of such urban renewal projects; and

WHEREAS, the City Commission, pursuant to Resolution No. 9961, duly adopted on March 6, 2012, created an urban renewal area as the Downtown Urban Renewal District; and

WHEREAS, pursuant to Ordinance No. 3088, duly adopted on May 15, 2012 after a duly called and noticed public hearing thereon adopted the Downtown Urban Renewal Plan containing a tax increment financing provision and pursuant to Ordinance 3222, duly adopted on October 6, 2020 after a duly called and noticed public thereon adopted a revision to the Downtown Urban Renewal Plan; and

WHEREAS, in April 2013, the City Commission approved the revised Tax Increment Application and Forms that outline eligible activities under state statute, the application process to be followed, and criteria to be used when evaluating applications; and

WHEREAS, the purpose of the Downtown Tax Increment Financing District is to stimulate revitalization and redevelopment of the Central Business District; and

WHEREAS, the City Commission, pursuant to Resolution 10393, duly adopted on April 6, 2021, adopted the City of Great Falls Wayfinding Plan; and

WHEREAS, the Great Falls Business Improvement District has proposed the manufacturing and installation of Wayfinding Signs within, or directing towards, the Downtown Urban Renewal District, with eligible tax increment financing expenses and has applied for such funds; and

WHEREAS, City Staff has assessed the project in relation to the goals and objectives of the Downtown Urban Renewal District Plan, evaluated the project based on the evaluation criteria, and determined that expenditure of TIF funds up to the amount of \$128,950, is warranted for the purpose of paying for the manufacturing and installation of Wayfinding signs within, or directing towards, the Downtown Urban Renewal District.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Great Falls, Montana, that the Business Improvement District's Application for use of Downtown Urban Renewal Tax Increment Financing District Funds is approved in the amount of up to \$128,950 for the purpose of manufacturing and installation of Wayfinding signs within, or directing towards, the Downtown Urban Renewal District.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, October 19, 2021.

Bob Kelly, Mayor

ATTEST:

Lisa Kunz, City Clerk

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

Jeffrey M. Hindoien, City Attorney

CITY OF GREAT FALLS



TAX INCREMENT FINANCING (TIF)

APPLICATION FOR FUNDS

**CITY OF GREAT FALLS
TAX INCREMENT FINANCING (TIF)
APPLICATION FOR FUNDS**

Agenda #11.

Project Name: Implementation of the Wayfinding Plan

Date Submitted: July 2021

Name of TIF District: Downtown Urban Renewal District

APPLICANT INFORMATION

Name: Great Falls Business Improvement District

Address: 318 Central Avenue, Great Falls 59401

Telephone: 406.727.5430

DEVELOPMENT INFORMATION

1. Building Address: N/A

2. Legal Description: N/A

3. Ownership: City of Great Falls
Address: 2 Park Dr Great Falls MT 59401

4. If property is not owned by the Applicant, list leasehold interest: (*Attach evidentiary materials*).
Name: _____
Address: _____

5. Existing/Proposed Businesses: Great Falls Business Improvement District
Business Description: The Great Falls Business Improvement District (BID) is the focal point of regional commerce for social, cultural, governmental, business and residential activity in downtown Great Falls. The goal of the BID is to maintain, beautify, and stimulate development in Great Falls' historic downtown district. The BID is operated by an all-volunteer Board of Directors who are property owners or their designated representatives within the district; with additional administrative support within their office setting. All board members are appointed by the City Commission.

The BID has proven itself to be a vital part of the downtown area providing for improvement and beautification. The initial creation of the BID was in 1989, it was renewed in 1999, 2009 and again in 2019 each for periods of ten years by petition of the property owners within the District. The BID took the lead in organizing and securing funding for the development of a Great Falls city-wide Wayfinding Plan. It is now the intention of the BID to contract for implementation of the city-wide Wayfinding Plan that the City Commission formally adopted.

6. Employment: Existing FTE Jobs: None directly by the BID

New Permanent FTE Jobs created by project: _____ Construction FTE jobs: _____

7. Architectural/Engineering Firm: Cushing Terrell

Address: 219 2nd Ave South, Great Falls MT 59405

Representative: Anthony Houtz

**CITY OF GREAT FALLS
TAX INCREMENT FINANCING (TIF)
APPLICATION FOR FUNDS**

Agenda #11.

8. Please provide a description of the Total Project Development (attach a narrative explanation).

This application seeks up to a maximum of \$128,950 to complete the funding needed to implement the City of Great Falls Wayfinding Plan.

The City Commission formally adopted the Plan at their meeting on April 6, 2021. The Commission has supported this project in the past by allocating \$25,000 from the Downtown Urban Renewal TIF District toward the Planning process that was completed in 2020.

The estimated cost of installation of the Wayfinding Plan is \$220,000. This figure was determined through a competitive bid process overseen by the BID with participation from City staff and the Downtown Development Partnership. Cushing Terrell drafted the bidding documents for implementation of the Plan.

The BID, in partnership with the City, secured a Montana Main Street Grant in the amount of \$12,500 for the installation of the Plan. The BID also secured a Montana Tourism grant in the amount of \$84,184 for the installation of the Plan. The BID and the Downtown Development Partnership have each committed \$6,500; Great Falls Montana Tourism has committed \$5,000; the Great Falls Association of Realtors has committed \$1,300; and the Great Falls Development Authority and the Downtown Great Falls Association have each committed \$1,000 toward implementation of the Plan.

There are a total of 58 motorist and 20 pedestrian signs called for in the Plan. Of the 58 motorist signs there are 39 signs that direct individuals to destinations located within the Downtown Urban Renewal boundaries, making those 39 of the 58 motorist signs eligible for TIF funding through the Downtown TIF. In addition, all but four of the 20 pedestrian signs will be located within the Downtown Urban Renewal District, making 16 pedestrian signs eligible for TIF funding through the Downtown TIF.

Not including any TIF funding, the identified sources, as noted above, of income toward implementation total \$117,984. The estimated price per motorist sign is \$3,050.00. With 39 motorist signs being eligible to be funded via the Downtown Urban Renewal TIF District that equates to \$118,950. This application also includes up to \$10,000 for possible removal of signs if duplicate signs are discovered as installation progresses. The BID is seeking approval for maximum TIF funding from the Downtown Urban Renewal District of \$128,950 to cover the difference in cost from the estimate to identified funding sources. It should also be noted that 16 pedestrian signs, at an estimate of \$720.00 per sign equates to \$11,520; these signs are also eligible for Downtown TIF funding.

The Downtown Master Plan was formally adopted by the City Commission in 2011 and called for Wayfinding. The City, BID and partners have been working to secure the funds for creation of and implementation of a Wayfinding Plan for many years. We achieved that goal in 2020 and are now moving forward on implementation of the Plan. A comprehensive wayfinding program is essential to connect people traveling to Great Falls to historic downtown and to the surrounding cultural, natural and recreational activities. By providing prominent, appealing signage, many who would otherwise simply travel through Great Falls or those who are not familiar with the area, will learn about the services, destinations and points of interest that are available.

The BID may be submitting for incremental payments as this project progresses.

9. Please provide rehabilitation/construction plans (attach schematics, site, and landscaping plans).

N/A

10. What is the development schedule or estimated completion date for the Total Project Development?
 The Total Project Development is best defined as the entire development, not just the TIF improvements (please include project phasing if appropriate).
Contractor will have until March 2022 to complete installation of the project.

11. Do you plan on asking for any other tax abatements, grants, tax credits or other forms of relief? If so, what type?
N/A

12. Please describe your funding needs and the anticipated timing schedule for your identified Eligible TIF Activities (example: *I will be fronting the costs of all identified TIF improvements and would like to be reimbursed incrementally as TIF funds become available; I am interested in utilizing bond financing to complete the identified project improvements and would like to be reimbursed with TIF funds as they become available, I need TIF funds immediately to complete the identified TIF improvements, etc.*)
Following a public bidding process, the BID will be contracting with the selected contractor to perform all work as described in the Wayfinding Plan. The BID will submit for reimbursement, up to the maximum of \$128,950, for any remaining difference between the identified committed funding sources and the contracted amount. Submission for reimbursement may be done on an incremental basis, as the BID's cash flow requires. The project is expected to be complete in the spring of 2022.

13. Please indicate the amount of Public Infrastructure Need and the amount of Public Infrastructure being requested to be financed by the TIF District.
N/A

TOTAL PROJECT DEVELOPMENT COSTS

The total project development cost is the cost to develop the entire project/site, and should include the cost of the TIF improvements.

Agenda #11.

Land and Site Preparation Improvements (Itemized)

- | | |
|-------------------------|----------|
| 1. <u>Value of Land</u> | \$ _____ |
| 2. _____ | \$ _____ |
| 3. _____ | \$ _____ |
| 4. _____ | \$ _____ |
| 5. _____ | \$ _____ |

Subtotal

\$ _____

Construction/Rehabilitation Costs (Use general construction trade divisions) (Total value of improvements)

- | | |
|-------------------------------------|------------|
| 1. <u>Wayfinding Implementation</u> | \$ 220,000 |
| 2. <u>Architectural fees</u> | \$ 3,200 |
| 3. <u>Demolition</u> | \$ 10,000 |
| 4. _____ | \$ _____ |
| 5. _____ | \$ _____ |
| 6. _____ | \$ _____ |
| 7. _____ | \$ _____ |

Subtotal

\$223,200

Equipment Costs (Total value of equipment)

- | | |
|----------|----------|
| 1. _____ | \$ _____ |
| 2. _____ | \$ _____ |
| 3. _____ | \$ _____ |
| 4. _____ | \$ _____ |
| 5. _____ | \$ _____ |

Subtotal

\$ _____

Total Project Development Costs

\$223,200

ELIGIBLE TIF ACTIVITIES

Agenda #11.

Land Acquisition

	Total	Amount Requested from TIF	Timing for Funds
1.	_____	_____	_____

Demolition & Removal of Structures

1.	\$10,000	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
Subtotal	\$10,000	_____	_____

Relocation of Occupants

1.	_____	_____	_____
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Public Improvements

(acquisitions, construction, and improvement of infrastructure which includes streets, roads, curbs, gutters, sidewalks, pedestrian malls, alleys, parking lots and off-street parking facilities, sewers, sewer lines, storm sewers, etc.)

1.	\$118,950	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
Subtotal	\$118,950	_____	_____

Fees (associated with eligible activities)

(A&E design/supervision, permits & other fees)

1.	\$3,200	_____	_____
2	_____	_____	_____
3	_____	_____	_____

CERTIFICATION

Agenda #11.

I (we), Joan Redeen (please print),
certify that the statements and estimates within this Application as well as any and all documentation
submitted as attachments to this Application or under separate cover are true and correct to the best of
my (our) knowledge and belief.

Signature Joan Redeen

Title Community Director

Address 318 Central Ave, Great Falls 59401

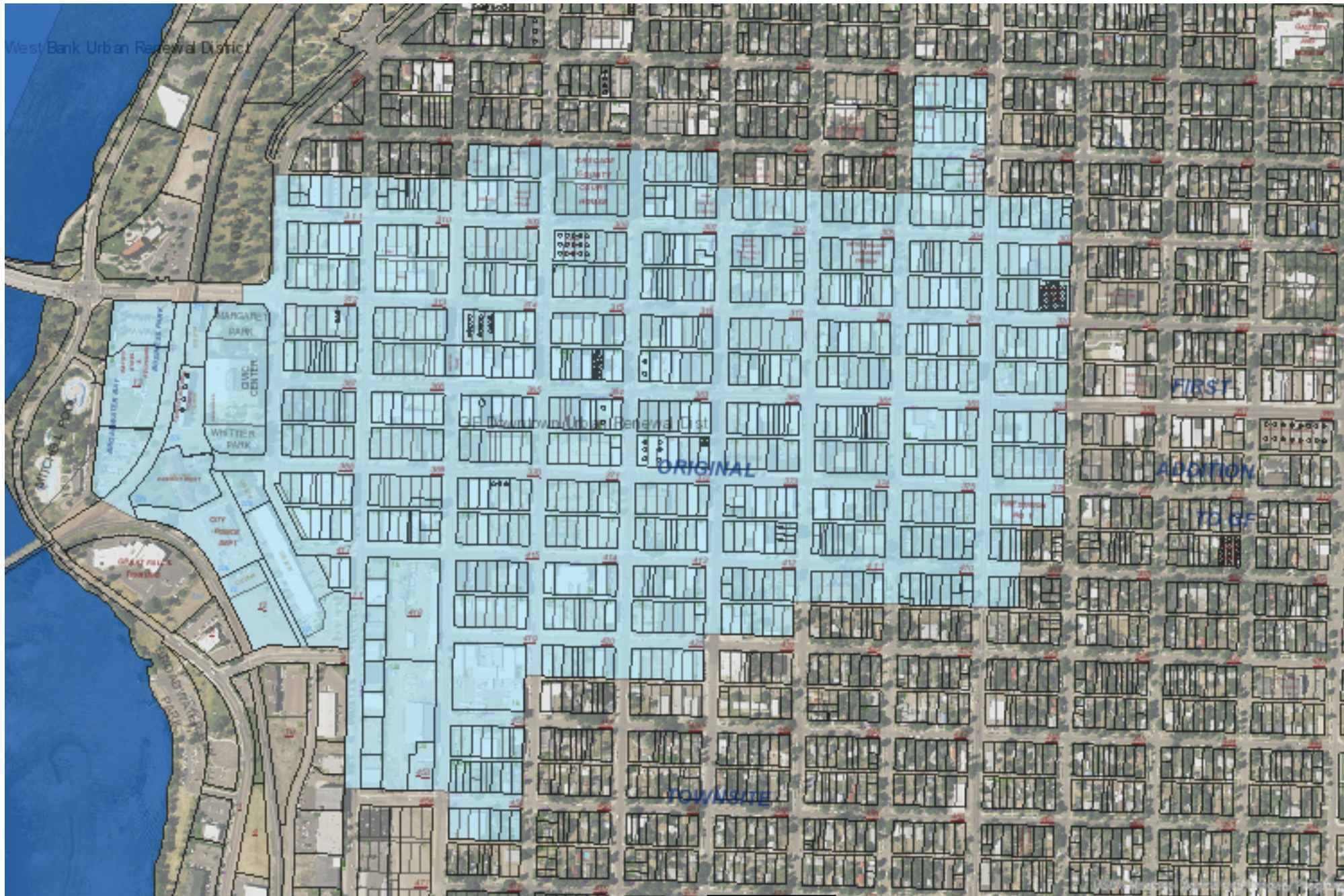
Date 8/12/2021

Signature _____

Title _____

Address _____

Date _____



The City of Great Falls uses the most current and complete data available. However, GIS data and product accuracy may vary. GIS data and products may be developed from sources of differing accuracy, accurate only at certain scales, based on modeling or interpretation, incomplete while being created or revised, etc. The City of Great Falls reserves the right to correct, update, modify, or replace, GIS products without notification. The City of Great Falls cannot assure the accuracy, completeness, reliability, or suitability of this information for any particular purpose. Using GIS data for purposes other than those for which they were created may yield inaccurate or misleading results. The recipient may neither assert any proprietary rights to this information nor represent it to anyone as other than City Government-produced information. The City of Great Falls shall not be liable for any activity involving this information with respect to lost profits, lost savings or any other damages.

CITY OF GREAT FALLS

Amended and Restated Downtown Urban Renewal Plan



October 2020

Introduction:

The City of Great Falls has embarked on an ambitious program to revitalize downtown Great Falls. In October 2011 the Great Falls City Commission unanimously adopted the Downtown Master Plan (DMP). Referenced throughout the 2013 Growth Policy Update, the DMP serves as the guiding policy document for downtown. The DMP provides a strategically focused, goal driven “blueprint” for the future growth and development of downtown. The DMP creates a vision and outlines strategies, actions, partnerships and timeframes that will facilitate the re-development of a regional destination.

The 82 strategies within the DMP are each designed to capitalize on downtown’s assets and proactively address downtown’s issues. The strategies all seek to create a downtown that has a balance of amenities, housing and transportation options, goods and services and cultural, entertainment and educational opportunities.

The DMP recommends the creation of an Urban Renewal District that utilizes Tax Increment Financing (TIF) to fund public improvements recommended in the DMP in an effort to revitalize Downtown Great Falls. The proposed Downtown Urban Renewal District (DURP) will be the third urban renewal district established in the City of Great Falls. The Central Place Revitalization Urban Renewal Program, established in 1977, has since expired while the West Bank Urban Renewal District, established in 2006 is currently operational.

The Downtown Urban Renewal District and TIF funds generated through the improvements to property in the district are anticipated to be the primary funding sources to implement the recommendations of the DMP. Previous urban renewal districts in the City have been successful in redevelopment and revitalization efforts. It is the hope of the City of Great Falls and the Downtown stakeholders that this urban renewal district will yield the same positive results.

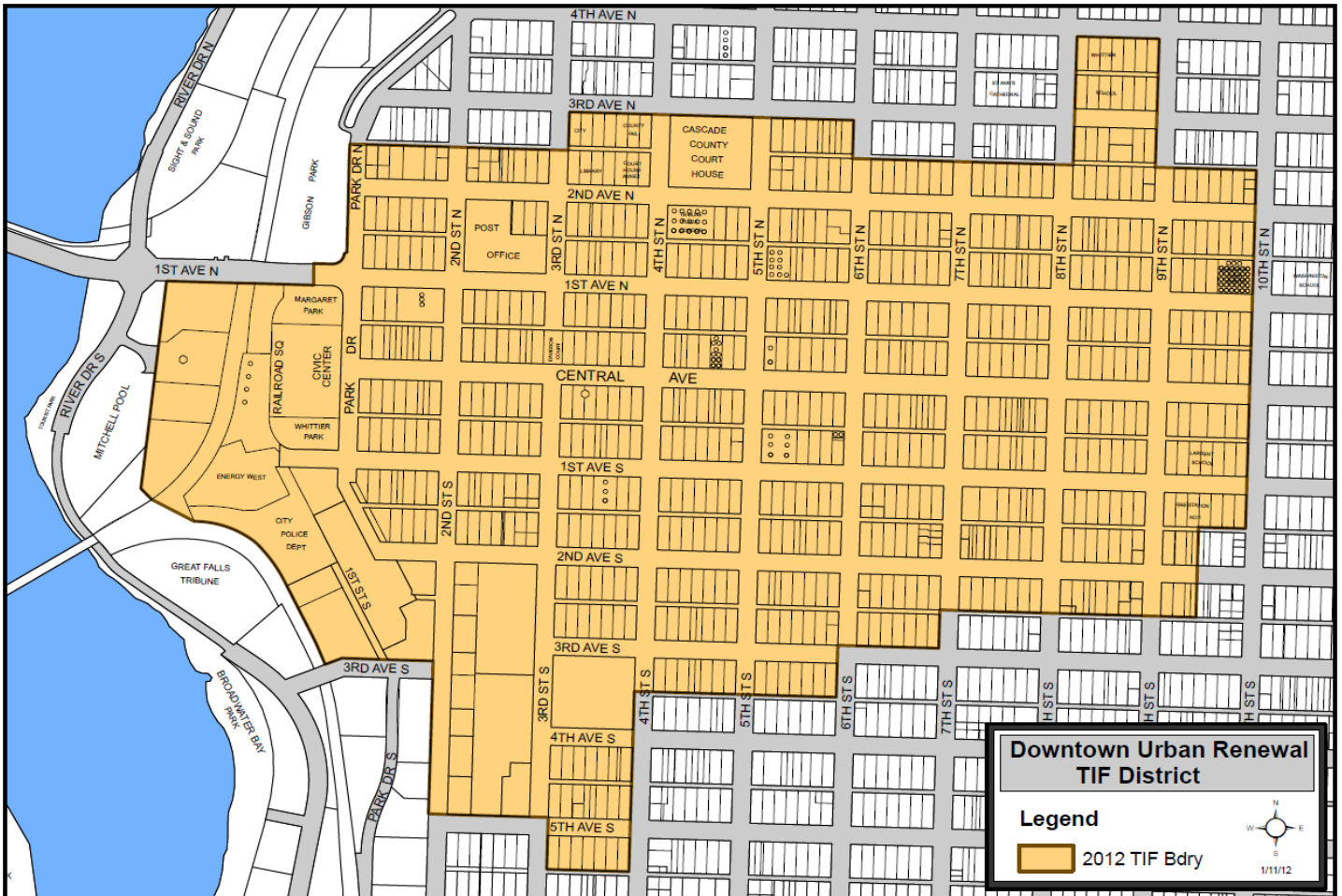
Amended and Restated Downtown Urban Renewal District Plan

Legal Description of the District:

Beginning at a point that is the southeast corner of Lot 1, Block 11, of the Broadwater Bay Business Park; thence south across 3rd Ave So to the northeast corner of Lot 6, Block 9, of the Broadwater Bay Business Park; thence south along the west right of way line of 2nd St So to a point that is directly west of the southwest corner of Lot 8, of the Amended Plat of Block 453, of the Great Falls Original Townsite (GFOT); Thence east across 2nd St So to the southwest corner of Lot 8, of the Amended Plat of Block 453, of the GFOT; thence east to the southwest corner of Lot 14, Block 452, of the GFOT; thence south to the southwest corner of Lot 1, Block 455, of the GFOT; thence east to the southeast corner of Lot 7, Block 455, of the GFOT; thence north along the west right of line of 4th St S to a point directly west from the southwest corner of Lot 1, Block 420, of the GFOT; thence east across 4th St So to the southwest corner of Lot 1, Block 420, of the GFOT; thence east to the southeast corner of Lot 7, Block 421, of the GFOT; thence north to the southeast corner of Lot 8, Block 413, of the GFOT; thence east across 6th St So to the southwest corner of Lot 14, Block 412, of the GFOT; thence east to the southeast corner of Lot 8, Block 412, of the GFOT; thence north to the southeast corner of Lot 7, Block 412, of the GFOT; thence east to the southwest corner of Lot 1, Block 411, of the GFOT; thence east to the southeast corner of Lot 3, Block 409, of the GFOT; thence north to the southeast corner of Lot 3, Block 376, of the GFOT; thence east to the southeast corner of Lot 7, Block 376, of the GFOT; thence north along the west right of way line of 10th St N to the northeast corner of Lot 8, Block 258, of the GFOT; thence west to the northeast corner of Lot 8, Block 257, of the GFOT; thence north to the northeast corner of Lot 7, Block 242, of the GFOT; thence west to the northwest corner of Lot 1, Blk 242, of the GFOT; thence south to the northwest corner of Lot 14, Blk 257, of the GFOT; thence west to the northeast corner of Lot 8, Blk 254, of the GFOT; thence north to the northeast corner of Lot 7, Blk 254, of the GFOT: thence west to the northwest corner of Lot 1, Blk 252, of the GFOT; thence south to the northwest corner of Lot 14, Blk 252, of the GFOT; thence west to the northwest corner of Lot 13, Blk 250, of the GFOT; thence continuing west to a point that is located on the west right of way of Park Dr N; thence south along the west right of way of Park Dr N to the corner of Park Dr N and 1st Ave N; thence around a curve to the left to a point of tangent thence continuing west eighty feet along the north right of way of 1st Ave N; thence south on a perpendicular line to the south right of way line of 1st Ave N; thence west along the south right of way line of 1st Ave N to the northwest corner of Lot 5, Blk 13, of the Broadwater Bay Business Park Addition (BBBP); thence southwesterly to the southwest corner of Lot 2, Blk 13, of the BBBP; thence southeasterly to the southeast corner of Lot 2, Blk 13, of the BBBP; thence continuing southeasterly to a point that is the intersection of the north railroad right of way line and the westerly boundary of Mark 22A (City of Great Falls Police Department); thence southeasterly along a curve to the right also being the north railroad right of way line to the southwest corner of Lot 1, Blk 12, of the BBBP; thence easterly along the north right of way line of 3rd Ave S to the point of beginning.

City of Great Falls

District Boundary



Amended and Restated Downtown Urban Renewal District Plan

Determination of Blight:

To establish an Urban Renewal District in Montana, it must be found that conditions of blight are present in the area. Section 7-15-4206 (2) MCA defines blight as “an area that is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, that substantially impairs or arrests the sound growth of the city or its environs, that retards the provision of housing accommodations, or that constitutes an economic or social liability or is detrimental or constitutes a menace to the public health, safety, welfare, and morals in its present condition and use, by reason of:

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



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With the adoption of Resolution 9961, the Great Falls City Commission found that the following conditions of blight are present in the District:

The substantial physical dilapidation, deterioration, age obsolescence, or defective construction, material, and arrangement of buildings or improvements, whether residential or nonresidential.

Vacancy, underutilization and a lack of maintenance has led to the substantial physical dilapidation and deterioration of a number of buildings within the district. Not only does this affect the aesthetic character of these buildings, and the district it also produces conditions that are unsafe, unsanitary and not conducive to economic development.



Inappropriate or mixed uses of land or buildings.

A large amount of land within the District is currently used as surface parking for automobiles. While a certain amount of parking is necessary to support other uses within the District, surface parking lots are an inefficient use of land in the City's commercial core. This land could potentially be redeveloped as commercial, office, residential or mixed use activities that would improve the vitality of the downtown and increase the taxable value of the District.



The heavy industrial nature of the southwest area of the District is incompatible with the adjacent commercial and retail and residential uses of the area. This area has the potential to be redeveloped in a mixed-use or transitional fashion to provide a key entry corridor into the District.

Defective or inadequate street layout.

Three one-way couplets currently traverse through the district. Multiple studies and analyses conducted across the U.S. indicate that downtown access and circulation, customer parking and property values increase when downtown one-ways are restored to two-way streets. The City of Great Falls conducted and completed a study in April 2013, which resulted in the *Downtown Access, Circulation, and Streetscape Plan*. Although it was never adopted, the study is used as a resource and guide for city staff.

A primary intersection within the district - Park Drive and 1st Avenue N - is unsafe and difficult to navigate for pedestrians. Additionally, the configuration of the intersection produces inefficient conditions for automobiles, especially those making turns at high volume portions of the day.

Amended and Restated Downtown Urban Renewal District Plan

Deterioration of site.

Vacant, underutilized or unmaintained buildings and parcels concentrated within specific areas of the district have created pockets of site deterioration throughout the district. The deterioration of sites has often led private investment and development to move to outlying areas of the City and has also slowed redevelopment and infill efforts downtown. If site deterioration is not addressed, the exodus of commercial and residential development will continue and ultimately lead to further deterioration.

The existence of conditions that endanger life or property by fire or other causes.

A number of buildings in the district are in conditions that could potentially endanger life of property. Multiple factors have contributed to these conditions including fire damage, the use of hazardous construction materials, negligence on behalf of a property owner and extended vacancy among others. Buildings that have reached this condition are often the target of graffiti and other forms of vandalism, leading to further deterioration in the district.

Urban Renewal Plan

The DMP will guide the urban renewal and revitalization efforts within the district. The overall vision of the DMP and the goals, objectives and strategies of the Plan provide a comprehensive framework for the redevelopment of the downtown core. The following table displays the 82 strategies of the DMP and additional project priorities, with associated timelines, categories and partner organizations.



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Strategy	Partners	Timeframe	Category
1. CONNECTED:			
1. Improve pedestrian connectivity and safety Downtown.			
a. Ensure streetscape improvements are designed to enhance pedestrian safety and pleasure by providing sufficient space for pedestrian needs and uses.	CofGF (P&CD, PW)	Short	Regulatory Framework
b. Develop public/private partnerships to ensure Downtown is safe, clean and accessible for all users.	CofGF, DAA (Safety team)	Immediate	Program
c. Identify, prioritize and correct accessibility barriers to sidewalks, curbs, pedestrian signals and other pedestrian facilities.	CofGF (P&CD, PW) Accessibility group	Short	Program
2. Develop a comprehensive Downtown bicycle network to connect into a city-wide system.			
a. Prepare a complete streets policy to guide roadway construction and rehabilitation.	CofGF, GFGF, GFBC	Immediate	Regulatory Framework
b. Update the bikeway chapter of the Long Range Transportation Plan, including prioritization of improvements and routes for implementation.	CofGF (P&CD, P&R), GFBC, RTI, TWG	Short	Regulatory Framework
c. Improve and expand bicycle connections to the River's Edge Trail through signage and routes.	CofGF (P&CD, P&R), GFBC, RTI, TWG	Short	Capital Improvement
d. Ensure that bike routes link and connect neighborhoods, employment centers, amenities and destinations.	CofGF (P&CD), GFBC, RTI	Short	Regulatory Framework
e. Develop public education and marketing programs to maximize the use of the bicycle network.	RTI, GFBC	Short	Program
3. Reduce or eliminate Downtown one-ways.			
a. Conduct a one-way conversion plan to help facilitate an environment that is pedestrian and retail friendly, improves local circulation, and increase access to Downtown businesses.	CofGF (P&CD, PW), MDT	Medium	Program
b. Effectively communicate the costs and benefits of one-way conversions to all stakeholders.	CofGF, DAA (BID, DGFA)	Medium	Program
c. Develop roadway and streetscape design standards to further the intended benefits of one-way conversions for all users.	CofGF	Medium	Regulatory Framework
4. Improve connectivity to the Missouri River, River's Edge Trail, and Gibson Park for bicycles and pedestrians.			
a. Improve the attractiveness and enhance the visibility of railroad crossings and underpass tunnels that connect Downtown to the Missouri River, River's Edge Trail and Gibson Park.	CofGF (P&CD, PW, P&R), RTI	Medium	Capital Improvement
b. Identify locations and develop design options to develop an additional separated grade bike and pedestrian crossing of railroad tracks.	CofGF (P&CD, PW, P&R), RTI	Long	Capital Improvement
c. Utilize signage, pathways and striping to provide pedestrians and bicyclists with safe and efficient connections between Downtown and the surrounding neighborhoods.	CofGF (P&CD, PW), RTI, TWG	Short	Capital Improvement
5. Develop a comprehensive Downtown wayfinding system.			
a. Develop a comprehensive wayfinding program.	CofGF, DAA (GFDA), Private Business	Short	Capital Improvement

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b. Supplement proposed wayfinding program with printed maps and brochures, digital and audio tours and websites and apps to guide visitors throughout Downtown.	CofGF (P&CD), HPAC, CVB, TBID	Medium	Program
c. Incorporate a series of named or themed pathways that connect Downtown amenities and destinations.	CofGF (P&CD), HPAC, CVB, TBID	Long	Capital Improvement

6. Optimize Downtown parking for all stakeholders.

a. Conduct a comprehensive parking study to guide Downtown parking program.	CofGF (P&CD)	Short	Regulatory Framework
b. Improve bicycle parking facilities Downtown.	CofGF (P&CD, PW), GFBC, BID, private business	Short	Capital Improvement

7. Expand the use of public transit Downtown.

a. Promote the use of transit for Downtown specific events.	GFTD, DGFA	Short	Program
b. Encourage expanded partnership between the Great Falls Transit District and Great Falls Public Schools to promote transit usage to reach Downtown events and activities.	GFTD, GFPS, DAA (DGFA)	Short	Program
c. Encourage Downtown businesses to work with the Great Falls Transit District to provide subsidized bus passes for employees as an alternative to Downtown parking.	DGFA, BID, GFTD, Private Business	Short	Program

DESTINATION:

1. Market Downtown's entertainment, culture, shopping and dining.

a. Continue to actively cross-promote and package Downtown's entertainment, culture, shopping and dining facilities with Downtown events.	MT, MEC, DGFA	On-going	Program
b. Work with various groups and organizations including the Convention and Visitors Bureau, Tourism BID, Montana Expo Park and Airport Authority to promote Downtown as a tourism and convention destination to the region and Canada.	DAA (CVB, TBID), MTEP, GFIA	Short	Program
c. Develop a comprehensive and coordinated Downtown marketing campaign utilizing print, radio, television and social media.	DAA (all), TA	Immediate	Program

2. Promote a broad range of family friendly entertainment and recreational opportunities and activities Downtown.

a. Review existing Downtown events and add free or low cost activities that engage a variety of age groups including: families, teens, young adults and older adults.	CofGF (P&R), DGFA	Short	Program
b. Promote new and exciting events in Downtown's parks, pools and recreational facilities that attract families with young children.	CofGF (P&R), DGFA	Short	Program
c. Encourage Downtown organizations and facilities to establish programs for parents to drop children off while they utilize Downtown's shopping and amenities.	Private Business, DGFA, Museum Group	Short	Program

3. Ensure Downtown is active and vibrant during the evenings and weekends.

a. Actively pursue the development of a Downtown boutique hotel to provide quality lodging and amenities for Downtown visitors.	DAA (GFDA, CofGF), Private Business	Medium	Site Specific
b. Develop programs and events that provide opportunities for people to remain in and visit Downtown in the evening and on the weekend.	DAA (DGFA), CofGF (P&R)	Short	Program
c. Actively recruit an already successful restaurant to relocate or expand into Downtown.	GFDA, BID, DGFA	Short	Program

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d. Work with existing restaurant and bar/tavern owners to identify, develop and promote a Downtown Dining District.	DGFA, TA, DAA (all)	Medium	Program
e. Market Downtown's amenities and activities to current employers and employees to encourage the workforce to stay Downtown after business hours.	DAA (DGFA), TA, Restaurant owners	Immediate	Program
f. Create a year-round public market / food and arts incubator that would cater to residents, employees and visitors.	GFDA, DGFA, CofGF	Medium	Site Specific

