



City Commission Meeting Agenda
2 Park Drive South, Great Falls, MT
Commission Chambers, Civic Center
March 19, 2019
7:00 PM

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL / STAFF INTRODUCTIONS

AGENDA APPROVAL

CONFLICT DISCLOSURE / EX PARTE COMMUNICATIONS

PROCLAMATIONS

1. Child Abuse Prevention Month.

FIREFIGHTER OATHS

2. Swearing In - Firefighter Brooke Lindskog.

PETITIONS AND COMMUNICATIONS

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

3. Miscellaneous reports and announcements.

NEIGHBORHOOD COUNCILS

4. Miscellaneous reports and announcements from Neighborhood Councils.

BOARDS AND COMMISSIONS

5. Reappointment to the Great Falls Transit District Board.
6. Reappointments to the Parking Advisory Commission.
7. Reappointment to the Design Review Board.
8. Miscellaneous reports and announcements from Boards and Commissions.

CITY MANAGER

9. 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.

10. Minutes, March 5, 2019, Commission Meeting.

- [11.](#) Total Expenditures of \$2,580,048 for the period of February 16, 2019 through March 6, 2019, to include claims over \$5000, in the amount of \$2,362,252.
- [12.](#) Contracts List.
- [13.](#) Award a contract in the amount of \$92,921.70 to Geranios Enterprises, Inc. for the 2nd Street South Water Main Extension project, and authorize the City Manager to execute the construction contract documents.
- [14.](#) Accept Lettering Option #2, to only be installed on one side of the Gore Hill water tank, with an estimated cost of \$37,600 and authorize City Staff to instruct Landmark Structures I, L.P. to complete the work.
- [15.](#) Approve the Retail Sales Agreement with AVI Systems Inc. for the City 190 Broadcast Video System Upgrade and three years of support in the amount of \$123,835.26 with annual support costs of \$8,044.00, and authorize the City Manager to execute the agreement.

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

PUBLIC HEARINGS

- [16.](#) Ordinance 3196, Rezoning a portion of Property owned by Robert and Jan Livesay addressed as 2800 Upper River Road, from R-1 Single-family Suburban to I-1 Light Industrial. *Action: Conduct a public hearing and adopt or deny Ord. 3196. (Presented by Craig Raymond)*
- [17.](#) Resolution 10284, Approving the Donation of Used Equipment to the Town of Vaughn for Use by the Vaughn Volunteer Fire & Rescue Department. *Action: Conduct a public hearing and adopt or deny Res. 10284. (Presented by Stephen Hester)*
- [18.](#) Resolution 10285, Declaring Certain Property located at 3026 9th Avenue North a Nuisance, order the Nuisance be abated and authorize city staff to force abatement if necessary. *Action: Conduct a public hearing and adopt or deny Res. 10285. (Presented by Craig Raymond)*
- [19.](#) Resolution 10280, Annexing a portion of a tract of land equaling +/- 6.254 acres addressed as 4415 River Drive North currently owned by Talcott Holdings Inc., and Ordinance 3195 to establish I-2 Heavy Industrial zoning. *Action: Approve or not approve the postponement of a public hearing on Res. 10280 and Ord. 3195 to April 16, 2019. (Presented by Craig Raymond)*

OLD BUSINESS

NEW BUSINESS

- [20.](#) Memorandum of Understanding between City of Great Falls and Great Falls Police Protective Association. *Action: Approve or deny Memorandum of Understanding. (Presented by Gaye McInerney)*

ORDINANCES / RESOLUTIONS

CITY COMMISSION

21. Miscellaneous reports and announcements from the City Commission.
22. Commission Initiatives.

23. Legislative Initiatives.

ADJOURNMENT

(Please exit the chambers as quickly as possible. Chamber doors will be closed 5 minutes after adjournment of the meeting.)

Commission meetings are televised on cable channel 190. If a video recording is available it will be posted on the City's website at <https://greatfallsmt.net> after the meeting. City Commission meetings are re-aired on cable channel 190 the following Wednesday morning at 10 am, and the following Tuesday evening at 7 pm.



Item: Reappointment to the Great Falls Transit District Board
From: City Manager's Office
Initiated By: Great Falls Transit District Board
Presented By: City Commission
Action Requested: Reappoint one member to the Great Falls Transit District Board

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission reappoint _____ to the Great Falls Transit District Board for a four-year term through November 30, 2022.”

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

Summary: Donna Zook was appointed to the Great Falls Transit District Board on December 6, 2016 for the remainder of a four-year term. Ms. Zook is interested and eligible for reappointment.

Background:

The Great Falls Transit District Board is comprised of five members – three elected, one appointed by the City Commission, and one appointed by Cascade County Commissioners. The Board governs the Great Falls Transit District. The Board is responsible for determining an appropriate mill levy, preparing and presenting a budget, and overseeing all aspects of the District, including operations, maintenance and administration.

Continuing members of this board are:

- Shyla Patera (County appointee)
- Ann Marie Meade (Elected)
- Kenneth Johnson (Elected)
- Carl Donovan (Elected)

Alternatives: The Commission could choose not to reappoint Ms. Zook and advertise to seek other citizen interest to fill the position.

Concurrences: The Great Falls Transit District is in support of the reappointment.



Item: Reappointments to the Parking Advisory Commission
From: City Manager's Office
Initiated By: City Commission
Presented By: City Commission
Action Requested: Reappoint/appoint three members to the Parking Advisory Commission

Suggested Motion:

1. Commissioner moves:

"I move that the City Commission (appoint/reappoint) _____,
_____ and _____ to the Parking Advisory Commission for three-year
terms beginning May 1, 2019 through April 30, 2021."

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

Board Recommendation:

The Parking Advisory Commission recommended reappointment of Thaddeus Reiste, Kellie Pierce and Katie Hanning during their meeting on February 21, 2019.

Summary:

The City Commission appointed Thaddeus Reiste to the Board on February 5, 2019 for the remainder of a three-year term. This term is set to expire on April 30, 2019. The Board is recommending the Commission reappoint Mr. Reiste for a full three-year term.

Kellie Pierce has served on the Parking Advisory Commission since October of 2017 and Katie Hanning has served since August of 2017. Both Ms. Pierce and Ms. Hanning are eligible and interested in reappointment.

This Board filled a vacancy in February in which there were two applications received. The application for the citizen not selected is attached to this report. The Commission could choose to appoint Mr. Villenes to fill one of the positions or reappoint all existing board members.

Background:

The Parking Advisory Commission is comprised of five members appointed by the City Commission. The Commission advises the City Commission, City Manager, and Planning and Community Development Staff on matters related to parking issues within the Parking Districts.

Interested Citizen:

Ryan J. Villines

Current Members:

Jeff Patterson	11/7/2017 – 4/30/2020
William Mintsiveris	2/2/2016 – 4/30/2020
Thaddeus J. Reiste	2/5/2019 – 4/30/2019
Kellie Pierce	10/9/2017 – 4/30/2019
Katie Hanning	8/15/2017 – 4/30/2019

Alternatives:

Commission could ask staff to continue advertising for other citizen interest.

Attachments/Exhibits:

Application from Mr. Villines



**BOARDS AND COMMISSIONS
CITIZEN INTEREST FORM**
(PLEASE PRINT OR TYPE)


RECEIVED

DEC 10 2018

CITY MANAGER

Thank you for your interest. Citizen volunteers are regularly appointed to the various boards and commissions. This application subject to Montana Right to Know laws.

Board/Commission Applying For: PARKING ADVISORY COMMISSION		Date of Application: December 10th, 2018
Name: Ryan J. Villines		
Home Address: 3024 5th Ave South, Great Falls MT 59405		Email address: rvillines@hotmail.com
Home Phone: 406-564-6535	Work Phone: N/A	Cell Phone: N/A
Occupation: Engineering - Water & Fuel Systems		Employer: Federal Government - Military
Would your work schedule conflict with meeting dates? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> (If yes, please explain) No. I typically work a traditional schedule, with flexibility to attend meetings.		
Related experiences or background: I have participated in a local development and community improvement think-tank supporting a 2.1 Million resident metropolitan area for over 13 years. Many of the issues that we've addressed have been parking and revenue related, within the city's CBD. I have also led successful efforts to redesign parking areas on MAFB.		
Educational Background: A.A.S Mechanical & Electrical Technology, B.S Geography (In Progress), J.D. (Prospective) 1998 Hope Award Finalist, 2006 Distinguished LPS 53 Graduate, 2016 USAF ALS Graduate.		
IF NECESSARY, ATTACH A SEPARATE SHEET FOR YOUR ANSWERS TO THE FOLLOWING:		
Previous and current service activities: I volunteer extensively throughout the community, and participate in numerous local organizations, but I have not yet participated in any local government sponsored service activities.. Apart from attending the occasional county and city commission meeting, and providing feedback when and where possible.		
Previous and current public experience (elective or appointive): None		
Membership in other community organizations: Society of American Military Engineers - Secretary / PDH Committee Chairman Airmen 4 Airmen - Founder / Director		

Have you ever worked for or are you currently working for the City of Great Falls? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, where and when?	
Do you have any relatives working or serving in any official capacity for the City of Great Falls? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, who, which department, and relationship?	
Have you ever served on a City or County board? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, what board and when did you serve?	
Are you currently serving on a Board? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, which board?	
Please describe your interest in serving on this board/commission? I have a lot of great ideas with regards to parking, increasing revenue, increasing efficiency, and making our downtown a more desirable area. I would like to contribute to improving our CBD, and serving on an advisory board such as this seems like a great way to start. I am also looking forward to hearing other opinions and viewpoints on the many topics that this board addresses, while using our combined brainpower to find solutions to problems.	
Please describe your experience and/or background which you believe qualifies you for service on this board/commission? I've been an active member of the engineering, development, and community improvement community for many years now, both within and outside of Great Falls. I have accumulated a wealth of knowledge through that will be extremely useful on the parking commission, especially with regards to seeing firsthand how parking is structured and maintained in a wide variety of communities.. from small, quiet towns, to growing suburbs, to bustling cities!	
Additional comments:	
Signature 	Date: 10 December 15

If you are not selected for the current opening, your application may be kept active for up to one year by contacting the City Manager's office. Should a board/commission vacancy occur within 30 days from the last City Commission appointment, a replacement member may be selected from citizen interest forms submitted from the last advertisement. For more information, contact the City Manager's office at 455-8450.

Return this form to:

City Manager's Office
P.O. Box 5021
Great Falls, MT 59403

Fax:
(406) 727-0005

Email:
kartis@greatfallsmt.net



Item: Reappointment to the Design Review Board
From: City Manager's Office
Initiated By: City Commission
Presented By: City Commission
Action Requested: Reappoint one member to the Design Review Board to a three-year term through March 31, 2022

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission reappoint _____ to the Design Review Board to a three-year term through March 31, 2022.”

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

Staff Recommendation: During the November 7, 2018 City Commission meeting, The Commission adopted Resolution 10256, temporarily suspending the Design Review Board meetings and review requirements for six months. Although the Board is currently suspended through May 7, 2019, the Manager's office is recommending that the Commission reappoint Shannon Wilson in order to have the Board members in place if or when the Board is reconvened.

Background: Ms. Wilson was appointed to the Board on December 19, 2017 to fill the remainder of a three-year term. She is eligible and interested in serving another term. David Grosse has been on the Board since March 5, 2013 and his term is also set to expire on March 31, 2019. He is not eligible for reappointment due to serving two full terms already. The City will wait to advertise for a new member until the future of the Design Review Board is decided.

Purpose

Ordinance 2722 was approved at the March 18, 1997, Commission meeting which amended Titles 2 and 15 of the Official Codes of the City of Great Falls and established the Design Review Board. The adoption of Ord. 2923 in September of 2005, the Land Development Code, re-established the Design Review Board.

The purpose of the Board is to further promote the health, safety and general welfare of the City. The Board has the authority and responsibility to review specified types of development proposals to ensure that the design and aesthetics conform to the review criteria contained in Title 17. The Board's

composition should achieve a diversity of expertise, background, and interest. The Land Development Code states it is preferred that the board include two architects and three individuals chosen for their demonstrated interest in and expertise in design or community aesthetics.

Members must reside in the City of Great Falls. No member of the City Commission or employee of the City shall be eligible for membership on the board.

Continuing members of this board are:

Tyson Kraft	4/ 1/15 – 3/31/21
Kevin Vining	7/21/15 – 3/31/20
David Grosse	3/5/13 – 3/31/19 termed
Dani Grebe	6/16/15 – 3/31/20

Member seeking reappointment:

Shannon Wilson	12/19/17 – 3/31/19
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JOURNAL OF COMMISSION PROCEEDINGS
March 5, 2019

Regular City Commission Meeting

Mayor Kelly presiding

CALL TO ORDER: 7:00 PM

Commission Chambers Room 206

PLEDGE OF ALLEGIANCE

ROLL CALL/STAFF INTRODUCTIONS: City Commission members present: Bob Kelly, Tracy Houck, Owen Robinson, Bill Bronson, and Mary Sheehy Moe. Also present were the Deputy City Manager Chuck Anderson; Deputy City Clerk Darcy Dea; Public Works Engineer Dave Dobbs; Finance Director Melissa Kinzler; Planning and Community Development Director Craig Raymond; City Attorney Sara Sexe; and, Police Captain Rob Moccasin.