4. Increase the utilization of the Convention Center and Mansfield Center for the Performing Arts (Mansfield).

a. Develop public/private partnerships to package the facilities at the Civic Center and Mansfield with catering and dining services and lodging facilities to enhance the attractiveness of Downtown as a convention destination.	CVB, TBID, MCPA	Medium	Program
b. Enhance partnerships with entertainment promoters to utilize the Mansfield as a concert venue.	MCPA	Short	Program
c. Educate potential users of the Civic Center and Mansfield about the opportunities available at the facility, policies and prices.	MCPA	Immediate	Program

FLOURISHING:

1. Identify and support an organization to lead and champion Downtown revitalization.

a. Establish a formal Downtown Development Agency within the City of Great Falls, in partnership with public and private entities, to foster new development and redevelopment Downtown and implement the goals, objectives and strategies identified in the Plan.	CofGF, DAA (all), Private Business	Immediate	Regulatory Framework
b. Establish a Downtown TIF and associated Urban Renewal Plan district to fund Downtown projects, improvements and organizational management.	CofGF, GFPS, CC	Immediate	Regulatory Framework
c. Update zoning and land use regulations to support recommendations of the Plan.	CofGF (P&CD)	Short	Regulatory Framework

2. Improve the public realm to provide a safe, attractive and welcoming environment.

a. Encourage a partnership between Downtown organizations and stakeholders and the City Police Department to ensure a clean and safe environment.	DAA (W&S), GFDP	Short	Program
b. Establish a volunteer based Downtown clean-up day and/or program.	DAA (W&S)	Short	Program
c. Increase street level vitality by encouraging the active use of ground floor space in the Downtown core.	CofGF (P&CD), BID, DGFA	Short	Regulatory Framework

3. Identify and attract high paying employers and jobs to Downtown.

a. Develop a comprehensive Downtown business retention and development plan that focuses on successful and emerging business clusters Downtown.	GFDA, CofGF	Short	Program
b. Utilize GFDA's business attraction and retention resources to leverage Downtown business investment.	GFDA	Immediate	Program

4. Support existing and attract new commercial and retail business Downtown.

a. Establish a mentor program to pair new entrepreneurs with successful Downtown business owners.	DGFA, BID, GFDA	Short	Program
b. Utilize national research and trends to identify and attract "Downtown friendly" retailers.	GFDA, BID, NW	Short	Program

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c. Conduct a Downtown market analysis to guide commercial and retail development.	GFDA, BID, DGFA	Medium	Program
d. Provide existing business owners with market research and technical and financial assistance.	CofGF, GFDA, DGFA, BID	Medium	Program
e. Conduct a Downtown business and building inventory to establish and maintain an accurate database of what is currently located Downtown and what opportunities exist for business expansion, attraction and relocation.	CofGF (P&CD), BID, DGFA	Immediate	Program
5. Attract a diverse mix of visual and performing artists to live and work Downtown.			
a. Revive and support the Great Falls Arts Council to develop and promote arts programs, events and education.	CofGF, DAA (all)	Short	Regulatory Framework
b. Encourage the development of lofts, studios and live/work spaces in vacant or underutilized buildings to attract artists to Downtown and increase arts and culture activity.	CofGF (P&CD), DAA (GFCC, GFDA)	Medium	Program
c. Develop a roster of visual and performing artists and craftsperson's living in and around Great Falls to utilize for Downtown programs and events.	DGFA	Short	Program
d. Capitalize on the success of Western Art Week by drawing visitors to Downtown galleries, shops and restaurants.	DAA (GFCC)	Immediate	Program
e. Continue to promote Downtown art galleries and artists through events such as the First Friday Art Walk.	DAA (DGFA)	Immediate	Program

LIVING:

1. Promote a wide range of housing choices throughout Downtown.

a. Ensure that the proposed City of Great Falls Downtown Development Agency is a champion of Downtown housing development.	NW, CofGF (P&CD)	Short	Regulatory Framework
b. Evaluate zoning and land use regulations to ensure policies allow for and encourage Downtown housing in the form of rehabilitation and preservation of existing buildings, infill development and new construction.	CofGF (P&CD)	Short	Regulatory Framework
c. Conduct a Downtown housing inventory to establish and maintain an accurate database of housing and property available for rent, ownership, and/or rehab.	NW, W&S, CofGF (P&CD)	Short	Program

2. Ensure existing housing is safe and attractive.

a. Actively monitor the condition of existing housing and enforce the City's Property Maintenance Code.	CofGF (P&CD), W&S	On-going	Program
b. Promote and utilize the City of Great Falls Housing Rehab Loan program and Neighborworks Great Falls programs to enhance existing homes and rental properties.	CofGF, NWGF	On-going	Program
c. Develop a volunteer based residential improvement plan to ensure Downtown neighborhoods are clean and safe.	W&S, NC	Short	Program

3. Attract private investment and financing for Downtown housing.

a. Create new and promote existing incentive programs to encourage residential development.	NW, CofGF	Short	Program
b. Prepare a housing market study to assist developers, lending institutions and private property owners in developing Downtown housing.	Realtors, HBA, NW, GFDA	Short	Program
c. Establish a clearinghouse and/or database of residential financing options and incentives.	Realtors, HBA, NW, GFDA	Short	Program

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4. Attract retailers and neighborhood services that cater to Downtown residents.

a. Survey Downtown residents and utilize national research to identify neighborhood based commercial, retail and services that are missing Downtown.	NW, NC	Immediate	Program
b. Encourage mixed-use development that places residents within close proximity to commercial activities.	CofGF (P&CD)	Short	Regulatory Framework

AESTHETICS:**1. Preserve, restore, and reuse Downtown's historic buildings and sites.**

a. Market Downtown's historical resources to facilitate improvements and restoration of properties through tax incentives and preservation grants.	CofGF, HPAC	Immediate	Program
b. Educate current property owners and developers of the funding programs available to make improvements to the Downtown buildings.	HPAC, DAA (BID)	Immediate	Program
c. Establish a technical assistance and incentive program to encourage the adaptive re-use, rehabilitation and preservation of historic buildings and sites.	CofGF, HPAC	On-going	Program

2. Increase the number and diversity of public spaces Downtown.

a. Actively pursue the development of an indoor/outdoor community gathering space to host activities and events and attract residents, employees and visitors throughout the year.	CofGF, Private Business	Short	Site Specific
b. Encourage diversity in the form and function of Downtown parks, plazas and gathering spaces.	CofGF (P&CD, P&R)	Medium	Regulatory Framework
c. Explore the feasibility of developing rooftop green spaces.	CofGF (P&CD, PW), Private business	Medium	Regulatory Framework

3. Promote quality design and construction in Downtown's built environment.

a. Develop design guidelines to enhance the character of Downtown through the quality design and construction of Downtown's built environment.	CofGF, DAA (all)	Short	Regulatory Framework
b. Evaluate the function, authority and scope of the City's Design Review Board to ensure aesthetic goals of the Plan are achieved.	CofGF	Short	Regulatory Framework

4. Create attractive gateway design features that welcome residents and visitors to downtown.

a. Identify priority entrances into Downtown to construct gateway design features.	CofGF (P&CD, P&R), GFDA	Short	Capital Improvements
b. Establish a program to encourage community and/or service groups, private businesses and other stakeholders to "sponsor" the construction of gateway features.	DAA (all)	Short	Capital Improvements

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5. Expand and enhance the existing downtown streetscape.

a. Develop a comprehensive Downtown streetscape plan that prioritizes future improvements and builds upon the existing streetscape.	CofGF (P&CD, PW)	Short	Regulatory Framework
b. Ensure streetscape improvements are implemented in coordination with the construction of gateway design features.	CofGF (P&CD)	Short	Regulatory Framework
c. Work with the City Forester to establish tree planting programs throughout Downtown.	DAA (BID), NC	Short	Program

6. Actively pursue the preservation and rehabilitation of the Rocky Mountain Building.

a. Identify an organization or partnership to lead restoration efforts including assisting in permitting process and requirements, identifying funding options, leading fundraising efforts and recruiting a mix of building tenants.	CofGF (P&CD), DAA (all)	On-going	Program
b. Encourage the current building owners to move forward with restoration improvements before weathering and damage continue to a point where rehabilitation is no longer feasible.	CofGF (P&CD), DAA (all)	On-going	Program

7. Actively pursue the preservation and rehabilitation of the Civic Center.

a. Fund and complete the Civic Center façade renovation project.	CofGF	Immediate	Capital Improvement
b. Identify and complete rehabilitation projects within the Civic Center property including, but not limited to, landscape and asphalt restoration.	CofGF	On-going	Capital Improvement
c. Determine and complete preservation projects within the Mansfield Center for the Performing Arts including, but not limited to, seat and architectural features.	CofGF	On-going	Capital Improvement
d. Identify and complete rehabilitation projects within the Convention Center including, but not limited to, upgrading lighting and architectural features.	CofGF	On-going	Capital Improvement

Funding and Administration:

Tax Increment Financing (TIF) is necessary to encourage private reinvestment within the District, create employment opportunities, implement the goals set forth in this plan and increase the tax base of the District. The Downtown Urban Renewal District is hereby established as a tax increment financing urban renewal area in accordance with 7-15-4282-4292 and 4301-4324 (MCA).

For the purpose of calculating the incremental taxable value each year for the life of the district, the base taxable value shall be calculated as current base taxable value of the district as of January 1, 2012.

Administration

The District will be administered in accordance with 7-15-4232 (MCA). The Great Falls City Commission has the authority to administer and manage the District and the implementation of the DURP. Under 7-15-4232 (MCA) the City Commission may authorize a City Department to manage the program and implement the recommendation of the DURP. It is envisioned that the Commission will receive recommendations and input from the Planning and Community Development Department in partnership with the Downtown Partnership of Great Falls (the Partnership).

Planning and Community Development Staff will work with the Partnership to prepare an annual District work plan and budget, which the Partnership will submit to the City Commission for consideration and adoption. The work plan will list the activities and cost of activities for the coming fiscal years and a method of financing those activities. The Partnership will enter into an Memorandum of Understanding (MOU) or other form of agreement that outlines the roles and responsibilities of this group in relation to the District.

The Planning and Community Development Department will provide initial staffing to assist the Partnership in preparing the annual District work plan and budget, preparing and presenting annual reports to the City Commission, and coordinating the review of proposed projects and development requesting TIF funding. It is anticipated that TIF moneys will be used in the future to fund a permanent staff position.

Planning and Community Development Staff will provide to the City Commission and the public an annual program evaluation as part of the annual report.

Amended and Restated Downtown Urban Renewal District Plan

Conformity with the Growth Policy

The establishment of the Partnership and the Downtown TIF are both direct recommendations of the Downtown Master Plan. Additionally, specific themes, goals and policies of the City's Growth Policy (displayed below) are supported by recommendations contained within the DURP.

- Encourage livable, walkable, visually and functionally cohesive neighborhoods that incorporate traditional design concepts (Land Use pg. 20).
- Formulate and adopt modern, flexible land development regulations in order to preserve and enhance the scale, quality, and character of existing neighborhoods (Land Use pg. 21).
- Encourage mixed land uses in new and redeveloping areas to achieve a high degree of self-containment, reduce auto dependence, and foster a strong live-work-play pattern of activity within neighborhoods (Land Use pg. 22).
- Encourage preservation of corridors of land for non-motorized transportation routes/trails and provide public investment for non-motorized transportation facilities (Land Use pg. 22).
- Review existing zoning to ensure it is consistent with neighborhood objectives, and pursue rezoning of areas where conflicts are found (Land Use pg. 23).
- Increase code enforcement activity in order to help protect neighborhoods from decay, decline and disinvestment (Land Use pg. 23).
- Allow for compatible, small-scale commercial uses that support existing neighborhoods and reduce dependence on automobile travel (Land Use pg. 24).
- Encourage public investment in parks and schools that are neighborhood focal points, consistent with the Comprehensive Park and Recreation Master Plan (Land Use pg. 25).
- Proactively direct development through public investment in infrastructure (Land Use pg. 28).

Amendment of the DURP

The DURP may be modified at any time by the City Commission as necessary to eliminate and prevent the development or spread of blight and to encourage urban rehabilitation. The process for plan amendment shall be consistent with the procedures outlined in 7-15-4212 - 4219 (MCA).

Conclusion:

The City of Great Falls Downtown Master Plan recommends the establishment of an Urban Renewal District that utilizes TIF funding to revitalize and rehab downtown. The Plan provides an ambitious yet obtainable framework of goals, objectives and strategies that are intended to transition this area from its current condition to a vibrant and thriving destination. The Downtown Urban Renewal District has tremendous potential to re-emerge as the commercial, cultural and entertainment center of Great Falls.

Amended and Restated Downtown Urban Renewal District Plan





Commission Meeting Date: October 19, 2021

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Resolution 10429 – A request from the Business Improvement District to use West Bank Tax Increment Financing (TIF) funds for the cost of manufacturing and installation of Wayfinding signs within or directing traffic towards the West Bank Urban Renewal District.

From: Brad Eatherly, Planner II, Planning and Community Development

Initiated By: Joan Redeen, Great Falls Business Improvement District

Presented By: Craig Raymond, Director, Planning and Community Development

Action Requested: City Commission adopt Resolution 10429 to allow the Business Improvement District to use \$6,820 of West Bank TIF funds for the cost of manufacturing and installation of Wayfinding signs within or directing traffic towards the West Bank Urban Renewal District.

Public Hearing:

1. Mayor conducts public hearing, pursuant to OCCGF 1.2.050 and Title 17, Chapter 16, Article 6.
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) Resolution 10429.”
2. Mayor requests a second to the motion, Commission discussion, and calls for the vote.

Staff Recommendation:

The Great Falls Planning Advisory Board reviewed the BID’s request at their August 23, 2021 Board meeting and recommended that the City Commission approve the requested TIF funds. Staff also recommends approval of the request based on the findings of the required criteria.

Background:

A wayfinding plan has been a community goal for several years. Establishing a wayfinding plan was listed as a goal in the 2012 City of Great Falls Downtown Master Plan, the 2013 City of Great Falls Growth Policy Update, and the Downtown Urban Renewal Plan. Several attempts over the years were made to secure funding for creating a wayfinding plan for the City.

With the hopes of being awarded a Montana Main Street grant, the BID released a Wayfinding Plan RFP on October 18, 2019. The award of the Main Street grant on February 5, 2020, allowed the City and the BID to move forward with the project. The Wayfinding Plan contract was awarded to Cushing Terrell on March 9, 2020. Over the course of the spring and summer of 2020, the Core Team, consisting of the consultant, the BID, and City Planning and Community Development staff, worked to complete the Wayfinding Plan. A Steering Committee and a Stakeholder's Group were formed in order to receive input from larger, more diverse groups. The Core Team also sought public participation in the process by asking them to pinpoint destinations they felt were important to the community and participate in a scavenger hunt in order to bring awareness to the planning effort without encouraging large public gatherings during the Covid-19 pandemic.

The Wayfinding Plan is essential to connect people travelling to Great Falls to the West Bank area and to the surrounding cultural, natural and recreational amenities. By having access to prominent, appealing signage, many who would otherwise simply travel through Great Falls or those who are not familiar with the area, will learn about the services, destinations and points of interest that are available. There are five goals included in the Wayfinding Plan. They include: 1) Establish clear and consistent citywide signage geared toward vehicles and pedestrians that connect residents and visitors with Downtown Great Falls and the area's cultural, natural, and recreational amenities, 2) To incorporate elements from existing logo/branding effort into the sign design, 3) To incorporate a variety of signs that reinforce a "sense of place and identity"- providing visitors and residents with an understanding of where to find existing amenities and destinations, 4) Develop signs that add to a Great Falls aesthetic without creating clutter or discord, and 5) Ensure signs comply with all applicable local, state, and federal sign regulations.

On April 6, 2021, the Great Falls City Commission formally adopted the City of Great Falls Wayfinding Plan. The estimated cost for the implementation of the wayfinding plan is \$220,000. The Great Falls BID has secured several funding sources for the construction and installation of the signage within the plan, including \$12,500 from Montana Main Street, \$84,184 from Montana Tourism, \$5,000 from Great Falls Montana Tourism, \$1,300 from Great Falls Association of Realtors, \$6,500 from both the Great Falls BID and Great Falls Downtown Development Partnership, and \$1,000 from both the Great Falls Development Authority and the Great Falls Downtown Association. These amounts total \$117,984 committed to the implementation of the wayfinding plan.

There are a total of two motorist signs that are eligible to be funded with funds from the West Bank Tax Increment Financing District. The estimated price per motorist sign is \$3050.00. The amount requested (6,820) will cover the two signs eligible for funding from the West Bank TIF District, as well as account for any contingencies there may be in the installation process. The BID has requested that the requested funds be potentially reimbursed in phases as work is completed.

Review Criteria:

Preliminary Findings

After thorough review and evaluation of the Project, City Staff has determined:

- No persons will be displaced from their housing by the Project or the infrastructure improvements.
- The Project and the infrastructure improvements substantially satisfy the review criteria of the funding application process and meet the purpose and goals of the State Law, the District and Plan.

- The infrastructure improvements constitute public improvements in accordance with the Act.
- A sound and adequate financial program exists for the financing of the infrastructure improvements.

Montana Code Annotated (MCA) TIF Regulations

The creation and administration of TIF Districts are governed by State Law. According to Montana Code Annotated (MCA) (7-15-4288), tax increment can only be used for the following purposes: The tax increment may be used by the local government to pay for the following costs of or incurred in connection with an urban renewal plan or targeted economic development district comprehensive plan:

1. land acquisition;
2. demolition and removal of structures;
3. relocation of occupants;
4. the acquisition construction, and improvement of public improvements or infrastructure, including streets, roads, curbs, gutters, sidewalks, pedestrian malls, alleys, parking lots and off-street parking facilities, sewers, sewer lines, sewage treatment facilities, storm sewers, waterlines, waterways, water treatment facilities, natural gas lines, electrical lines, telecommunication lines, rail lines, rail spurs, bridges, publicly owned buildings, and any public improvements authorized by Title 7, chapter 12, parts 41 through 45; Title 7, chapter 13, parts 42 and 43; and Title 7, chapter 14, part 47, and items of personal property to be used in connection with improvements for which the foregoing costs may be incurred;
5. costs incurred in connection with the redevelopment activities allowed under 7-15-4233;
6. acquisition of infrastructure-deficient areas or portions of areas;
7. administrative costs associated with the management of the urban renewal area or targeted economic development district;
8. assemblage of land for development or redevelopment by private enterprise or public agencies, including sale, initial leasing, or retention by the local government itself at its fair value;
9. the compilation and analysis of pertinent information required to adequately determine the needs of the urban renewal area or targeted economic development district;
10. the connection of the urban renewal area or targeted economic district to existing infrastructure outside the area or district;
11. the provision of direct assistance to secondary value-adding industries to assist in meeting their infrastructure and land needs within the area or district; and
12. the acquisition, construction, or improvement of facilities or equipment for reducing, preventing, abating, or eliminating pollution.

City of Great Falls TIF Review Criteria

In order for the Planning Advisory Board and eventually the City Commission to approve any TIF funding request, the request must meet the criteria recommended in the Urban Renewal Plan, as well as be eligible for TIF participation in accordance with MCA guidelines noted in this report. To aid in this determination, the City of Great Falls' Tax Increment Application Process established twelve specific criteria to assess the merits of projects against the Plan. Those criteria are:

- 1) Public Infrastructure Improvements – Public infrastructure improvements have the benefit of improving and impacting an entire district. Each district may have its own Capital Improvement Plan, which may include things such as roadway improvements, storm drains, sewer and waterlines, railroads, etc.

Staff Analysis – Public signage that is intended to advertise unique districts and civic enterprises within the City can be considered public infrastructure and will improve and impact the West Bank TIF District in a positive way. The proposed small expenditure of \$6,820 has the potential to add important economic development into the West Bank TIF District. These two signs will potentially direct a higher number of visitors to the West Bank area.

- 2) Economic Stimulus- The amount of economic activity to be generated within a district through the development is assessed, as well as the leverage ratio of public to private investment. In general, the maximum limit of any one development is 10% of the construction/rehabilitation costs, exclusive of acquisition costs. Projects demonstrating extraordinary benefit to Districts or the community may, at the discretion of City Commission, receive additional TIF assistance for eligible items. All applications should contain credible, measurable information substantiating the project's economic stimulus in the District and the community.

Staff Analysis – The economic benefits of community wayfinding are well established. The installation of wayfinding signs within the West Bank District will increase visitation and economic activity at key destinations within the TIF District.

- 3) Tax Generation – The increase in taxable value due to the new district development, including construction/rehabilitation, as estimated by the County Assessor's office to determine tax increment generation.

Staff Analysis – With the implementation of the Wayfinding Plan, the amount of business and traffic that the district sees will increase and spur further build out of the area. The future development within West Bank will continue to become more feasible and create additional assessed property tax valuation for the District.

- 4) Employment Generation – Total employment generated by the district development is assessed in terms of permanent and part-time jobs, and construction jobs.

Staff Analysis – If approved, the TIF funds will be used to implement the City of Great Falls Wayfinding Plan, which will create construction jobs for the installation of a large number of wayfinding signs. Also, through spurred investment, increased tourism, and growing businesses, the Wayfinding Plan should indirectly help expand the availability of employment opportunities within the West Bank TIF District.

- 5) Elimination of Blight – The development's direct and indirect impact on the physical and fiscal deterioration within the appropriate district and the community, as identified in the appropriate district plan.

Staff Analysis –The West Bank TIF District was specifically adopted to implement the West Bank Urban Renewal Plan. Additional visitation of destinations within the West Bank Urban Renewal Plan Area will lead to economic development opportunities to further eliminate blight within the District.

- 6) Special or Unique Opportunities – The extent to which the district's development represents a unique opportunity, meets a special need, or addresses specific district or community goals. The restoration of a historic property or the provisions of an unmet community need is an example of special or unique opportunities.

Staff Analysis – Staff believes that the opportunity to leverage TIF District funds to benefit not only the Downtown and West Bank TIF Districts but create a community wayfinding plan, is a unique opportunity to meet an unmet community need. A wayfinding plan has been listed as goal of the community since 2012 when it was included in the Downtown Master Plan.

- 7) Impact Assessment – The extent of both positive and negative environmental impacts, appropriateness of the developer’s project design, and impact on existing businesses or residents.

Staff Analysis –The implementation of wayfinding signs within the District will create positive impacts to existing businesses within the Urban Renewal Area. The installation of two signs within the District will have no environmental impacts.

- 8) Financial Assistance – Other forms of financing available to the Applicant, Lender participation, industrial development revenue bonds, and state and federal grant monies, for example are examined to assess the need for TIF assistance.

Staff Analysis – This request for TIF funds will be used in addition to a request for \$128,950 from the Downtown Urban Renewal TIF District. The BID has already been awarded \$84,184 from a Montana Tourism grant, \$12,500 from a Montana Main Street Grant, as well as funds committed by the BID, Downtown Development Partnership, Great Falls Development Authority, Great Falls Downtown Association, Great Falls Montana Tourism, and the Great Falls Realtors Association for a total of \$117,984.

- 9) Development’s Feasibility – A determination of feasibility is made on the strength of the Applicant’s demonstration of market demand for the development in the district and is contained primarily on the pro forma and financing commitments.

Staff Analysis – Because this criterion is tailored to fit development project proposals seeking TIF funds, it is not applicable to the applicant’s request to financially support the Wayfinding project. The applicant is currently executing a TIF funded project to maintain the boulevard trees inventory within the TIF area.

- 10) Developer Ability to Perform – An assessment of the Applicant’s capability to undertake the relative complexities of the development based on past performance on similar projects.

Staff Analysis – The project has been put out to bid, with the BID accepting the bid offer from the only contractor who applied. The contractor whose bid was accepted is known to be able to perform the work as described within the Wayfinding Plan.

- 11) Timely Compensation – The feasibility of completing the development according to the Applicant’s development schedule.

Staff Analysis – Staff believes that the applicant will be able to meet the development schedule as noted within the application.

- 12) Payment of Taxes – All property taxes, special improvement district assessments and other assessments on the project property must be paid to date.

Staff Analysis – There are currently no outstanding tax issues related to the project or applicant.

Fiscal Impact:

The relatively low funding request will allow for a greater economic impact to the West Bank Urban Renewal District. Currently the West Bank TIF has a balance of \$233,183, with a cash payment and a debt service still to be fulfilled. This request will not affect the City's other financial obligations for the TIF district.

Alternatives:

The City Commission could deny the TIF funding request, in which case alternative findings would need to be provided.

Concurrences:

The applicant's request for TIF funding had been reviewed by the City's outside legal counsel from Dorsey & Whitney LLP.

Attachments/Exhibits:

Resolution 10429

TIF Application

West Bank TIF District Map

West Bank Urban Renewal Plan

RESOLUTION 10429

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, APPROVING THE BUSINESS IMPROVEMENT DISTRICT'S APPLICATION FOR USE OF WEST BANK URBAN RENEWAL TAX INCREMENT FINANCING (TIF) DISTRICT FUNDS

* * * * *

WHEREAS, under the provisions of the Montana Code Annotated, Title 7, Chapter 15, Parts 42 and 43, as amended, an urban renewal district may be established so that a municipality may undertake urban renewal projects therein, provide for the segregation and collection of tax increment with respect to taxes collected in such district, and apply all or a portion of the tax increment derived from such district to the payment of costs of such urban renewal projects; and

WHEREAS, the City Commission, in 2007, established the West Bank Urban Renewal Tax Increment Financing District to address blighted conditions and foster economic development; and

WHEREAS, in April 2013, the City Commission approved the revised Tax Increment Application and Forms that outline eligible activities under state statute, the application process to be followed, and criteria to be used when evaluating applications; and

WHEREAS, the City Commission, pursuant to Resolution 10393, duly adopted on April 6, 2021, adopted the City of Great Falls Wayfinding Plan; and

WHEREAS, the Great Falls Business Improvement District has proposed the manufacturing and installation of Wayfinding Signs within, or directing towards, the West Bank Urban Renewal District, with eligible tax increment financing expenses and has applied for such funds; and

WHEREAS, City Staff has assessed the project in relation to the goals and objectives of the West Bank Urban Renewal District Plan, evaluated the project based on the evaluation criteria, and determined that expenditure of TIF funds up to the amount of \$6,820, is warranted for the

purpose of paying for the manufacturing and installation of Wayfinding signs within, or directing towards, the West Bank Urban Renewal District.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Great Falls, Montana, that the Business Improvement District's Application for use of West Bank Urban Renewal Tax Increment Financing District Funds is approved in the amount of up to \$6,820 for the purpose of manufacturing and installation of Wayfinding signs within, or directing towards, the West Bank Urban Renewal District.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, October 19, 2021.

Bob Kelly, Mayor

ATTEST:

Lisa Kunz, City Clerk

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

Jeffery M. Hindoiien, City Attorney

CITY OF GREAT FALLS



TAX INCREMENT FINANCING (TIF)

APPLICATION FOR FUNDS

**CITY OF GREAT FALLS
TAX INCREMENT FINANCING (TIF)
APPLICATION FOR FUNDS**

Agenda #12.

Project Name: Implementation of the Wayfinding Plan

Date Submitted: July 2021

Name of TIF District: WestBank Landing Urban Renewal District

APPLICANT INFORMATION

Name: Great Falls Business Improvement District

Address: 318 Central Avenue, Great Falls 59401

Telephone: 406.727.5430

DEVELOPMENT INFORMATION

1. Building Address: N/A

2. Legal Description: N/A

3. Ownership: City of Great Falls
Address: 2 Park Dr Great Falls MT 59401

4. If property is not owned by the Applicant, list leasehold interest: (*Attach evidentiary materials*).
Name: _____
Address: _____

5. Existing/Proposed Businesses: Great Falls Business Improvement District
Business Description: The Great Falls Business Improvement District (BID) is the focal point of regional commerce for social, cultural, governmental, business and residential activity in downtown Great Falls. The goal of the BID is to maintain, beautify, and stimulate development in Great Falls' historic downtown district. The BID is operated by an all-volunteer Board of Directors who are property owners or their designated representatives within the district; with additional administrative support within their office setting. All board members are appointed by the City Commission.

The BID has proven itself to be a vital part of the downtown area providing for improvement and beautification. The initial creation of the BID was in 1989, it was renewed in 1999, 2009 and again in 2019 each for periods of ten years by petition of the property owners within the District. The BID took the lead in organizing and securing funding for the development of a Great Falls city-wide Wayfinding Plan. It is now the intention of the BID to contract for implementation of the city-wide Wayfinding Plan that the City Commission formally adopted.

6. Employment: Existing FTE Jobs: None directly by the BID

New Permanent FTE Jobs created by project: _____ Construction FTE jobs: _____

7. Architectural/Engineering Firm: Cushing Terrell

Address: 219 2nd Ave South, Great Falls MT 59405

Representative: Anthony Houtz

**CITY OF GREAT FALLS
TAX INCREMENT FINANCING (TIF)
APPLICATION FOR FUNDS**

Agenda #12.

8. Please provide a description of the Total Project Development (attach a narrative explanation).

This application seeks up to a maximum of \$6,820 from the WestBank Landing Urban Renewal District to complete the funding needed to implement the City of Great Falls Wayfinding Plan.

The City Commission formally adopted the Plan at their meeting on April 6, 2021. The Commission has supported this project in the past by allocating \$25,000 from the Downtown Urban Renewal TIF District toward the Planning process that was completed in 2020.

The estimated cost of installation of the Wayfinding Plan is \$220,000. This figure was determined through a competitive bid process overseen by the BID with participation from City staff and the Downtown Development Partnership. Cushing Terrell drafted the bidding documents for implementation of the Plan.

The BID, in partnership with the City, secured a Montana Main Street Grant in the amount of \$12,500 for the installation of the Plan. The BID also secured a Montana Tourism grant in the amount of \$84,184 for the installation of the Plan. The BID and the Downtown Development Partnership have each committed \$6,500; Great Falls Montana Tourism has committed \$5,000; the Great Falls Association of Realtors has committed \$1,300; and the Great Falls Development Authority and the Downtown Great Falls Association have each committed \$1,000 toward implementation of the Plan.

There are a total of 58 motorist and 20 pedestrian signs called for in the Plan. Of the 58 motorist signs there are 39 signs that direct individuals to destinations located within the Downtown Urban Renewal boundaries, making those 39 of the 58 motorist signs eligible for TIF funding through the Downtown TIF. In addition, all but four of the 20 pedestrian signs will be located within the Downtown Urban Renewal District, making 16 pedestrian signs eligible for TIF funding through the Downtown TIF. Two of the motorist signs are eligible to be funded with funds from the WestBank Landing Urban Renewal District.

Not including any TIF funding, the identified sources, as noted above, of income toward implementation total \$117,984. The estimated price per motorist sign is \$3,050.00. With 39 motorist signs being eligible to be funded via the Downtown Urban Renewal TIF District that equates to \$118,950. This application also includes up to \$10,000 for possible removal of signs if duplicate signs are discovered as installation progresses. The BID is seeking approval for maximum TIF funding from the Downtown Urban Renewal District of \$128,950 to cover the difference in cost from the estimate to identified funding sources. It should also be noted that 16 pedestrian signs, at an estimate of \$720.00 per sign equates to \$11,520; these signs are also eligible for Downtown TIF funding.

The Downtown Master Plan was formally adopted by the City Commission in 2011 and called for Wayfinding. The City, BID and partners have been working to secure the funds for creation of and implementation of a Wayfinding Plan for many years. We achieved that goal in 2020 and are now moving forward on implementation of the Plan. A comprehensive wayfinding program is essential to connect people traveling to Great Falls to historic downtown and to the surrounding cultural, natural and recreational activities. By providing prominent, appealing signage, many who would otherwise simply travel through Great Falls or those who are not familiar with the area, will learn about the services, destinations and points of interest that are available.

The BID may be submitting for incremental payments as this project progresses.

9. Please provide rehabilitation/construction plans (attach schematics, site, and landscaping plans).

N/A

10. What is the development schedule or estimated completion date for the Total Project Development? The Total Project Development is best defined as the entire development, not just the TIF improvements (please include project phasing if appropriate).

Contractor will have until March 2022 to complete installation of the project.

11. Do you plan on asking for any other tax abatements, grants, tax credits or other forms of relief? If so, what type?

N/A

12. Please describe your funding needs and the anticipated timing schedule for your identified Eligible TIF Activities (example: *I will be fronting the costs of all identified TIF improvements and would like to be reimbursed incrementally as TIF funds become available; I am interested in utilizing bond financing to complete the identified project improvements and would like to be reimbursed with TIF funds as they become available, I need TIF funds immediately to complete the identified TIF improvements, etc.*)

Following a public bidding process, the BID will be contracting with the selected contractor to perform all work as described in the Wayfinding Plan. The BID will submit for reimbursement, up to the maximum of \$128,950, for any remaining difference between the identified committed funding sources and the contracted amount. Submission for reimbursement may be done on an incremental basis, as the BID's cash flow requires. The project is expected to be complete in the spring of 2022.

13. Please indicate the amount of Public Infrastructure Need and the amount of Public Infrastructure being requested to be financed by the TIF District.

N/A

TOTAL PROJECT DEVELOPMENT COSTS

The total project development cost is the cost to develop the entire project/site, and should include the cost of the TIF improvements.

Agenda #12.

Land and Site Preparation Improvements (Itemized)

- | | |
|-------------------------|----------|
| 1. <u>Value of Land</u> | \$ _____ |
| 2. _____ | \$ _____ |
| 3. _____ | \$ _____ |
| 4. _____ | \$ _____ |
| 5. _____ | \$ _____ |

Subtotal

\$ _____

Construction/Rehabilitation Costs (Use general construction trade divisions)

(Total value of improvements)

- | | |
|-------------------------------------|------------|
| 1. <u>Wayfinding Implementation</u> | \$ 220,000 |
| 2. <u>Architectural fees</u> | \$ 3,200 |
| 3. <u>Demolition</u> | \$ 10,000 |
| 4. _____ | \$ _____ |
| 5. _____ | \$ _____ |
| 6. _____ | \$ _____ |
| 7. _____ | \$ _____ |

Subtotal

\$223,200

Equipment Costs

(Total value of equipment)

- | | |
|----------|----------|
| 1. _____ | \$ _____ |
| 2. _____ | \$ _____ |
| 3. _____ | \$ _____ |
| 4. _____ | \$ _____ |
| 5. _____ | \$ _____ |

Subtotal

\$ _____

Total Project Development Costs

\$223,200

ELIGIBLE TIF ACTIVITIES

Agenda #12.

Land Acquisition

	Total	Amount Requested from TIF	Timing for Funds
1.	_____	_____	_____

Demolition & Removal of Structures

1.	\$10,000	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
Subtotal	\$10,000	_____	_____

Relocation of Occupants

1.	_____	_____	_____
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Public Improvements

(acquisitions, construction, and improvement of infrastructure which includes streets, roads, curbs, gutters, sidewalks, pedestrian malls, alleys, parking lots and off-street parking facilities, sewers, sewer lines, storm sewers, etc.)

1.	\$118,950	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
Subtotal	\$118,950	_____	_____

Fees (associated with eligible activities)

(A&E design/supervision, permits & other fees)

1.	\$3,200	_____	_____
2	_____	_____	_____
3	_____	_____	_____

CERTIFICATION

Agenda #12.

I (we), Joan Redeen (please print),
certify that the statements and estimates within this Application as well as any and all documentation
submitted as attachments to this Application or under separate cover are true and correct to the best of
my (our) knowledge and belief.

Signature Joan Redeen

Title Community Director

Address 318 Central Ave, Great Falls 59401

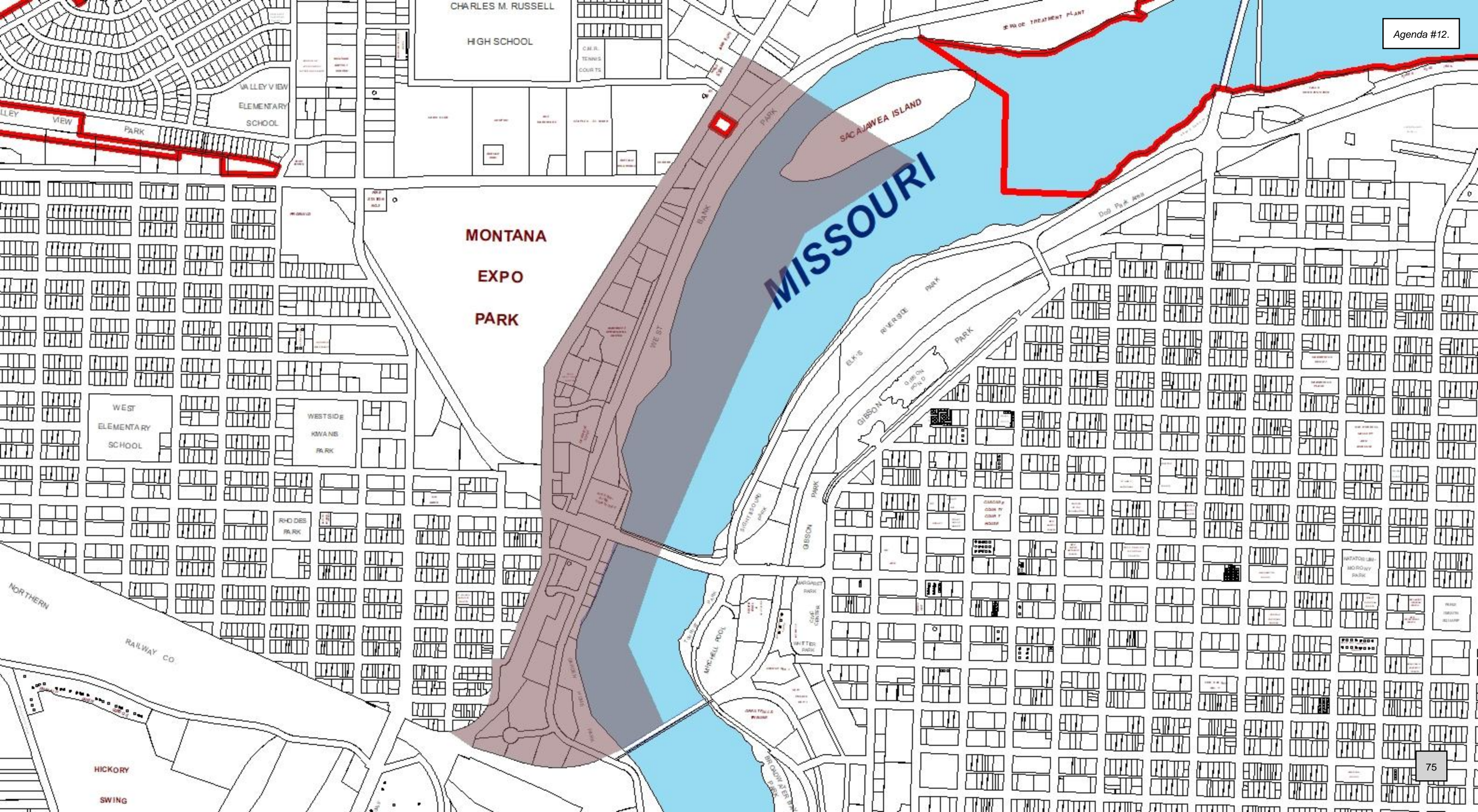
Date 8/12/2021

Signature _____

Title _____

Address _____

Date _____



West Bank Urban Renewal Plan

Great Falls, Montana



2007

Acknowledgements

We wish to thank the following for their contributions to the West Bank Urban Renewal Plan:

- Great Falls City Commission
- Great Falls Planning, Community Development, Fiscal Services, and Public Works Departments
- City Manager's Office
- Great Falls Neighborhood Council #2
- Great Falls Economic Development Authority
- West Bank Area Property Owners and Stakeholders
- Great Falls Planning Board

Planning Oversight:

- Benjamin Rangel, Great Falls Planning Director

Project Consultant:

- Janet Cornish, Community Development Services of Montana

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Chapter 1. Introduction

The City of Great Falls, Montana is embarking on a program of urban renewal for the area known as West Bank, bounded on the West by 3rd Street NW/SW, on the East by the center line of the Missouri River, on the North by a point just north of 14th Avenue NW and on the South by a point just south of 5th Avenue SW. (See Figure 1, below.) The area, which has been designated by the Great Falls City Commission as the West Bank Urban Renewal District is in transition. Historically, the District was characterized by heavy industrial uses. However, as the City has grown, industrial development has shifted to the city's periphery. At the same time, the community is promoting a more diversified and integrated development within the city's core, focusing on mixed uses – recreational, commercial and residential. The West Bank's proximity to the River and associated parkland, as well as to a major roadway (3rd Street NW/SW), makes it a logical place to encourage new mixed-use development in concert with efforts to revitalize downtown Great Falls. The revitalization of the West Bank area is being undertaken in cooperation with efforts to address contamination of an area within the District, formerly occupied by a brewery and an oil refinery and currently occupied by the County Shop complex and a specialty seed mill.

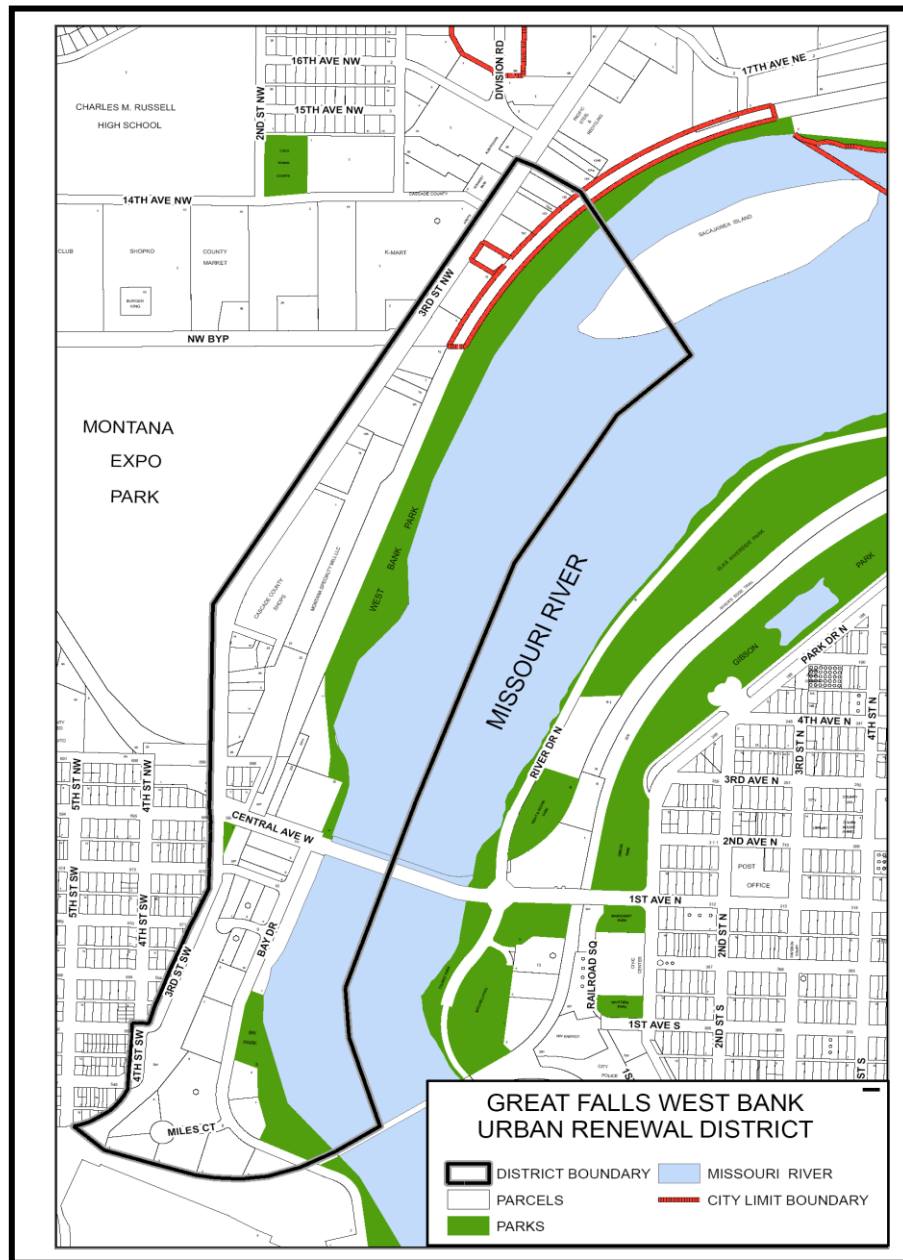
This urban renewal effort is being undertaken in accordance with the Montana Urban Renewal Law which provides for the renewal of "blighted" areas in 7-15-42 and 7-15-43, MCA, as follows:

- 7-15-4209.** Development of workable urban renewal program. (1) A municipality, for the purposes of this part and part 43, may formulate a workable program for utilizing appropriate private and public resources:
- (a) to eliminate and prevent the development or spread of blighted areas;
 - (b) to encourage needed urban rehabilitation;
 - (c) to provide for the redevelopment of such areas; or
 - (d) to undertake such of the aforesaid activities or other feasible municipal activities as may be suitably employed to achieve the objectives of such workable program.
- (2) Such workable program may include, without limitation, provision for:
- (a) the prevention of the spread of blight into areas of the municipality which are free from blight through diligent enforcement of housing, zoning, and occupancy controls and standards;
 - (b) the rehabilitation of blighted areas or portions thereof by replanning, removing congestion, providing parks, playgrounds, and other public improvements; by encouraging voluntary rehabilitation; and by compelling the repair and rehabilitation of deteriorated or deteriorating structures; and
 - (c) the clearance and redevelopment of blighted areas or portions thereof.

On November 8, 2006, the Great Falls City Commission authorized an investigation of the West Bank area. The purpose of the investigation was to determine the presence and extent of blight within the area as defined by the Montana Urban Renewal Law (7-15, Parts 42 and 43 MCA) as a first step in preparing a *West Bank Urban Renewal Plan*. The investigation culminated in a "Finding of Blight", that was adopted by Resolution 9626 (attached as Appendix A) by the Great Falls City Commission on December 5, 2006. In particular, the Resolution identified the following blighted conditions:

1. Physical deterioration of buildings and properties
 - Many of the structures in the defined area are in poor repair and properties are poorly maintained. City building permit information indicates that the majority of existing structures have not been substantially improved for at least twenty years.
2. Inappropriate or mixed uses of land or buildings
 - The presence of existing heavy industrial uses within the defined area is incompatible with retail, commercial, residential and parkland development. This land use conflict has proven to be a disincentive to the improvement of properties within the area by private enterprise.
3. Defective street layout
 - Much of the area is without streets, sidewalks, curbs, or gutters resulting in poor traffic circulation and storm drainage problems.
4. Unsanitary and unsafe conditions
 - Portions of the defined area are included in the list of priority sites maintained by the Montana Department of Environmental Quality under the Comprehensive Environmental Cleanup and Responsibility Act (CECRA) and are designated a Brownfield site as defined by the U.S. Environmental Protection Agency. Contamination on the site is associated with historic industrial activity and has affected both the soil and groundwater and threatens to contaminate the Missouri River.

Figure 1. Great Falls West Bank Urban Renewal District



Statement of Purpose

Changes in land use in the West Bank area, in conjunction with the proposed removal of contamination associated with historic industrial activities, provides an opportunity for area redevelopment through public-private partnerships. The City of Great Falls has chosen to participate in this redevelopment effort through the creation of an urban renewal program, including a tax increment financing (TIF) provision to help fund public investment in the area.

This Urban Renewal Plan provides direction to the City of Great Falls in fostering the revitalization and economic development of the West Bank Urban Renewal District. The Plan provides a “platform” for redevelopment activities that will be undertaken by a variety of public and private entities over the next several decades. More particularly, this Plan recommends a series of programs and projects that will be undertaken by the local government to encourage reinvestment in the District and to address blighted conditions that have diminished the environmental, economic and cultural well-being of the West Bank area over time.

Although the Montana Urban Renewal Law recognizes that eliminating urban blight is a matter of public interest, this Plan has been developed, based on the underlying principle that it is the citizens who work, reside and own property in the West Bank Renewal District who will be engaged directly in the revitalization effort. Further, the Plan has been prepared with respect to three Guiding Principles as follows:

- The plan for the West Bank Urban Renewal District should foster economic development and job creation.
- The improvement of the overall environmental quality of the West Bank Urban Renewal District is critical.
- Protection and enhancement of the West Bank Park and the Missouri River, which form the eastern boundary of the District are key in the redevelopment of the West Bank Urban Renewal District.

The West Bank Urban Renewal Plan outlines the approach that the City of Great Falls will take in responding to blighted conditions within the District. The Plan recommends ways to comprehensively address the problems and opportunities that face the area. However, the Plan recognizes that this area is in transition and therefore prescribes a large measure of flexibility in devising solutions and provides for ongoing planning on the part of the City, the residents, the businesses and property owners.

Chapter 2. Description of the Urban Renewal District

Legal Description of the West Bank Urban Renewal District

The West Bank Urban Renewal District includes all that real property in the City of Great Falls, County of Cascade, State of Montana, which lies within the following described boundary, excluding any unincorporated property, as of October 2006:

“The POINT OF BEGINNING is at the intersection of the north right of way line of 4th Avenue SW and the east right of way line of 4th Street SW; thence northeasterly along the west right of way line of 3rd Street SW and 3rd Street NW to its intersection with the northwest/southeast projection of the north property line of the parcel of land legally described as Mark No.13, Section 2, Township 20 North, Range 3 East (Geo-code #3015-02-1-10-06); thence southeasterly along the northwest/southeast projection of the north property line of the parcel of land legally described as Mark No.13, Section 2, Township 20 North, Range 3 East (Geo-code #3015-02-1-10-06) to the centerline of the Missouri River; thence southwesterly/southeasterly along the centerline of the Missouri River to the north edge of the BNSF Railway/Missouri River Bridge; thence southwesterly along the north edge of the BNSF Railway/Missouri River Bridge and the north right of way line of the BNSF Railway main line (coincidental with the south property line of Lots 1-4, Block 9, BN Car Shop Addition to Great Falls) to its extended connection with the south end of the east right of way line of 5th Street SW (coincidental with the southwest corner of Lot 10, Block 546, 6th Addition to Great Falls); thence northeasterly along the west right of way line of the BNSF Railway spur line (coincidental with the south/southeast boundary of Block 546, 6th Addition to Great Falls) to the intersection of the south right of way line of 5th Avenue SW and the west right of way line of 4th Street SW; thence north along the west right of way line of 4th Street SW to its intersection with the north right of way line of 4th Avenue SW; thence east to the POINT OF BEGINNING.”

Area History

Historically, the west side of the Missouri River in Great Falls was the home of Montana's largest gasoline refinery, built by the Great Falls Sunburst Oil and Refinery Company. The refinery began operations in early 1923 along the 300 and 400 block of 3rd Street Northwest and was subsequently purchased by the California Eastern Oil Company in 1927. Cascade County took possession of the property in 1936 after California Eastern failed to pay gasoline license taxes and associated delinquent fees. By 1938 Cascade County had constructed its shops (Figure 2) at the site (Great Falls Tribune, December 16, 2001).



Figure 2 Cascade County Shops

The West Bank area includes the site of the former Montana Brewing Company complex, built in 1893-94, just north of Central Avenue West, along the Missouri River. In 1933, it became the malt plant for the Great Falls Brewery, Inc., finally closing in 1968. (Figure 3.) The last remnants of the site were finally removed in July of 2006 to make way for a new 54,000 square foot Federal Courthouse (July 11, 2006, Sun River News).

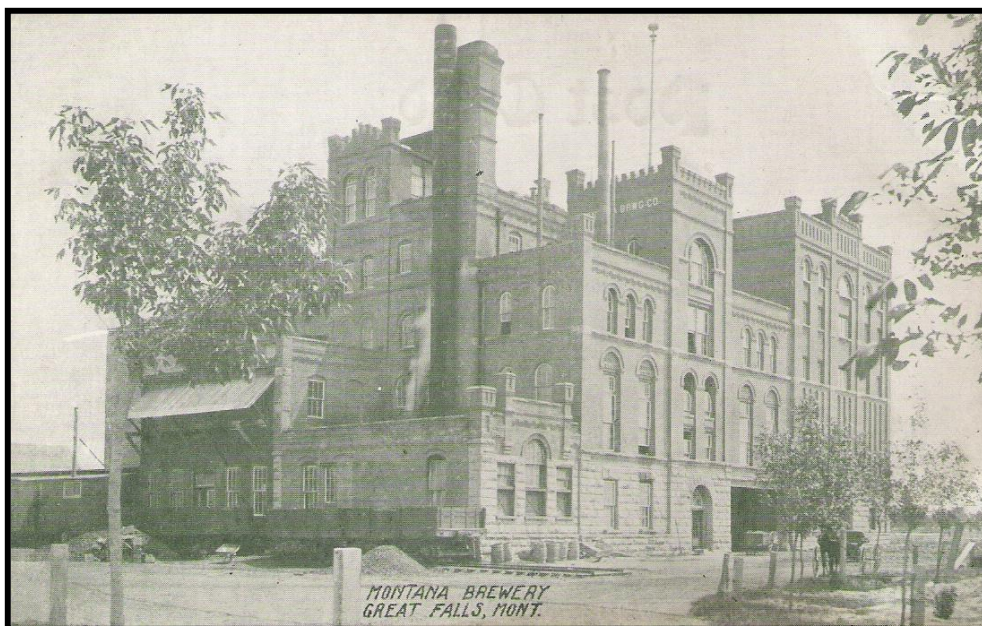


Figure 3. Montana Brewery.

Existing Characteristics

The West Bank Urban Renewal District continues to be largely characterized by industrial and warehouse uses. It also contains a small number of residences and a variety of retail and service oriented businesses, including a veterinary clinic, the Cowboy's Bar and the J Bar T Tavern. The area just south of the County Shops and Montana Specialty Mills includes the site where the new Federal Courthouse will be built. South of Central Avenue West, the District is more sparsely developed, but includes the Montana Association of Electrical Cooperatives offices as well as a former highway department structure, now held privately (Figure 4). The northern end of the District is directly adjacent to a growing commercial area. It includes the Stockman Bank, built within the last few years and will include a new Walgreens Pharmacy, already under construction.



Figure 4. Former Highway Department Building

The District encompasses portions of two Census Tracts (See Table 1) and 51 parcels. A list of the properties by parcel is included in Appendix B.

Table 1. West Bank Urban Renewal District – Census Information				
Census Tract	Census Block Group	Block Number	Population	Housing Units
16	2	2000	0	0
16	2	2017*	45	15
16	5	5001	8	3
16	5	5002	0	0
16	5	5004	0	0
16	5	5005	0	0
18	3	3000*	4	2
18	3	3019**	0	0
18	3	3020*	0	0
Totals			57	20

Source: U.S. Census (2000 Information)

Notes: * Only a portion of this block is in the Urban Renewal District

** This is the parcel that is not incorporated into the City of Great Falls

Census designations are noted in Figure 5.

Zoning Designation

The City of Great Falls has zoned the West Bank area M-2, *Mixed-use Transitional*. The Great Falls Zoning Ordinance describes an M-2 zone as follows: “This zoning designation is intended to promote a transition over time to a predominately mixed-use land use pattern. Because of changing economic conditions and other factors, some current uses do not represent the highest and best use, given other more suitable areas. Current industrial uses and warehouses are not considered nonconforming. As such, current industrial uses and warehouses existing at the time this Title was adopted are allowed to expand or to be re-established, if damaged, provided development and appearance standards under the purview of the Design Review Board are met.”

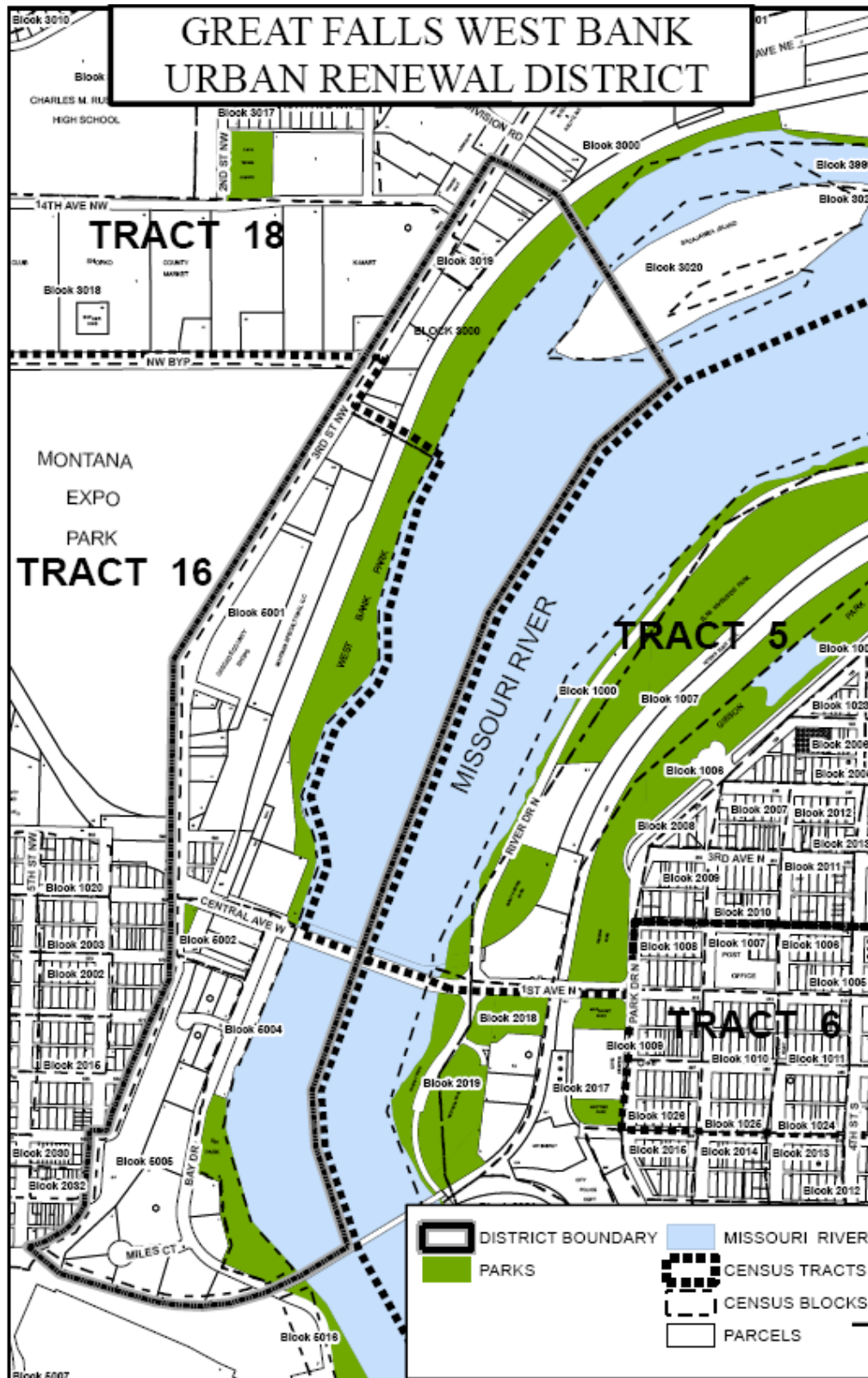


Figure 5. Census Designations

Chapter 3. Key Findings

This chapter of the Urban Renewal Plan provides an overview of the challenges and opportunities associated with the redevelopment of the West Bank Urban Renewal District. Information presented here has been gleaned from interviews and meetings with area property owners and residents, local government staff, Neighborhood Council #2 and other area stakeholders. While the West Bank Urban Renewal District can be characterized as blighted, the area has a number of recognized assets that will help foster redevelopment. For example, there is wide-spread support for area revitalization among property owners, stakeholders and the community in general.

Area Assets and Opportunities

The Missouri River and West Bank Park

The West Bank Urban Renewal District is bounded on the east by West Bank Park and the Missouri River which provide important scenic, natural, historic and recreational resources to residents and visitors. As noted in the 2004 *Missouri River Urban Corridor Plan*, the River is “a major community asset for enhanced livability, growth and economic development”. The District’s proximity to the river, in combination with West Bank Park can attract new development. The *Corridor Plan* also points out that the “Riverfront...creates real estate value [associated with its] proximity to water, views and public open space.”

Proximity to Downtown/Combating Urban Sprawl

The City’s plan to undertake the renewal of the West Bank area can be viewed as part of the overall effort to revitalize the city’s central business district and to discourage urban sprawl in general. As noted in the 2002 Great Falls Development Authority’s proposal to EPA for Brownfield Assessment grant funds, the redevelopment of “lands that have existing infrastructure...makes good planning sense, and it keeps redevelopment affordable and reduces urban sprawl. It also creates jobs in the city, close to where people live.”

Proximity to Transportation Corridors

The West Bank area is situated along two critical four-lane arterials – Central Avenue West and 3rd Street NW, which provide important links between downtown Great Falls, Interstate 15, the airport and the fairgrounds. The area has experienced increased traffic counts on 3rd Street Northwest and the Northwest Bypass, offering opportunities for successful development. The 2003 *Great Falls Area Transportation Plan* identifies 3rd Street Northwest as a major traffic corridor that is experiencing heavy traffic volumes.

Finally, railroad service is provided on an as needed basis to service Montana Specialty Mills and Montana Refining Company.

Existing and Proposed Area Development

As noted above, the West Bank Urban Renewal District is experiencing a change in land use, from heavy industrial to mixed uses. The new Federal Building, to be located on the former brewery property and the Walgreens Pharmacy, which is under construction in the northern portion of the District, will provide two important anchors for the District. The area is also home to a number of retail and service businesses. Finally, the Montana Expo Park borders the District on the west, providing an important traffic generator, as well as a potential partner in redevelopment efforts.

Challenges

Clean-up of Contaminants

The Third Street Northwest Groundwater Site is located within the West Bank Urban Renewal District and includes the County Shops, Montana Specialty Mills, portions of the BNSF Railway spur and West Bank Park. The Site is listed on the State of Montana's "Mini- Superfund Sites" because of petrochemical related contamination. Figure 6 shows the contaminated portion of the District.

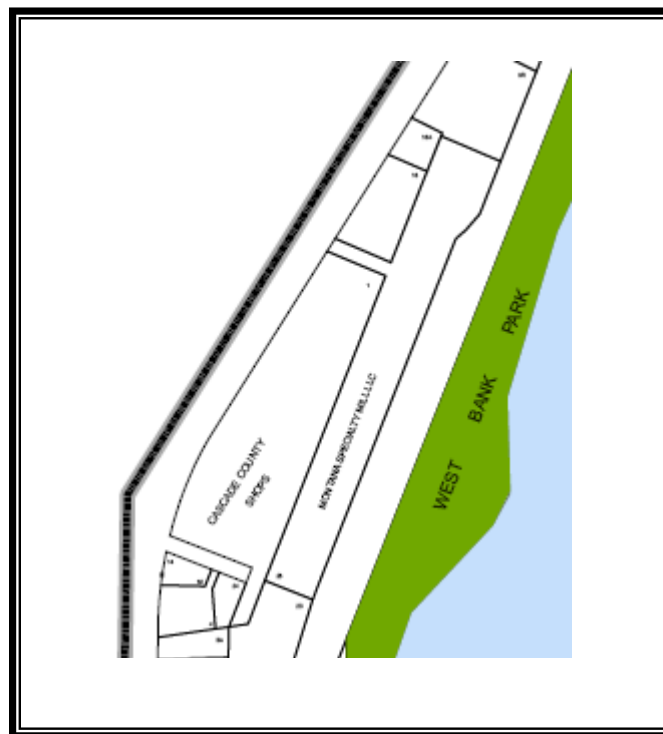


Figure 6. Contaminated Area

Clean-up of these contaminants will occur sequentially. For example, contaminants cannot be removed from West Bank Park until the County Shops and Montana Specialty Mill areas are addressed, because they are the “upstream” source of the pollutants. (See Table 2, Remediation Schedule in Chapter 4.) Redevelopment cannot occur in these areas until clean-up is complete.

Lot Size

Some of the properties within the urban renewal district are too small to accommodate new office or commercial development. Prior to significant redevelopment occurring, some of the smaller parcels of land will have to be consolidated, particularly those at the southern end of the District.

Access

While the District is adjacent to major arterials, access to and within the West Bank area is limited. In addition to the absence of roads, the railroad tracks that run north-south and parallel to the riverfront make it difficult to address the District’s transportation needs of vehicles and pedestrians. In particular, the sidetrack which currently serves Montana Specialty Mills, and which will no longer be needed once the mill is relocated, limits east-west access through a large portion of the District. Overall, the area lacks the necessary infrastructure to link recreational and commercial uses, which will ultimately be key to the successful redevelopment of the District.

Blighted Conditions in the West Bank Urban Renewal District

A Finding of Blight report for the West Bank Urban Renewal District was prepared in November of 2006. The following excerpts provide a general overview of blighted conditions in the District.

Physical deterioration of buildings

Although most of the buildings within the proposed West Bank Urban Renewal District are in use, the area generally has a deteriorating appearance. Many structures are in poor repair and properties are often poorly maintained, cluttered with refuse and waste storage areas.

According to building permit information prepared by the Great Falls Community Development Department, the majority of structures in the proposed district were constructed prior to the 1980s and many were constructed in the 1950s. While age alone does not indicate deterioration, permit information indicates that few major improvements have been made in recent decades.

Inappropriate or mixed uses of land or buildings

The eastern edge of the West Bank Urban Renewal District includes portions of West Bank Park, an important recreation and scenic resource for the City of Great Falls. The park is located adjacent to areas that have been blighted by industrial pollution and refuse storage sites. These detract from and diminish the quality of the park. The District includes a number of retail and service establishments, reflective of the land uses on those properties adjacent to the urban renewal district. The presence of heavy industrial activities in close proximity to these less intensive uses creates incompatibilities associated with industrial noise, odor and dust.

The West Bank Urban Renewal District also includes a small number of homes. The presence of heavy industrial sites in close proximity to residences can result in the devaluation of property over time. A review of residential property values within the district indicates that while the land values have increased slightly, the value of improvements has stagnated between 2000 and 2006.