AGENDA APPROVAL: Deputy City Manager Chuck Anderson noted that there was a minor correction to item #8, the correct public needs hearing date is April 2, 2019 for Item #15, and additional correspondence for Item #16 was received after original posting of the Agenda. The revised agenda was approved as submitted.

CONFLICT DISCLOSURE/EX PARTE COMMUNICATIONS: Commissioner Bronson announced that he would be abstaining from the discussion and vote on Item #14.

1.

PROCLAMATIONS

Commissioner Houck read Respect & Inclusion Day; Commissioner Robinson read Charles M. Russell Month; and Commissioner Moe read Montana Retired Educator Day.

PETITIONS AND COMMUNICATIONS

2. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Brett Doney, Great Falls Development Authority, 405 3rd Street Northwest, reported that Great Falls has been named one of the “2019 Top 100 Best Places to Live” by Livability.com.

John Hubbard, 615 7th Avenue South, inquired the status of the water quality, as well as the purpose of the ultraviolet system. Mr. Hubbard expressed concern about to ice build-up on rooftops.

Referring to Mr. Hubbard’s inquiries, Public Works Engineer Dave Dobbs responded that the ultraviolet system has reduced the amount of chlorine added to the water by 72%. The last eight samples taken for the Haloacetic Acids (HAA5’s) were in compliance with state regulations, and the ultraviolet rays deactivate the organisms DNA to prevent reproduction.

NEIGHBORHOOD COUNCILS

3. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

None.

BOARDS & COMMISSIONS

4. APPOINTMENT AND REAPPOINTMENTS, MANSFIELD CENTER FOR THE PERFORMING ARTS ADVISORY BOARD.

Commissioner Moe moved, seconded by Commissioner Houck, that the City Commission appoint Edward (Larry) Gomoll and reappoint Nancy Clark and Patty Holmes-Myers to fill three-year terms through December 31, 2022, to the Mansfield Center for the Performing Arts Advisory Board.

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

Commissioner Houck commended the Board for its service to the Mansfield Center.

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

Motion carried 5-0.

5. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS FROM BOARDS AND COMMISSIONS.

Commissioner Robinson reported that the City County Health Board Chairman, Peter Gray, resigned, and the Commission is seeking applications until March 25, 2019 for qualified citizens to serve on the Board. Commissioner Robinson thanked Mr. Gray for his service on the Board.

Commissioner Bronson added that the City County Health Board is not only advisory, but also has regulatory authority under state law.

CITY MANAGER

6. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Deputy City Manager Chuck Anderson announced:

- Manager Greg Doyon was scheduled to attend an Association of Defense Communities Conference; however, he became ill and was unable to attend.
- All Unions will be entering into Collective Bargaining Negotiations.
- Manager Doyon hosted a budget workshop for department heads on March 1, 2019 to begin the 2020 budget process. The Finance Department will provide training on budget entry for staff on March 15, 2019.

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- There are current openings for the City County Health Board, Advisory Commission on International Relationships, and Golf Advisory Board. Applications should be turned into the City Manager's office.
- A motor grader was destroyed by a fire at Public Works shop. Deputy City Manager Anderson expressed appreciation to RDO Equipment and Tractor and Equipment for loaning a motor grader, at no cost, until the City can get a replacement grader.
- The Electric City Water Park project began March 4, 2019, and is anticipated to be completed by the end of May, 2019. There will be improved ADA accessibility from the parking area, restoration of the stucco façade, window frames and glazing, roof work, reconfiguration of a check-in counter, both locker and family changing rooms, and total renovation of the toilet to shower areas to meet ADA standards, and a new family restroom.

Mayor Kelly commended the community, as well as Malmstrom Air Force Base for their efforts with regard to the search and rescue efforts for Judge John Parker.

CONSENT AGENDA.

7. Minutes, February 8, 2019, Special Commission meeting.
8. Minutes, February 19, 2019, Commission meeting.
9. Total expenditures of \$1,321,499 for the period of January 7, 2019 through February 20, 2019, to include claims over \$5,000, in the amount of \$1,109,679.
10. Contracts list.
11. Award a three year contract for audit services with Anderson ZurMuehlen & Co, P.C. (AZ) at a cost of \$47,000 annually (or \$141,000) for Fiscal Years 2019, 2020 and 2021.
12. Award a contract in the amount of \$774,805 to United Materials of Great Falls, Inc., for the South Great Falls Storm Drain Improvements (North Basin) project and authorize the City Manager to execute the construction contract documents. **OF 1554.4**
13. Approve Final Payment for the Great Falls Public Library Boiler Replacement in the amount of \$33,264 to McKinstry Essention, LLC and \$336 to the State Miscellaneous Tax Fund and authorize the City Manager to make the payments. **OF 1621.1**
14. Set a public hearing to consider the lease of City Owned property parcels 3016300 & 3015100 located three and one half miles north of the Manchester Exit for April 2, 2019.
15. Set Community Development Block Grant (CDBG) public needs hearing for 2019/2020 Annual Action Plan for April 2, 2019.

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Commissioner Bronson moved, seconded by Commissioner Robinson, that the City Commission approve the Consent Agenda as presented with the exception of item 14 which is to be pulled for separate consideration and vote.

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

Motion carried 5-0.

Commissioner Bronson explained he is recusing himself from Item #14 since the Lessee, Mr. Laubach, was a former client.

Commissioner Moe moved, seconded by Commissioner Houck, that the City Commission set a public hearing to consider the lease of City Owned property parcels 3016300 & 3015100 located three and one half miles north of the Manchester Exit for April 2, 2019.

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

Motion carried 4-0-1. (Commissioner Bronson abstaining)

PUBLIC HEARINGS

16. RESOLUTION 10268 TO ANNEX A 21.10 ACRE TRACT IDENTIFIED AS PARCEL 1 ON CERTIFICATE OF SURVEY # 5162, ORDINANCE 3180 TO ESTABLISH PLANNED UNIT DEVELOPMENT ZONING AND PRELIMINARY PLAT FOR A MAJOR SUBDIVISION TO CREATE 40 LOTS FOR WHEAT RIDGE ESTATES, PHASE I.

Planning and Community Development Director Craig Raymond reported that Resolution 10268, Ordinance 3180, and the applicant's Preliminary Plat request were presented and considered by the City Commission at a public hearing on September 18, 2018. After closure of the public hearing, the Commission decided to table action on the pending motion until the January 15, 2019, meeting. The purpose of tabling the motion was to allow the applicant the opportunity to provide the City with its new alternative storm water drainage concept for the proposed development, along with additional information regarding emergency ingress and egress.

At the applicant's request, the City Commission approved a postponement to March 5, 2019.

City Attorney Sara Sexe discussed the procedural considerations for the March 5, 2019 public hearing.

Planning and Community Development Director Raymond explained that the applicant, KYSO Corporation is requesting annexation, zoning, and subdivision of a 21.10 acre parcel located south of the East Great Falls Retail Center anchored by the Walmart Superstore. The 21.10 acre parcel is one of three parcels that comprise 227.63 acres owned by the applicant. The 227.63 acres are bordered by the Walmart store and vacant, commercially zoned property to the north, the KOA

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Campground and vacant property to the west, vacant property to the south, and vacant property to the east. The northeast portion of the 227.63 acres adjoining US Highway 89 and the Malmstrom Air Force Base contains a 10.21 acre Airfield Restrictive Easement not being disturbed for development. Currently, these tracts are zoned Agricultural which restricts development outside of farming to single family detached units or two-unit dwellings on parcels that must be at least 20 acres in size. Because the 21.10 acre parcel is contiguous to the City limits as a result of the East Great Falls Retail Center annexation, it is eligible to be considered for annexation. The applicant's request for PUD zoning is due to the mix of residential densities and a few mixed-use commercial lots on the north end of the master planned project. These mixed-use lots are proposed to primarily mirror those dimensional and use standards that are allowed under the City's M-1 Mixed Use zoning designation, providing for the possibility of different residential uses, retail, offices, institutional and light manufacturing.

The applicant also wishes to subdivide another portion of the 21.10 acres for 37 single family detached home lots. All of the proposed lots would be at least 11,500 square feet, and most resemble development in the City's R-2 Single-family medium density zoning district, which requires 11,000 square foot residential lots. The remaining development standards for this portion of the proposed PUD, such as lot width, building heights, setbacks, and lot coverage percentage, are requested to be a mix of standards found in the City's R-1, R-2, and R-3 zoning districts. Although the proposed use of the lots will be for single family detached homes, the applicant is requesting permitted uses consistent with the R-1 zoning district. The combined area of the residential lots is 12.50 acres, with the remaining acreage being devoted to both public and private streets and greenspace.

Staff continues to have significant concerns regarding the application. Because the 21.10 acre parcel is only contiguous to the City limits on the parcel's north side, and because the property is located at the southeast boundary of the City, it presents challenges for police, fire, and emergency services. Due to the substandard nature of the response time issue, the project location makes response logistics and timing critically important.

Fire Chief Steve Hester expressed concern with regard to the longevity of a compressed aggregate access road, as well as a nine minute response time. Chief Hester commented that emergency access roads aren't maintained the way normal roads are, and expressed concern that snow would not be cleared off the road, making access difficult for emergency services.

Director Raymond reported that despite clear, minimum specifications for City streets and access roadways, the applicant has proposed an access comprised of asphalt millings with the edges and other areas seeded with grass. This design is not appropriate due to concerns with vegetation and root matter degrading the integrity of the surface, as well as long-term maintenance and durability failures.

The Commission directed the applicant to address staff's concerns regarding the proposed inadequate second emergency access road. To date, the applicant has chosen to not respond to the Commission's directive, instead, relying on the previously submitted plan and preliminary report, which lacked the ability to conclusively document compliance with City standards. Additional geotechnical testing needed to address these gaps in the report has not been done.

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As mentioned in the September 18, 2018 Staff report, storm water is a paramount concern of the proposed development. Based on the applicant's testimony at the September 18, 2018 hearing about a possible storm water proposal, or an alternative proposal, the Commission directed the applicant and staff to work towards vetting that alternative design idea. At the January 15, 2019, Commission meeting, the applicant asked for additional time to continue to produce additional information to provide staff for consideration. What was received was not so much a new, alternative proposal; rather, it was an amended version of the original design.

City Engineer Dave Dobbs reported that the late submittal of revised information gave City staff inadequate time to carefully review and discuss the details of the submittals with the applicant's consultants. City staff remains extremely concerned about the project's downstream drainage impacts to the Gibson Flats area. As noted in the September 18 agenda report, the City is currently defending claims of over \$2,000,000 in damages by L. Johnson Corporation. These claims are based upon alleged damage to the Corporation's property resulting from drainage issues from prior developments in the Berkner Heights, Whispering Ridge, Charles Russell, Christensen, East Ridge, and East Great Falls Retail Center Additions. The L. Johnson farm ground is directly south and west of the applicant's proposed development.

More specifically, the City's remaining concerns related to storm water impacts, even with the revised proposal, are:

1. The creation of point discharge flow. Even with a proposal that reduces runoff rates and volumes, downstream flow leaving a man-made pond with a new pipe outlet is still more concentrated flow than the pre-existing natural flow path; and
2. Groundwater impacts. Alleged impacts due to groundwater flows are a key claim in the current Gibson Flats litigation. Infiltration of water on the property and downstream conveyance via groundwater remain a concern given the ongoing litigation. In discussions with the applicant, City staff noted that irrigation will take place on individual lots, amplifying groundwater flows if a 40-lot subdivision is constructed. Additionally:
 - a. Staff made recommendations such as using a synthetic liner for the proposed detention/retention pond as well as the installation of a groundwater capturing system. In response, the applicant proposes clay rather than synthetic liner; however, the applicant did not provide testing data of the proposed clay soil or any design details for review. Staff's concerns associated with this approach revolve around the developer's unwillingness to use a synthetic liner, as staff has experienced better reliability with synthetic liners as compared to clay; and
 - b. The applicant is proposing a groundwater dewatering system as well as Homeowner's Association-enforced covenants that would limit irrigation of private landscaped areas. Staff's concerns associated with this approach revolve around the perpetual enforcement challenges in relying on Homeowner's Association enforcement of irrigation limits.
3. There are serious concerns regarding missing or inadequate details in the storm drainage reports thus far submitted, including:

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- a. In sensitive areas, it is common practice to limit peak flow discharge to a 2-year pre-development storm event. To limit the volume of runoff, both 2-hour and 24-hour duration and back-to-back storm events shall be considered. This information was not provided by the applicant.
- b. No calculations were included to validate some functions of the detention/retention facilities. Missing from the reports was discussion of expected evaporation, which will impact required pond volume and surface area. Also, as noted above, no evaluation or specific detail of the proposed clay pond liner has been provided;
- c. Beneficial use of the storm runoff was added into the recent reports. However, there are no details on the sizing of these facilities. Beneficial reuse is in direct conflict with the applicant's concerns regarding downstream water rights, which the applicant highlighted at the September 18, 2018, Commission hearing; and
- d. Additional explanation is required on how the downstream natural drainage channels will be protected from erosion.

The developer has chosen not to consider staff suggestions that would definitively mitigate storm water impacts including pumping and/or piping of the storm water in order to protect downstream areas.