Public Infrastructure/Defective or Inadequate Street Layout

The sewer and water lines within the district were installed primarily in the 1960's and 1970's to serve the commercial and large industrial users in the area. There are also some large sewer trunk lines which traverse the area from south to north. They are generally in good condition and would be able to accommodate new commercial, office and residential development. (See Appendix C, Public Utilities.) The streets that are in the area serve the perimeter of the planning area well, but are virtually non-existent in the interior, especially on the north end of the district. Access is very poor to the area between the River and the railroad tracks. Of the roads that do exist, some require paving, while others should be realigned. The district is characterized by large industrial and heavy commercial uses and in some cases, there is no public access to individual sites via roads. For example, better access is needed to West Bank Park and the new Federal Building that is slated for construction to the north of Central Avenue West. Overall the interior of the area lacks sidewalks, curbs and gutters, landscaping and adequate lighting.

Unhealthy or Unsafe Conditions

The West Bank Urban Renewal District includes the Third Street Northwest Groundwater Site, which is listed on the Montana Comprehensive Environmental Cleanup and Responsibility Act (CECRA) listing of "Mini-Superfund" priority sites. According to the Montana Department of Environmental Quality, contaminants at the site include benzene, toluene, ethylbenzene, xylene, chlorinated solvents and phenols. (Great Falls Tribune, December 16, 2001)

In 2002, the Great Falls Development Authority applied for and obtained a U.S. Environmental Protection Agency (EPA) Brownfields Assessment Grant as a first step in facilitating the redevelopment of the West Bank area. Brownfields are defined as those properties for which the expansion, redevelopment, or reuse may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. (<http://www.epa.gov/brownfields/>)

The proposal to EPA noted that the potential for in-fill development and reuse of lands in the West Bank area had been “marginalized” by the environmental pollution, creating a “lost opportunity” for reinvestment in the area. (Great Falls Riverfront Redevelopment Project...Final Grant Proposal).

Chapter 4. Goals and Strategies of the West Bank Urban Renewal Plan

This chapter presents the goals and strategies of the West Bank Urban Renewal Plan by category of concern.

Remediation of Environmental Pollutants

The West Bank Urban Renewal District includes the Third Street Northwest Groundwater Site, which is listed on the Montana Comprehensive Environmental Cleanup and Responsibility Act (CECRA) listing of “Mini-Superfund” priority sites. CECRA provides the Montana Department of Environmental Quality with similar authorities as provided under the federal Superfund Act. CECRA ranks these sites as maximum, high, medium, low and operation and maintenance priority based on the severity of contamination at the facility and the actual and potential impacts of contamination to public health, safety, and welfare and the environment. The Third Street Northwest Groundwater Site has been listed with a ranking of medium. (<http://www.deq.state.mt.us/StateSuperfund/index.asp>). According to the Montana Department of Environmental Quality, contaminants at the site include benzene, toluene, ethylbenzene, xylene, chlorinated solvents and phenols. (Great Falls, *Tribune*, December 16, 2001)

In 2002, the Great Falls Development Authority applied for and obtained a U.S. Environmental Protection Agency (EPA) Brownfields Assessment Grant as a first step in facilitating the redevelopment of the West Bank area. Brownfields are defined as those properties for which the expansion, redevelopment, or reuse may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. (<http://www.epa.gov/brownfields/>). The proposal noted that the grant would help “facilitate development through completion of environmental assessments on properties in the area...and would identify the nature and severity of contamination on the properties and allow for the selection of cleanup remedies”. (*Finding of Blight Report*, 2006)

Cascade County is largely responsible for the removal of contaminants from the Third Street Northwest Groundwater Site which includes the site of the County Shops and Montana Specialty Mills (Figure 7). The clean-up of contaminants should occur sequentially. The clean-up phases are summarized below in Table 2. (Commencement dates, as provided by Cascade County, are approximate.)

Table 2. Remediation Schedule for the Third Street Northwest Groundwater Site		
Phase	Corrective Action	Proposed Date of Commencement
I	Remove contaminants from Cascade County Road and Bridge Department Shop (southern end of property)	November, 2007
II	Remove contaminants from Montana Specialty Mills site	Late, 2008
III	Clean-up Burlington Northern Santa Fe Railroad (BNSF) right of way	2009
IV	Clean-up West Bank Park area	2010
V	Remove contaminants from the Cascade County Solid Waste District Shop (northern end of property)	2007-2008
VI	Clean-up northeast area of County Shop	2007-2008

The *Great Falls Growth Policy* notes that Brownfields are currently “dealt with on a case-by-case basis, with clean-up usually funded as part of the cost of redeveloping the property”. The removal of contaminants in the West Bank Urban Renewal District by Cascade County will enable the property to be redeveloped for non-industrial uses. While the City of Great Falls is not responsible for contaminant removal, the Urban Renewal Plan must reflect the timing of clean-up activities.



Figure 7. Montana Specialty Mills

Goal: Foster development in the West Bank Urban Renewal District in phases with respect to the availability of land following the removal of contaminants.

Strategies:

- Communicate regularly with Cascade County to enable the coordination of development activities as contaminants are removed.
- Work with Cascade County in determining an approach to clean-up non-county properties including the BNSF railroad and West Bank Park.

Public Infrastructure Improvements

Sewer and Water Services

The sewer and water lines within the West Bank Urban Renewal District were installed primarily in the 1960's and 1970's to serve the commercial and large industrial users in the area. There are also some large sewer trunk lines which traverse the area from south to north. They are generally in good condition and would be able to accommodate new development. However, due to the lack of streets, curbs and sidewalks in the area, the storm drain system is inadequate and will have to be addressed.

Goal: Ensure that all land uses within the West Bank Urban Renewal District have safe water supplies, environmentally sound wastewater disposal systems, solid waste recycling/collection programs, and stormwater management systems that protect the public health, safety and welfare.” (*Great Falls Growth Policy, 2005*)

Strategies:

- Work with the City of Great Falls Public Works Department to assure that the sewer and water infrastructure is appropriate for the scale and type of proposed development in the West Bank Urban Renewal District.
- Evaluate the current condition of the storm drain system with respect to proposed development within the West Bank Urban Renewal District and make improvements accordingly.

Area Access – Pedestrian and Vehicular

The streets in the area serve the perimeter of the Urban Renewal District well, but are virtually non-existent in the interior, especially on the north end of the District. Access is very poor to the area between the River and the railroad tracks. Of the roads that do exist, some require paving, while others should be realigned. The District is characterized by large industrial and heavy commercial uses and in some cases there is no public road access to individual sites. Better access is needed to West Bank Park and

the new Federal Building that is slated for construction to the north of Central Avenue West. In addition to the absence of roads within the District, it is difficult to access 3rd Street Northwest and Central Avenue West via a left turn from the existing roads within the District. The entire interior of the District lacks sidewalks, curbs and gutters. (*Finding of Blight Report*)

Goal: Provide a safe, efficient, accessible and cost-effective transportation system that offers viable choices for moving people and goods throughout the West Bank Urban Renewal District. (*Great Falls Growth Policy*)

Strategies:

- Identify and construct road system improvements for the West Bank Urban Renewal District that serve existing and proposed uses and address:
 - Access to and within the District
 - Sidewalks/Trails
 - Curbs
 - Gutters and Storm Drains
- Install traffic control signals and other safety features to improve access at appropriate locations.
- Work with BNSF to identify ways to provide access across the railroad right-of-way for both vehicles and pedestrians.
- Work with BNSF to determine the feasibility of removing the sidetrack rail serving Montana Specialty Mills to accommodate better access to the area.
- Provide for pedestrian access to and within the West Bank Urban Renewal District, providing links to Montana ExpoPark, West Bank Park, River's Edge Trail and nearby residential areas.

Park Development

West Bank Park (Figure 8) is an important area and community resource. Protection and enhancement of the Park is a key component in the redevelopment of the West Bank Urban Renewal District. More particularly, the Park is located within the Primary Impact Area, as defined in the *Great Falls Missouri River Urban Corridor Plan* (2004), "which includes those lands that have strong relationships to the river..." The Plan, which was called for in the 1999 Great Falls City-County Comprehensive Plan (now the *Great Falls Growth Policy*, 2005) presents a vision for what is possible in this corridor and includes general recommendations for access to the river, trails and the maintenance of public land. A companion document, the *Missouri River Urban Corridor Inventory & Assessment* (September 2002) characterizes existing conditions in the Corridor and makes recommendations for appropriate stabilization and recreational improvements.

The West Bank Park has also been identified by Great Falls Neighborhood Council #2 as an important neighborhood asset that contributes to the quality of life in the area and ties well to the Montana Expo Park. Area property owners have noted that West Bank Park and the riverfront help contribute to adjacent property values and provide an attractive setting for tenants and customers.



Figure 8. West Bank Park (Missouri River Corridor Plan)

Goal: Maintain and Improve West Bank Park within the West Bank Urban Renewal District.

Strategies:

- Prepare and Implement a Park Improvement Plan that addresses:
 - Pedestrian and Vehicular Access
 - Vegetation and Habitat
 - Trail & Pedestrian Use Within the Park
 - Connections to the River's Edge Trail System
 - Park Amenities and Facilities
 - Maintenance
 - Implementation Tools and Resources
- Work with adjacent property owners and developers to address Park access, visual integration with adjoining development/uses, and maintenance.

Area Design Features, Including Lighting and Landscaping

The *Missouri River Urban Corridor Plan* observes that “...there is a hodgepodge of poor quality design elements. In some areas, Quonset hut-style buildings and other structures of little aesthetic or architectural value, a surplus of unattractive and prominent signage, and a lack of unifying design details like street lighting and landscaping have resulted in a chaotic, unappealing environment. Development of this type discourages investment and upgrade to area properties.” Design concepts such as buffering, shared open spaces, connection to public spaces, preservation of river views, street trees, and mixed uses are all encouraged to promote area identity, marketability and area vibrancy.

In addition, the *Great Falls Growth Policy* notes that it is the policy of the City to “encourage and promote street tree planting throughout the community and as a matter of policy, consider street trees as public infrastructure with priorities for preservation, replacement and maintenance”.

Landscaping undertaken in association with development of streets, sidewalks and trails will serve to enhance the West Bank Urban Renewal District. In addition, the area will need adequate lighting to provide a safe and welcoming environment.

Goal: Urban Renewal Projects should be designed in a manner that is respectful of the area’s natural and cultural setting with particular attention to landscaping and lighting.

Strategies:

- Develop and implement an urban tree planting program for the West Bank Urban Renewal District in association with the development of streets and sidewalks and in conjunction with the City Parks & Recreation Department that defines appropriate species, planting cycles and maintenance. Per the *Great Falls Growth Policy*, the City should prepare and implement a comprehensive planting, management and maintenance plan for street trees in the public rights-of-way.
- Identify an appropriate light standard that can be used throughout the District in conjunction with public improvements and private development.
- Encourage the preparation and adoption by area property owners of area-wide development standards to provide for cohesive development with a unique identity. Such standards could be used by developers when preparing plans and by the City’s Design Review Board when considering proposed developments. This could be accomplished through the creation of neighborhood conservation overlay district.

Community and Economic Development

The *Great Falls Growth Policy* identifies a series of economic development goals, including the following that directly relate to the West Bank Urban Renewal District. These are:

- Diversify the base economy
- Enhance, strengthen and expand the existing economic base
- Encourage businesses and industries that will utilize existing infrastructure

The redevelopment of the West Bank Urban Renewal District can strengthen the economic base of Great Falls while taking advantage of existing sewer and water infrastructure within the urban core. This approach helps to counter urban sprawl and the associated costs in providing public services.

Fostering Private Development

The West Bank Urban Renewal Plan calls for public improvements in the West Bank Urban Renewal District in support of new investment. The role of the private sector will be critical in the redevelopment process. Private investments made in the area will, in turn, provide the City with the necessary financial resources (via Tax Increment Financing and other mechanisms) to develop public infrastructure that will contribute to the overall revitalization of the area.

This Urban Renewal Plan provides the necessary administrative structure to direct community resources to renewal activities within the District. However, it will be the private sector that undertakes specific site planning and development activities on privately owned lands. To achieve a high quality of design, representatives of private property owners, including Cascade County and area developers will work together to prepare a development master plan that will reflect the following underlying principles:

- ✓ Public access to West Bank Park and other riverfront parks will be incorporated into area design schemes.
- ✓ Lighting, street design and other landscaping features will be consistent throughout the District. Unifying architectural features and signage is also encouraged.
- ✓ Development will be phased in accordance with the contaminated soils clean-up schedule, as developed by Cascade County and the Montana Department of Environmental Quality.

Goal: Encourage thoughtful, well designed private development activity.

Strategies:

- Encourage the preparation of a development master plan for the West Bank District by property owners and developers that recognizes the sequential nature of the removal of pollutants from the area.
- Encourage the preparation of a development master plan that addresses the various sub-areas within the Urban Renewal District as follows:
 - The area to the south of the Cascade County Shops (including the area south of Central Avenue)
 - The area that includes both the Cascade County Shops and the Montana Specialty Mills (MSM)
 - The area to the north of the Shops and MSM
- Consider the use of protective covenants in addition to existing zoning provisions to assure high quality development within the area
- Facilitate thoughtful project design that focuses on enhancing and protecting the area's natural and scenic resources
- Work with the private sector to identify public infrastructure needs for the area.
- Work with BNSF to determine the feasibility of removing the sidetrack rail serving Montana Specialty Mills to create more privately-owned land for development
- Foster cooperative efforts among public and private entities to achieve the goals of the Urban Renewal Plan
- Work with property owners and developers to identify opportunities to realign Bay Drive to facilitate redevelopment

Working in Partnership with Downtown

The City's plan to undertake the renewal of the West Bank District is part of an overall effort to revitalize the City's urban core and to discourage urban sprawl in general. The redevelopment of the West Bank District will serve to both expand and enhance Great Falls' urban center. The proposed private and public investment in the West Bank District will enable the City's core business area to encompass both sides of the Missouri River, taking full advantage of this important asset.

Goal: Coordinate the West Bank Urban Renewal program with ongoing efforts to revitalize Downtown Great Falls.

Strategies:

- Coordinate planning efforts between the West Bank District and Downtown.

- Identify joint activities, such as the creation of transportation and recreation services that connect Downtown and the West Bank District.

Historic/Cultural Resources

Historically, the west side of the Missouri River in Great Falls was the home of Montana's largest gasoline refinery, built by the Great Falls Sunburst Oil and Refinery Company. The refinery began operations in early 1923 along the 300 and 400 blocks of 3rd Street Northwest and was subsequently purchased by the California Eastern Oil Company in 1927. Cascade County took possession of the property in 1936 after California Eastern failed to pay gasoline license taxes and associated delinquent fees. By 1938, Cascade County had constructed its road and bridge department shops at the site (Great Falls, *Tribune*, December 16, 2001). The West Bank District also included the site of the former Montana Brewing Company complex, built in 1893-94, just north of Central Avenue West, along the Missouri River. In 1933, it became the malt plant for the Great Falls Breweries, Inc., which closed in 1968. The last remnants of the site were removed in July, 2006 to make way for a new 54,000 square foot Federal Courthouse (*Sun River News*, July 11, 2006).

Today, there are 51 parcels in the West Bank Urban Renewal District, including a small number of residences and a variety of retail and service oriented businesses, such as, a veterinary clinic, J Bar T Tavern, and the Cowboy's Bar. Overall, the West Bank District is undergoing a transition from heavy industrial uses to commercial and retail uses, reflective of development that is occurring on adjacent properties, particularly along 3rd Street NW/SW. As this transition continues, it will be important to take stock of the remaining historic properties and to plan carefully for their interpretation, preservation and appropriate integration into area development. For example, the Montana Cowboy's Association is interested in having the Cowboy's Bar and associated museum placed on the National Register of Historic Places. (See Figure 9, below.) Additionally, the Missouri River and Sacagawea Island are important natural, cultural and historic resources that should be included in any area assessments. Other properties may be eligible for listing as well. Most federal and state grant programs require applicants to address potential impacts on properties eligible for listing in the National Register. An inventory of historic resources would help assure more thoughtful development.

Goal: Assess, preserve and interpret historic and cultural resources within the West Bank Urban Renewal District.

Strategies:

- Conduct an inventory of historic and cultural resources within the West Bank Urban Renewal District
- Work with private property owners to preserve historic sites
- Develop a pedestrian oriented interpretive program to include information concerning:
 - Existing sites of historic or cultural interest
 - Former occupants of the area
 - Environmental history of the area
 - History of the River



Figure 9. Cowboy's Bar

Natural Resources

The Missouri River and the associated West Bank Park are the defining features of the West Bank Urban Renewal District. Not only do these resources make the area more attractive for investment and overall community renewal, but they are intrinsic to the quality of life in the City of Great Falls and the surrounding region. They offer scenic and recreational opportunities for both residents and visitors to Great Falls.

The area along the River has undergone a significant transition. As recently as 20 years ago, the current West Bank Park was the site of a construction waste dump. The area was “reclaimed” through a major effort to remove the waste and restore the river front area, providing an important recreation resource for the people of Great Falls. The Park is now part of the city wide park system and a key component of the public corridor along the Missouri River.

The Missouri River Urban Corridor Plan identifies guiding principles and “communicates a vision for economic vitality” associated with the River while, at the same time recognizing “that the River is a vital part of a large ecosystem and that the environmental integrity of the River must be protected.” The following Urban Renewal Plan Goal is taken directly from the *Missouri River Urban Corridor Plan*.

Goal: Promote beneficial, sustainable economic development that utilizes the River as an amenity while preserving and enhancing its ecological integrity and asset values.

Strategies

- Restore, enhance and protect water quality, natural shoreline vegetation and wetlands in association with improvements to West Bank Park and the River’s Edge Trail
- Assure that the environmental health of the River will not be compromised by development
- Work with property owners to develop shoreline protection programs in conjunction with their development activities

Chapter 5. Planning Approach – The Defining Elements

The design and implementation of the West Bank Urban Renewal Plan is being undertaken in a manner that is reflective of sound public policy and thoughtful planning. To this end, a number of “defining” elements have been identified that will characterize the projects and activities undertaken in connection with the revitalization and redevelopment of the West Bank area.

Sub Area Planning – Phased Development

The West Bank Urban Renewal District is likely to be developed in stages. The sequential nature of the removal of contaminants from the area currently occupied by the County Shops and Montana Specialty Mills will dictate, to some extent, which lands are redeveloped first. Given that the removal of contaminants will not be completed for approximately three years, the areas to the north and south of the Third Street Northwest Groundwater Site will likely be developed first. The building of the new Federal Courthouse to the south and the new Walgreens Pharmacy to the north provide examples of likely development patterns. Private development and public infrastructure improvements should be designed in a manner that will allow for phased implementation.

Thoughtful Design

The location of the West Bank Urban Renewal District, adjacent to the Missouri River and West Bank Park, requires that projects are designed in a manner that is sensitive to the area’s natural resources. The River and the Park add value to the lands within the District by providing an aesthetically pleasing environment within which reinvestment can occur. Urban renewal projects should serve to complement these resources rather than create a development pattern that diminishes their value. Thoughtful, well-designed development will, in turn, enhance the natural setting, drawing additional investment.

Intergovernmental Cooperation

The successful implementation of the West Bank Urban Renewal Plan will rely on cooperation between the City of Great Falls, Cascade County and the State of Montana. Cascade County, over the next several years, will be working with the Montana Department of Environmental Quality to address contaminated soils in the central portions of the West Bank Urban Renewal District. Following clean-up, the County will exercise its options regarding redevelopment of its properties. It will be important for Cascade County to be involved with other property owners in the West Bank Urban Renewal District, as well as the City of Great Falls in planning for the District’s redevelopment. The County’s participation in the development master planning

process for the area will be particularly critical. The proximity of the Montana Expo Park with the Renewal District is also a key factor in redevelopment. The Expo Park provides an important area asset that can help contribute to the District's revitalization.

Public Investment

The revitalization of the West Bank Urban Renewal District will require cooperation between the public and private sectors. As noted above, the City of Great Falls intends to invest in public infrastructure improvements in order to foster private investment. Public improvement projects will be undertaken in support of private development and with respect to area master plans developed by area property owners and investors. Funding for public infrastructure improvements will come from a number of sources including, but not limited to Tax Increment Financing (TIF). Specific projects will be undertaken in accordance with the Montana Urban Renewal Law, 7-15-42 and 7-15-43, MCA.

Planning Consistency

Conformity with the Growth Policy

This Urban Renewal Plan must conform to the Great Falls, *Growth Policy*, adopted in 2005, per 7-15-4213, MCA. Where appropriate, specific reference has been made to the *Growth Policy*, particularly in Chapter 4 of this Plan. *On February 27, 2007, the Great Falls City Planning Board reviewed this Urban Renewal Plan and found it to be in conformance with the Growth Policy, per statutory requirements.*

Other Planning Documents

In the preparation of the West Bank Urban Renewal Plan, a variety of other planning documents were consulted to assure that the Urban Renewal Plan would work in concert with other efforts to plan for the future of Great Falls. These included:

- Missouri River Urban Corridor Inventory and Assessment (2002)
- Great Falls Area Transportation Plan (2003)
- Missouri River Urban Corridor Plan (2004)

Chapter 6. Implementation

The West Bank Urban Renewal Plan sets a direction for redevelopment and revitalization of the West Bank Urban Renewal District. Upon its adoption, this Plan will serve as the official policy guide for public action. However, these policies can only be transformed to action through an effective implementation program. Key to implementation will be sound processes of administration, financing and program evaluation.

Administration

The administration of the redevelopment effort outlined in this plan will be the responsibility of the Great Falls City Commission. Under 7-15- 4232, the City Commission may choose to create a separate urban renewal agency or authorize an existing department to implement this Urban Renewal Plan. However, it is the intent of the Commission to retain the responsibility and authority for administering the West Bank Urban Renewal Program. Various city departments will be authorized by the Commission to undertake specific tasks associated with implementation as necessary.

Each year the City of Great Falls, or the authorized department will prepare an annual work program and budget and will list the activities and costs of the activities for the coming fiscal year, as well as the method of financing those activities. This program and budget may be amended during the course of the fiscal year, in light of funding and program changes. All budgets and revised budgets shall be reviewed and approved by the City of Great Falls. Urban renewal activities undertaken by the City of Great Falls will be in accordance with Montana State statute. (See specific provisions below.)

7-15-4233. Powers which may be exercised by urban renewal agency or authorized department. (1) In the event the local governing body makes such determination, such body may authorize the urban renewal agency or department or other officers of the municipality to exercise any of the following urban renewal project powers:

- (a) to formulate and coordinate a workable program as specified in [7-15-4209](#);
- (b) to prepare urban renewal plans;
- (c) to prepare recommended modifications to an urban renewal project plan;
- (d) to undertake and carry out urban renewal projects as required by the local governing body;
- (e) to make and execute contracts as specified in [7-15-4251](#), [7-15-4254](#), [7-15-4255](#), and [7-15-4281](#), with the exception of contracts for the purchase or sale of real or personal property;
- (f) to disseminate blight clearance and urban renewal information;
- (g) to exercise the powers prescribed by [7-15-4255](#), except the power to agree to conditions for federal financial assistance and imposed pursuant to federal law relating to salaries and wages shall be reserved to the local governing body;
- (h) to enter any building or property in any urban renewal area in order to make surveys and appraisals in the manner specified in [7-15-4257](#);
- (i) to improve, clear, or prepare for redevelopment any real or personal property in an urban renewal area;
- (j) to insure real or personal property as provided in [7-15-4258](#);
- (k) to effectuate the plans provided for in [7-15-4254](#);
- (l) to prepare plans for the relocation of families displaced from an urban renewal area and to coordinate public and private agencies in such relocation;
- (m) to prepare plans for carrying out a program of voluntary or compulsory repair and rehabilitation of buildings and improvements;
- (n) to conduct appraisals, title searches, surveys, studies, and other preliminary plans and work necessary to prepare for the undertaking of urban renewal projects;
- (o) to negotiate for the acquisition of land;
- (p) to study the closing, vacating, planning, or replanning of streets, roads, sidewalks, ways, or other places and to make recommendations with respect thereto;
- (q) to organize, coordinate, and direct the administration of the provisions of this part and part 43;
- (r) to perform such duties as the local governing body may direct so as to make the necessary arrangements for the exercise of the powers and performance of the duties and responsibilities entrusted to the local governing body.

(2) Any powers granted in this part or part 43 that are not included in subsection (1) as powers of the urban renewal agency or a department or other officers of a municipality in lieu thereof may only be exercised by the local governing body or other officers, boards, and commissions as provided under existing law.

Program Funding

Tax Increment Financing Provision

The implementation of the West Bank Urban Renewal Plan will include the use of Tax Increment Financing (TIF). Under Section 7-15-4282 of the Montana Urban Renewal Law communities may establish tax increment districts for the purposes of revitalizing blighted neighborhoods and central business districts. Tax increment financing directs new property tax dollars resulting from increases in the market value of real property to the area where the real property is located. The base property tax (before any improvements to real property) continues to be distributed to the local governments and school districts. However, tax dollars that accrue from increases in property values (from rehabilitation, new construction, etc.) are available for urban renewal projects as defined by the Montana Urban Renewal Law. More particularly, costs which may be paid using TIF dollars are included in 7-15-4288, MCA. (See Appendix D.)

A tax increment program is authorized for 15 years or longer if the tax increment revenue is pledged to the payment of tax increment bonds. 7-15-4289, MCA provides for the use of tax increments for bond payments. The tax increment may be pledged to the payment of the principal of premiums, if any, and interest on bonds which the municipality may issue for the purpose of providing funds to pay such costs.

The City of Great Falls will establish a Tax Increment Financing program for the West Bank Urban Renewal District, as defined in Chapter 2 of this Urban Renewal Plan. The base year for the purposes of measuring any incremental value will be January 1, 2007.

Per 7-15-4291, MCA, the City of Great Falls may enter into agreements with the other affected taxing bodies to remit to such taxing bodies any portion of the annual tax increment not currently required for the payment of the costs listed in [7-15-4288](#), MCA or pledged to the payment of the principal of premiums, if any, and interest on bonds.

Other Financing Mechanisms

There are a number of financial assistance programs that can be used in the revitalization of the West Bank Urban Renewal District in addition to Tax Increment Financing. Financing strategies for addressing urban renewal needs identified in this Plan will likely include combining various funding sources. For example, a local special improvement district might be used in combination with a Montana Board of Investment InterCap loan to match federal or state dollars. The following is a summary of programs available to fund urban renewal projects

Transportation Infrastructure

This section describes funds and funding sources that are available to finance urban renewal transportation related projects. These funding methods, such as local option taxes, improvement districts and other types of bonds, enable local citizens to participate in funding projects. In general, however, the ability to use additional property tax levies to fund urban renewal is governed by Montana Statute under 15-10-402 MCA that limits taxes to 1996 levels.

A. Bridge and Road Mills (Property Taxes)

Montana law provides for cities (7-14-4101, MCA) to manage transportation infrastructure. Counties are specifically responsible for all the bridges in a county, including those within cities and towns, except those managed by the Montana Department of Transportation. Municipalities may establish a city road fund under 7-14-4113 MCA.

B. Transportation Improvement Authority

Established under 7-14-1001, MCA, the purpose of a transportation improvement authority is to blend the interests of local, state, and federal governments with the interests of the general public and the business community to build, modify, or improve transportation facilities and systems within its jurisdiction. A county and a municipality within a county may, by joint resolution, create a transportation improvement authority. The Authority may enter into contracts and accept local, state, federal and private funds to undertake transportation projects.

C. Community Transportation Enhancement Program

Under 23 USC 133 (d) (2) (Federal Code) 10 percent of the Surface Transportation Program monies are awarded to each state for transportation enhancements. Montana is unique in that enhancements are made available to communities under the Community Transportation Enhancement Program (CTEP) administered by the Montana Department of Transportation. The MDT distributes these funds for all counties and cities that are 1st, 2nd, and 3rd class cities, and tribal governments. Local governments are responsible for providing the required 13 percent of project costs as non-federal match for their transportation enhancement projects.

In order to receive funding, transportation enhancement projects must be included in the local Transportation Improvement Program (TIP) and the Statewide Transportation Improvement Program. Eligible CTEP categories include:

- Pedestrian and bicycle facilities
- Historic preservation

- Acquisition of scenic easements and historic or scenic sites
- Archaeological planning and research
- Mitigation of water pollution due to highway runoff or reduce vehicle-caused
- Wildlife mortality while maintaining habitat connectivity
- Scenic or historic highway programs including provisions of tourist and welcome center facilities
- Landscaping and other scenic beautification
- Preservation of abandoned railway corridors (including the conversion and use for bicycle or pedestrian trails)
- Rehabilitation and operation of historic transportation buildings, structures or facilities (including railroads)
- Control and removal of outdoor advertising
- Establishment of transportation museums
- Provisions of safety and educational activities for pedestrians and bicyclists

Projects addressing these categories and that are linked to the transportation system by proximity, function or impact, and where required, meet the "historic" criteria, may be eligible for enhancement funding. For example, where an historic bridge must be replaced because of structural deficiencies, enhancement funds might be used to preserve the original bridge as part of an interpretive trail.

D. State Fuel Tax

Under 15-70-101, MCA, Montana assesses a tax of \$.27 per gallon on gasoline and diesel fuel used for transportation purposes. Each incorporated city and town receives a portion of the total tax funds allocated to cities and towns based on:

- 1) The ratio of the population within each city and town to the total population in all cities and towns in the State;
- 2) The ratio of the street mileage within each city and town to the total street mileage in all incorporated cities and towns in the State. The street mileage is exclusive of the Interstate, National Highway, and Primary Systems.

All fuel tax funds allocated to city governments must be used for the construction, reconstruction, maintenance, and repair of rural roads or city streets and alleys. Priorities for the use of these funds are established by the cities receiving them.

Debt Financing – All Types of Projects

Cities can make use of various kinds of debt financing to fund urban renewal projects. These include general obligation bonds, special improvement district bonds and

revenue bonds as well as Tax Increment Financing Bonds. Debt financing enables local governments to finance major infrastructure projects using future revenue from special assessments, user fees, and other forms of revenue. Under 7-7-4101, MCA, a city or town council has power to incur indebtedness by borrowing money, issuing bonds, issuing notes, entering into leases, entering into lease-purchase agreements, or entering into installment purchase contracts for the following purposes:

- (1) acquiring land for and designing and erecting public buildings;
- (2) acquiring land for and designing and constructing sewers, sewage treatment and disposal plants, waterworks, reservoirs, reservoir sites, and lighting plants;
- (3) supplying the city or town with water by contract and the construction or purchase of canals or ditches and water rights for supplying the city or town with water;
- (4) designing and constructing bridges, docks, wharves, breakwaters, piers, jetties, and moles;
- (5) acquiring, opening, or widening any street and improving the street by constructing, reconstructing, and repairing pavement, gutters, curbs, and vehicle parking strips and to pay all or any portion of the cost relating to the project;
- (6) purchasing or leasing fire apparatus, street and other equipment, and personal property, including without limitation, vehicles, telephone systems, and photocopy and office equipment, including computer hardware and software;
- (7) building, purchasing, designing, constructing, and maintaining devices intended to protect the safety of the public from open ditches carrying irrigation or other water;
- (8) funding outstanding warrants and maturing bonds; and
- (9) repaying tax protests lost by the city, town, or other municipal corporation.

The local government incurs various administrative costs in conjunction with issuing bonds. These costs include the retention of legal counsel and financial consultants, the establishment of reserve funds and the preparation of the prospectus and various required documents. These bonds provide tax-free interest earnings to purchasers and are therefore subject to detailed scrutiny under both state and federal law. The citations in the Montana Code are listed below, for each type of bond described.

A. Special Improvement Districts

Under 7-12-4101, MCA, cities and towns can create special improvement districts for a number of activities including:

- The acquisition, construction or reconstruction of public streets and roads
- The acquisition, construction or reconstruction of sidewalks, culverts, bridges, gutters, curbs, steps and parks including the planting of trees

- The construction or reconstruction of sewers, ditches, drains, conduits, and channels for sanitary or drainage purposes, with outlets, cesspools, manholes, catch basins, flush tanks, septic tanks, connecting sewers, ditches, drains, conduits, channels, and other appurtenances
- The construction of sewer and water systems including fire hydrants
- The acquisition and improvement of land to be designated as public park or open-space land
- The conversion of overhead utilities to underground locations in accordance with 69-4-311 through 69-4-314, MCA
- The purchase, installation, maintenance, and management of alternative energy production facilities

B. General Obligation Bonds

General obligation bonds are backed by the full faith and credit of the city and must be approved by the voters in an election. General obligation bonds are generally payable from ad valorem taxes (based on the value of property) and expressed in mills. General obligation bonds are attractive to bond buyers because they have voter approval and are not as vulnerable to fluctuations in revenue. Cities are assigned a bond debt limit based on a percentage of taxable valuation. General obligation bonds must fall within this limit.