Director Raymond explained that staff's recommendation is not based simply on a desire to stop a project from moving forward. There are options, which the developer can choose that would lead to a more favorable recommendation for Commission consideration. Staff has proposed alternative, creative solutions which are concrete and realistic that might cost more money than the original proposal; however, it offers a potential path towards solving the concerns.

The applicant has declined to adequately pursue those options. Ultimately, if a reasonable, common-sense solution cannot be found, the appropriate response is to deny the application, and wait until the appropriate solution can be found. In time, perhaps current concerns will be mitigated and a more advantageous plan can be successful. The request is a great development concept proposed in a tough spot fraught with challenges; however, so far, staff and the applicant have not been able to find a mutually acceptable, creative solution.

Abigail St. Lawrence, Helena, counsel for Mr. Woith, commented that she was not provided the additional correspondence for Item #16, received after original posting of the Agenda. Counsel St. Lawrence read from a written statement that was provided to the Commission and staff.

Counsel St. Lawrence expressed concern with regard to accusations from staff that the applicant had chosen to disregard City staff's request for information, declining or delaying to provide information. She explained that the applicant, Spencer Woith, has had a workforce shortage, as well as finding objective, third parties to prepare additional information on the storm water drainage.

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Referring to the Agenda Report, Counsel St. Lawrence commented that the applicant is not in a position to apply for a Beneficial Use Permit with the Montana Department of Natural Resources for beneficial reuse with regard to downstream water rights.

Mayor Kelly reported that the pending motion from September 18, 2018 reads as follows: **“that the City Commission vote down the pending motion to adopt Resolution 10268 to annex the 21.10 acre tract identified as Parcel 1 on Certificate of Survey #5162 and the accompanying Findings of Fact, pending the storm water solution that was described to the Commission as a reduction to both flow and rate worked out, and the emergency egress road worked out between the City and the applicant.”**

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

Hearing none, Mayor Kelly called for the vote.

Motion failed 0-5

Mayor Kelly explained the public hearing process.

Project Developer Spencer Woith, 1725 41st Street South, provided a written statement from Dana Huestis with KYSO Corporation.

Mayor Kelly asked if the Commissioners had any questions of staff or the applicant.

Commissioner Houck inquired what additional item Counsel St. Lawrence was not provided after the original posting of the Agenda.

Abigail St. Lawrence responded the additional item that was received after the posting of the agenda packet.

Commissioner Houck pointed out that written correspondence supporting or opposing the proposed development was received from David Weissman with the Montana Defense Alliance, Shane Etzweiler with the Great Falls Area Chamber of Commerce, and Loren Smith with Prairie Kraft Specialties.

City Attorney Sexe noted that Commissioner Moe provided three copies of the written correspondences to Counsel St. Lawrence.

Commissioner Houck pointed out that Counsel St. Lawrence’s written statement was not provided to the Commission prior to the meeting.

Counsel St. Lawrence responded that her written statement, as far as the technical information, is in the Big Sky Civil & Engineering report, which had been provided to Commission prior to the agenda packet being published.

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Commissioner Houck inquired if Big Sky Civil & Environmental, Inc. was absent for the March 5, 2019 Commission meeting due to a conflict with the County.

Referring to a prior Commission meeting, Counsel St. Lawrence responded that Cascade County Commissioner Joe Briggs' assertions that the application was brought to the city in order to avoid county zoning has been addressed.

Commissioner Robinson inquired if the emergency service access road would be paved or milled.

Counsel St. Lawrence responded that the applicants agree to pave, not pay, as stated in her written statement, the emergency access drive.

Mr. Woith responded that the agreement is to pave the access roadways with the same thickness that would be required by a City standard street, as long as it can meet all of the Montana Department of Transportation (MDT) requirements at the actual approach.

Commissioner Bronson asked staff if the applicant's agreement to pay an approximate cost of \$45,000 to pave the emergency service access road per standards addresses staff's concerns with regard to the ingress/egress issue.

Director Raymond indicated that as long as additional requirements and standards that lie below the paving are still met.

Commissioner Bronson inquired if the applicant would be able to meet the additional requirements and standards as indicated by Planning and Community Development Director Raymond.

Mr. Woith responded that he would be able to meet the requirements of a standard City roadway which would include a geotechnical report, as well as meeting code requirements.

Commissioner Moe asked Mr. Woith when the agreement was reached.

Mr. Woith responded that the agreement was reached at 2:00 p.m. today, March 5, 2019.

Commissioner Moe commented that everything feels so rushed and that makes her nervous.

Referring to page 3 of Counsel St. Lawrence's handout, Commissioner Moe inquired if the applicant's storm water drainage proposal meets or exceeds all applicable City and DEQ design standards.

Engineer Dobbs responded that the late submittal of the revised information gave City staff inadequate time to carefully review and discuss the details of the submittals, and noted that at first glance of the hand out, there are things that staff does not agree with.

Mayor Kelly noted that the engineering report was received on February 15, 2019, and inquired what the standard time frame was to receive and review such documents.

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In response to Mayor Kelly, Director Raymond responded that it depends on the scope and scale of the project. Director Raymond explained that staff received the report on February 15, 2019; however, the agenda report deadline was February 21, 2019, which gave staff less than a week to review the report.

Mayor Kelly inquired what the expected standard time would be to review documents for this type of project.

Director Raymond responded that the appropriate amount of time to review documents for this type of project would be two-four weeks.

Referring to page 2 of Counsel St. Lawrence's handout, Mayor Kelly inquired about the alleged missing or inadequate details in the storm drainage reports.

Engineer Dobbs responded that City staff received preliminary information on February 4, 2019, met with the applicant and Kevin May, from Big Sky Civil & Environmental, Inc. on February 13, 2019 to discuss concerns, and a narrative report was received on February 15, 2019. Engineer Dobbs further responded that the inadequate details are listed on page 6 of the Agenda Report.

Written correspondence in favor of Resolution 10268, Ordinance 3180 and the Preliminary Plat was received from **Loren Smith**, 1500 51st Street South, Great Falls KOA and Prairie Kraft Specialties.

Speaking in favor of Resolution 10268, Ordinance 3180, and the Preliminary Plat were:

Katie Hanning, 327 2nd Street South, Homebuilders Association, commented that the Homebuilders Association is in favor of development; however, there are no available lots to build in Great Falls. She commented that people like to choose where they want to live.

Trace Timmer, 1113 41st Avenue Northeast, commented that there is a need for housing on the east end of town, and the proposed development would fulfill the need.

Written correspondence was received from **David Weissman**, Montana Defense Alliance (MTDA) Chairman, 100 1st Avenue North, and **Shane Etzweiler**, Great Falls Area Chamber of Commerce, 100 1st Avenue North, opposing Resolution 10268, Ordinance 3180 and the Preliminary Plat.

Speaking in opposition to Resolution 10268, Ordinance 3180, and the Preliminary Plat were:

Doug Oswood, 401 Fox Drive, expressed support for future development in Great Falls; however, commented that approving the Wheat Ridge Estates, Phase I development could jeopardize any future expansion or mission at Malmstrom Air Force Base (MAFB). He commented that the approval of the proposed development in the long run wouldn't be in the best interest for the City at this time. Mr. Oswood urged the Commission to listen to staff recommendations.

Commissioner Robinson stepped out at 8:35p.m. and he returned at 8:38 p.m.

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Steve Grooms, 6200 3rd Avenue North, expressed opposition to the encroachment at MAFB and land-use relating to the proposed Wheat Ridge project, and commented that the City would be significantly impacted by losing MAFB.

Bonnie Mitchell, member of the Board of Directors for the Great Falls Area Chamber of Commerce (Chamber), 100 1st Avenue North, commented that the Board of Directors and the Chamber stand behind Chamber President/CEO Shane Etzweiler's comments presented at the September 18, 2018 Commission meeting. She expressed concern with regard to the potential negative economic impact the proposed development might have on the future of Great Falls. The Chamber would recommend a no vote at this time on this proposed development.

Shane Etzweiler, President/CEO of the Great Falls Area Chamber of Commerce (Chamber), 100 1st Avenue North, commented that the Chamber advocates for and supports businesses in the Great Falls Area, especially when it relates to affordable workforce housing; however, the proposed project would have a detrimental impact on future missions at MAFB and potentially the entire base in the future. Correspondence had been submitted to the Commission from the Congressional Delegation Steve Daines and Greg Gianforte, retired Generals who served as Commanders at MAFB, as well as the Assistant Secretary of the Air Force, John Henderson, requesting that the Commission abide by the recommendations of the 2012 Joint Land Use Study. (JLUS). Mr. Etzweiler explained that the economic impact of homes built in the proposed development would be a one-time economic impact, compared to an annual impact from MAFB. Mr. Etzweiler concluded that the impact that MAFB has in the community is something we can't ignore and needs to be protected.

Dave Bertelsen, 325 Fox Drive, commented that the Great Falls Long Range Transportation Plan census states that there were 800 jobs lost with the closing of the Anaconda Company, and that it took over 20 years to rebuild the population. Mr. Bertelsen commented that the community can't jeopardize losing MAFB since it is the seventh largest employer in Montana, providing 3,600 jobs. Mr. Bertelsen pointed out that recently the Base Commander reinforced that the City adhere to the recommendations of the JLUS process. Mr. Bertelsen commented that many businesses intent on coming to Great Falls is based on the stability of MAFB to ensure their future. Referring to the letters received from the Congressional Delegation, Department of Defense (DOD), and the Air Force, recommending the denial of this project, Mr. Bertelsen urged the Commission to heed their recommendations.

Richard Liebert, 289 Boston Coulee Road, concurred with the previous speakers, and commented that the City cannot afford to compromise the addition of a flying mission.

There being no one further to address the Commission, Mayor Kelly asked again if the Commissioners had any questions of staff or the applicant.

Hearing none, Mayor Kelly asked if the applicant wished to respond to any comments made during the proceeding, submit any additional information, or amend the application.

Abigail St. Lawrence commented that her family had moved to Great Falls the year after the smoke stack was demolished, and there was concern that Great Falls would "dry up and blow away." Her family personally survived some difficult economic times as Great Falls found a new economic center after the closing of the Anaconda Company, as well as the loss of the refueling wing in the 1990's. Counsel St. Lawrence commented that she sees a thriving community and MAFB is still here. Counsel

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St. Lawrence concluded that the community is strong and will be stronger due to diversified economic development.

Referring to the letters from Congressional Delegation Steve Daines and Greg Gianforte, Counsel St. Lawrence commented that the letters do not use the words “Wheat Ridge Estates, or cite specifically this development. Referring to page 115 of the agenda report, Counsel St. Lawrence, commented that the letter from the Assistant Secretary of the Air Force speaks in general terms, and makes no recommendation as to denial or granting of the application.

Referring to the written testimony of Dana Huestis with KYSO Corporation, Counsel St. Lawrence read from his statement as follows: “Malmstrom has been classified a Heliport by Federal Aviation Administration Directive dated May 26, 2016. A copy of that Directive is included again in this record. The F.A.A. specifically required helicopters to approach and depart in the direction 026 degrees, which is Northeast, not Southwest over Wheat Ridge Estates. The Directive specifically directs that all fixed wing aircraft are restricted from use. The City Community Development Staff Report does not recognize that BRAC eliminated flying missions and does not recognize that the F.A.A. has designated Malmstrom a Heliport and does not recognize that the F.A.A. prohibits flights over what will be Wheat Ridge Estates!” Counsel St. Lawrence commented that is current situation.

Counsel St. Lawrence continued to read from the written testimony of Mr. Huestis as follows: “When Malmstrom was an Air Installation they adopted a policy known as Air Installation Compatible Use Zone (AICUZ). Malmstrom is not now an Air Installation, it is a Heliport! There is no Compatible Use Zone in a Nuclear Footprint Zone! The City Community Development Staff Report does not recognize that there is no “Incompatible Use Zone. There are not now, nor have there ever been, nor will there ever be “Accident Potential Zones” on my property. My property is free and clear of any such recordings as would be required if there were.”

Counsel St. Lawrence commented that the path leading up to the March 5, 2019, Commission meeting has been a long and winding road, and the applicants appreciate the efforts of the Commission, as well as staff to give everyone involved due process as an equal opportunity; however, the time has come to make a final decision. All information has been provided as requested, all applicable state and local regulations have not only been met, but have been exceeded. The Community Needs Survey indicates that the City needs residential housing, economic development, and public improvements. Wheat Ridge Estates, Phase I meets all of those needs, and meets them now.

Referring to Daniel Rice’s September 14, 2018 written statement from the September 18, 2018 Commission meeting, Counsel St. Lawrence read from his statement as follows: “The hope of a new flying mission is still a broadly felt emotion and supported by many. That is a good thing. What is not a good thing, is to cling to a position that excludes capitalizing on other opportunities. Twelve years ago we were told there was a potential flying mission just around the corner but so far all that has happened is the prevention of a housing development by private parties that don’t require public funding. Another concern is the growing reputation of Great Falls as the “City of No.” Regardless of the merit, that reputation is growing. One indicator is what is happening outside of the city. Housing is being developed both to the east and south but outside the Great Falls city limits. I understand that mistakes can cause problems (i.e. coal and natural gas power plants owned by the city.) We should not let past

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ventures dictate that Great Falls should be frozen in the past. I ask that the project be approved with the appropriation conditions so that Great Falls can show it can move forward.”

Counsel St. Lawrence concluded that the applicants proudly and respectfully request that the Commission approve Resolution 10268, Ordinance 3180, and the Preliminary Plat to Wheat Ridge Estates, Phase I, and “move Great Falls forward into its future where our best and brightest can come home to Great Falls, and build the lives they and their families have earned.”

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

Commissioner Bronson moved, seconded by Commissioner Robinson, that the City Commission deny Resolution 10268 to annex the 21.10 acre tract identified as Parcel 1 on Certificate of Survey # 5162 and the accompanying Findings of Fact.

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

Commissioner Bronson commented that he made the motion reluctantly knowing the reputation of the developer, Mr. Woith, and for the excellent work that he has done in the community. Commissioner Bronson expressed opposition to Cascade County Commissioner Briggs’ position that the proposed annexation request is an attempt to elude county zoning. Commissioner Bronson commented that an individual who owns property outside the city limits could seek annexation by petition; however, approval is not mandatory by the City Commission.

Commissioner Bronson commented that the developer has addressed the ingress/egress issues; however, staff continues to have concerns with regard to storm water.

With regard MAFB, Commissioner Bronson explained that the statements from the Department of Defense, and the Congressional Delegation may not advise the Commission specifically whether or not to grant or deny the application; however, it advises that the Commission take the JLUS into consideration.

Commissioner Bronson expressed support of residential, commercial or industrial development to further expand the tax base and economic vitality of the community; however, that has to be weighed against the community asset of MAFB. Referring to staff’s concerns with regard to storm water, and the future of MAFB, Commissioner Bronson expressed concern with regard to the proposed annexation at this time.

Commissioner Robinson echoed Commissioner Bronson’s comments and concerns. Commissioner Robinson expressed support of development; however, commented that staff’s recommendations to deny the proposed request makes him reluctant as well. With regard to MAFB, Commissioner Robinson commented that the risk would be too high if MAFB were to close due to the proposed development.

Commissioner Houck expressed concern with regard to continued issues from the September 18, 2018 negative findings, as well as due process with regard to the late submittal of the written testimony of Dana Huestis. Commissioner Houck commented that it is awkward to accept an

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agreement that was agreed upon at 2:00 p.m., the day of the public hearing. Based on information that was provided halfway through the Commission meeting, Commissioner Houck commented that if the proposed development were to go forward, there would be a lot of risks, and it wouldn't be a "win-win" for the community.

Commissioner Moe commented that her statements supporting the proposed project at the September 18, 2018 Commission meeting doesn't mean that she is not a loyal supporter of MAFB. She commented that the City's relationship with MAFB makes the City very dependent, and reluctant to take risks. Whether the proposed project is approved or not, Commissioner Moe commented that the mission at MAFB could still go away. She requested that supporters of MAFB work more at receiving a stronger commitment from them. Commissioner Moe concluded that not approving the proposed project is not an issue about MAFB, but rather, the application not being where it needed to be.

Mayor Kelly explained that the Commission has a responsibility to the community with regard to the need for stability that MAFB represents, as well as the need for growth. The proposed property is ripe for development and deserves to be developed without causing the concept of encroachment on MAFB.

Mayor Kelly commented that the application being done so quickly is a cause for concern. He commented that there are appropriate conditions to develop property that don't pose a threat to MAFB. Mayor Kelly concluded that in time, perhaps current concerns will be mitigated and a more advantageous plan could be submitted for the proposed development.

Commissioner Bronson restated the motion.

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

Motion carried 5-0.

Mayor Kelly called a recess at 9:30p.m. He called the meeting back to order at 9:35 p.m.

17. ORDINANCE 3194, AMENDING TITLE 17 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF): RESERVING CHAPTERS 1 THROUGH 3; AND, REPEALING AND REPLACING CHAPTER 4 PERTAINING TO GENERAL PROVISIONS TO THE LAND DEVELOPMENT CODE.

City Attorney Sara Sexe reported that most of the proposed changes are non-substantive. The changes include establishing and reserving Chapters 1 through 3 of Title 17 of the Official Code of the City of Great Falls (OCCGF). Other non-substantive changes include correcting typographical, grammatical, formatting, and referencing deficiencies in Title 17, Chapter 4 of the OCCGF.

The proposed amendments would clarify what OCCGF zoning regulations apply to public entities developing land. The amendments would clarify that public entities are only exempt from regulations that are specifically designated by state law, which are:

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1. The height, number of stories, and size of buildings and other structures;
2. The percentage of lot that may be occupied;
3. The size of yards, courts, and other open spaces;
4. The density of population; and
5. The location and use of buildings, structures, and land for trade, industry, residence, or other purposes.

Additionally, the proposed amendments clarify the process of a public entity would be required to follow to be exempt from the above listed regulations. The amendments would require public entities developing property to comply with all other development and property maintenance standards outlined in the OCCGF.

Mayor Kelly declared the public hearing open.

No one spoke in support of Ordinance 3194.

Speaking in opposition to Ordinance 3194 was:

Jeff Gray, Great Falls Public Schools Board Member, 3101 4th Avenue North, provided and read from a written statement, expressing the Board's concerns with regard to Ordinance 3194.

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

Commissioner Bronson moved, seconded by Commissioner Robinson, that the City Commission adopt Ordinance 3194.

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

Referring to Mr. Gray's comments and concerns, Commissioner Bronson responded that the proposed amendments to Title 17 of the OCCGF allow the School District, or any Government Entity to not be bound by particular zoning regulations as it relates to the use of the property. The provisions to Title 17 also allow a property owner to apply for a variance process from particular standards if undue hardship can be established. Commissioner Bronson commented that Mr. Gray's concerns could be worked out through the provisions in Ordinance 3194.

Commissioner Bronson mentioned that the School District was exempted from certain development standard with regard to modifications that were done at CM Russell High School. Referring to the sidewalks around CM Russell High School, Commissioner Bronson urged the School District to readdress the sidewalks in that area, and to consider the needs of the neighborhood, students, and disabled.

Commissioner Moe commented that government bodies dealing with issues need to work together to arrive at an understanding. Commissioner Moe expressed concern that the issues with the School District may not be solved.

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Mayor Kelly received clarification that the state definition of zoning which indicates whether an entity could be exempt from zoning, is the provision that is added to Title 17 of the OCCGF. Mayor Kelly further received clarification that the School District's current building projects, relating to zoning, are excluded from the ongoing requirements by statute.

City Attorney Sexe explained that the City and School District disagree on the interpretation of the statutory language of zoning with regard to the limitations of self-governing powers, as well as the application of the entire Title 17 of the OCCGF.

Mayor Kelly commented that there has been good dialogue between the City and the School District, and the City is not trying to hinder development opportunities for the School District.

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

Motion carried 4-1. (Commissioner Moe dissenting)

OLD BUSINESS

NEW BUSINESS

ORDINANCES/RESOLUTIONS

18. **ORDINANCE 3202, TO ESTABLISH R-2 SINGLE-FAMILY MEDIUM DENSITY ZONING FOR THE PROPERTY LOCATED AT LOT 5 OF GRANDVIEW TRACTS, SECTION 13, T20N, R3E, P.M.M., CASCADE COUNTY, MONTANA, PROPERTY CURRENTLY OWNED BY STEVEN AND CRYSTAL JOHNSON.**

Planning and Community Development Director Craig Raymond reported that the applicants own a parcel of land located at 335 21st Avenue South legally described as Lot 5 of Grandview Tracts have filed for annexation of their property in order to be eligible to receive City water and sewer services. The lot is located within the upper lower River Road Water and Sewer District phase 5.

Commissioner Robinson moved, seconded by Commissioner Houck, that the City Commission accept Ordinance 3202 on first reading and set a public hearing for April 2, 2019.

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

Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

CITY COMMISSION

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19. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.

Mayor Kelly extended an invitation for the retirement of the History Museum Director, Jim Meinert, on March 13, 2019 from 1:00 – 5:00 p.m. at the History Museum.

20. COMMISSION INITIATIVES.

None.

21. LEGISLATIVE INITIATIVES.

None.

ADJOURNMENT

There being no further business to come before the Commission, **Mayor Kelly moved, seconded by Commissioner Bronson, to adjourn the regular meeting of March 5, 2019, at 10:10 p.m.**

Motion carried 5-0.

Mayor Bob Kelly

Deputy City Clerk Darcy Dea

Minutes Approved: March 19, 2019



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

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 \$5000:

ACCOUNTS PAYABLE CHECK RUNS FROM FEBRUARY 21, 2019 - MARCH 6, 2019	2,534,058.59
MUNICIPAL COURT ACCOUNT CHECK RUN FOR FEBRUARY 16, 2019 - FEBRUARY 28, 2019	45,989.50
TOTAL: \$	<u>2,580,048.09</u>

GENERAL FUND

FIRE

BENEFIS HOSPITALS	OCCUPATIONAL PHYSICALS	9,526.16
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SPECIAL REVENUE FUND

STREET DISTRICT

WATER & ENVIRONMENTAL TECHNOLOGIES INC	OF 1476.6 VINYARD ROAD STORM WATER MANAGEMENT (SPLIT AMONG FUNDS)	7,332.94
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PERMITS

A T KLEMENS INC	HVAC INSTALLATION PCD (SPLIT AMONG FUNDS)	28,662.00
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ENTERPRISE FUNDS

WATER

FERGUSON ENTERPRISES INC	METER SUPPLIES	5,791.22
TD&H ENGINEERING	OF 1494.6 WATER MAIN CROSSINGS	55,568.76
SLETTEN CONSTRUCTION CO	UPPER MISSOURI RIVER & SUN RIVER	
NALCO COMPANY	OF 1519.6 WTP PH 1 CONSTRUCTION	281,365.12
BLACK & VEATCH CORPORATION	POLYMER	5,599.83
CENTURYLINK	OF 1519.6 WTP IMP PH 1 CONSTRUCTION	38,724.00
	CITY NETWORK CIRCUITS	303.40
	(SPLIT AMONG FUNDS)	

ENTERPRISE FUNDS (CONTINUED)

SEWER

VEOLIA WATER NORTH AMERICA	MONTHLY WWTP OPERATION CONTRACT	241,274.04
VEOLIA WATER NORTH AMERICA	MONTHLY CONTRACTED CAPITAL IMPROVEMENTS	12,500.00
HDR ENGINEERING INC	OF 1731.1 SEPTAGE RECEIVING STATION & DEWATERING PUMP	31,928.76

STORM DRAIN

OUTRIGGER CONSULTANTS LLC	OF 1722.2 LIFT STATION #8 REMOVAL	5,615.00
WATER & ENVIRONMENTAL TECHNOLOGIES INC	OF 1476.6 VINYARD ROAD STORM WATER MANAGEMENT (SPLIT AMONG FUNDS)	16,099.56

911 DISPATCH CENTER

CENTURYLINK	JAN & FEB MONTHLY LINE CHARGES	11,686.10
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PARKING

STANDARD PARKING CORPORATION	CONTRACT SERVICES FOR OPERATING DOWNTOWN PARKING PROGRAM	28,779.48
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CIVIC CENTER EVENTS

GREAT FALLS SYMPHONY ASSOC	19-53 KINKY BOOTS CASH OUT	15,621.61
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INTERNAL SERVICES FUND

HEALTH & BENEFITS

MONTANA MUNICIPAL INTERLOCAL AUTHORITY	EMPLOYEE HEALTH INSURANCE PREMIUM	768,637.45
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INSURANCE & SAFETY

HARTELIUS, DUROCHER & WINTER P.C.	DEDUCTIBLE RECOVERY	5,000.00
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FISCAL SERVICES

ANDERSON ZURMUEHLEN AND CO PC	DEVELOPER FEES & PREPARATION OF AUP REPORTS	9,700.00
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INFORMATION TECHNOLOGY

SHI INTERNATIONAL CORP	ANNUAL VMWARE MAINTENANCE	5,054.52
CENTURYLINK	CITY NETWORK CIRCUITS (SPLIT AMONG FUNDS)	4,912.92

CENTRAL GARAGE

MOUNTAIN VIEW CO-OP	FUEL	39,104.29
NORMONT EQUIPMENT CO	SNOW DOGG SNOW PLOW	6,627.45

INTERNAL SERVICES FUND (CONTINUED)

ENGINEERING

CDW GOVERNMENT	7 IPADS FOR ENGINEERING	5,488.00
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CC FACILITY SERVICES

MR GREEN LANDSCAPE SOLUTIONS	SNOW REMOVAL	14,710.00
A T KLEMENS INC	HVAC INSTALLATION PCD (SPLIT AMONG FUNDS)	28,662.00

TRUST AND AGENCY

COURT TRUST MUNICIPAL COURT

CITY OF GREAT FALLS	FINES & FORFEITURES COLLECTIONS	34,230.00
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PAYROLL CLEARING