C. Revenue Bonds

Under 7-7-4401, MCA, a city or town may issue revenue bonds to finance any project or activity authorized

Railroad Crossing Related Programs

A. STPRP - Rail/Highway Crossing Protective Devices Program

The purpose of the Federal Rail/Highway Crossing – Protective Devices Program is to identify high hazard rail crossing sites and install new rail crossing signals. MDT's Rail - Highway Safety manager is responsible for surveying, identifying and prioritizing those railroad crossings that require new protective devices or upgrading of existing devices. The funds are distributed on a statewide basis determined by a priority list ranked by a hazard index. The Federal/State ratio is 90% Federal and 10% State.

B. STPRR - Rail/Highway Crossing Elimination of Hazard Program

The purpose of the Federal Rail/Highway Crossing – Elimination of Hazard Program is to identify high hazard rail crossing sites and construct new rail/highway grade crossings. The program also uses funds to rehabilitate existing grade separations.

Grade separation projects are funded with 90% Federal funds and 10% State funds. Since funding for this program is limited, STPRR funds are often used in combination with other Federal funding sources to fund costly grade separation projects.

Eligible expenditures include the separation or protection at grade crossings, reconstruction of existing crossings and relocation of highways to eliminate crossings.

Projects for this program are selected by identifying those sites where only a grade separation will eliminate an identified hazard or where an existing grade separation exists but needs rehabilitation or replacement.

Funding for Public Improvements (Sewer, Water, Roads, Community Facilities, Parks)

A. Treasure State Endowment Program ~ Montana Department of Commerce

The Montana Treasure State Endowment Program (TSEP) is a state-funded program, authorized under 90-6-701 through 710, MCA, and is administered by the Montana Department of Commerce (MDOC). It is designed to assist local governments in financing capital improvements to sewer and water facilities. Funds are derived from the Montana coal severance tax and made available to local governments as matching grants, loans and grant/loan combinations. TSEP also provides matching grants of up to \$15,000 to local governments for preliminary engineering study costs.

TSEP funds may not be used for annual operation and maintenance; the purchase of non-permanent furnishings; or for refinancing existing debt, except when required in conjunction with the financing of a new TSEP project. Grant requests cannot exceed \$500,000 and the local government must typically provide a dollar for dollar match that can include other grant funds. Matching funds can be public or private funds provided by a TSEP applicant to directly support the cost of eligible project activities. There are a number of ways in which local governments can provide matching funds for bridge projects. Eligible types of matching funds include:

- local general funds or other cash;
- proceeds from the sale of general obligation, revenue, special assessment or other bonds;
- entitlement or formula-based federal or state funds such as federal highway funds or payments in lieu of taxes;
- loan or grant funds from a state or federal program (including TSEP loans);
- funds expended for engineering studies, reports, and plans, or other reasonable expenses expended for the preparation of the application, directly related to the proposed project during the period 24 months prior to the TSEP application deadline;

- funds expended after the TSEP application deadline, but before being approved by the Legislature, for project management, final engineering design, and other reasonable expenses necessary to prepare the project as proposed in the TSEP application for the construction phase;
- the value of land or materials provided by the applicant, if appraised within a two-year period preceding the application deadline. The appraisal must be:
 - an impartially written statement that adequately describes the land or materials, and states an opinion of defined value as of a specific date;
 - supported by an analysis of relevant market information; and
 - prepared by a qualified appraiser independent from the applicant.
- the value of labor performed by the applicant's employees on the proposed project, after the TSEP project has been approved for funding and a TSEP contract has been signed, as long as the employee is paid at his or her standard hourly rate of pay and the time worked is adequately documented; and
- the value of machinery used in the process of constructing the project that is owned (or leased) and operated by the applicant. The value of the use of the machinery will be determined using the Federal Emergency Management Agency (FEMA) equipment rate schedules.

B. The Montana Intercap Program ~ Montana Board of Investments

The INTERCAP Program is a low cost, variable-rate program that lends money to Montana local governments, state agencies and the university system for the purpose of financing or refinancing the acquisition and installation of equipment or personal and real property and infrastructure improvements. The Board of Investments issues tax-exempt bonds and loans the proceeds to eligible borrowers. In addition to long-term financing, INTERCAP is an excellent source for interim financing.

Funding is always available with no specific cycle. Allocations of \$200,000 and under are considered and approved by the Board of Investments staff. Allocations in excess of \$200,000 are considered and approved by the Board. Funds are released on an on-going basis as the project is completed. The program provides loans at a variable rate plus a one percent loan origination fee on loans over one year and for a term of 5 or 10 years depending on the borrower's legal authority. Short-term loans of less than a year are also available. Interest and principal payments are due bi-annually (February 15 and August 15 of each year). Loans may be pre-paid without penalty with 30 days notice. Types of financing include installment purchase loans, general fund loans, general obligation bonds, revenue bonds and special improvement district and rural improvement district bonds. Gas tax revenues may not be used to service debt. Projects that will use rural improvement district payments to cover the annual debt are

limited to a total loan of \$300,000. Inter-cap funds may be used in association with other grant and loan programs as well as local sources.

C. Community Development Block Grant (CDBG)- US Department of Urban Development (HUD)

This program provides annual grants on a formula basis to entitled cities and counties to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons. The program is authorized under Title 1 of the Housing and Community Development Act of 1974, Public Law 93-383, as amended; [42 U.S.C.-5301 et seq.](#)

HUD awards grants to entitlement community grantees to carry out a wide range of community development activities directed toward revitalizing neighborhoods, economic development, and providing improved community facilities and services.

Entitlement communities develop their own programs and funding priorities. However, grantees must give maximum feasible priority to activities which benefit low- and moderate-income persons. A grantee may also carry out activities which aid in the prevention or elimination of slums or blight. Additionally, grantees may fund activities when the grantee certifies that the activities meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community where other financial resources are not available to meet such needs. CDBG funds may not be used for activities which do not meet these broad national objectives.

Eligible grantees are as follows:

- principal cities of Metropolitan Statistical Areas (MSAs);
- other metropolitan cities with populations of at least 50,000; and
- qualified urban counties with populations of at least 200,000 (excluding the population of entitled cities) are entitled to receive annual grants.

HUD determines the amount of each entitlement grant by a statutory dual formula which uses several objective measures of community needs, including the extent of poverty, population, housing overcrowding, age of housing and population growth lag in relationship to other metropolitan areas. CDBG funds may be used for activities which include, but are not limited to:

- acquisition of real property;
- relocation and demolition;
- rehabilitation of residential and non-residential structures;
- construction of public facilities and improvements, such as water and sewer facilities, streets, neighborhood centers, and the conversion of school buildings for eligible purposes;
- public services, within certain limits;
- activities relating to energy conservation and renewable energy resources; and
- provision of assistance to profit-motivated businesses to carry out economic development and job creation/retention activities.

D. Public Works Program ~ Economic Development Administration

The Economic Development Administration (EDA) is an agency within the U.S. Department of Commerce. The purpose of the Public Works Program is to assist communities with the funding of public works and development facilities that contribute to the creation or retention of private sector jobs and to the alleviation of unemployment and underemployment. Such assistance is designed to help communities achieve lasting improvement by stabilizing and diversifying local economies, and improving local living conditions and the economic environment of the area.

Grants are awarded up to a participation level of 80 percent but the average EDA grant covers approximately 50 percent of project costs. Acceptable sources of match include cash, local general obligation or revenue bonds; Community Development Block Grants, TSEP grants and loans, entitlement funds, Rural Development loans; and other public and private financing, including donations.

Projects must result in private sector job and business development in order to be considered for funding. Eligible applicants under this program include any state, or political subdivision thereof, Indian tribe (and other U.S. political entities), private or public nonprofit organization or association representing any redevelopment area if the project is within an EDA-designated redevelopment area. Redevelopment areas, other than those designated under the Public Works Impact Program must have a current EDA-approved Overall Economic Development Program (OEDP) in place.

E. Water, Wastewater and Solid Waste Action Coordinating Team

In 1982, a group of professionals from state, federal, and non-profit organizations that finance, regulate, or provide technical assistance for community water and wastewater systems, decided to start meeting in order to coordinate and enhance their efforts. This group calls itself the "Water, Wastewater and Solid Waste Action Coordinating Team"

or W2ASACT for short. W2ASACT meets several times a year to find ways to improve our state's environmental infrastructure. All of the programs represented in W2ASACT have different missions and meet unique needs. However, it has been the common elements shared by the funding programs that have been the driving force of W2 SACT. These programs provide money (grants or loans), take applications from communities to fund their projects, and administer those monies once the project is funded. While W2ASACT cannot change all of the state or federal requirements, it can identify unnecessary duplication of requirements that make compliance difficult for communities.

Voluntary Programs

In some cases, homeowner associations, business groups or other property owners may finance urban renewal projects voluntary basis.

West Bank Urban Renewal Program Evaluation

The West Bank Urban Renewal Plan will be evaluated on a yearly basis in conjunction with the preparation of the annual report. Measures that may be used in evaluating program success include:

- Increases in the property tax base
- Creation of jobs within the Urban Renewal District
- Elimination of blighted conditions
- The extent of redevelopment in previously contaminated areas
- Use of the public spaces within the District including the West Bank Park and the riverfront trail system

Success will also be measured in terms of the overall guiding principles noted in Chapter 1 of this plan and restated here:

- The plan for the West Bank Urban Renewal District should foster economic development and job creation.
- The improvement of the overall environmental quality of the West Bank Urban Renewal District is critical.
- Protection and enhancement of West Bank Park and the Missouri River, which form the eastern boundary of the District are key in the redevelopment of the West Bank Urban Renewal District.

The plan provides flexibility to accommodate a variety of approaches. However, changes over time may necessitate more formal amendments to the Urban Renewal Plan. The Urban Renewal Plan may be modified by ordinance under 7-15-4221, MCA.



Figure 10. Urban Renewal Area from the north

APPENDIX A. RESOLUTION OF BLIGHT

RESOLUTION 9626

A RESOLUTION DECLARING A BLIGHTED AREA EXISTS WITHIN THE CITY OF GREAT FALLS, MONTANA AND THAT THE REDEVELOPMENT OF THAT AREA IS NECESSARY IN THE INTEREST OF PUBLIC HEALTH, SAFETY, AND WELFARE OF THE RESIDENTS OF GREAT FALLS AND TO DETERMINE THE BOUNDARIES OF THAT AREA

WHEREAS, the State of Montana has provided for the redevelopment of those portions of its cities which constitute a menace to public health and safety, constitute an economic and social liability and substantially impair the sound growth of a municipality; and,

WHEREAS, the procedure provided in Title 7, Chapter 15, Parts 42 and 43 of the Montana Codes Annotated authorizes municipalities to exercise statutory urban renewal powers for redevelopment and rehabilitation through urban renewal plans and projects, after the municipality has made a finding that a blighted area exists that substantially impairs or arrests the sound growth of the city or its environs; retards the provision of housing accommodations; constitutes an economic or social liability and/or is detrimental or constitutes a menace to the public health, safety, welfare, and morals in its present condition and use; and,

WHEREAS, on November 8, 2006, the City Commission directed the study to determine the existence of blight within the urban area; and,

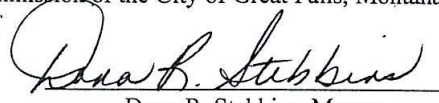
WHEREAS, the City of Great Falls has conducted the study (attached as Exhibit "A" to this Resolution) to determine the existence of blight in an area known as the West Bank and generally described as bounded on the West by 3rd Street NW/SW, on the East by the center line of the Missouri River, on the North by a point just north of 14th Avenue NW and on the South by a point just south of 5th Avenue SW and excludes any unincorporated property, as of October 2006, and in particular found:


1. Physical deterioration of buildings and properties
 - o Many of the structures in the defined area are in poor repair and properties are poorly maintained. Building permit information indicates that the majority of existing structures have not been substantially improved for at least twenty years.
2. Inappropriate or mixed uses of land or buildings
 - o The presence of existing heavy industrial uses within the defined area is incompatible with retail, commercial, residential and parkland development. This land use conflict has proven to be a disincentive to the improvement of properties within the area by private enterprise.
3. Defective street layout
 - o Much of the area is without streets, sidewalks, curbs, or gutters resulting in poor traffic circulation and storm drainage problems.
4. Unsanitary and unsafe conditions
 - o Portions of the defined area are included in the list of priority sites maintained by the Montana Department of Environmental Quality under the Comprehensive Environmental Cleanup and Responsibility Act (CECRA) and are designated a Brownfield site as defined by the U.S. Environmental Protection Agency. Contamination on the site is associated with historic industrial activity and has affected both the soil and groundwater and threatens to contaminate the Missouri River.

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

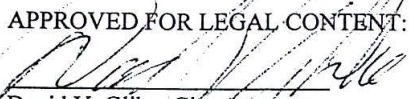
That the City Commission finds that blight exists within the City of Great Falls in the area described in Exhibit "A" of this Resolution under the definition contained in Section 7-15-4206 (2), M.C.A. and that rehabilitation and redevelopment of such area (pursuant to the Montana Urban Renewal Law) is necessary and desirable in the interest of the public health, safety, and welfare of the residents of the City of Great Falls and that this rehabilitation and redevelopment be made with a commitment to quality improvement and a commitment to property owner and community involvement in decision making.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on this 5th day of December, 2006.


Dona R. Stebbins, Mayor

ATTEST:

Peggy J. Bourne, City Clerk

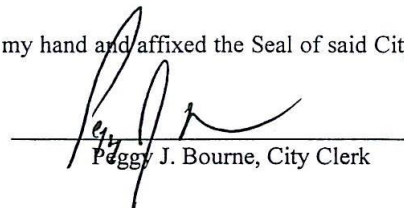
(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

David V. Gliko, City Attorney

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

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

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


Peggy J. Bourne, City Clerk

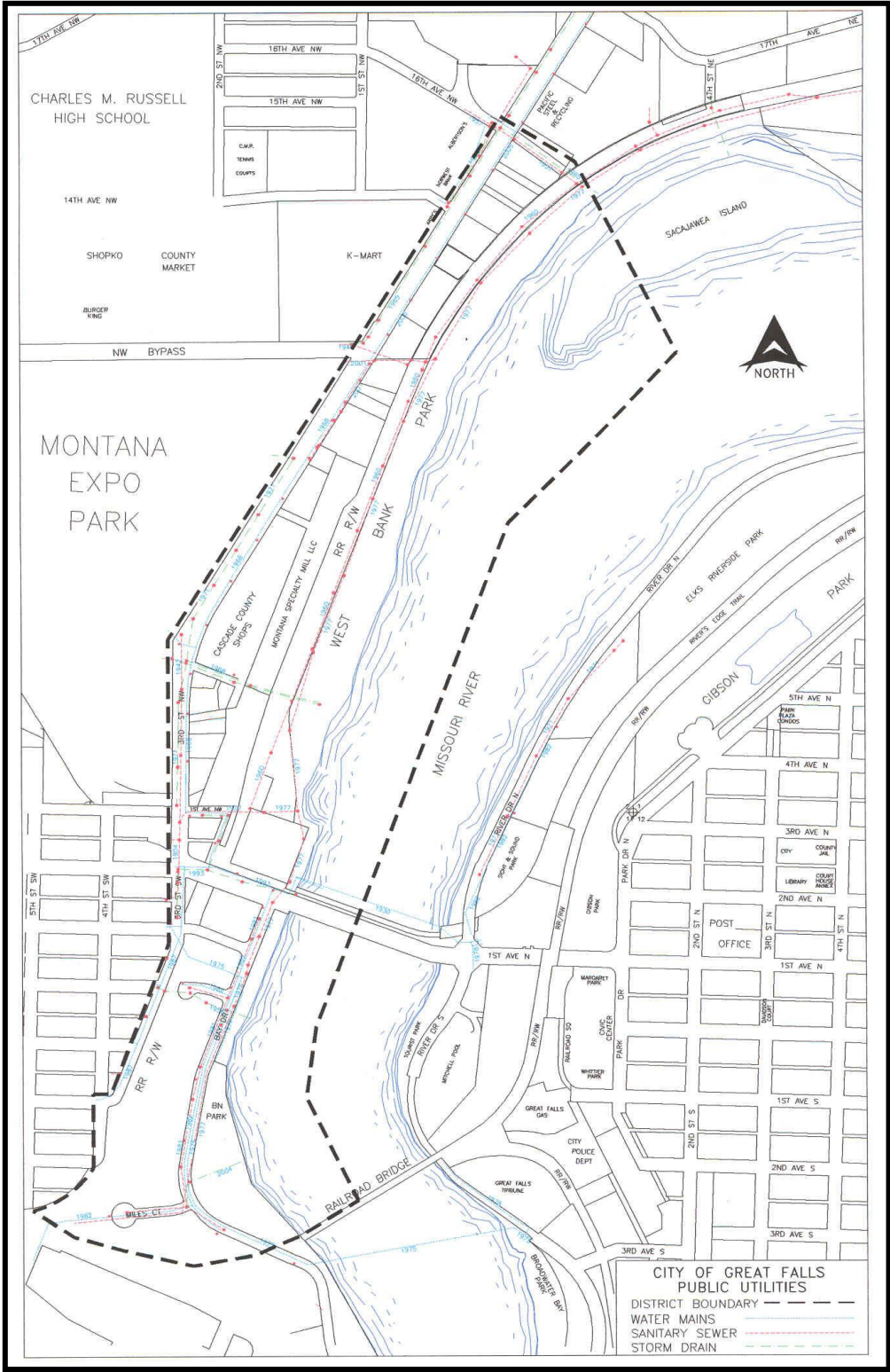
(SEAL OF CITY)

APPENDIX B – WEST BANK URBAN RENEWAL DISTRICT PARCEL DATA

Agenda #12.

OWNER OF RECORD	BUSINESS NAME/OCCUPANCY	STREET
GRH GLENWOOD LLC ETAL	WALGREENS (under construction)	3RD ST NW
CITY OF GREAT FALLS	SACAJAWIA ISLAND	
GRH GLENWOOD LLC ETAL	WALGREENS (under construction)	
GRH GLENWOOD LLC ETAL	WALGREENS (under construction)	3RD ST NW
ROGERS JEWELERS INC ETAL	ROGERS JEWELERS	3RD ST NW
BYPASS PROPERTY LLC (Outside City Limits)	BREEN OIL COMPANY	3RD ST NW
HENDERSON MICHAEL S & WILLIAM L	JOHNSON DISTRIBUTING	3RD ST NW
HENDERSON MICHAEL S & WILLIAM L		3RD ST NW
HENDERSON MICHAEL S ETAL		3RD ST NW
HENDERSON MICHAEL S ETAL		3RD ST NW
HILL RUSSELL & CATHERINE B		3RD ST NW
STOCKMAN BANK OF MONTANA	STOCKMAN BANK OF MONTANA	3RD ST NW
KRALICH JOANNE		
MONTANA SPECIALTY MILLS LLC	MONTANA SPECIALTY MILLS LLC	3RD ST NW
JOHNSON MOLLIE L ETAL	J BAR T INC	3RD ST NW
CASCADE COUNTY	CASCADE COUNTY SHOP COMPLEX	3RD ST NW
MONTANA COWBOYS ASSOCIATION INC	COWBOY'S BAR	3RD ST NW
MONTANA COWBOYS ASSN INC	COWBOY'S BAR	3RD ST NW
MONTANA COWBOYS ASSOCIATION	COWBOY'S BAR	4TH AVE NW
TALCOTT JAMES CONSTRUCTION INC		1ST AVE NW
FALLCAMP LLC		3RD ST NW
MITCHELL DEVELOPMENT & INVESTMENTS LLC		CENTRAL AVE W
FALLCAMP LLC		
FALLCAMP LLC		3RD ST NW
TALCOTT PROPERTIES LLC		3RD ST NW
TALCOTT JAMES CONSTRUCTION CO		
BURLINGTON NORTHERN SANTA FE RAILROAD CO	RIGHT OF WAY	BAY DR
CITY OF GREAT FALLS (West Bank Park - South End)	WEST BANK PARK	PARK-WEST BANK
SCHUMAN HENRY & ALICE		3RD ST NW
HIGH PLAINS PIZZA INC		3RD ST NW
MYHRE ADVERTISING		CENTRAL AVE W
MONTANA DEPT OF TRANSPORTATION	RIGHT OF WAY	
BUMBARGER FRED & PATRICIA S	PAYLESS FURNITURE	CENTRAL AVE W
HOLMAN GRAIN (Brick Building)		BAY DR
JORGENSEN ROBERT F JR		2ND AVE SW
HOLMAN GRAIN COMPANY		
HOLMAN GRAIN COMPANY		BAY DR
OKSNESS BERT		2ND AVE SW
BN LEASING CORPORATION		
ROBERTSON ENTERPRISES LLC		BAY DR
MARTIN JOHN L		2ND AVE SW
CITY OF GREAT FALLS (BN Park)	BN PARK	PARK-GARDEN HOME
BN LEASING CORPORATION		BAY DR
BURLINGTON NORTHERN SANTA FE RAILROAD CO		
MONTANA ELECTRIC COOPERATIVES ASSO ETAL	MONTANA ELECTRIC COOPERATIVES ASSOC.	BAY DR
BURLINGTON NORTHERN SANTA FE RAILROAD CO		BAY DR
BN LEASING CORPORATION		
BN LEASING CORPORATION		MILES CT
BN LEASING CORPORATION		
BN LEASING CORPORATION		
CITY OF GREAT FALLS (West Bank Park - North End)	WEST BANK PARK	

APPENDIX C. PUBLIC UTILITIES IN THE WEST BANK URBAN RENEWAL DISTRICT



APPENDIX D

ALLOWABLE USES OF TAX INCREMENT FUNDS

(Note: This is under revision by the 2007 Montana Legislature)

7-15-4288. Costs that may be paid by tax increment financing. The tax increments may be used by the municipality to pay the following costs of or incurred in connection with an urban renewal project, industrial infrastructure development project, technology infrastructure development project, or aerospace transportation and technology infrastructure development project:

- (1) land acquisition;
- (2) demolition and removal of structures;
- (3) relocation of occupants;
- (4) the acquisition, construction, and improvement of infrastructure, industrial infrastructure, technology infrastructure, or aerospace transportation and technology infrastructure that includes streets, roads, curbs, gutters, sidewalks, pedestrian malls, alleys, parking lots and offstreet parking facilities, sewers, sewer lines, sewage treatment facilities, storm sewers, waterlines, waterways, water treatment facilities, natural gas lines, electrical lines, telecommunications lines, rail lines, rail spurs, bridges, spaceports for reusable launch vehicles with associated runways and launch, recovery, fuel manufacturing, and cargo holding facilities, publicly owned buildings, and any public improvements authorized by parts 41 through 45 of chapter 12, parts 42 and 43 of chapter 13, and part 47 of chapter 14 and items of personal property to be used in connection with improvements for which the foregoing costs may be incurred;
- (5) costs incurred in connection with the redevelopment activities allowed under [7-15-4233](#);
- (6) acquisition of infrastructure-deficient areas or portions of areas;
- (7) administrative costs associated with the management of the urban renewal area, industrial district, technology district, or aerospace transportation and technology district;
- (8) assemblage of land for development or redevelopment by private enterprise or public agencies, including sale, initial leasing, or retention by the municipality itself at its fair value;
- (9) the compilation and analysis of pertinent information required to adequately determine the infrastructure needs of secondary, value-adding industries in the industrial district, the needs of a technology infrastructure development project in the technology district, or the needs of an aerospace transportation and technology infrastructure development project in the aerospace transportation and technology district;
- (10) the connection of the urban renewal area, industrial district, technology district, or aerospace transportation and technology district to existing infrastructure outside the district;
- (11) the provision of direct assistance, through industrial infrastructure development projects, technology development projects, or aerospace transportation and technology infrastructure development projects, to secondary, value-adding industries to assist in meeting their infrastructure and land needs within the district; and
- (12) the acquisition, construction, or improvement of facilities or equipment for reducing, preventing, abating, or eliminating pollution.



Commission Meeting Date: October 19, 2021

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Change Order #1: Civic Center Facade, OF 1525.2

From: Planning and Community Development

Initiated By: David Grosse, Senior Development Engineer

Presented By: Craig Raymond, Director, Planning and Community Development

Action Requested: Approve Change Order #1

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (approve/not approve) Change Order #1 in the amount of \$300,000.00 and increase the total contract amount from \$5,411,682.00 to \$5,711,682.00 for the Civic Center Facade.”

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

Staff Recommendation: Staff recommends that the City Commission approve Change Order #1.

Summary: An engineering study on the Civic Center Façade was conducted in 2016. The study was provided to the architectural firm and subsequent bidders prior to project award. The nature of these issues could not have been foreseen with the existing study as each of these conditions were concealed by the stone panels and parapet materials. Some underlying conditions were known to the contractor (from a one panel removed early in the process). The proposed Change Order addresses several issues discovered during the destructive exploratory demolition phase of the project. These issues are summarized in 7 categories as follows.

1. (RFI #2) Repair the Auditorium Parapet (there may be areas of the lower parapet that will require work later in the process but they aren't uncovered yet). Basically, when originally constructed, they used whatever materials they had to finish the parapet (the top of the wall), and cover it with the stone. With the new exterior, we want to set the new top stone pieces flat and level across the top of each wall, but the existing substrate construction was poorly constructed with irregular elevation changes. We proposed to have the contractor reconstruct as necessary to make it level. Possible impact: up to \$65,500.
2. (RFI #3) Brick sticking out up to 1" from the substrate material (not consistent at all). Once the panels are removed, there is sometimes a row of brick behind them that sticks into the stone attachment area of up to 1". The new panels will miss these bricks,

but in order to ensure the new attachment system will be level and plumb, some of these bricks may have to be either ground down, chipped, shimmed, or removed. Possible impact: up to \$46,500.

3. (RFI #4) Remove Excess Mortar. When they pull panels, some of them have so much excess mortar on the substrate wall, that it makes it impossible to set the new panels vertically plumb. There is substantially more mortar in some voids than in the test areas that were exposed earlier in the process. Much of the excess mortar needs to be pulled off/cleaned out. Possible impact: up to \$80,000
4. (RFI #5) Failed brick portion. One section of the brick wall has failed and is falling away from the substrate and should be removed, cleaned, and reinstalled. Possible impact: up to \$25,000.
5. (RFI #5) Steel Corrosion. During review of the failed brick portion, corroded steel structure has been identified. The structural team is reviewing this as a full system in the building, with more information to come later. Possible impact: TBD.
6. (RFI #6) Fly loft parapet. This parapet is in much better condition than the auditorium indicated above in item 1. But it isn't completely level across the top. Some of it has settled over time and should be re-leveled prior to panel installation. Possible impact: up to \$7,000.
7. Work through winter. Because of the extra prep they should be doing to the substrate, they can work through winter for much less cost than extending their schedule at the end. Possible impact: up to \$13,000.

Summary:

- A. The total for items 1-7 are a max of \$237,000. These capture most possible unknowns, but there are a few that we anticipate showing up as we get to other areas of the building, and addressing the steel corrosion in item 5 is still an unknown.
- B. With the \$300k change, we are still below the initial budgeted amount for the project.

Background:

Commission Award Date:

City Commission awarded the contract to Talisman Construction Services, Inc. on April 6th 2021. In the amount of \$5,411,682.00

Fiscal Impact: We currently have budget authority of \$6,000,000 in Tax Increment Bonds. Of this, \$5,711,682 would be committed. This leaves a balance of \$288,318. Future change orders, should there be any, can also be funded through other sources such as on-hand TIF cash balance, CARES Act funds and possibly limited ARPA funds.

Alternatives:

Not award - The City Commission could vote to deny the Change Order but this is not recommended by staff. If denied, staff would have to come up with an alternative change order to address the problems in a different way. At this point, no alternatives seem viable as they are directly related to shoddy construction and we don't intend to recommend continuing that practice.

Concurrences:

Fiscal Services and Planning & Community Development concur that the Change Order is important and should be supported.

Attachments/Exhibits:

OF 1525.2 Change Order #1



Talisman Construction Services Inc
PO Box 6189
Spokane, Washington 99217
P: +1 5094871292
F: 5094871485

Project: 2112 Great Falls Civic Center **Exterior**
Envelope Restoration
2 Park Dr S.
Great Falls, Montana 59401

RFI #2: Auditorium Roof Masonry Parapet

Status	Open		
To	Anthony Houtz (Cushing Terrell)	From	Matt Smith (Talisman Construction Services Inc)
Date Initiated	Sep 2, 2021	Due Date	Sep 8, 2021
Location		Project Stage	
Cost Impact		Schedule Impact	
Spec Section		Cost Code	
Drawing Number	1/A107	Reference	
Linked Drawings			
Received From			
Copies To			

Activity

Question	<p>Question from Matt Smith Talisman Construction Services Inc on Thursday, Sep 2, 2021 at 04:44 PM MDT</p> <p>Upon completing exploratory demolition operations for the auditorium, Talisman discovered that the parapet wall along the auditorium roof is constructed of masonry with areas that have significant irregularities (see attached picture labeled "Face of Parapet Wall"). The top of the parapet consists of a layer of mortar that served to even out the surface for install of the parapet caps. In some areas, the mortar bed is not level (see attached picture labeled "Top of Parapet Wall") and in most areas the mortar has deteriorated to a point that it can be easily removed by simply pulling it off with one's hand. In order to have a suitable surface for installing the new parapet caps, Talisman will need to remove the existing mortar and re-install a new layer that is sound and level. As this is an unforeseen site condition, will it be acceptable to track costs related to this work for reimbursement via change order?</p> <p>Attachments Top of Parapet Wall.JPG, Face of Parapet Wall.JPG</p>
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Awaiting an Official Response







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 F: 5094871485

Project: 2112 Great Falls Civic Center Exterior
Envelope Restoration
 2 Park Dr S.
 Great Falls, Montana 59401

RFI #3: Variation in Auditorium Substrate

Status	Open		
To	Anthony Houtz (Cushing Terrell)	From	Matt Smith (Talisman Construction Services Inc)
Date Initiated	Sep 2, 2021	Due Date	Sep 8, 2021
Location		Project Stage	
Cost Impact		Schedule Impact	
Spec Section		Cost Code	
Drawing Number		Reference	
Linked Drawings			
Received From			
Copies To			