STATE TREASURER	MONTANA TAXES	46,752.00
ICMA RETIREMENT TRUST	EMPLOYEE CONTRIBUTIONS	7,924.61
FIREFIGHTER RETIREMENT	FIREFIGHTER RETIREMENT EMPLOYEE & EMPLOYER CONTRIBUTIONS	53,188.15
STATEWIDE POLICE RESERVE FUND	POLICE RETIREMENT EMPLOYEE & EMPLOYER CONTRIBUTIONS	65,455.33
PUBLIC EMPLOYEE RETIREMENT	PUBLIC EMPLOYEE RETIREMENT EMPLOYEE & EMPLOYER CONTRIBUTIONS	125,274.83
US BANK	FEDERAL TAXES, FICA & MEDICARE	196,041.60
AFLAC	EMPLOYEE CONTRIBUTIONS	9,581.88
LABORERS INTERNATIONAL UNION	EMPLOYEE CONTRIBUTIONS	21,768.13
WESTERN CONF OF TEAMSTERS	EMPLOYEE CONTRIBUTIONS	16,727.33
MONTANA OE - CI TRUST FUND	EMPLOYEE CONTRIBUTIONS	27,572.46
NATIONWIDE RETIREMENT SOLUTIONS	EMPLOYEE CONTRIBUTIONS	14,829.06

UTILITY BILLS

ENERGY KEEPERS INC	ELECTRICITY CHARGES FOR FEB 2019	45,864.00
NORTHWESTERN ENERGY	SLD CHARGES FOR FEBRUARY 2019	5,674.77
NORTHWESTERN ENERGY	JANUARY 2019 WATER PLANT CHARGES	7,093.36

CLAIMS OVER \$5000 TOTAL:\$ 2,362,252.12

COMMUNICATION TO THE CITY COMMISSION

DATE: March 19, 2019

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

PRESENTED BY: Lisa Kunz, City Clerk

ACTION REQUESTED: Ratification of Contracts through the Consent Agenda

MAYOR’ S SIGNATURE: _____

CONTRACTS LIST

	DEPARTMENT	OTHER PARTY (PERSON OR ENTITY)	PERIOD	AMOUNT	PURPOSE
A	Public Works	Service Master, dba All Purpose Cleaning, Inc.	02/01/2019 – 04/30/2019	\$35/hr (estimated to be less than \$5,000)	Agreement for temporary cleaning services for the Public Works Complex once each week during custodian’s temporary absence.
B	Public Works	Cascade County Weed Management District	Annual	Each party responsible for their own funding	Cooperative Agreement and Noxious Weed Management Plan
C	Public Works – Engineering	NorthWestern Energy	02/06/2019	\$6,058	Customer Agreement Notification #340112515 to install, operate, and maintain facilities (moving electrical transformer) as described in Quote

					25082647 to serve customer at 347 24 th Avenue South OF 1554.5
D	IT Department	Central Technologies	02/15/2019	\$5,446.85	Ratification of Professional Services Agreement for pulling fiber cable between the Public Works Administration Building and Street Sanitation Building, including terminating and testing cables
E	Planning & Community Development	Montana State Historic Preservation Office, Montana Historical Society	04/01/2019 – 03/31/2020	\$5,500	State of Montana Agreement MT-19-017 to maintain an active Historic Preservation Commission, designate an Historic Preservation Officer, and carry out the responsibilities for Certified Local Government program status (CR 021919.9B)
F	Park & Recreation Public Works	United States Air Force Malmstrom Air Force Base	03/17/2019 – 03/16/2024	N/A	Department of the Air Force Supplemental Agreement No. 3 to Lease SPC-MLM-2-04-0032 to maintain the landscaping on Air Force property at 57 th Street & 10 th Avenue North (CR 031604.14, 041712.8G, and 121917.14A) OF 1256
G	Public Works	Anderson Glass Doors Windows Inc.	03/19/2019 – 12/31/2019	\$42,580	Public Works Construction Agreement to remove and replace 14 frames, hardware, doors, keypads, locks, vents, and paint at Public Works shop area OF 1733.2



Item: Construction Contract Award: 2nd Street South Water Main Extension, OF 1494.7.

From: Engineering Division

Initiated By: Public Works Department

Presented By: Jim Rearden, Public Works Director

Action Requested: Consider Bids and Approve Contract for Office File 1494.7.

Suggested Motion:

1. Commissioner moves:

“I move the City Commission (award/not award) a contract in the amount of \$92,921.70 to Geranios Enterprises, Inc. for the 2nd Street South Water Main Extension project, and authorize the City Manager to execute the construction contract documents.”

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

Staff Recommendation: Approve construction contract award.

Summary:

This project will install approximately 650 lineal feet of new 12-inch and 8-inch water main and 1 new fire hydrant.

Background:

This project is being completed in cooperation with the Montana Department of Environmental Quality (DEQ), and Cascade County Public Works Department.

City Engineering staff designed the project and will perform construction inspection and contract administration duties.

The water main extension project is being done to connect two dead end water mains which are located at Glenwood Court and 21st Avenue South. These water mains will be looped together to provide an additional water supply source to the Lower and Upper River Road communities.

This project will install approximately 500 lineal feet of 12-inch and 150 lineal feet of 8-inch PVC water main; install 1 new fire hydrant; 455 square yards of 1½-inch base course gravel; and 30 Square Yards of asphalt removal and replacement. The project locations include:

- 2nd Street from Glenwood Court to 21st Avenue South

- 150 feet on 21st Avenue South, East of 2nd Street South

This project is scheduled to begin no later than April 15, 2019.

Seven bids were received and opened for this project on March 6, 2019. The bids for this project ranged from \$92,921.70 to \$122,527.50. Geranios Enterprises submitted the low bid. Geranios Enterprises is an established responsible contractor and has done projects within the City.

City staff recommends awarding the contract to Geranios Enterprises in the amount of \$92,921.70. Geranios Enterprises has executed all the necessary documents.

Fiscal Impact:

This project is being funded through the Water Capital Improvement fund.

Alternatives:

The City Commission could vote to deny award of the construction contract and re-bid the project at a later date.

Concurrences:

DEQ has reviewed and approved the plans and specifications for this project, and Cascade County has granted the City an Encroachment Permit to do work within the County's right-of-way.

Attachments/Exhibits:

Bid Tab

Vicinity Map

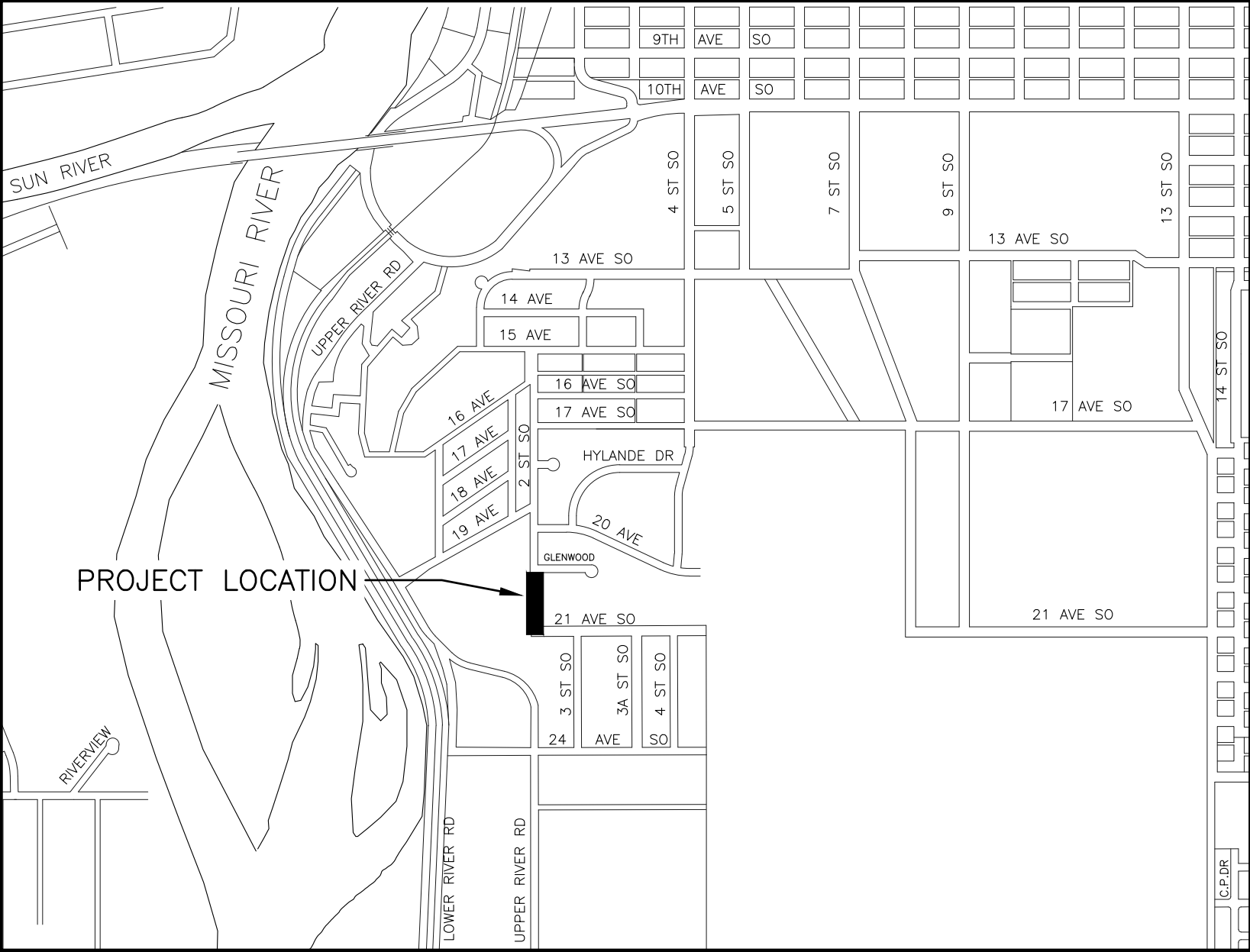
CITY OF GREAT FALLS
 P.O. BOX 5021
 GREAT FALLS, MT 59403

BID TABULATION SUMMARY
 2nd St S Water Maint Extension
 O.F. 1494.7

Project Number _____
 Bids Taken at Civic Center
 Date: March 6, 2019
 Tabulated By: Rick Johnson

	Name & Address of Bidder	Acknowledge Addendum #1	Acknowledge Addendum #2	10% Bid Security	Affidavit of Non-Collusion	Certificate of Non-Segregated Facilities	Certificate of Compliance with Insurance Req.	Total Bid
1	M RTE	N/A	N/A	Yes	N/A	Yes	Yes	\$102,665.00
2	Capcon	N/A	N/A	Yes	N/A	Yes	Yes	\$116,522.50
3	Ed Boland	N/A	N/A	Yes	N/A	Yes	Yes	\$122,527.50
4	Williams Civil	N/A	N/A	Yes	N/A	Yes	Yes	\$111,775.50
5	Central Plumbing & Heating	N/A	N/A	Yes	N/A	Yes	Yes	\$104,815.00
6	Geranios	N/A	N/A	Yes	N/A	Yes	Yes	\$92,921.70
7	United Materials	N/A	N/A	Yes	N/A	Yes	Yes	\$118,695.00
8								
9								
10	Engineer's Estimate							

VICINITY MAP





Item: Gore Hill Water Tower Logo
From: Engineering Division
Initiated By: Public Works Department
Presented By: Jim Rearden, Public Works Director
Action Requested: Consider Logo Renderings and Provide Direction OF 1625.2

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (accept /reject) the attached Lettering Option #2, to only be installed on one side of the Gore Hill water tank, with an estimated cost of \$37,600 and authorize City Staff to instruct Landmark Structures I, L.P. to complete the work.”

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

Staff Recommendation: Accept logo lettering design option #2 for painting on one side of the tank.

Summary:

At the September 5, 2017 City Commission meeting, the Commission voted to award the Gore Hill Water Tower Replacement project to Landmark I, L.P. The decision was made at this meeting to wait until the new tower was erected before deciding to discuss lettering options. Staff has coordinated with the Contractor to provide the attached three (3) renderings and the attached estimated cost information. Lettering option #2 was provided to the City by Great Falls Montana Tourism.

The Contractor is planning on starting the painting work associated with the tower pedestal on May 1. Should the City decide to have the lettering installed, the Contractor will need to be directed to proceed with this work on or before March 22.

Fiscal Impact:

Funding for this project is through the Water Capital Improvement fund.

Alternatives:

1. The City Commission could vote to not have lettering installed on the new Gore Hill Water Tower.

2. The City Commission could vote to accept one of the other lettering options.
 - a. “I move that the City Commission (accept /reject) the attached Lettering Option #1, to only be installed on one side of the tank, with an estimated cost of \$27,500 and authorize City Staff to instruct Landmark Structures I, L.P. to complete the work.”
 - b. “I move that the City Commission (accept /reject) the attached Lettering Option #3, to only be installed on one side of the tank, with an estimated cost of \$28,100 and authorize City Staff to instruct Landmark Structures I, L.P. to complete the work.”
3. The City Commission could vote to reject all of the attached designs and direct staff to present additional options. A delay in accepting an option would negatively affect the construction schedule and likely result in higher costs.

Attachments/Exhibits:

1. Lettering Option #1
2. Lettering Option #2
3. Lettering Option #3
4. Lettering Cost Estimate Information

Tank Reservoir Elevation

Planar measurements of graphics.

Tank measurements shown are based on a typical 500KG gallon composite elevated tank and Landmark drawings.

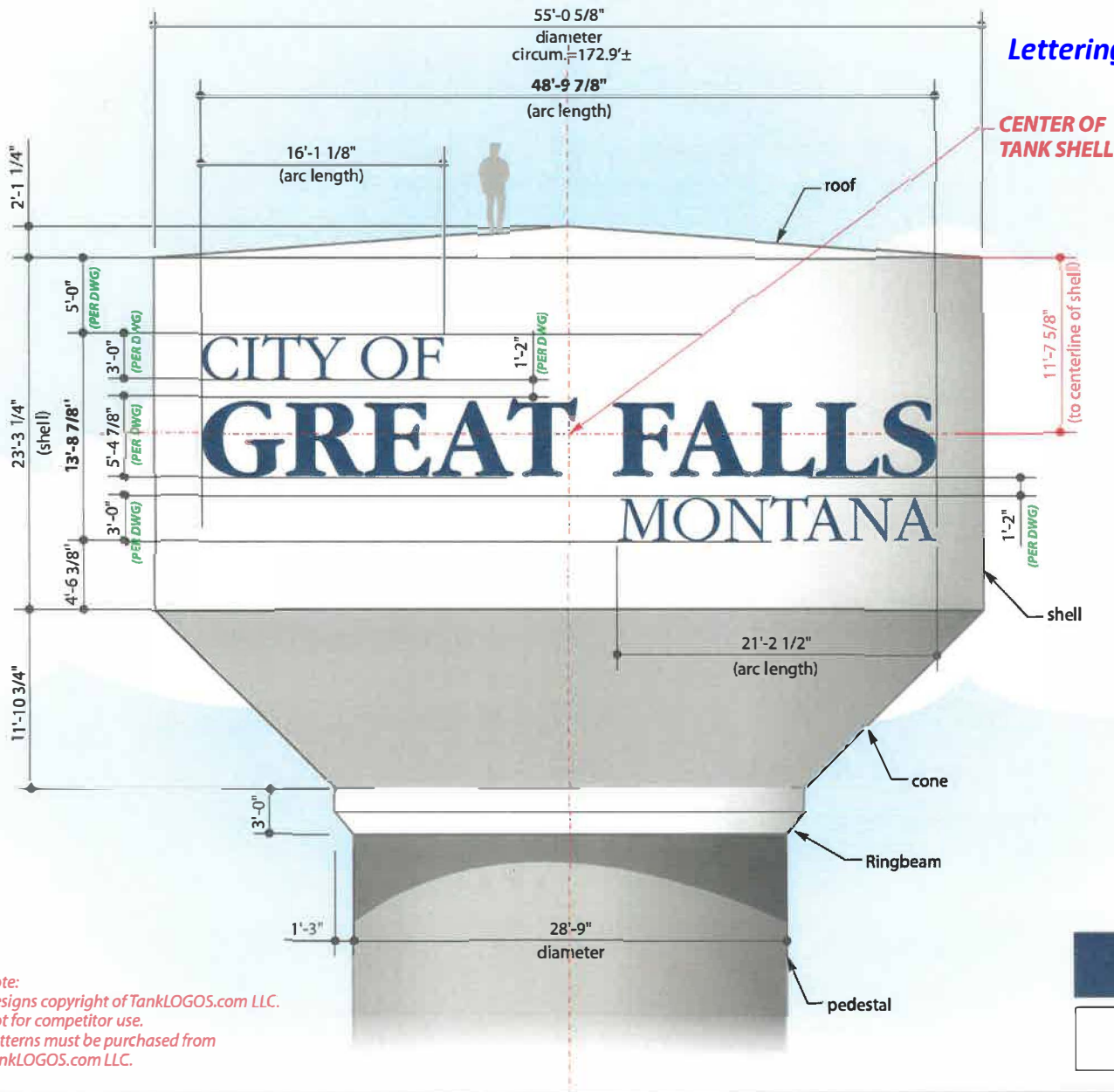
Owner / engineer should verify all measurements prior to final approvals and production.

Quantity: (1) side.
Orientation to be located / verified in the field by owner / engineer.



98'-10 13/16"

NTS



Note:
Designs copyright of TankLOGOS.com LLC.
Not for competitor use.
Patterns must be purchased from
TankLOGOS.com LLC.

- Tnemec Cadet Blue 148L
- Tnemec Tank White 158L



Tim Donovan | Owner
106 Mission Ct STE 1201
Franklin, TN 37067
615.473.0272 tel
888.492.1831 fax
Tim@TankLOGOS.com

Client: Landmark Structures
Design: Great Falls MT LM1589 500KG CET A1
Revision Date: 10-26-18
First Print Date: 03-22-18
Scale: 3/32" = 1'-0"±

Please sign copies of this drawing and accompanying estimate if approved and return or fax to begin work.

Signature _____
APPROVED DATE _____
APPROVED AS NOTED DATE _____
REVISE + RESUBMIT DATE _____

Colors shown are close approximations due to uncontrollable variations in output devices, lighting conditions and media viewed on. Refer to color call-outs when specified. All renderings shown are approximate and are provided as a visualization aid. This design is copyright of TankLOGOS.com. Any unauthorized use of this drawing without exclusive permission from TankLOGOS.com is prohibited.

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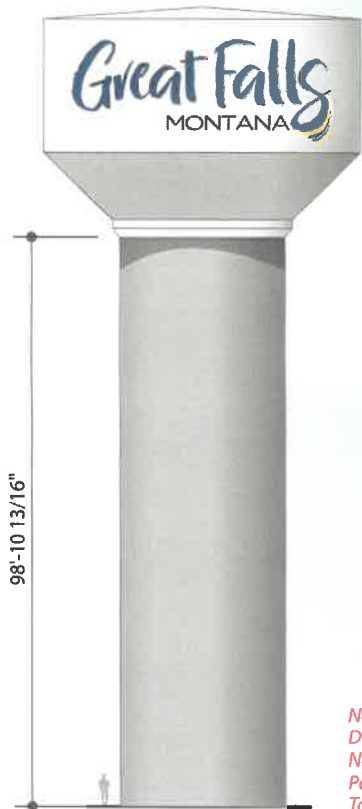
Tank Reservoir Elevation

Planar measurements of graphics.

Tank measurements shown are based on a typical 500KG gallon composite elevated tank and Landmark drawings.

Owner / engineer should verify all measurements prior to final approvals and production.

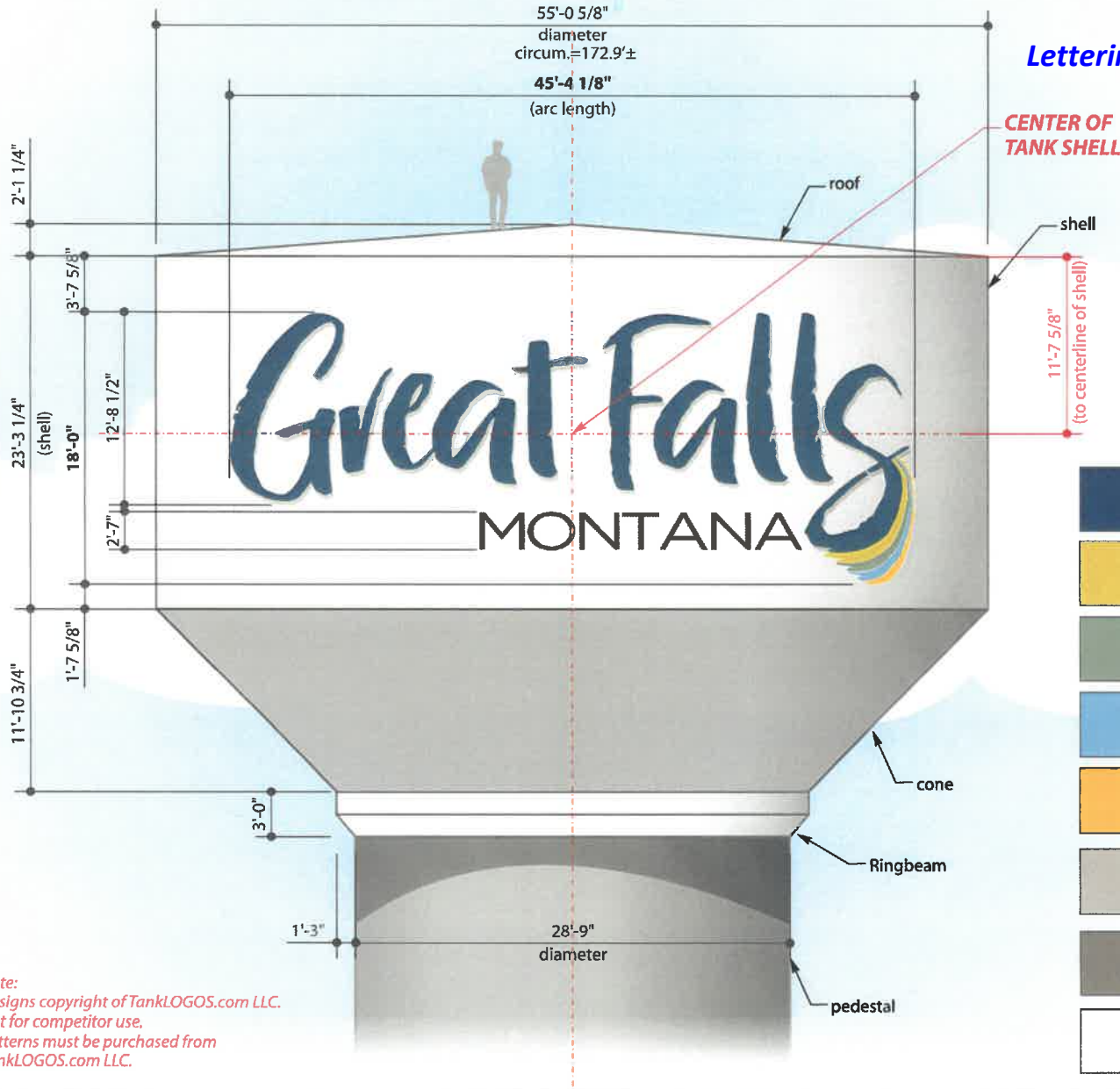
Quantity: (1) side.
Orientation to be located / verified in the field by owner / engineer.



98'-10 13/16"

NTS





Note:
Designs copyright of TankLOGOS.com LLC.
Not for competitor use.
Patterns must be purchased from
TankLOGOS.com LLC.



Lettering Option #2

CENTER OF TANK SHELL

11'-7 5/8"
(to centerline of shell)

-  Tnemec Cadet Blue 14BL
-  Tnemec Granny Smith 54GN
-  Tnemec Zucchini 96GN
-  Tnemec Canal Blue 11BL
-  Tnemec Grapefruit 05YW
-  "Drop shadows" Tnemec Gray ANSI No.61 33GR
-  "MONTANA" Tnemec Deep Space 34GR (VERIFY)
-  Tnemec Tank White 15BL



Tim Donovan | Owner
106 Mission Ct STE 1201
Franklin, TN 37067
615.473.0272 tel
888.492.1831 fax
Tim@TankLOGOS.com

Client: Landmark Structures
Design: Great Falls MT LM1589 500KG CET 80
Revision Date: 10-26-18
First Print Date: 03-22-18
Scale: 3/32" = 1'-0"±

Please sign copy(s) of this drawing and accompanying estimate if approved and return or fax to begin work.
Signature _____
APPROVED 40
APPROVED AS NOTED
REVISE + RESUBMIT DATE _____

Colors shown are close approximations due to uncontrollable variations in output devices, lighting conditions and media viewed on. Refer to color call-outs when specified. All renderings shown are approximate and are provided as a visualization aid. This design is copyright of TankLOGOS.com. Any unauthorized use of this drawing without exclusive permission from TankLOGOS.com is prohibited.

Tank Reservoir Elevation

Planar measurements of graphics.

Tank measurements shown are based on a typical 500KG gallon composite elevated tank and Landmark drawings.