Activity

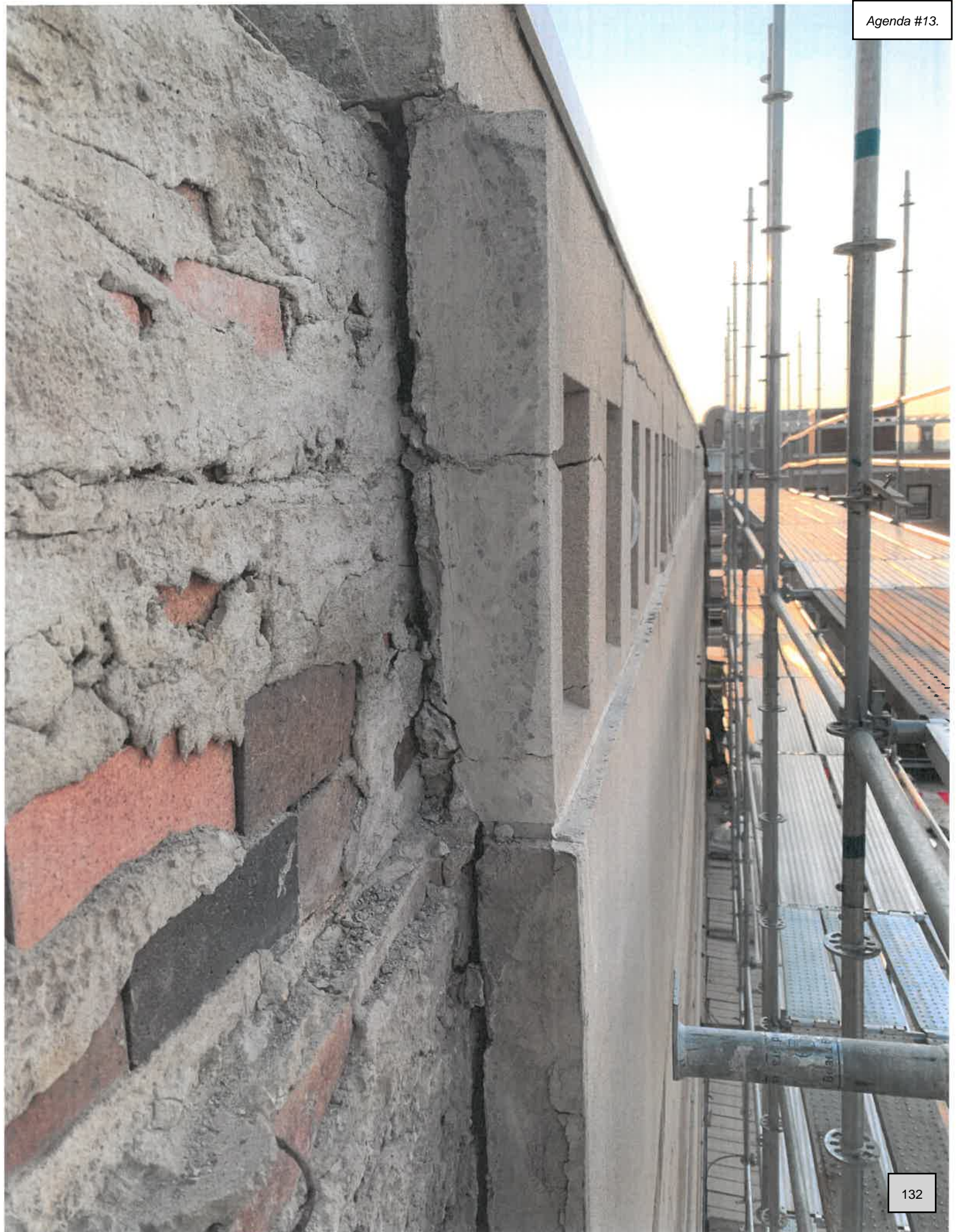
Question	<p>Question from Matt Smith Talisman Construction Services Inc on Thursday, Sep 2, 2021 at 05:14 PM MDT</p> <p>Exploratory demolition operations on the auditorium revealed the existence of a large amount of excess mortar that appears to have pushed out of the clay tile substrate as it was built and filled the void between the clay tile and the panels (see attached pictures labeled "Excess Mortar 1" and "Excess Mortar 2"). Talisman will need to remove this mortar in order to ensure that the panel clip system and associated anchors are installed properly into the clay tile substrate and also to ensure that the new panels can be installed in the proper vertical plane without interference from excess mortar.</p> <p>In addition to the excess mortar, Talisman also discovered several bands of masonry intermingled in the clay tile substrate. In some areas, this masonry band is proud of the clay tile by up to 1" (see attached pictures labeled "Substrate Relief 1" and "Substrate Relief 2"). Given the fact that the clip system for the new panels has a maximum adjustment of 5/8", this variation in the substrate will require Talisman to grind down the masonry band (or shim the clay tile) in some areas to provide the correct relationship between all anchor points of a given panel.</p> <p>As both of these represent unforeseen site conditions, will it be acceptable for Talisman to track costs associated with this work for future reimbursement via change order?</p>
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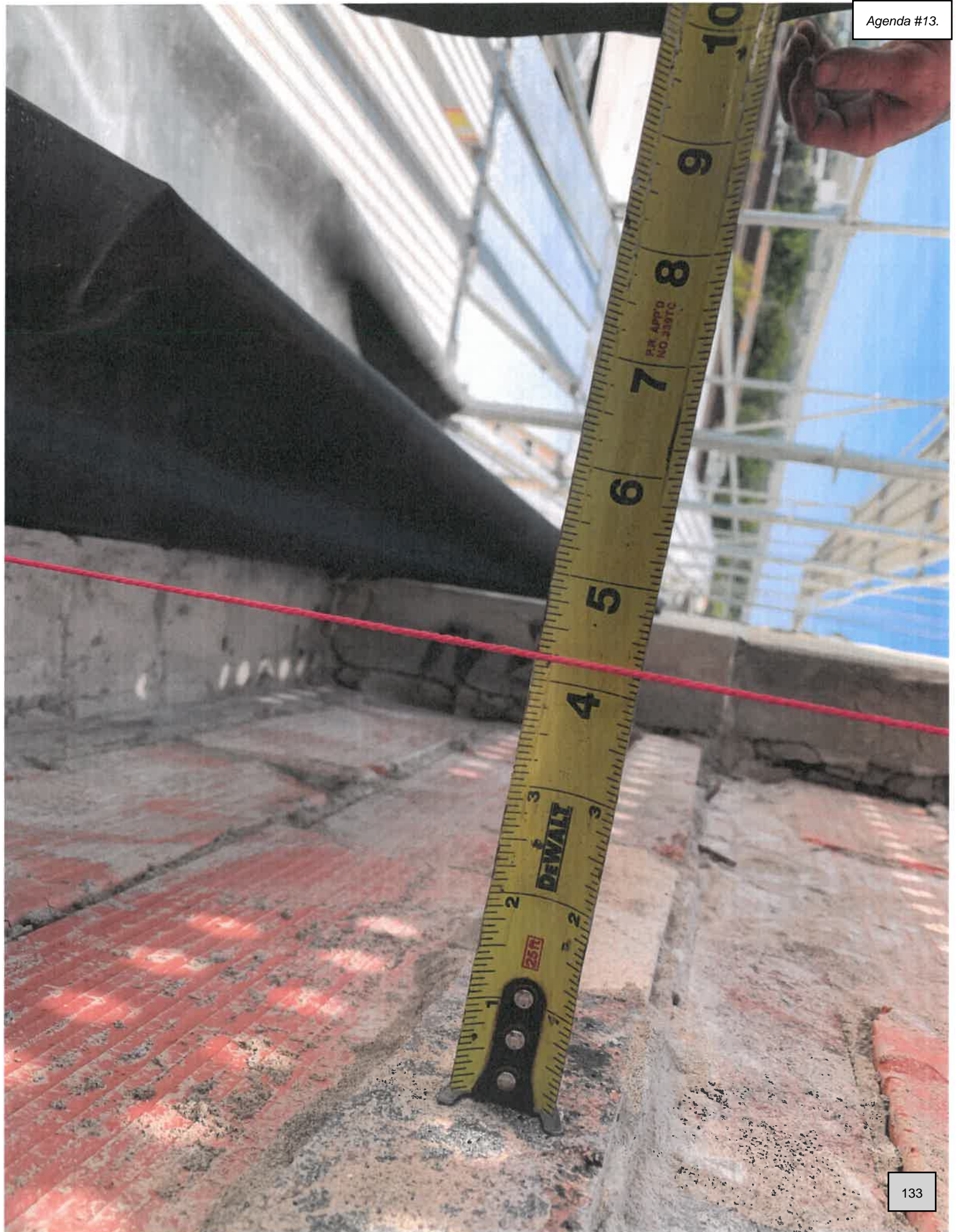
Attachments

[Substrate Relief 2.JPG](#), [Substrate Relief 1.JPG](#), [Excess Mortar 2.JPG](#), [Excess Mortar 1.JPG](#)

Awaiting an Official Response











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Project: 2112 Great Falls Civic Center **Exterior**
Envelope Restoration
 2 Park Dr S.
 Great Falls, Montana 59401

RFI #4: Holes/Voids in Auditorium Substrate

Status	Open		
To	Anthony Houtz (Cushing Terrell)	From	Matt Smith (Talisman Construction Services Inc)
Date Initiated	Sep 2, 2021	Due Date	Sep 8, 2021
Location	Project Stage		
Cost Impact	Schedule Impact		
Spec Section	Cost Code		
Drawing Number	Reference		
Linked Drawings			
Received From			
Copies To			

Activity

Question

Question from Matt Smith Talisman Construction Services Inc on Thursday, Sep 2, 2021 at 05:33 PM MDT

Exploratory demolition operations on the auditorium revealed numerous holes and voids in the clay tile substrate (see attached pictures). In order to minimize moisture infiltration from hot, humid air attempting to escape from the building interior, Talisman recommends sealing all of these voids prior to installation of the new panels. Does the design team have a preferred method for sealing these voids that will prevent moisture infiltration and also provide an adequate surface for mounting panel anchors in the event that a panel anchor lands in one of these locations?

In addition to sealing all voids in the substrate, Talisman recommends applying a weather barrier to the substrate in order to further mitigate the potential for moisture infiltration and subsequent damage to the new panels. Would the design team be willing to entertain a proposal to install a weather barrier system on the substrate?

Attachments
[Voids at Corner.JPG](#), [Voids in Clay Tile Wall.JPG](#)

Awaiting an Official Response







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Project: 2112 Great Falls Civic Center Exterior
Envelope Restoration
 2 Park Dr S.
 Great Falls, Montana 59401

RFI #5: Potential Structural Deficiencies - Auditorium North Elevation

Status	Open		
To	Anthony Houtz (Cushing Terrell)	From	Matt Smith (Talisman Construction Services Inc)
Date Initiated	Sep 16, 2021	Due Date	Sep 22, 2021
Location	Project Stage		
Cost Impact	Schedule Impact		
Spec Section	Cost Code		
Drawing Number	Reference		
Linked Drawings			
Received From			
Copies To			

Activity

Question

Question from Matt Smith Talisman Construction Services Inc on Thursday, Sep 16, 2021 at 09:59 AM MDT

Exploratory demolition related to masonry separation on the eastern portion of the auditorium's north elevation exposed a structural steel column with significant corrosion (see attached picture). Demolition also revealed the fact that none of the row locks in the masonry band between the upper and lower cast stone panels are tied into the substrate and therefore are essentially aesthetic in nature (see attached picture). Given these facts, Talisman recommends that a structural engineer review the area and provide guidance on how to address these issues.

Attachments

[Row Lock.jpeg](#), [Steel Column.jpeg](#)

Awaiting an Official Response







Talisman Construction Services Inc
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 P: +1 5094871292
 F: 5094871485

Project: 2112 Great Falls Civic Center Exterior
Envelope Restoration
 2 Park Dr S.
 Great Falls, Montana 59401

RFI #6: Fly Loft Parapet Elevation

Status	Open		
To	Anthony Houtz (Cushing Terrell)	From	Matt Smith (Talisman Construction Services Inc)
Date Initiated	Sep 28, 2021	Due Date	Oct 4, 2021
Location	Project Stage		
Cost Impact	Schedule Impact		
Spec Section	Cost Code		
Drawing Number	Reference		
Linked Drawings			
Received From			
Copies To			

Activity

Question

Question from Matt Smith Talisman Construction Services Inc on Tuesday, Sep 28, 2021 at 11:58 AM MDT

Exploratory demolition revealed a thick layer of mortar and clay tile pieces around the concrete substrate on the west side of the fly loft parapet (see attached pictures) that was not present on the east side of the parapet. Further investigation revealed a 7/8" difference in elevation between the top of the concrete substrate on the west side of the parapet when compared to the east side of the parapet. Shims will need to be furnished and installed along with the new parapet caps to account for this difference in elevation. Is this strategy acceptable? If so, can we track costs associated with this modification for reimbursement via change order?

Attachments

[Fly Loft Parapet 2.JPG](#), [Fly Loft Parapet 1.JPG](#)

Awaiting an Official Response







Commission Meeting Date: October 19, 2021

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Ordinance 3238 – An Ordinance by the City Commission of the City of Great Falls to rezone 14.7 acres addressed as 1300 River Drive North from Light Industrial and Mixed-Use Transitional to Planned Unit Development

From: Tom Micuda, Deputy Director, Planning and Community Development

Initiated By: Tye Habel (TC Glass) and Northern Hydraulics

Presented By: Craig Raymond, Director, Planning and Community Development

Action Requested: City Commission accept Ordinance 3238 on first reading and set a public hearing for November 2, 2021

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (accept/not accept) Ordinance 3238 on first reading and (set/not set) a public hearing for November 2, 2021.”

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

Staff Recommendation: The Zoning Commission recommended that the City Commission approve the applicants’ request for Planned Unit Development (PUD) zoning at the conclusion of a public hearing held on September 28, 2021. Staff also recommends approval of the applicants’ request, subject to the fulfillment of the following Conditions of Approval:

Conditions of Approval:

1. **General Code Compliance.** The proposed project shall be developed consistent with the conditions in this report, and all codes and ordinances of the City of Great Falls, the State of Montana, and all other applicable regulatory agencies.
2. **Land Use & Zoning.** Development of the property shall be consistent with the allowed uses and specific development standards of the underlying I-1 zoning district as well as the submitted PUD application.
3. **Subsequent Modifications and Additions.** If after establishment of the PUD, the owner proposes to expand or modify the use, buildings, and/or structures, the Director of the Planning and Community Development Department shall determine in writing if such proposed change would alter the finding for one or more review criteria. If such proposed changes would alter a finding, the proposal shall be submitted for review as a new development application. If such proposed change would not alter a finding, the owner shall obtain all other permits as may be

required.

4. **Section 17.20.3.060 of the Land Development Code.** If a future land use application includes a “permitted land use that emits air contaminants or potentially offensive odors outside of the building, or that handles radioactive materials, hazardous substances, hazardous waste, or regulated substances”, such application shall be subject to Conditional Use Permit review.
5. **Section 17.44.030 (G) Screening Between Uses.** Any industrial development activity, including material storage, in this PUD shall be subject to the landscape buffer requirements to protect existing residential uses.
6. **Legal Description Required.** Prior to City Commission adoption of the PUD ordinance, an accurate legal description matching the property requested for rezoning shall be submitted.
7. **Future Development of the 3.8 acre site along 14th Street.** Future development of the 3.8 acre area represented in the Northern Hydraulics application is subject to City staff verification that a legal parcel has been created by the applicant.

Background: For the last several months, City staff have been in discussions with the Great Falls Development Authority (GFDA) and the TC Glass company about the former Wausau Building Supply site located at 1300 River Drive North. TC Glass currently has a retail business operation located at 1019 8th Avenue North. Additionally, TC Glass has a glass production facility located outside the city limits at 2300 Vaughn Road. The production facility building on Vaughn Road is too small to accommodate all of the glass product storage needs for TC Glass. Several months ago, staff toured the facility with GFDA and the business owner, Tye Habel. Because of the building’s smaller size, glass and aluminum frame products being received have to be stored outside under large canopy structures.

The property located at 1300 River Drive North used to be the business location for Wausau Building Supply. There is an existing 105,000 square foot building on the property that has been vacant for the last several years. The building and surrounding property have been on the real estate market for some time, but the large size of the building makes it difficult to be used by a single business.

TC Glass has approached GFDA and City staff with an interest in using approximately 50,000 square feet of the existing building to consolidate its entire sales, office, and production operation. However, in order to move forward with its purchase of the property, the applicant has brought forward this rezoning request to share the building with a wider range of industrial tenants.

The 14.7 acres requested to be rezoned is actually composed of eight parcels that originally were platted as part of Great Falls 1st Addition. When the Burlington Northern/Santa Fe rail line was constructed through the original platted area and a portion of 13th Street North was vacated, the 14.7 acres was essentially bisected into two land areas. The western land area contains the former Wausau Building Supply operation. This site is roughly 10.9 acres and is bordered by River Drive to the north, 11th Street to the west, the rail line to the south, and the vacated 13th Street right of way to the east. The remaining portion of the 14.7 acre property is approximately 3.8 acres and is bordered by 14th Street North to the east, the rail line to the north, and the vacated right of way to the west. The second applicant for the request, Northern Hydraulics, wishes to purchase the 3.8 acres. They may eventually construct a new building at this location. Northern Hydraulics has a business location in Black Eagle that sells and repairs hydraulic components.

Because of the unusual history for how the eight parcels were created over many decades, the staff’s recommendation to the Planning Advisory Board required the submittal of a more accurate legal description for the properties being considered for rezoning. A proposed Certificate of Survey (COS) has since been submitted to City staff. The legal description from the submitted COS will be incorporated into

Ordinance 3238 and attached as Exhibit A. The ordinance also contains a provision that the ordinance effective date would extend beyond the typical 30 days if the COS has not been officially recorded.

PUD Zoning Request: The entire western site and most of the eastern site are zoned Light Industrial (I-1). A portion of the eastern site along 14th Street is zoned Mixed-Use Transitional (M-2). The applicants' request to create a Planned Unit Development is being driven by several factors: 1) eliminate the split zoning situation on the eastern tract, and 2) give the applicants the ability to market the sites to both light industrial and limited heavy industrial users.

Like many communities, Great Falls has two zoning districts designed to accommodate industrial land use activities.

The I-1 zoning district has the following purpose as outlined in the City's Land Development Code:

Light industrial. This district is intended to accommodate those types of activities typically associated with manufacturing of finished products, storage, and wholesale operations.

The second district is I-2 – Heavy Industrial. The purpose of this district is:

I-2 Heavy industrial. This district is intended to accommodate those activities associated with processing raw materials or other activities with potentially significant off-site impacts. Typically, the uses found in this district are not compatible with most types of non-industrial uses.

The applicants are requested the flexibility to market the sites, particularly the remaining portion of the Wausau Supply Building, for businesses that manufacture products made from raw materials. Normally, this would require the applicants to rezone the property to Heavy Industrial (I-2). However, the applicants are sensitive to the concern that other permitted land use activities in the Heavy Industrial zoning district might raise concerns from surrounding property owners. To alleviate potential concerns, the applicants' PUD zoning request for the property allows them to submit their own list of permitted land uses and development standards. This information, which is attached, will use the underlying I-1 zoning district. The only substantive land use added is the proposed allowance for limited Heavy Industrial businesses. This allows the City to specifically prohibit the following land uses that would otherwise be allowed in an I-2 district:

- Fuel Tank Farm
- Telecommunication facilities
- Junkyards
- Motor Vehicle Graveyards
- Motor Vehicle Wrecking Facilities

Staff Analysis: There is no question in staff's mind that the applicants' choice to bring forward a PUD request is preferable to simply rezoning the property to I-2. The policy question for the City Commission is whether to allow the Heavy Industrial land use request to create more flexibility for the applicants to potentially add another business that would manufacture raw materials. To assist the Commission with this decision, the *Industrial, Heavy* is noted below:

- "Industrial, heavy" means a place and/or building, or portion thereof, that is used or is intended for the following or similar uses: processing or manufacture of materials or products predominantly from extracted or raw materials; storage of or manufacturing processes using flammable or explosive materials; or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions. The term includes motor vehicle assembly, oil refineries, textile

production, sawmills, post and pole plants, log yards, asphalt and concrete operations, primary metal processing, and the like.

A cursory reading of this definition may initially cause concern to allow such a land use in this location. However, staff notes the following factors that should mitigate such concerns:

1. **City staff authority to designate certain heavy industrial users for Conditional Use review.** Section 17.20.3.060 of the City's Land Development Code states, "a permitted land use that emits air contaminates or potentially offensive odors outside of the building, or that handles radioactive materials, hazardous substances, hazardous waste, or regulated substances shall be considered a conditional use in every circumstance." This provision clearly gives staff the discretion to forward certain heavy industrial users for public hearing review if there are questions about negative impacts. Many operations that store/manufacture raw materials can be accomplished without negative impacts to adjoining owners.
2. **Both of the applicants have business operations which are permitted as Light Industrial uses.** The only immediate action that will occur on the property is occupancy of the eastern half of the former Wausau Building Supply site. All other future requests will be subject to permit review by City staff, including the City's Fire Rescue Department and Public Works Environmental Division.
3. **The City has additional codes in place that address industrial user impacts.** In addition to the City's permit review process, the City has other ordinances that regulate noise, nuisances (such as odors), and even the location of truck routes.
4. **The property location is good for a possible heavy industrial option.** Specifically, the property is located adjacent to a rail line and is bordered by two major streets (River Drive and 14th). It is extremely well buffered with landscaping along River Drive. It is also surrounded by nonresidential zoning on all sides. There are three existing residential homes that are only separated from the 14.7 acre site by the rail line and a chain link fence. However, the City landscape code would require that area to be buffered with landscaping.

Additional justification for the applicants' request can be found in the PUD Basis for Decision included as an attachment to this agenda report.

Neighborhood Council Input: Staff, a representative from GFDA, and the applicants' representative, Woith Engineering, all attended the Neighborhood Council District #7 meeting held on September 13. The Council meeting was well attended, with the project generating a number of questions. Ultimately, the Council voted unanimously, 4-0, to recommend in favor of the applicants' request. The policy issue that was discussed was whether this property should be redeveloped in keeping with other mixed use development activity along River Drive North. Ultimately, the fact that there is a 105,000 square foot building on the property with many years of useful life made the Council understand that demolition and mixed use development is not a realistic scenario at this time.

Fiscal Impact: If the requested zoning change is approved, there would be significant financial benefits for the City of Great Falls. First, TC Glass would immediately relocate its glass production operation from the County to within city limits. Second, the flexibility of having a heavy industrial land use allowed for the property will make it more likely that the additional acreage on the Wausau site will be leased and that the 3.8 acres along 14th Street will be sold and redeveloped. Finally, there are significant employment benefits that accompany the TC Glass proposal.

Alternatives: The City Commission could decide not to set the public hearing for the rezoning request.

Concurrences: The applicants' request was distributed to all City departments for review and comment. No agency expressed concerns about the change in zoning to Planned Unit Development.

Attachments/Exhibits:

Ordinance 3238

Ordinance 3238 Exhibit A

Findings of Fact/Basis of Decision – Planned Unit Development

Aerial Map

Zoning Map

Applicants' Combined Narrative

Development Standards Chart – Light Industrial Zoning District

ORDINANCE 3238

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA TO REZONE THE PROPERTIES LEGALLY DESCRIBED AS: LOT 2 OF AMENDED PLAT 4299, TRACT 1 OF AMENDED PLAT 4898, AND PORTIONS OF BLOCKS 27, 28, 29, 35, 37, AND 38, AND PORTIONS OF ABANDONED RIGHTS-OF-WAYS ALL IN THE FIRST ADDITION TO GREAT FALLS TOWNSITE INCLUDING PARCELS 1-6, SITUATED IN THE E1/2, NE1/4 OF SECTION 1, TOWNSHIP 20 NORTH, RANGE 3 EAST, AND THE W1/2, NW1/4 OF SECTION 6, TOWNSHIP 20 NORTH, RANGE 4 EAST, P.M.M, CITY OF GREAT FALLS, CASCADE COUNTY, MONTANA, FROM I-1 LIGHT INDUSTRIAL AND M-2 MIXED-USE TRANSITIONAL TO PUD PLANNED UNIT DEVELOPMENT ZONING DISTRICT

* * * * *

WHEREAS, the subject properties, located at 1300 River Drive North, and legally described above, are presently zoned I-1 Light Industrial and M-2 Mixed-Use Transitional; and

WHEREAS, the owner, WS Great Falls Real Estate, Inc. (Charlie Herwig), has petitioned the City of Great Falls to rezone said properties to PUD Planned Unit Development zoning district; and

WHEREAS, the Great Falls Zoning Commission conducted a public hearing on October 28, 2021, to consider said rezoning from I-1 Light Industrial and M-2 Mixed-use Transitional to PUD Planned Unit Development zoning district and, at the conclusion of said hearing, passed a motion recommending the City Commission rezone the property legally described as Lot 2 of Amended Plat 4299, Tract 1 of Amended Plat 4898, and portions of Blocks 27, 28, 29, 35, 37, and 38, and portions of abandoned rights-of-ways all in the First Addition to Great Falls Townsite including Parcels 1-6, situated in the E1/2, NE1/4 of Section 1, Township 20 North, Range 3 East, and the W1/2, NW1/4 of Section 6, Township 20 North, Range 4 East, P.M.MT, City of Great Falls, Cascade County, Montana; and

WHEREAS, notice of assigning said zoning classification to the subject property was published in the *Great Falls Tribune* advising that a public hearing on this zoning designation would be held on the 2nd day of November, 2021, before final passage of said Ordinance herein; and

WHEREAS, following said public hearing, it was found and decided that the zoning map amendment on said property meets the Basis of Decision requirements in the Official Code of the City of Great Falls (OCCGF), Section 17.16.29.050, and that the said rezoning designation be made.

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

Section 1. It is determined that the herein requested rezoning meets the criteria and guidelines cited in Mont. Code Ann §76-2-304, and Section 17.16.29.050 of the OCCGF.

Section 2. That the property legally described as: Lot 2 of Amended Plat 4299, Tract 1 of Amended Plat 4898, and portions of Blocks 27, 28, 29, 35, 37, and 38, and portions of abandoned rights-of-ways all in the First Addition to Great Falls Townsite including Parcels 1-6, situated in the E1/2, NE1/4 of Section 1, Township 20 North, Range 3 East, and the W1/2, NW1/4 of Section 6, Township 20 North, Range 4 East, P.M.MT, City of Great Falls, Cascade County, Montana be rezoned to PUD Planned Unit Development as shown in Exhibit A.

Section 3. This ordinance shall be in full force and effect thirty (30) days after its passage and adoption by the City Commission, or upon the Certificate of Survey depicted in Exhibit A being recorded with the Cascade County Clerk and Recorder, whichever is later.

ACCEPTED by the City Commission of the City of Great Falls, Montana on first reading October 19, 2021.

ADOPTED by the City Commission of the City of Great Falls, Montana on second reading November 2, 2021.

Bob Kelly, Mayor

ATTEST:

Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

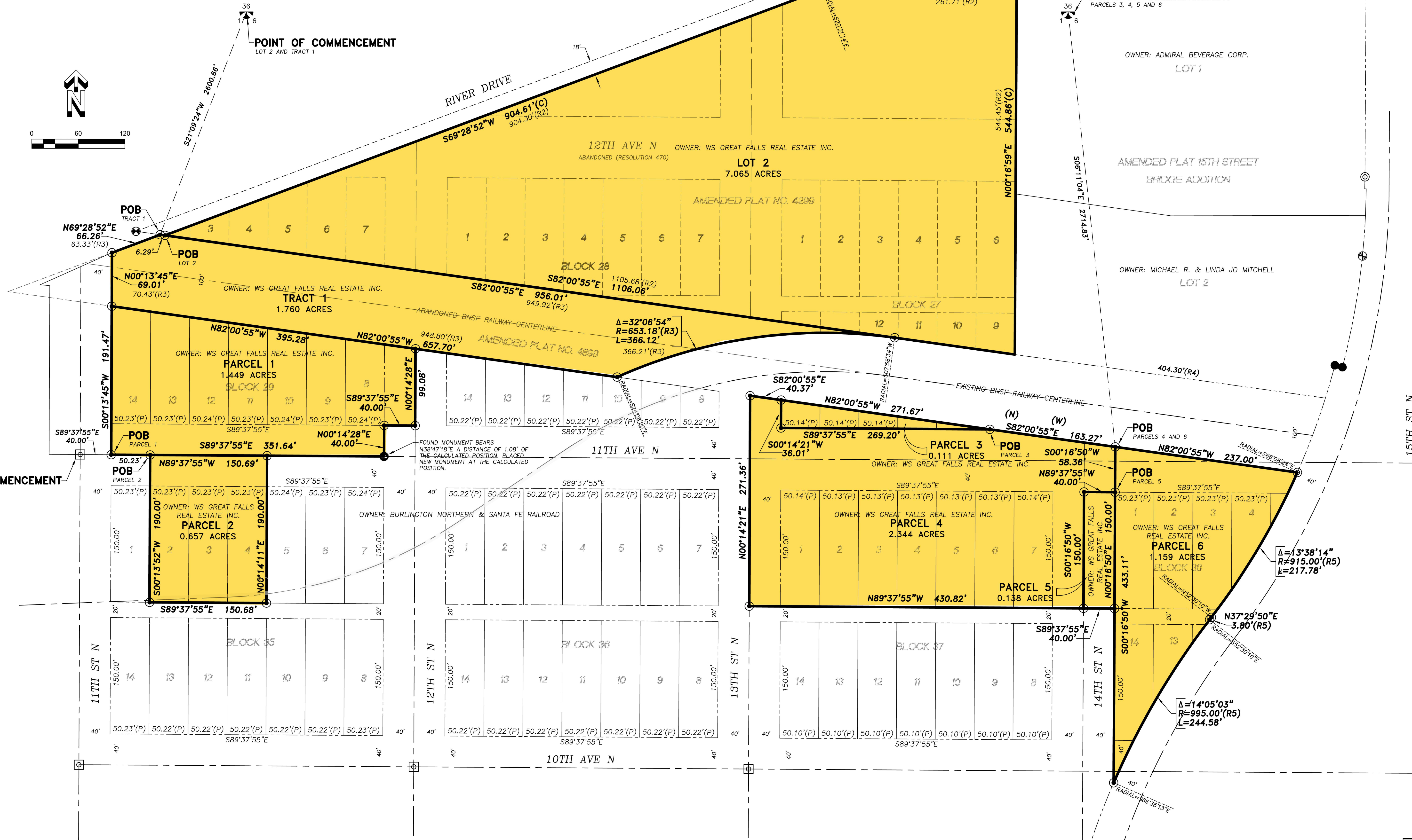
Jeffrey M. Hindoen, City Attorney

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 3238 on the Great Falls Civic Center posting board and the Great Falls City website.

Lisa Kunz, City Clerk

(CITY SEAL)

[illegible]

FINDINGS OF FACT/BASIS OF DECISION – PLANNED UNIT DEVELOPMENT

For a 14.7 acre tract addressed as 1300 River Drive North – Proposed rezoning from Light Industrial (I-1) and Mixed-Use Transitional (M-2) to PUD

PRIMARY REVIEW CRITERIA:

The basis for decision on planned unit developments are listed in Official Code of the City of Great Falls § 17.16.29.050 of the Land Development Code. The recommendation of the Zoning Commission and the decision of City Commission shall, at a minimum, consider the following criteria:

1. The development project is consistent with the City's growth policy;

The proposed development is consistent with the overall intent and purpose of the 2013 City Growth Policy Update. More specifically, the proposed rezoning to stimulate redevelopment of the property is consistent with the following policies:

Environmental

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

Economic

- Eco3.2.7 – Identify potential growth areas to accommodate the demands created by the building industry and trade in the area.
- Eco3.4.4 – Continue to offer incentives to responsible developers and employers.
- Eco3.7.6 – In keeping with the City's industrial heritage, develop, maintain and utilize infrastructure that ensures "shovel ready" industrial sites.
- Eco 3.7.8 – Encourage entrepreneurship and free market innovation.
- Eco 3.7.9 – Develop incentives, such as expedited permitting, for brownfield redevelopment, infill, and other highly desired but challenging projects.

2. The development project is consistent with applicable 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 District #7. As noted in the agenda report, Council District #7 heard the applicant's request at their September 13 meeting and voted unanimously to support the PUD zoning designation.

3. The establishment, maintenance, or operation of the development project will not be detrimental to, or endanger the public health, safety, morals, comfort or general welfare;

The immediate development request for TC Glass to occupy about 50,000 square feet of the existing building on the property is considered a permitted light industrial use and will allow all storage and manufacturing to be contained indoors. Over the longer term, if a heavy industrial use is proposed for the property, it will be reviewed during the permit process to ensure compliance with all City codes. This includes review to make sure a Conditional Use Permit is not

required as well as review by the City's Environmental Division for compliance with storm water standards as well as industrial pre-treatment requirements.

4. The development project will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;

As noted in the agenda report, the property is well located for industrial development. All surrounding properties are zoned nonresidential, and the property is additionally buffered by heavy landscaping along River Drive and railroad tracks along the southern boundary. In the conditions of approval section of the agenda report, staff has noted that future industrial development near several nonconforming homes south of the parcel will be required to provide landscape buffering.

5. The development project will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;

Properties surrounding the rezoning site are largely developed with nonresidential uses. The proposed rezoning request will not change the status of the properties, and may stimulate increased redevelopment with higher value land uses.

6. The proposed design of the building and other structures are compatible with the desired character of the neighborhood;

No immediate building construction is proposed. Short-term redevelopment of the former Wausau Supply building will simply re-activate the vacant building. The property is not located in a neighborhood environment.

7. Adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided;

The property is already served with City water, sewer, and storm water infrastructure. As noted in the agenda report, the property is also located along two major streets that can accommodate truck traffic. Individual access points to both 14th Street North and 11th Street North will be subject to review at the time of development.

8. Adequate measures have been or will be taken to provide ingress and egress so as to minimize traffic congestion in the public streets;

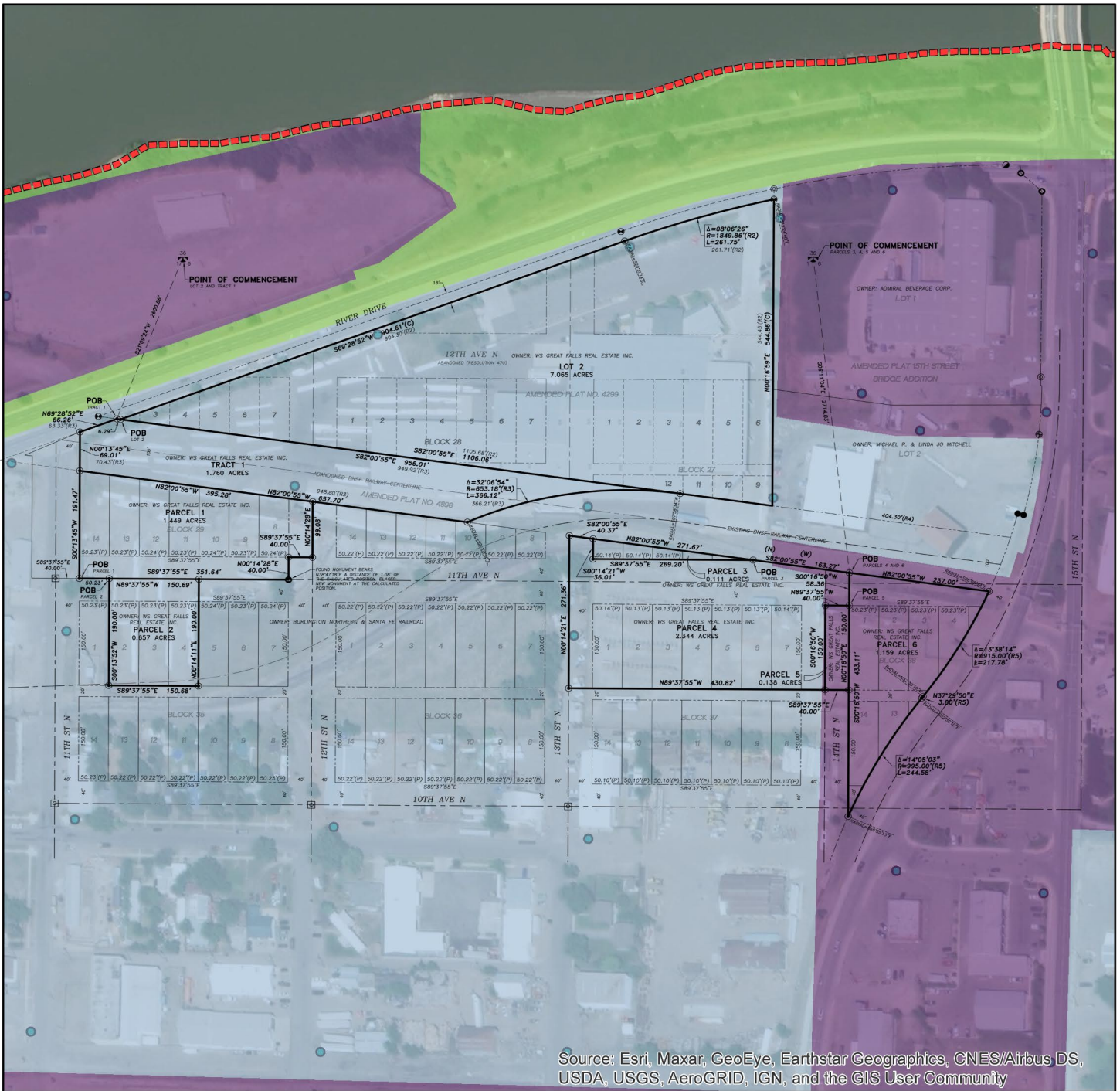
The finding for this criterion is addressed Criterion #7.