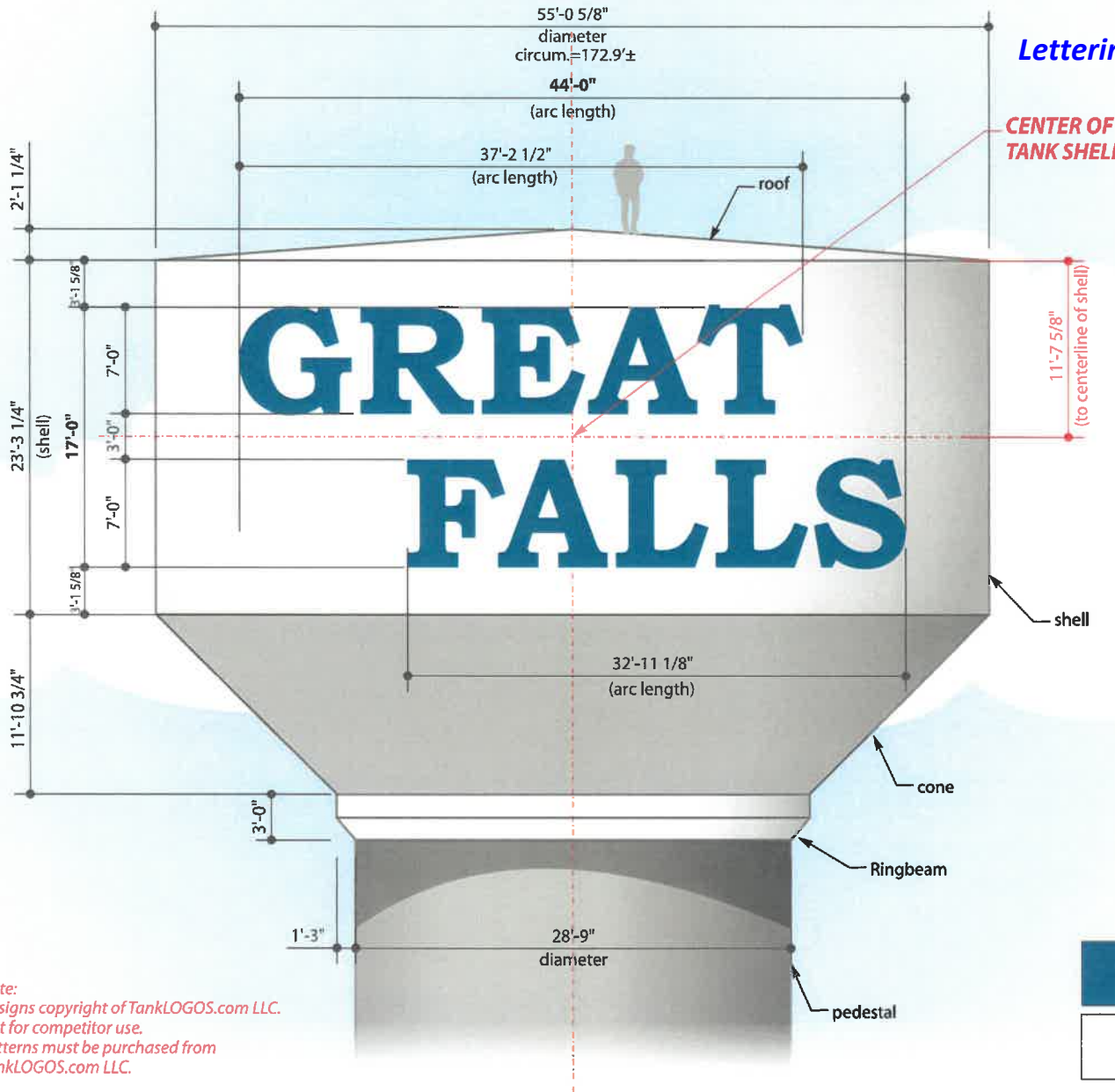
Owner / engineer should verify all measurements prior to final approvals and production.

Quantity: (1) side.
Orientation to be located / verified in the field by owner / engineer.



98'-10 13/16"

NTS



Lettering Option #3

CENTER OF TANK SHELL

11'-7 5/8"
(to centerline of shell)

Note:
Designs copyright of TankLOGOS.com LLC.
Not for competitor use.
Patterns must be purchased from
TankLOGOS.com LLC.

- Tnemec True Blue / Safety 115F
- Tnemec Tank White 15BL



Tim Donovan | Owner
106 Mission Ct STE 1201
Franklin, TN 37067
615.473.0272 tel
888.492.1831 fax
Tim@TankLOGOS.com

Client: Landmark Structures
Design: Great Falls MT LM1589 500KG CET CO
Revision Date: 10-26-18
First Print Date: 03-22-18
Scale: 3/32" = 1'-0"±

Please sign copy(s) of this drawing and accompanying estimate if approved and return or fax to begin work.
Signature _____
APPROVED **APPROVED AS NOTED** **REVISE + RESUBMIT** DATE _____

41

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OF
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Email from Landmark Regarding the Tank Logo Prices

Jesse,

Attached are the renderings as requested. Also, I have confirmed the pricing and it is as follows.

- Option 1: \$27,500
 - Adder for 2nd logo is desired: \$8,200
- Option 2: \$37,600
 - Adder for 2nd logo if desired: \$10,800
- Option 3: \$28,100
 - Adder for 2nd logo if desired: \$8,800

Please let me know if you have any questions or if anything else is needed.

Thank you,

Kyle Coldeway



Item: City 190 Broadcast Video System Upgrade – OF 1741
From: IT, City Clerk, and Administration
Initiated By: City Commission
Presented By: Lisa Kunz, City Clerk
Action Requested: Approve Retail Sales Agreement with AVI Systems Inc.

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (approve/disapprove) the Retail Sales Agreement for the City 190 Broadcast Video System Upgrade and three years of support with AVI Systems Inc., in the amount of \$123,835.26 with annual support costs of \$8,044.00, and authorize the City Manager to execute the agreement.”

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

Staff Recommendation: Staff recommends approval of the Retail Sales Agreement with AVI Systems Inc.

Summary: If approved, this agreement will purchase an upgraded HD video system for live streaming, recording and rebroadcasting meetings held in the Commission Chambers or the Gibson Room.

Background: The existing video capture/broadcast equipment was purchased beginning in 2011 – before the nationwide conversion to HD television signals began in 2014. Channel 190 remains in Charter Communication’s analog channel lineup.

When the City moved from paper packets to a new Novus agenda software system in 2017, components of the audio/video system either stopped working or became increasingly problematic. In early 2018, antiquated projectors in the Commission Chambers and Gibson Room were replaced with modern HD projectors, and the control room PC was replaced. These additions seemed to further exacerbate the technical issues. Staff was able to broadcast live to cable but could not rectify the inability to live stream to the internet. At the suggestion of Novus Support, new pieces of equipment were purchased in an effort to get the newer equipment to communicate with the old equipment. However, staff continued to experience glitches and technical issues.

After several months of conversations with support attempting to get the system stable, repeated failed attempts, and months of inability to live-stream to the internet, as well as video glitches causing the system to not fully record meetings for re-airing or posting, it was decided that it was best to replace the audio/video system.

At its October 16, 2018, meeting, the Commission approved an agreement with AVI Systems, Inc. for technical and engineering services to provide initial and ongoing audio-visual systems Pro Design to include an AV floor plan; video, audio and control flow; equipment lists; system infrastructure requirements and operational and post-operational requirements; project scope of work; costs and project integration for the Commission Chambers and Gibson Room to air, record, and live-stream public meetings. AVI submitted its Pro-Design Proposal after several more meetings via video conference between staff and AVI's team, and subsequent Retail Sales Agreement.

Significant Impacts

Purchase of the upgraded system will allow staff to once again stream meetings live to the internet. The video will stream live in HD through YouTube and also be available online to watch "on demand" in the future. An upgraded HD system will also allow full capacity of the HD projectors installed in the Chambers and Gibson rooms last spring.

Citizen Participation

More and more residents are turning to the internet as a way to communicate, receive, and find information. Cities across the country have started streaming their commission/council meetings online in addition to cable broadcasts as a way to engage and involve a younger demographic and as a way to make government information more accessible. Live-streaming our Commission meetings and having the meetings available "on-demand" is a tremendous feature and resource for our residents. Bringing back the live stream to the internet allows government to become more open and transparent, and allows more people to view meetings live.

Project Work Scope

The equipment for the entire AV system, including replacing the antiquated sound system in the Gibson Room, will be replaced except for: the projectors, microphones, and the Control Room PC. AVI will install and train staff on the system. The upgrade will also include an ADA assistive listening kit for the hard of hearing.

Evaluation and Selection Process

Staff contacted local audio/vendors and was unable to find one to complete a project of this complexity and scope. The vendor who sold the City the current system was contacted, but due to distance from their normal territory in Spokane, Washington, they were unable to offer ongoing support. After contract approval from the Commission, AVI moved forward and completed its Pro Design and submission of the agreement under consideration. AVI has an office in Billings and is based in South Dakota, making them the closest vendor. Great Falls is in their support area.

Fiscal Impact: The estimated cost of the equipment, installation and one year of support is \$123,835.26. A portion of the funding was set aside in the City190 division and the remaining balance will be funded through General Fund Contingency.

Annual support costs of \$8,044 would be budgeted in years two and three and funded under the City190 Budget.

Alternatives: If the Commission decides to reject the agreement, staff will continue to live broadcast the SD signal to cable channel 190 and, if there are no video glitches/technical issues, will post a copy of the video to YouTube later in the week.

Attachments: Due to claimed proprietary information, the Contract will not be posted in the online packet but is available in the Clerk's Office for further review.



Item: Public Hearing - Ordinance 3196 to rezone a portion of tract 25D of McClean Garden Tracts equaling +/- 9,000 square feet located in Section 23, Township 20 North, Range 3 East, P.M.MT., Cascade County, Montana, from R-1 Single-family Suburban to I-1 Light Industrial.

From: Erin Borland, Planner II, Planning and Community Development

Initiated By: Robert L and Jan M Livesay

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

Action Requested: City Commission adopt Ordinance 3196 and the Basis of Decision/Findings of Fact.

Public Hearing:

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

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (adopt/deny) Ordinance 3196 and the Basis of Decision/Findings of Fact.”

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

Staff Recommendation: At the conclusion of a public hearing held on January 22, 2019, the Zoning Commission recommended the City Commission approve the rezoning request from R-1 Single-family Suburban to I-1 Light Industrial with the following conditions:

Conditions of Approval:

1. Amended Plat. Provide an Amended Plat of the subject property which shall incorporate corrections of any errors or omissions noted by Staff.

2. Land Use & Zoning. Development of the property shall be consistent with the allowed uses and specific development standards for the I-1 Light Industrial district designation.

3. Utilities. The final engineering drawings and specifications for on-site improvements for the subject property shall be submitted to the City Public Works Department for review and approval.

4. General Code Compliance. If a project is proposed for the subject property, the proposal 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.

5. Landscape Buffer Code Compliance. If new construction is proposed on the subject property, the proposal is required to be in compliance with §17.44.4.030(D) *Buffer and screening between uses*. Where an industrial use abuts a non-industrial use, a minimum fifteen-foot landscape buffer shall be provided along the shared property line. Where vehicular use areas abut adjacent residential property, the lot shall be screened with a decorative masonry or concrete wall at least four (4) feet in height, or with evergreen and deciduous trees and shrubs in combination with low soil berms that will provide ample screening within three (3) growing seasons to protect the residential property.

Staff recommends approval of the proposed rezoning petition.

Summary: The subject property is located at 2800 Upper River Road. The applicants own several parcels in the area that are zoned R-1 Single-family Suburban (including their primary residence) and I-1 Light Industrial (including an existing business). When the parcels were located in the County, the applicant requested that all of the properties owned be given Light Industrial zoning. Until these properties were annexed into the City, this industrial zoning governed their development. The applicant seeks a small rezoning for 9,000 square feet of one of the properties in order to proceed with a lot line adjustment to build a small outbuilding that would go with their business, Montana Lines.

Background: The subject property as well as the other parcels were annexed into the City as part of the Upper/Lower River Road Water and Sewer District, Phase 2 Annexation in 2009. These annexations were done in order for the parcels in those areas to obtain City water and sewer. When the parcels were annexed, they were all assigned City zoning based on the existing uses. The 9,000 square foot portion of the larger lot, tract 25D, was zoned R-1 Single-family Suburban based on the existing residence.

The applicants came to the City with an Amended Plat to request a boundary line adjustment between the parcels containing the applicant's residence and the applicant's existing business. This was to create an area for the applicants to construct a storage building for the business. In order for Staff to approve the boundary line adjustment for the portion to be transferred from the residential lot to the industrial lot, a rezone must occur to re-establish the industrial zoning that originally existed in the County.

Zoning Map Amendment Request:

The applicant is requesting that a portion of tract 25D, as shown on the draft amended plat, be rezoned from R-1 Single-family Suburban to I-1 Light Industrial in order for the portion of the parcel to become a part of tract 25E through the requested boundary line adjustment.

A zoning map amendment requires public hearings to be conducted by the Zoning Commission and the City Commission, with surrounding property owners being notified of the hearings as well as a sign posted on the property. Notice for the City Commission public hearing was published in the Great Falls Tribune on March 3, 2019. To date, Staff has received four letters of opposition which have been included with this report, and one call from a surrounding owner with the following concerns: 1) how

the rezone might affect his property value or his property taxes, 2) what uses would be permitted on the property if the rezone was approved, and 3) what setbacks and regulations would be required if a structure were built in close proximity to his property. All questions that could be answered by Staff were done so, and the individual will receive this staff report regarding the project.

The basis for decision on zoning map amendments, i.e. rezoning or zone changes, is listed in OCCGF §17.16.40.030. The recommendation of the Zoning Commission and the decision of City Commission shall at a minimum consider the criteria which are attached as Findings of Fact – Zoning Map Amendment. As noted in the findings, staff supports the rezone request for the following reasons: 1) the property already has a history of industrial zoning in the County, 2) the parcel being rezoned is extremely small, only 9,000 square feet, and already contains storage of material from the applicants' business, and 3) the zoning code contains buffering and setback provisions that will control impacts associated with construction of the outbuilding.

Neighborhood Council Input:

The subject property is located in Neighborhood Council #6. Due to the simple rezone request being proposed, information was sent to Neighborhood Council #6 for comment. To date, no comments have been provided from the Council.

Fiscal Impact:

Services are currently provided to tract 25D for the single family residence and to tract 25E for the existing business. The cost of any service lines that may be proposed will be borne by the applicant.