275 137.5 0 275 Feet



Zoning Map



- M-2 Mixed-use Transitional
- I-1 Light Industrial
- POS Parks and Open Space

275 137.5 0 275 Feet





SEPTEMBER 1, 2021

Mr. Tom Micuda, AICP – Deputy Director
City of Great Falls – Planning and Community Development
Civic Center, Room 112
Great Falls, MT 59403
(406) 454-0495

RE: TC Glass Planned Unit Development

Mr. Micuda

Attached please find our Planned Unit Development (PUD) submittal in the form of the information plan and data as required by the City of Great Falls for the above referenced project. Wolth Engineering is submitting this request on behalf of our client.

Our submittal includes the following:

1. City of Great Falls PUD Application
2. Site Plan

The area proposed for a rezone by TC Glass and Northern Hydraulics is located off of River Drive North in a historically Industrial Area. This site is currently utilizing rail service via Burlington Northern Santa Fe Railroad. The major building on the site formerly housed Lumber Yard Supply and was most recently occupied by Wausau Supply Company.

The site lies just to the south of the River Drive North and East of 11th Street North. The total acreage is approximately 14.9 acres.

Please contact me at your convenience if you require additional information or clarification of the attached.

Sincerely,

Wolth Engineering, Inc.



Spencer Wolth
President

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GREAT FALLS, MT 59404
(406) 761-1955

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3860 O'LEARY STREET, SUITE A
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PURPOSE AND INTENT

a) Project Overview and Goals

The proposed rezone to PUD intends to allow the continued industrial type activities that have been active on the property for years. The Current Zoning is both M-2 Mixed Use Transitional and I-1 Light Industrial, the City Description of Light Industrial is as follows:

I-1 Light industrial. This district is intended to accommodate those types of activities typically associated with manufacturing of finished products, storage, and wholesale operations.

M-2 Mixed-use transitional. This district is intended to promote a transition over time to a predominately mixed-use land use pattern. Because of changing economic conditions and other factors, some current uses do not represent the highest and best use, given other more suitable areas. Current industrial uses and warehouses are not considered nonconforming. As such, current industrial uses and warehouses existing at the time this Title was adopted are allowed to expand or to be re-established, if damaged, provided development and appearance standards under the purview of the Design Review Board are met. (See Chapter 28, Section 17.28.050.) Uses characteristic of this district are the same as those found in the previously described M-1 District.

The above description also flows a matrix of permitted, conditional and non-allowable uses. Some of the intended operations on this parcel falls into a non-allowable use under both M-2 Mixed Use Transitional and the I-1 Light Industrial Zoning. The next available zoning that would allow for these uses is I-2 Heavy Industrial Zoning. The City Description of Heavy Industrial Zoning is as follows:

I-2 Heavy industrial. This district is intended to accommodate those activities associated with processing raw materials or other activities with potentially significant off-site impacts. Typically, the uses found in this district are not compatible with most types of non-industrial uses.

The intent of this zoning request is to use the I-1 Light Industrial Zoning as the underlying zoning and add some of the uses that would be found in I-2 Heavy Industrial Zoning, but not all of the allowed uses. This puts some side boards on



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the allowable uses that are just slightly wider than the current zoning, closely maintaining the current zoning of the parcel yet allowing a little flexibility for certain defined uses.

b) Overall design concept to include, use categories, themes, or other significant features

TC Glass is interested in occupying 50,000 sf in the former Wausau Building consolidating their two operations and providing room for expansion. The PUD is being requested to provide the flexibility to allow for occupation of the buildings and yard by a user or users that import, store and use raw materials and produce an end product. This facility is served by the rail and creates a unique opportunity for these types of uses. At some point in the future potential new buildings could be constructed. The southeastern approximately 3.5 acre parcel will most likely be the first parcel to have new construction on it. Any new construction will be subject to all applicable codes and requirements including those in this zoning should it be approved.

Land Use Plan

a) Description of proposed land use categories, include acreages and location if more than one land use category is proposed

The overall concept is to maintain the historically industrial use of the property. There are some potential uses that lie outside of the current allowed uses in the I-1 zoning that the property is currently zoned.

b) Brief discussion of the Conceptual Site Plan

There are no defined plans as to what any new buildings or expansion would be at this time. The property will be broken into two separate parcels at some point in the future. Any new construction will be subject to all applicable codes and requirements including those in this zoning should it be approved.

Site Conditions and Location

a) Acreage

The overall site proposed for the development contains 14.9 acres.



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b) Location in relation to major intersections or areas of regional significance

The parcel lies just to the south of the River Drive North and East of 11th Street North. The total acreage is approximately 14.9 acres. A portion of the parcel abuts 14th Street North close to the intersection of 10th Avenue North.

c) Topography and natural features

A majority of the parcel is comprised of a warehouse facility and accompanying parking lots and semi-truck access. The site has a drainage ditch on the east side of the parcel and boulevard landscaping facing River Drive North.

Zoning and Land Use Compatibility

a) Describe existing zoning on and adjacent to site, to include conformance with the objectives, policies, design guidelines, and planned land uses and intensities of all applicable planning areas

The current zoning assigned to the parcel is both I-1 Light Industrial Zoning and M-2 Mixed Use. The parcel is currently cross zoned with both zoning districts. The majority of the parcel boundary abuts currently zoned I-1 Parcels. The majority of adjacent uses are commercial and industrial of nature at this time.

b) Describe existing land uses on and adjacent to site

The majority of adjacent uses are commercial and industrial of nature at this time. Including contractor yards, auto repair facilities, distribution warehouses and rail road parcels.

c) Describe existing and adjacent character

The character of both the subject parcel and the adjacent parcels are mostly commercial and industrial in character and use.

List of Uses

a) Permitted Uses



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Land uses for this development will follow the zoning regulations.

Development Standards

- a) Density and number of dwelling units
- b) Minimum lot width/depth
- c) Building setbacks/build to lines
- d) Landscape setbacks
- e) Building separation
- f) Height
- g) Lot coverage
- h) Division of Uses

Development Standards a-h will all be the same as the underlying I-1 zoning district requirements.

Design Guidelines

The Guidelines for Design Review section of the Zoning Ordinance establishes minimum design guidelines for development. The PUD Narrative is expected to exceed these standards by meeting the Objectives outlined in the Planned Unit Development Basis of Decision (17.16.29.050)

Signs

- a) Location

All signage will be located at the current locations on the parcel or will be subject to the code requirements already established by the City of Great Falls Sign Code.

- b) Size

All signage will be subject to the City of Great Falls Sign Code

Infrastructure

- a) Circulation Systems (streets, pedestrian circulation, trails, etc.)

There is no plan to amend the vehicular or pedestrian circulation from the current operation.



SEPTEMBER 1, 2021

b) Grading and Drainage

The site has will remain as design except for any potential new buildings or expansion. At this time those have not been identified and or designed. In the future those improvements will be subject to the requirement of the City of Great Falls and any other applicable government agencies.

c) Water and Wastewater Services

Public water currently serves the building and there is no intent to change.

A public wastewater currently serves the building and there is no intent to change.

Phasing Plan**a) If no Phasing plan is proposed, state that there is no Phasing Plan**

There is no phasing plan proposed for the project.

EXHIBITS		INCLUDED Y/N
a)	Comparative Zoning Standards Table (to include applicable existing and proposed zoning standards)	N
b)	Legal Description	Y – SITE PLAN
c)	Area Vicinity Map	Y
d)	Aerial Map	Y
e)	Zoning Map (existing/ proposed)	N
f)	Land Use Plan	Y
g)	Conceptual Site Plan	Y
h)	Conceptual Elevations	N

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 SEPTEMBER 1, 2021

i)	Conceptual Landscape Plan	N
j)	Thematic Street Cross Sections	N
k)	Circulation Plan	N
l)	Sign Plan	N
m)	Color Palette	N
n)	Phasing Plan	N
o)	Traffic Study or Statement (as applicable)	N/A

Principal Uses	M-2	I-1	I-2	PUD
Agricultural Uses				
Agriculture, horticulture, nursery	-	P	P	P
Residential Uses				
Mobile home/park	-	-	-	-
Residence, single-family detached	P	-	-	-
Residence, zero lot line	P	-	-	-
Residence, two-family	P	-	-	-
Residence, multi-family	P	-	-	-
Residence, townhouse	P	-	-	-
Residence, manufactured/factory-built	P	-	-	-
Retirement home	P	-	-	-
Special Care Facilities				
Community residential facility, type I	P	-	-	-
Community residential facility, type II	C	-	-	-
Day care center	P	-	-	-
Emergency shelter	C	-	-	-
Family day care home	P	-	-	-
Group day care home	P	-	-	-
Nursing home	P	-	-	-
Overnight Accommodations				
Campground	-	-	-	-
Hotel/motel	P	-	-	-
Food and Beverage Sales				
Micro-brewery	C	P	-	P
Restaurant	P	P	P	P
Tavern	C	P	P	P
General Sales				
Agriculture sales	-	P	P	P
Auction sales	-	P	P	P
Construction materials sales	-	P	P	P
Convenience sales	-	P	P	P
General sales	P	P	P	P
Manufactured housing sales	-	P	P	P
Off-site liquor sales	C	P	P	P

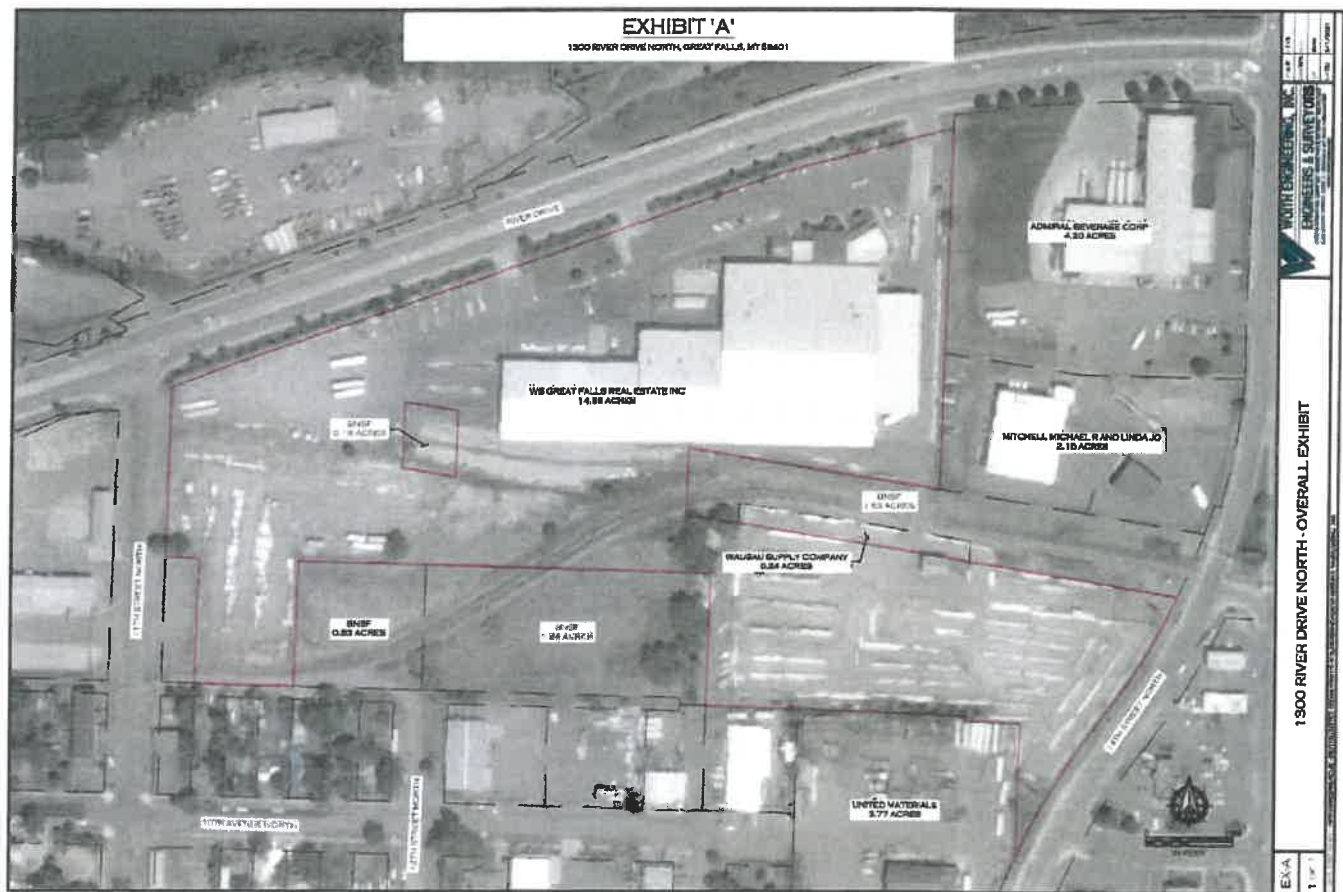
Secondhand sales	-	P	P	P
Shopping center	-	P	P	P
General Services				
Administrative services	P	-	-	-
Commercial kennel	-	P	-	P
Financial services	P	-	-	-
Funeral home	P	-	-	-
General services	P	P	P	P
Professional services	P	-	-	-
Sexually-oriented business	-	P	P	P
Veterinary clinic, large animal	-	P	P	P
Veterinary clinic, small animal	P	P	P	P
Rental and General Repair				
Large equipment rental	-	P	P	P
Small equipment rental	-	P	P	P
General repair	-	P	P	P
Vehicle Trade and Service				
Vehicle fuel sales	-	P	-	P
Vehicle repair	-	P	-	P
Vehicle sales and rental	-	P	-	P
Vehicle services	P	P	-	P
General Storage				
Agricultural commodity storage facility	-	P	P	P
Climate controlled indoor storage	P	P	P	P
Fuel tank farm	-	-	P	-
Mini-storage facility	C	P	P	P
Freight terminal	-	P	P	P
Warehouse	C	P	P	P
Indoor Recreation/Sports/Entertainment				
Casino, type I	-	P	P	P
Casino, type II	-	P	P	P
Indoor entertainment	C	-	-	-
Indoor sports and recreation	C	P	-	P
Outdoor Recreation/Sports/Entertainment				
Golf course/driving range	-	-	-	-
Miniature golf	C	C	-	C
Outdoor entertainment	-	C	-	C
Park	P	P	P	P
Recreational trail	P	P	P	P
Community Services/Uses				
Administrative governmental center	P	-	-	-
Animal shelter	C	P	-	P

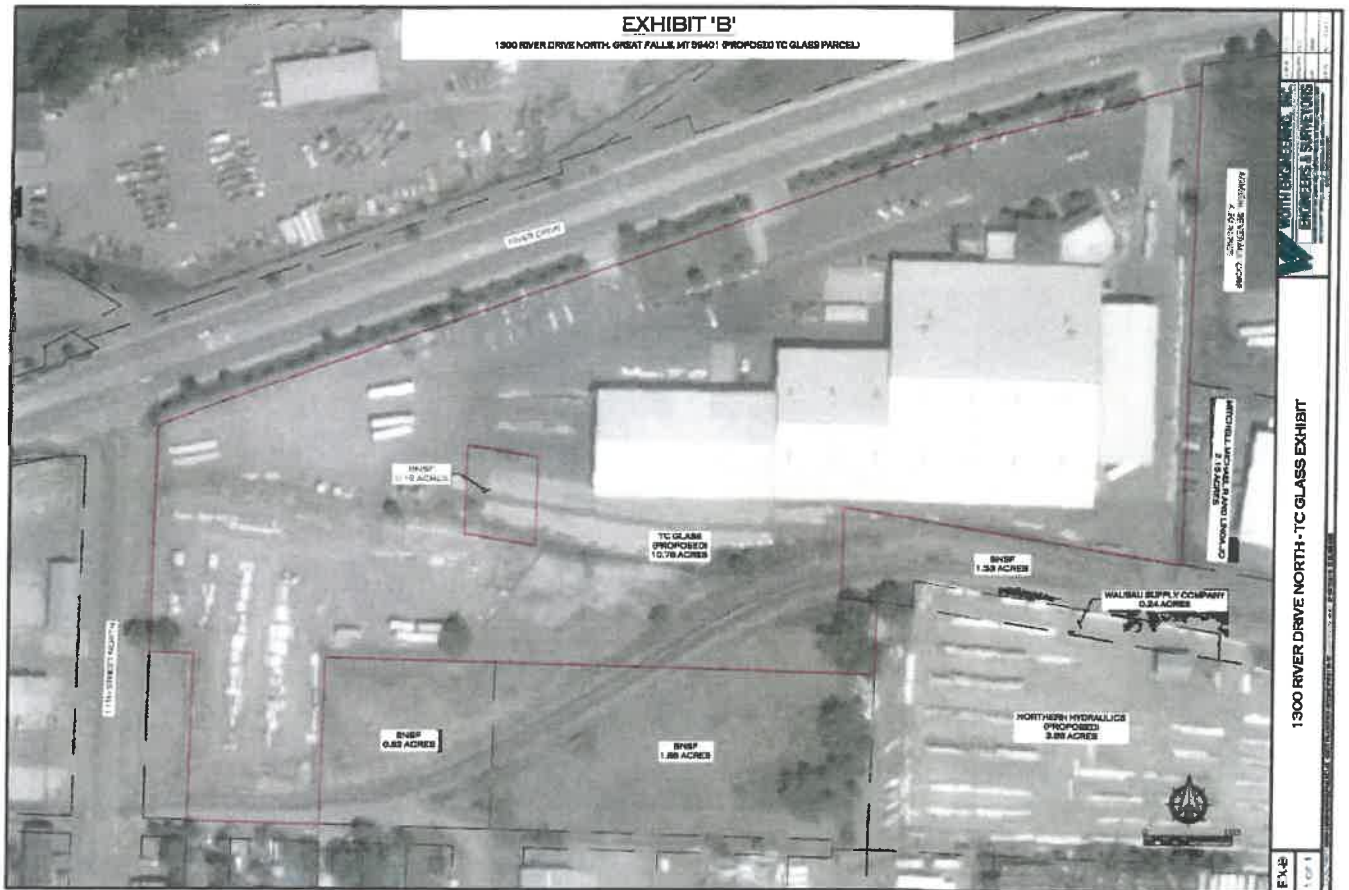
Cemetery	-	-	-	-
Civic use facility	P	-	-	-
Community center	P	-	-	-
Community cultural facility	P	-	-	-
Community garden	P	C	C	C
Public safety facility	P	P	-	P
Worship facility	P	-	-	-
Health Care				
Health care clinic	P	-	-	-
Health care facility	C	-	-	-
Health care sales and services	P	-	-	-
Education				
Commercial education facility	P	P	-	P
Educational facility (K—12)	C	-	-	-
Educational facility (higher education)	C	-	-	-
Instructional facility	P	P	-	P
Solid Waste, Recycling and Composting				
Composting facility	-	C	P	C
Recycling center	-	C	P	C
Solid waste transfer station	-	C	P	C
Telecommunications				
Amateur radio station	-	-	-	-
Telecommunication facility	-	-	-	-
Concealed facility	P	P	P	-
Unconcealed facility	C	P	P	-
Co-located facility	C	P	P	-
Utilities				
Utility installation	C	C	P	-
Transportation				
Airport	-	-	-	-
Bus transit terminal	C	P	-	P
Heli-pad	C	P	P	-
Parking lot, principal use	P	P	P	P
Parking structure	P	P	P	P
Railroad yard	-	P	P	P
Taxi cab dispatch terminal	P	P	-	P
Contractor Yards				
Contractor yard, type I	P	P	-	P
Contractor yard, type II	C	P	P	P
Industrial/Manufacturing				
Artisan shop	P	P	-	P
Industrial, heavy	-	-	P	P

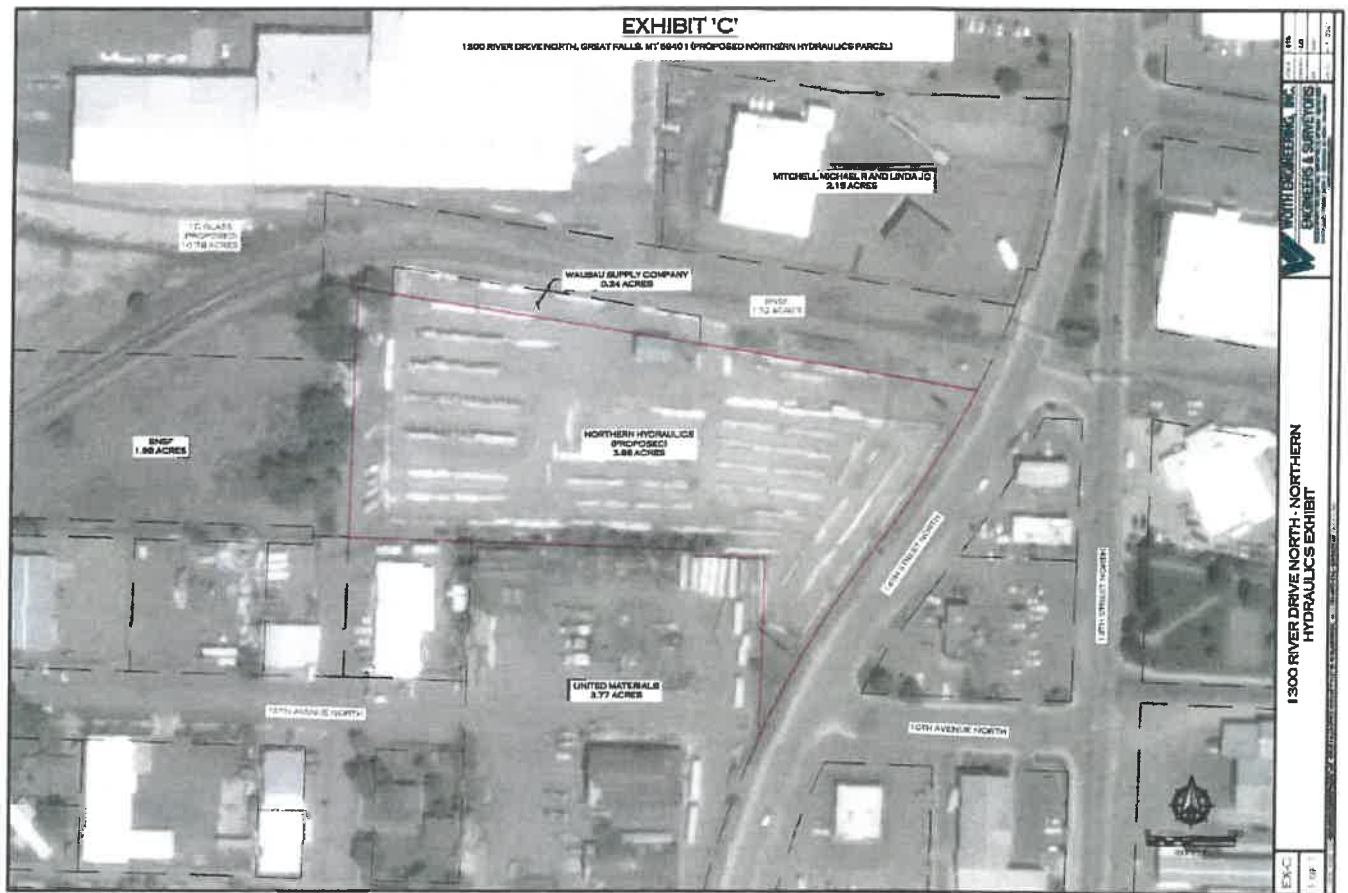
Industrial, light	-	P	P	P
Industrial park	-	P	P	P
Junkyard	-	C	P	-
Light manufacturing and assembly	P	P	P	P
Motor vehicle graveyard	-	-	P	-
Motor vehicle wrecking facility	-	-	P	-

Accessory Uses	M-2	I-1	I-2	PUD
Accessory living space	P	-	-	-
Agriculture, livestock	-	-	-	-
ATM, exterior	P	P	P	P
Bed and breakfast	P	-	-	-
Fences	P	P	P	P
Gaming, accessory	P	P	P	P
Garage, private	P	P	P	P
Home occupation	P	P	P	P
Private stable/barn	-	-	-	-
Residence, accessory	P	P	P	P
Roadside farmer's market	-	-	-	-
Storage containers	-	P	P	P
Wind-powered electricity systems	P	P	P	P

Temporary Use	M-2	I-1	I-2	PUD
Garage sales	P	P	P	P
Itinerant outdoor sales	P	C	-	-
On-site construction office	P	P	P	P
On-site real estate sales office	P	-	-	-
Outdoor entertainment, temporary	-	P	P	P
Sidewalk café	P	-	-	-
Sidewalk food vendor	P	-	-	-







TRACT 1:

Lots 9, 10, 11, 12, 13 and 14, Block 27, South of the Chicago, Milwaukee, Railway Right of Way, all in Great Falls Water Power and Townsite Company's First Addition to Great Falls Townsite, Cascade County, Montana, according to the official plat or map thereof on file and of record in the office of the Clerk and Recorder of said County.

TRACT 2:

Lots 8-14, inclusive (lying South of the South line of the railroad) Block 29 and those portions of vacated streets, avenues and alleys adjoining Lots 8 to 14, inclusive, in Block 29, Great Falls Water Power and Townsite Company's First Addition to Great Falls Townsite, Cascade County, Montana, described as follows:

That portion of Twelfth Alley North lying between the South line of the Chicago, Milwaukee, Saint Paul, and Pacific Railroad Company's right of way and the North line of Lot 14 in said Block 29.

The West 1/2 of Twelfth Street North bounded on the North by the South line of the Chicago, Milwaukee, Saint Paul and Pacific Railroad Company's right of way, bounded on the South by the North line of Eleventh Avenue North.

The North 1/2 of Eleventh Avenue North bounded on the West by the East line of Eleventh Street North and on the East by the West line of Twelfth Street North.

TRACT 3:

Lots 2, 3, and 4, Block 35, Great Falls Water Power and Townsite Company's First Addition to Great Falls Townsite, Cascade County, Montana, together with the Southerly 1/2 of vacated Eleventh Avenue North which adjoins said Lots 2, 3, and 4, Block 35, on the North, Cascade County, Montana, according to the official plat or map thereof on file and of record in the office of the Clerk and Recorder of said County.

All of the above land located in Great Falls Water Power and Townsite Company's First Addition to Great Falls Townsite, Cascade County, Montana, according to the official plat or map thereof on file and of record in the office of the Clerk and Recorder of said County.

TRACT 4:

Lot 2 of the Amended Plat of a portion of Blocks 4, 5, 27, 28, 29, portions of vacated 12th and 13th Streets North, and a portion of the vacated 12th Alley North, all in the First Addition to the City of Great Falls, Cascade County, Montana, as well as portions of Government Lot 6, Section 1, Township 20 North, Range 3 East, and Government Lot 5, Section 6, Township 20 North, Range 4 East, PMM. This plat also amends the Amended Plat of a portion of Lot 1, Block 2, and a portion of 13th Street North, all in the First Addition to the City of Great Falls, Cascade County, Montana, a subdivision located in the NE1/4 of Section 1, Township 20 North, Range 3 East, and the NW1/4 of Section 6, Township 20 North, Range 4 East, PMM, all in Great Falls, Cascade County, Montana, according to PL #4299.

TRACT 5:

Tract No. 1 of the Amended Plat of a portion of Blocks 27, 28, 29, 30, portions of vacated 11th, 12th and 13th Streets North and a portion of vacated 12th Alley North, all in the First Addition to the City of Great Falls, Cascade County, Montana, a Subdivision located in Section 1, Township 20 North, Range 3 East, PMM, according to Plat #4898, filed October 9, 1998.

Except that portion Deeded to the State of Montana, Department of Transportation as to that portion lying with Lots 1 and 2, Block 29, as conveyed by Deed recorded August 20, 196 on Rel 285, Document 61, records of Cascade County, Montana.

Exhibit 20-4. Development standards for other zoning districts: I-1 S

	M-1	M-2	C-1	C-2	C-3	C-4	C-5	PLI	GFIA	I-1	I-2
Residential density	500 sq. feet of lot area per dwelling unit	500 sq. feet of lot area per dwelling unit	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Minimum lot size for newly created lots	7,500 sq. feet	7,500 sq. feet	7,500 sq. feet	7,500 sq. feet	7,500 sq. feet	7,500 sq. feet	7,500 sq. feet	7,500 sq. feet	7,500 sq. feet	7,500 sq. feet	7,500 sq. feet
Minimum lot width for newly created lots	50 feet	50 feet	50 feet	50 feet	50 feet	50 feet	50 feet	50 feet	50 feet	50 feet	50 feet
Lot proportion for newly created lots (maximum depth to width)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	3:1	3:1
Maximum building height of principal building	65 feet except as follows: 35 feet within 200 feet of an R-1, R-2, R-3 district; 45 feet when within 200 feet to 350 feet of an R-1, R-2, R-3 district; and 65 feet when more than 350 feet from an R-1, R-2, R-3 district	65 feet except as follows: 35 feet within 200 feet of an R-1, R-2, R-3 district; 45 feet when within 200 feet to 350 feet of an R-1, R-2, R-3 district; and 65 feet when more than 350 feet from an R-1, R-2, R-3 district	35 feet	65 feet	50 feet	100 feet by right; 101 feet to 160 feet as conditional use	55 feet	100 feet by right; 101 feet to 160 feet as conditional use, except as follows; in the proposed medical district master plan area, 160 feet by right	65 feet	45 feet	none
Maximum building height of accessory building	24 feet, but may not be higher than the uppermost elevation of the principal building	24 feet, but may not be higher than the uppermost elevation of the principal building	24 feet, but may not be higher than the uppermost elevation of	24 feet, but may not be higher than the uppermost elevation of	24 feet, but may not be higher than the uppermost elevation of	n/a	24 feet, but may not be higher than the uppermost elevation of	24 feet, but may not be higher than the uppermost elevation of the principal building	24 feet, but may not be higher than the uppermost elevation of	35 feet	none

			the principal building	the principal building	the principal building		the principal building		the principal building		
Minimum front yard setback of principal and accessory buildings	none	Existing Industrial: 20 feet	15 feet	none	25 feet	none	15 feet	25 feet	25 feet	20 feet	10 feet
Minimum side yard setback of principal and accessory buildings	Commercial: none Residential: 5 feet each side	Commercial: none Residential: 5 feet each side Existing Industrial: 15 feet each side	10 feet each side	10 feet each side	15 feet each side	none	10 feet each side	10 feet each side	none	10 feet each side	10 feet each side, 15 feet when side yard abuts a non-industrial zoning district
Minimum rear yard setback of principal and accessory buildings	10 feet	10 feet	15 feet	1/10 of lot depth but not less than 1/10 of building height	1/10 of lot depth but not less than 1/10 of building height	none	1/10 of lot depth but not less than 1/10 of building height	1/10 of lot depth but not less than 1/10 of building height	none	5 feet	5 feet
Maximum lot coverage of principal and accessory buildings	Corner lot: 70% Other lots: 65%	Corner lot: 70% Other lots: 65%	Corner lot: 50% Other lots: 40%	Corner lot: 70% Other lots: 60%	Corner lot: 70% Other lots: 60%	100%	Corner lot: 70% Other lots: 60%	Corner lot: 70% Other lots: 60%	none	Corner lot: 85% Other lots: 70%	Corner lot: 85% Other lots: 70%



Commission Meeting Date: October 19, 2021

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Ordinance 3239 – Amendment to the Official Code of the City of Great Falls – 17.32.150 (Driveways)

From: Tom Micuda, Deputy Director, Planning and Community Development

Initiated By: Planning and Community Development

Presented By: Craig Raymond, Director, Planning and Community Development

Action Requested: City Commission accept Ordinance 3239 on first reading and set public hearing for November 2, 2021.

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (accept/not accept) Ordinance 3239 on first reading and (set/not set) a public hearing for November 2, 2021.”

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

Staff Recommendation: Staff recommends that the City Commission accept Ordinance 3239 on first reading and set the public hearing for November 2, 2021.

Background: The driving factor behind the proposed amendment to the Driveway chapter of the Land Development Code was a series of permit requests to construct street accessed driveways on properties located within the older neighborhoods that also have alley access. These requests brought to light a problematic provision within the Driveway chapter of the City’s Land Development Code. The current provision of the code states the following:

17.32.150(B)(4)(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.

There are legitimate reasons why city codes restrict the ability of property owners to have street-accessed driveways when they already have alley access to parking areas and detached garages. These reasons include: 1) preventing conflicts between vehicles backing out of driveways and vehicles using city streets, 2) keeping the sidewalk network as intact as possible and reducing vehicle/pedestrian conflicts, and 3) maintaining greenspace in the front yards and boulevards of older neighborhoods.

However, the current code provision for alley accessed lots is problematic because it both prohibits street accessed driveways in one passage, but then allows City staff to essentially override the code in the next passage. What is further problematic is that the provision does not provide any decision making criteria to assist City staff in potentially overriding the prohibition on street-accessed driveways.

The submittal and denial of several permit requests for street-accessed driveways led staff to ask the following question. Should the City simply allow street loaded driveways rather than continue the current situation where case by case decisions can be made without guidance?

Ultimately, staff determined that a proposed code amendment should be brought forward for the following reasons:

1. There are a number of street blocks within older neighborhoods where street-accessed driveways already exist despite the presence of alley accessed driveways and garages. This creates an equity challenge for staff to deny certain requests.
2. Freeing up some additional street parallel parking spaces in favor of more on-site parking does allow for easier snow removal and street sweeping. This why the proposed amendment is supported by Public Works staff.
3. Creating more options for property owners to move recreational vehicles, campers, and boats off the street network will allow those owners a better opportunity to comply with the Large Vehicle Ordinance being considered by the City Commission.

Summary of Proposed Amendment: The proposed amendment is attached in bold/strike-through format (Exhibit A) and in clean copy format (Exhibit B). The key portion of the amendment is as follows:

17.32.150(B)(4)(c) Alley Accessed Lots - For those properties which are served by an alley, **a single street-accessed driveway is allowed. The owner must obtain a permit, and the driveway shall be limited to no greater than twelve (12) feet in width. Such driveway must be surfaced and maintained with Portland cement concrete, asphaltic concrete, or pavers.** ~~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.~~

The proposed code amendment will allow property owners of alley accessed lots to file a driveway permit to construct a single driveway of no greater than 12 feet in width. This will allow that owner to park a single vehicle off the street to supplement whatever parking is available off the alley portion of the property. While this will create a minor interruption in the integrity of the adjoining curb, sidewalk and front yard area, a 12 foot wide driveway in the front yard will only consume 24 percent of a typical 50 foot wide lot in the older neighborhood areas of Great Falls. Given the benefits of clarifying the code and providing more options for property owners to remove larger vehicles from the street, staff believes that the submitted code amendment should be approved.

Fiscal Impact: Because the proposed code amendment is minor in scope, no financial impacts to the City are anticipated.

Alternatives: The City Commission could decide to deny acceptance of Ordinance 3239 on first reading and not set a public hearing. The result of this action would be that the current provisions in the Land Development Code would remain in place.

Concurrences: Staff from both the Public Works Department and Planning and Community Development have consulted on the proposed amendment. Public Works staff is in favor of the proposed amendment because it will allow for some vehicles to be parked out of parallel parking areas. This will make it easier to conduct both street sweeping and snow removal activities.

Attachments/Exhibits:

Ordinance 3239

Exhibit A – Bold/Strikethrough Copy of Proposed Code Amendment

Exhibit B – Clean Copy of Proposed Code Amendment

ORDINANCE 3239

AN ORDINANCE AMENDING TITLE 17, CHAPTER 32, SECTION 150 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF) PERTAINING TO DRIVEWAYS, TO ALLOW STREET ACCESSED DRIVEWAYS FOR ALLEY ACCESSED LOTS.

* * * * *

WHEREAS, the City Commission established Title 17 of the OCCGF outlining provisions pertaining to, and known as, the Land Development Code; and

WHEREAS, Section 17.32.150 of the OCCGF contains standards for driveway construction which regulate the number, spacing, surface material, width, and location of driveways for both residentially and non-residentially zoned properties; and

WHEREAS, the current regulation contained in 17.32.150(B)(4)(c) of the OCCGF prohibits the construction of a street accessed driveway to serve properties that already have alley access unless such request is approved by both the Director of Planning and Community Development and the City Engineer; and

WHEREAS, City staff have concluded that this regulation is problematic because it provides no criteria for staff to allow such driveways, is inconsistent with the City's efforts to have more vehicles parked on private property, conflicts with City pavement maintenance and snow removal efforts, and conflicts with the context of many neighborhood areas where street accessed driveways are already in place; and

WHEREAS, City staff believe that it is in the community's best interest for property owners with alley accessed lots to have the option of having a single street accessed driveway of narrow width to address additional vehicle parking needs; and

WHEREAS, at its regularly scheduled September 28, 2021 meeting, the Great Falls Planning Advisory Board recommended that the City Commission adopt Ordinance 3239.

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

Section 1. OCCGF 17.32.150(B)(4)(c) is hereby amended as depicted in Exhibit "A" attached hereto and by reference incorporated herein, with deleted language identified by ~~strikeout~~ and inserted language **bolded**; and

Section 2. This ordinance shall be in full force and effect thirty (30) days after second reading and final adoption by the City Commission.

ACCEPTED by the City Commission of the City of Great Falls, Montana on first reading October 19, 2021.

ADOPTED by the City Commission of the City of Great Falls, Montana on second reading November 2, 2021.

Bob Kelly, Mayor

ATTEST:

(CITY SEAL)

Lisa Kunz, City Clerk

APPROVED FOR LEGAL CONTENT:

Jeffrey M. Hindoién, 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 3239 on the Great Falls Civic Center posting board and the Great Falls City website.

Lisa Kunz, City Clerk

(CITY SEAL)

17.32.150 Driveways.

- 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. 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, **a single street-accessed driveway is allowed. The owner must obtain a permit, and the driveway shall be limited to no greater than twelve (12) feet in width. Such driveway must be surfaced and maintained with Portland cement concrete, asphaltic concrete, or pavers.** ~~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~~ **Additionally, 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 **accessing an alley** 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 **accessing an alley** may not exceed six percent (6%) of the gross lot area.
 - 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 & Two-family residential *(see 17.32.150(B) for further restrictions)	<ul style="list-style-type: none"> • One stall, 12 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

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 - 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.

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Commission Meeting Date: October 19, 2021

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Ordinance 3230, “An Ordinance Amending Title 10 of the Official Code of the City of Great Falls (OCCGF) to Prohibit the Long-Term Parking and/or Storage of Recreational Vehicles, Utility Trailers or Vessels in Residential Districts”

From: Legal Department

Initiated By: Legal Department

Presented By: Jeff Hindoien, City Attorney

Action Requested: Continue and Conclude Second Reading of Proposed Ordinance 3230 and Adopt/Not Adopt Ordinance 3230 as it may be Amended

Suggested Motion:

1. Commissioner moves:

A. If the proposed Ordinance is not amended:

“I move that the City Commission (adopt/deny) Ordinance 3230.”

B. If the proposed Ordinance is amended during the course of the meeting:

“I move that the City Commission (adopt/deny) Ordinance 3230 as amended.”

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

Background: For several years now, members of the City Commission and City staff have received a steady flow of citizen complaints regarding the long-term parking and/or storage of large recreational vehicles, trailers and/or boats on streets within residential zoning districts. The complaints have historically been directed at the safety risk posed by the long-term and high-volume presence of such vehicles on residential streets and the difficulty it creates for being able to see children and other pedestrians moving around or in between the vehicles. There are also concerns that residential street standards were never created or designed to accommodate the long-term and high-volume presence of such large vehicles as an on-street parking element, but rather were designed to accommodate a limited amount of on-street parking of the traditional type of motor vehicles used by residents to commute to and from their place of work.

Proposed Ordinance 3230 has been crafted in an attempt to address those concerns by prohibiting the long-term parking and/or storage of recreational vehicles, utility trailers or boats in any residential zoning

districts and allowing for the temporary presence of those vehicles only for the limited purpose of loading or unloading. An initial draft was provided to the City Commission at the July 20, 2021 work session, and afterward the draft was updated to incorporate changes discussed during the work session.

The updated proposed Ordinance contains the following elements:

- New definitions for a class of vehicles designated as “Recreational Vehicle”, Utility Trailer” and “Vessel”;
- A new provision that only allows such vehicles to be **temporarily parked** in a residential district for the limited purpose of loading and unloading, with that “temporary” period being no more than 36 hours in any 7 day period;
- A provision requiring a written 24 hour notice to remove prior to the issuance of any parking citation; and
- Provisions incorporating the new parking restriction into the standard parking enforcement framework of Title 10, i.e., enforcement of unpaid citations, the potential for immobilization of a vehicle in the event of multiple unpaid citations and the potential for enforcement of unpaid citations in Municipal Court.

As is presently the case with other parking infractions under Title 10, the actual fine amounts for violation of this new provision would need to be set by the City Commission through the resolution process.

The proposed Ordinance provides that it “. .. is enforceable by Great Falls Police Officers, Community Service Officers and other persons as may be designated by the City Manager.” As was discussed at the Commission’s July 20, 2021 Work Session, the enforcement of the proposed Ordinance, should it be adopted by the Commission, will be:

- complaint-driven, with complaints generally addressed in order of receipt (except in the case of a clear safety hazard); and
- incorporated into the existing staffing and workload environments for GFPD and other City Departments, meaning that response times will be dictated by the capacity of existing City staff to accommodate this new task into their workflow.

It should be noted that the City Commission took steps in 2017 to amend its zoning ordinance provisions in Title 17 of the OCCGF to at least partially address the same complaints that are motivating the consideration of this proposed Ordinance. More specifically, the City Commission amended those Title 17 provisions to make it easier for property owners in residential districts to park their recreational vehicles, trailers or boats on their property (and thus out of the street) by allowing for larger off-street parking surfaces and driveways. Those Title 17 changes also allowed for the use of gravel or pavers for a parking surface in addition to just concrete or asphalt.

Along those same lines, the City Commission also just took steps at its September 7, 2017 meeting to action to further amend Title 17 to provide for increased height and square footage allowances for garages/accessory structures in residential districts. That new ordinance change was driven in part by staff conversations with residents who were interested in building larger detached garages to store recreational vehicles, trailers or boats that are currently being stored in yards or on public streets. Those new changes to the City’s zoning regulations will, like the 2017 changes, have the effect of making it easier for some property owners to have their recreational vehicles, utility trailers or boats stored off of the street and on their own property.

Finally, even more recently, the Planning Advisory Board / Zoning Commission just took action at its September 28, 2021 meeting to formally recommend that the City Commission approve yet another change to Title 17 that will make it easier for owners of alley-accessed properties to construct a new street-accessed driveway. That ordinance change will be presented to the Commission at its October 19, 2021 meeting for first reading consideration and the setting of a public hearing for second reading consideration. As with the other Title 17 changes referenced above, this would be yet another ordinance change that would make it easier for owners of alley-accessed lots in residential districts to create additional off-street parking space for recreational vehicles, utility trailers or boats.

The Commission took action at its August 17, 2021 meeting to accept this ordinance on first reading and to set a public hearing to be held in conjunction with the second reading consideration of the ordinance on September 7, 2021. Both prior to and during that public hearing on September 7th, the Commission received public comment (in both written and testimonial form) both in favor of and opposed to the adoption of the proposed ordinance.

At the conclusion of that public hearing, the City Attorney's Office advised the Commission that the proposed ordinance raised no legal concerns relative to either Title 61 or Title 7 of the Montana Code Annotated. After discussion regarding the option of postponing the second reading consideration of the ordinance for purposes of developing possible amendments, the Commission took action to postpone further consideration of ordinance's second reading until its October 19, 2021 meeting. It is that further consideration of the ordinance for second reading, and the consideration of any possible amendments to the ordinance as presented, that will be before the Commission on the evening of the 19th.

Fiscal Impact: The adoption of the proposed Ordinance would presumably lead to the collection of additional parking fine revenues, but the amount of that increase cannot be readily estimated.

Alternatives: The Commission could choose to not adopt the proposed Ordinance and preserve the status quo – this alternative would require no action by the Commission. The Commission could also choose to amend the proposed Ordinance and adopt the Ordinance as amended, or could also choose to either table the item or postpone further consideration of it to a date certain in the future to allow for possible amendments to the proposed Ordinance.

Concurrences:

City Manager's Office
Great Falls Police Department

Attachments/Exhibits:

Ordinance 3230
Ord. 3230 Exhibit "A"
Public Comment Received

ORDINANCE 3230

AN ORDINANCE AMENDING TITLE 10 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF) TO PROHIBIT THE LONG-TERM PARKING AND/OR STORAGE OF RECREATIONAL VEHICLES, UTILITY TRAILERS OR VESSELS IN RESIDENTIAL DISTRICTS

* * * * *

WHEREAS, the City of Great Falls is authorized by its Charter and Montana law to establish laws to protect the health, safety and welfare of the citizens of Great Falls; and

WHEREAS, the City Commission has in the exercise of those powers previously established Title 10 of the OCCGF pertaining to vehicles, traffic and parking; and

WHEREAS, the City Commission and City staff have received complaints over the course of several years regarding the long-term parking and/or storage of large recreational vehicles, trailers and boats on streets within residential districts and neighborhoods; and

WHEREAS, the Commission has determined that the long-term and high-volume presence of such vehicles on the street in residential districts and neighborhoods poses a safety risk to children and other pedestrians because of the visibility obstructions that such parked vehicles create for drivers;

WHEREAS, the Commission also recognizes that the street dimensions for residential areas were not designed or intended for the long-term parking or storage of large recreational vehicles, trailers or boats, but rather were intended to accommodate a limited amount of on-street parking of the type of vehicles typically used by residents to commute to and from work and school; and

WHEREAS, for those reasons, the City Commission wishes to amend Title 10 of the OCCGF to contain a new restriction on the long-term parking and/or storage of recreational vehicles, trailers and boats on streets within residential districts and neighborhoods.

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

Section 1. The provisions of OCCGF Title 10, Chapters 1, 9, 10 and 21 are hereby amended as depicted by Exhibit “A” attached hereto and by reference incorporated herein with deleted language identified by ~~strikeout~~ and inserted language **bolded**; and

Section 2. This ordinance shall be in full force and effect thirty (30) days after second reading and final adoption by the City Commission.

ACCEPTED by the City Commission of the City of Great Falls, Montana on first reading August 17, 2021.

Second Reading and Public Hearing conducted by the City Commission of the City of Great Falls, Montana on September 7, 2021.

ADOPTED after continuation and conclusion of second reading by the City Commission of the City of Great Falls, Montana on October 19, 2021.

Bob Kelly, Mayor

ATTEST:

(CITY SEAL)

Lisa Kunz, City Clerk

APPROVED FOR LEGAL CONTENT:

Jeffrey M. Hindoien, 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 3230 on the Great Falls Civic Center posting board and the Great Falls City website.

Lisa Kunz, City Clerk

(CITY SEAL)

Title 10 VEHICLES AND TRAFFIC

Chapter 1 DEFINITIONS

10.1.010 Definitions.

Unless otherwise specified in this Title, the following definitions apply:

- A. "Abandoned vehicle" means any of the following:
 - 1. A vehicle that has been left unattended on public property for more than forty-eight (48) hours and is rendered inoperable;
 - 2. A vehicle that has remained illegally parked on public property for more than forty-eight (48) hours;
 - 3. A vehicle that has been unlawfully parked on private real property or has been placed on private property without the consent of the real property owner or person in control of the property for more than forty-eight (48) hours;
 - 4. A vehicle that has been legally impounded by order of a law enforcement authority and has not been reclaimed for a period of five (5) days; or
 - 5. Any vehicle parked on a street determined by a law enforcement authority to create a hazard to other vehicle traffic.
- B. "Bicycle" means a non-motorized vehicle consisting of a metal frame on two (2) or more wheels and having handlebars and a seat.
- C. "Central Business District" means the C-4 Central Business Core Zoning District.
- D. "Commercial motor vehicle" any vehicle meeting the definition provided by Mont. Code Ann. § 61-1-101.
- E. "Freight Loading Zone" means a portion of a public right-of-way that is designated for short-term use by vehicles loading and unloading goods. Freight loading zones are established following the procedures adopted in this Title. This term also includes delivery zones in the metered parking district.
- F. "Handicapped Parking Zone" means a portion of a public right-of-way that is designated for use only by vehicles that have a handicapped parking permit or plate. Handicapped parking zones are established following the procedures adopted in this Title.
- G. "Junk vehicle" means any vehicle, machinery, trailer, or parts thereof, located on public property or illegally parked on private property within the incorporated City limits, which, as to a vehicle or trailer, does not properly display license plates or stickers indicating current registration and/or which has any one (1) or more of the following characteristics:
 - 1. Lacks an engine, wheel, tire, properly installed battery or other structural part which renders the vehicle inoperable for use as designed by the manufacturer;
 - 2. Has a broken or missing fender, door, bumper, hood, steering wheel, trunk top, trunk handle, tail pipe, muffler, driver's seat, fuel tank, driveshaft, differential, generator, or alternator;
 - 3. Has become or has the potential to become the breeding ground or habitat of rats, mice, snakes, mosquitoes or other vermin, rodents or insects, or is otherwise used for the storage, harbor, caging or dwelling for an animal of any kind;

Ordinance 3230 - Exhibit "A"

4. Has heavy growth of weeds or other noxious vegetation over eight (8) inches in height under or immediately next to it;
 5. Has become a point of collection for stagnant water;
 6. Contains junk, garbage, refuse, gasoline or fuel other than in its fuel tank, paper, cardboard, wood or other combustible materials, solid waste, or other hazardous material in it or is primarily used for storage of any materials;
 7. Has become a source of danger for children through possible entrapment in areas of confinement that cannot be opened from inside, through a danger of the vehicle falling or turning over, or through possible injury from exposed surfaces of metal, glass, or other rigid materials;
 8. Has become a potential source of contamination of the soil from petroleum products or other toxic liquids being discharged or leaking from the vehicle;
 9. Has become illegal to operate on the public streets because it is missing one (1) or more parts required by law; or
 10. Because of its defective, deteriorated, or obsolete condition, in any other way constitutes a nuisance or a threat to the public's health or safety.
- H. "Law enforcement authority" means a peace officer or any City, State, or Federal department or agency member operating in his or her professional capacity within the incorporated City limits.
- I. "Local service" means limiting the authorized use of City streets or avenues to those trucks which have either point of origin or destination for immediate business purposes within the incorporated City limits.
- J. "Machinery" is synonymous with and means the same as "machine" as defined by the current edition of the Merriam-Webster Dictionary.
- K. "OCCGF" means the Official Code of the City of Great Falls.
- L. "Operator" means any person who operates or is in actual physical control of the operation of vehicle.
- M. "Parking Administrator" means the City employee or contractor tasked by the City Manager with the management of the City's parking facilities. Within this Title this person may also be referred to as "The Administrator".
- N. "Parking Official" means peace officers and other persons designated by the City Manager to enforce the provisions of this Title.
- O. "Parking Meter" means any device installed for the regulation of the time allowed for parking as provided by this Title.
- P. "Part" means any mechanical, structural, body, or decorative component of any vehicle, machinery, or trailer.
- Q. "Passenger Loading Zone" means a portion of a public right-of-way that is designated for short-term use by vehicles loading and unloading people. This specifically includes school bus loading zones. Passenger loading zones are established following the procedures adopted in this Title.
- R. "Person" means any individual, partnership, association or corporation, or other legal entity.
- S. "Recreational Vehicle" means a vehicle primarily designed as temporary living quarters for recreational living, camping or travel use that either has its own motor power or is mounted on or drawn by another vehicle. The term includes a travel trailer, camping trailer, truck camper and motor home. A recreational vehicle does not include a pickup truck with an attached topper shell.**

Ordinance 3230 - Exhibit "A"

T. "Residential Zoning District" means any area within the City which is zoned R-1, R-2, R-3, R-5, R-6, R-9 or R-10 and those portions of a Planned Unit Development which are specified for residential uses.

S-U "Snowmobile" means any self-propelled vehicle designed primarily for travel on the snow or ice, which may be steered by wheels, skis or runners, and which is not otherwise registered or licensed under Montana State law.

T.V. "Trailer" means ~~any vehicle without motor power designed for carrying persons or property and for being drawn by a motor vehicle. The term includes devices intended for recreational camping purposes carried in the bed of a pick-up truck.~~ **a non-motorized vehicle designed to be towed by a motor vehicle and used to transport (enclosed or un-enclosed) one or more boats, personal watercraft, snowmobiles, all-terrain vehicles, off-road equipment, construction equipment, live-stock, vehicles or any other goods, materials or equipment.**

U.W. "Vehicle" means any device by which any person or property may be propelled, moved, or drawn upon a street. The term includes, but is not limited to:

1. An automobile;
2. Truck;
3. Van;
4. Sport utility vehicle;
5. Recreational vehicle;
6. Watercraft;
7. Boat;
8. Jet ski;
9. Snowmobile;
10. ATV;
11. Aircraft, ~~or~~

12. Motorized scooters and other small, lightweight and usually single-person motorized vehicles used for transportation, excepting electronic personal assistive devices;

13. All motorized nonstandard vehicles as defined in Title 61, Chapter 1, MCA;

14. Trailer; or

~~12~~15, Parts thereof.

X. "Vessel" means watercraft used or capable of being used as a means of transportation of persons and property on water, other than single chamber air-inflated devices.

(Ord. 3230, 2021; Ord. 3188, 2018)

Chapter 9 STOPPING, STANDING, AND PARKING

10.9.310 Parking of Certain Types of Vehicles Prohibited

A. Except as provided in subsection (B), it is unlawful for any person to park a recreational vehicle, trailer or vessel upon the public right-of-way in any residential zoning district.

Ordinance 3230 - Exhibit "A"

- B. A person may temporarily park a recreational vehicle, trailer or vessel upon the public right-of-way in a residential-zoned district for the limited purpose of loading and unloading, which shall be limited to a period of no more than thirty six (36) hours in a seven (7) day period.
- C. It shall not be a defense to this section that the recreational vehicle, trailer or vessel parked in violation of this section was moved to a different location within the public right-of-way of any residential-zoned district. The recreational vehicle, trailer or vessel must be removed from the public right-of-way in order to achieve compliance with this section.
- D. The registered owner of any recreational vehicle, trailer or vessel parked in violation of this section will be held strictly and absolutely liable for the violation and will be subject to the penalties set forth in 10.9.330.
- E. This section is enforceable by Great Falls Police Officers, Community Service Officers and other persons as may be designated by the City Manager.

(Ord. 3230, 2021)

10.9.320 Notice

The City shall provide notice of a violation of 10.9.310 by affixing a written notice upon the recreational vehicle, trailer or vessel advising of the violation and requiring the removal of the recreational vehicle, trailer or vessel within twenty-four (24) hours. The notice shall advise that failure to remove the recreational vehicle, trailer or vessel within that time period will result in the issuance of a parking citation.

(Ord. 3230, 2021)

10.9.330 Penalty

Any registered owner of a recreational vehicle, trailer or vessel parked in violation of 10.9.310 who has not removed the recreational vehicle, trailer or vessel within twenty-four (24) hours of the affixing of the notice required under 10.9.320 may receive a parking citation with fines as set forth by City Commission Resolution. If, after the issuance of a second or subsequent citation, the registered owner has not removed the recreational vehicle, trailer or vessel from the public right-of-way, the recreational vehicle, trailer or vessel may be immobilized and removed in accordance with 10.10.010 through 10.10.050.

(Ord. 3230, 2021)

Chapter 10 VEHICLE IMMOBILIZATION

10.10.010 Authorization to use vehicle immobilizer.

- A. ~~Members of the GFPD, or other Parking Administrator authorized persons~~ **designated by the City Manager**, are authorized to use a vehicle immobilizer ("boot") to immobilize any vehicle that is parked in a City parking space located in the downtown residential district, the parking meter district, or any City owned off-street pay-to-park facility that has five (5) or more parking tickets unpaid or delinquent thirty (30) days or more.
- B. Members of the GFPD, or other persons designated by the City Manager, are authorized to use a boot after a second or subsequent citation issued for violation of 10.9.310 when the registered owner has not removed the recreational vehicle, trailer or vessel from the public right-of-way.
- ~~B.C. Prior to any vehicle immobilization under subsection (A) above, the Planning and Community Development Department's Parking Division is~~ City officials are required to either:

1. Mail the registered owner of the vehicle a final notice for five (5) or more of the unpaid or delinquent parking tickets; or
2. File a complaint in Great Falls Municipal Court charging the registered owner with unpaid parking tickets on the vehicle, and no individual has appeared for arraignment on the complaint.

(Ord. 3230, 2021; Ord. 3188, 2018)

10.10.020 Procedure for vehicle immobilization.

- A. If ~~parking officials~~ **authorized persons**, as defined in **10.10.010** ~~this Chapter~~, choose to immobilize a vehicle with a boot as allowed by **10.10.010** ~~by Chapter~~, then the on-site persons immobilizing the vehicle shall ensure that a written notice is conspicuously affixed to the vehicle.
- B. The written notice will **state** ~~inform the owner, driver, or person in charge of such vehicle that:~~
 1. The vehicle has been immobilized by the City pursuant to this Chapter;
 2. Release from such immobilization may be obtained at a designated place;
 3. Unless arrangements are made for the release of such vehicle within forty-eight (48) hours, the vehicle will be towed and impounded pursuant to this Chapter; and
 4. Removing or attempting to remove the immobilization device before a release is obtained is unlawful.
- C. An immobilized vehicle shall not be released by the City until the immobilization fee is paid, together with payment of all outstanding parking fines, or posting of a bond as allowed by this Chapter.
- D. If the vehicle has remained immobilized for a period of forty-eight (48) hours and a release has not been obtained, then the GFPD shall have the vehicle towed and impounded.

(Ord. 3230, 2021; Ord. 3188, 2018)

10.10.030 Removal of violation vehicle.

- A. The City is authorized to remove a vehicle or tow a vehicle ~~from parking spaces located in the areas listed in section 10.10.010~~ to the designated tow site when a vehicle with an immobilization device attached remains immobilized for a period of forty-eight (48) hours and a release has not been obtained.
- B. Whenever an officer removes a vehicle from a street or City parking space as authorized in this section, and the officer knows or is able to ascertain from the registration records on the vehicle the name and address of the vehicle owner, the officer shall give notice in writing to the owner of the removal, the violations, and the place where the vehicle has been relocated.
- C. If a vehicle is stored at a designated tow site, a copy of the notice shall be given to the proprietor of the tow site. The party towing the vehicle shall immediately notify the GFPD dispatcher that a vehicle has been towed from a specific location and give the dispatcher a detailed description of the vehicle and the location to which it is being towed.
- D. Whenever an officer removes a vehicle from a street under this section and does not know and is not able to ascertain the name of the owner, or for any other reason is unable to give the notice to the owner, and if the vehicle is not returned to the owner within a period of three (3) days, then the officer shall send a report of the removal to the Montana Department of Transportation Motor Vehicle Division and shall file a copy of the notice with the proprietor of the designated tow site. The notice shall include a complete description of the vehicle, the date, time, and place from which removed, the violations, and name of the tow site.
- E. The cost of towing or removing the vehicle and costs of storing the vehicle shall be chargeable against the vehicle and shall be paid by the owner of the vehicle before it is released.
- F. The taking of possession of a vehicle for violation of any parking ordinance or regulation shall not prohibit the filing of a complaint in Municipal Court for the violation(s).

(Ord. 3230, 2021; Ord. 3188, 2018)

Chapter 21 PARKING VIOLATIONS

10.21.020 Illegally parked vehicle notice of failure to comply.

If an alleged violator of the ~~restrictions on stopping, standing, or parking under legally authorized restriction~~ **provisions of this Title** does not appear in response to a notice affixed to such ~~motor~~ vehicle within the time set forth in the notice, the City shall implement the following process:

- A. The penalty for a violation of ~~this section occurring in a parking management district~~ **the parking provisions of this Title** must be paid within thirty (30) calendar days of the date of the citation. If payment is not received within that time, an administrative fee will be added to the violation. The penalties and fees will be set by Commission resolution.
- B. After thirty (30) days without payment, a statement of the amount due for the violation and the administrative fee will be sent to the address associated with the license plate in the records of vehicle registrations maintained by the appropriate licensing agency or authority.
- C. After sixty (60) days without payment, a second statement of the amount due for the violation and the administrative fee will be sent to the address associated with the license plate in the records of vehicle registrations maintained by the appropriate licensing agency or authority.
- D. After ninety (90) days without payment, a third statement that is clearly marked as a pre-collection notice of the amount due for the violation and the administrative fee will be sent to the address associated with the license plate in the records of vehicle registrations maintained by the appropriate licensing agency or authority.
- E. After one hundred twenty (120) days without payment, the amount due for the violation and the administrative fee will be referred to a collection agency. If the payment through collection efforts is not received within ten (10) months of the date of the citation, the City may request an arrest warrant and proceed with an action through the Municipal Court as provided by this Chapter.
- F. Proceedings through the Municipal Court for enforcement of this Title must be filed within one (1) year of the date of the citation.

(Ord. 3230, 2021; Ord. 3188, 2018)

Lisa C. Kunz

From: Lisa C. Kunz
Sent: Tuesday, September 14, 2021 4:50 PM
To: Krista Artis
Subject: FW: RV ordinance
Attachments: Lisa Kunz.vcf

From: Lisa C. Kunz
Sent: Tuesday, September 14, 2021 4:50 PM
To: 'LINDA DAGGETT' <LnLdaggetts@msn.com>
Subject: RE: RV ordinance

Hi Linda – sorry for the delay in responding. Thank you for your comments. Your comments will be shared with the Commission and appropriate staff for consideration. At the September 21st commission meeting, the Commission postponed deliberation and vote on this topic until the October 19, 2021 meeting.

Best regards,



From: LINDA DAGGETT <LnLdaggetts@msn.com>
Sent: Friday, September 10, 2021 4:51 PM
To: commission <commission@greatfallsmt.net>
Subject: RV ordinance

I am speaking in favor of the ordinance to limit RVs parked on the city streets. Our city seems to have more and more vehicles cluttering the streets than ever before. When you add the big RV's to that mix it really becomes hard to even navigate the streets and avenues. I live on an city bus route Avenue and there is no room to pass when the big RVs are parked there too. The huge vehicles block the streetscape view and many times block the clear view triangle at intersections and alleyways. They really can be a safety hazard besides being eyesores and clutter for the city. People who have R's and trailers should have to store them properly rather than on the streets of our city.

Linda Daggett 415 6th Ave. S. Great Falls

Sent from Mail for Windows

Lisa C. Kunz

From: Lisa C. Kunz
Sent: Monday, September 13, 2021 1:52 PM
To: Krista Artis
Subject: FW: Parking of RV's on the street.

-----Original Message-----

From: Lisa C. Kunz
Sent: Monday, September 13, 2021 1:51 PM
To: 'Jack Fauth' <jackfauth@yahoo.com>
Subject: RE: Parking of RV's on the street.

Good Afternoon Jack - thank you for your comments. Your comments will be shared with the Commission and appropriate staff for consideration at the October 19, 2021 Commission meeting.

Best regards,

Lisa Kunz
City Clerk/Records Manager
406.455.8451

-----Original Message-----

From: Jack Fauth <jackfauth@yahoo.com>
Sent: Monday, September 13, 2021 1:37 PM
To: commission <commission@greatfallsmt.net>
Subject: Parking of RV's on the street.

I wish to support the restricting of RV parking on the streets in Great Falls. They present a serious traffic safety problem. It becomes very hard to see around them at a lot of intersections all over this city. One has to place himself and his vehicle into on coming traffic before he can see if it's safe to cross the intersection. Please support removing these vehicles from being allowed to park on our streets.

Sent from my iPhone

From: [Lisa C. Kunz](#)
To: [Krista Artis](#)
Subject: FW: Trailers, RV's, boats
Date: Friday, October 8, 2021 8:14:10 AM
Attachments: [Lisa Kunz.vcf](#)

For the packet.

Thank you.

Lisa

From: Lisa C. Kunz
Sent: Friday, October 8, 2021 8:14 AM
To: 'brenda campbell' <campdues@gmail.com>
Subject: RE: Trailers, RV's, boats

Good Morning Brenda – Thank you for your comments. Your comments will be shared with the Commission and appropriate staff for consideration of this topic at the October 19, 2021 meeting.



From: brenda campbell <campdues@gmail.com>
Sent: Friday, October 8, 2021 4:50 AM
To: commission <commission@greatfallsmt.net>
Subject: Trailers, RV's, boats

Please take action to enact a policy to remove these long-term parked vehicles off of the avenues and streets of Great Falls. They are such a visual deterrent at intersections and on narrow roads, make for hazardous driving conditions.
 Thank you.