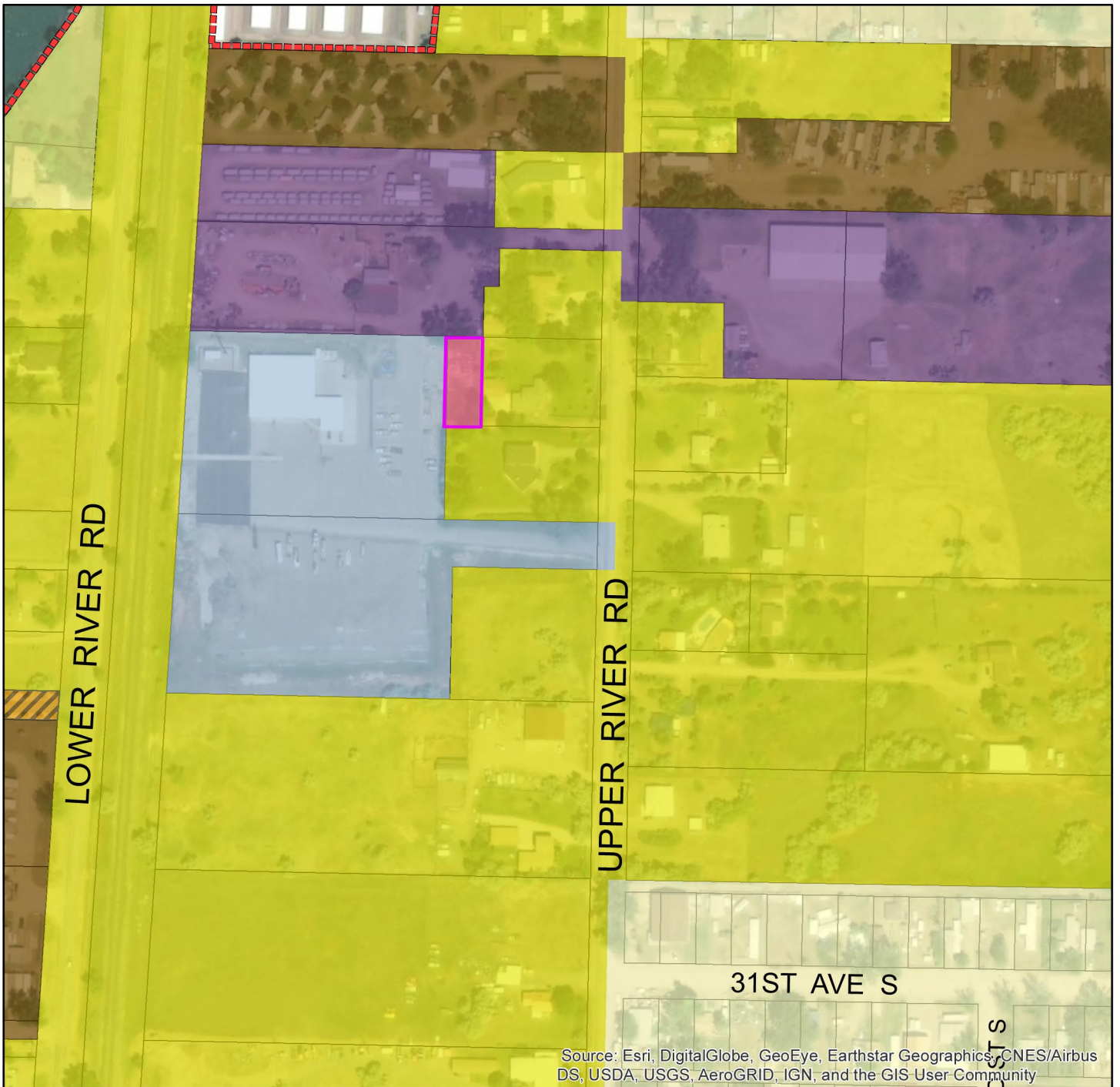
Alternatives: If there are justifiable reasons to do so, the City Commission could deny the requested action to the extent allowed in City Code and State Statute. If such action is taken, the Commission must develop alternative findings to support their decision.

Concurrences: Because the proposal is simply a zoning change request and the proposal for a new storage building is not finalized, no review from other City departments is needed at this time. The building permit for the proposed structure will require review from other City departments.










Attachments/Exhibits:

- Zoning Map
- Ordinance 3196
- Exhibit A – Aerial map
- Basis of Decision/Findings of Fact – Zoning Map Amendment
- Draft Amended Plat
- Letters of Opposition

ZONING MAP



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

-  R-1 Single-family Suburban
-  R-2 Single-family Medium Density
-  R-3 Single-family High Density
-  R-10 Mobile Home Park
-  PUD Planned Unit Development
-  M-2 Mixed-use Transitional
-  I-1 Light Industrial
-  Tracts of Land
-  Subject Property

275 137.5 0 275 Feet



ORDINANCE 3196

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS TO REZONE THE PROPERTY LEGALLY DESCRIBED AS: A PORTION OF TRACT 25D OF MCCLEAN GARDEN TRACTS EQUALING +/- 9,000 SQUARE FEET LOCATED IN SECTION 23, TOWNSHIP 20 NORTH, RANGE 3 EAST, P.M.MT. CASCADE COUNTY, MONTANA, FROM R-1 SINGLE-FAMILY SUBURBAN TO I-1 LIGHT INDUSTRIAL DISTRICT

* * * * *

WHEREAS, the subject property, located at 2800 Upper River Road, and legally described above is presently zoned R-1 Single-family Suburban district; and,

WHEREAS, the property owners, Robert L and Jan M Livesay, have petitioned the City of Great Falls to rezone said properties to I-1 Light Industrial district; and,

WHEREAS, the Great Falls Zoning Commission conducted a public hearing on January 22, 2019, to consider said rezoning from R-1 Single-family Suburban district to I-1 Light Industrial district and, at the conclusion of said hearing, passed a motion recommending the City Commission rezone the property legally described as a portion of tract 25D of McClean Garden Tracts equaling +/- 9,000 square feet, located in Section 23, Township 20 North, Range 3 East, P.M.MT., 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 19th day of March, 2019, 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 17.16.40.030, 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 17.16.40.030 of the OCCGF.

Section 2. That the property legally described as: a portion of tract 25D of McClean Garden Tracts equaling +/- 9,000 square feet, located in Section 23, Township 20 North, Range 3 East, P.M.MT., Cascade County, Montana, be rezoned to I-1 Light Industrial district 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.

ACCEPTED by the City Commission of the City of Great Falls, Montana on first reading February 19, 2019.

ADOPTED by the City Commission of the City of Great Falls, Montana on second reading March 19, 2019.

Bob Kelly, Mayor

ATTEST:

Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

Sara Sexe, City Attorney

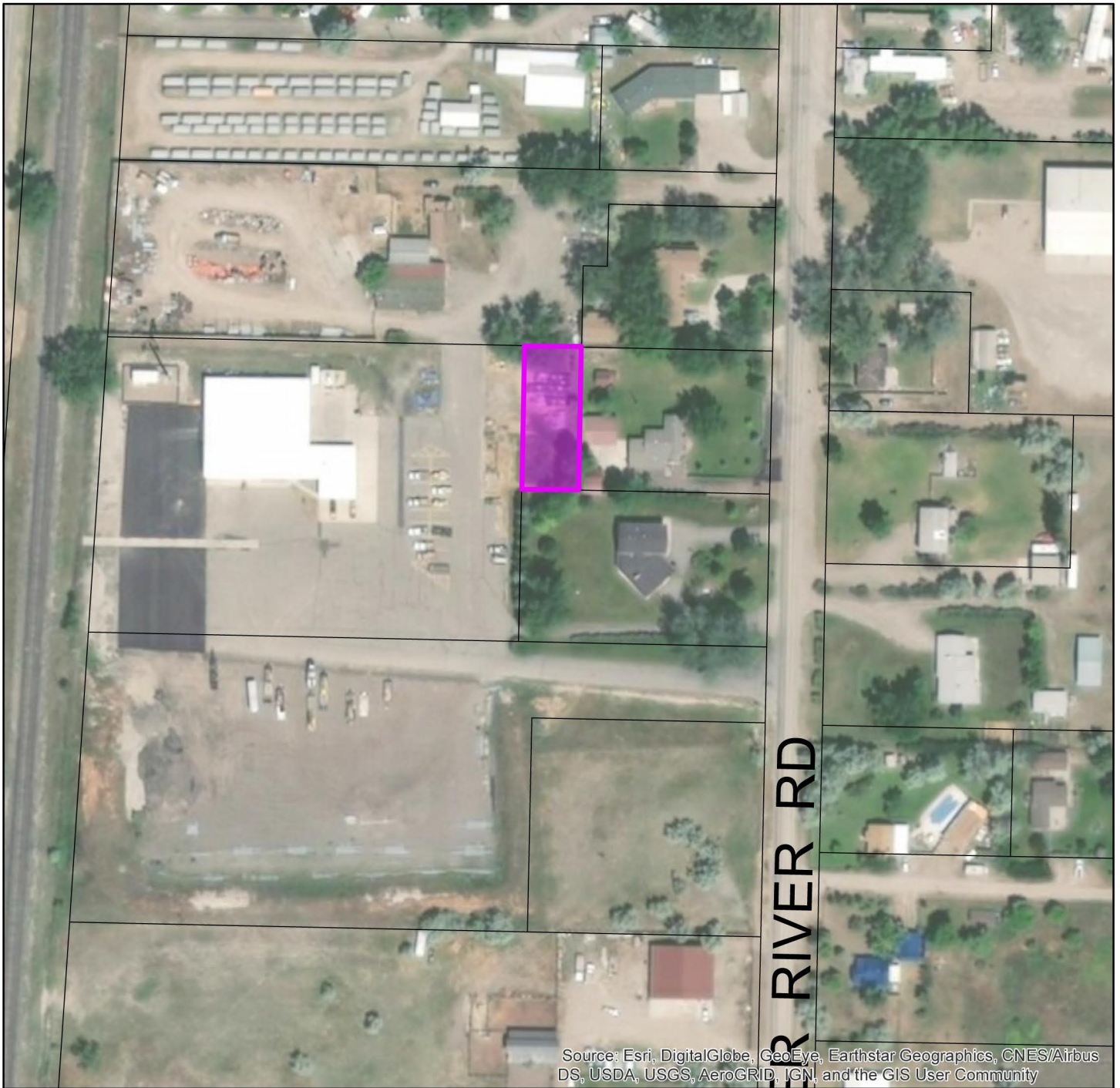
State of Montana)
County of Cascade : ss
City of Great Falls)



I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do certify that I did post as required by law and as prescribed and directed by the Commission, Ordinance 3196 on the Great Falls Civic Center posting board and the Great Falls City website.

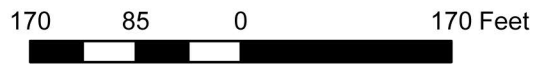
Lisa Kunz, City Clerk

(CITY SEAL)

Exhibit A



-  Tracts of Land
-  Ordinance 3196



FINDINGS OF FACT/BASIS OF DECISION – Zoning Map Amendment

A portion of a tract of land equaling +/- 9,000 sq ft legally described as 25D of McClean Garden Tracts located in Section 23, Township 20 North, Range 3 East, P.M.MT., Cascade County, Montana

PRIMARY REVIEW CRITERIA:

The basis for decision on zoning map amendments is listed in Official Code of the City of Great Falls §17.16.40.030 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 amendment is consistent with and furthers the intent of the City's growth policy.

The proposed zoning map amendment is consistent with the overall intent and purpose of the 2013 City Growth Policy Update. This project is strongly supported by the Physical portions of the Growth Policy, specifically the goals and principles to encourage a balanced mix of land uses throughout the City.

Additionally, the zoning map amendment specifically supports the following goals and policies:

Environmental – Urban Form

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

Physical - Land Use

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

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

Phy4.2.8 The City may recommend against spot zoning, zoning that creates incompatible land uses, or uses that are evaluated to be detrimental to the long term viability of adjacent properties.

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

Great Falls is separated into nine Neighborhood Councils. There are no adopted Neighborhood Plans for any of the Councils within the City. The subject properties are located in Neighborhood Council #6. Due to the scope of the proposal, information has been sent out to the Council members via email for review and comment. To date no comments have been received.

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

The subject property does not lie within any adopted plan or sub-area planning areas. Since there is no development proposed at this time, the review of the consistency with other planning documents is not applicable at this time.

4. The code with the amendment is internally consistent.

The proposed establishment of zoning is not in conflict with any portion of the existing City Code and will be consistent with the adjacent industrial zoning. If the parcel is rezoned, it will match the historic zoning in place until 2009. Additionally, the parcel is currently being used in association with the business to the west, so rezoning the property will match this usage. Conditions of approval are proposed so that any proposal on the subject property will not be injurious to the use and enjoyment of other property in the immediate vicinity, nor substantially diminish and impair property values in the area as well.

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

There are no existing public health, safety or welfare issues that have been identified for this property. The proposed rezone will allow for the applicant to utilize the subject property for his business instead of for his residence.

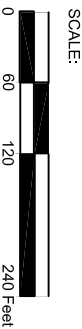
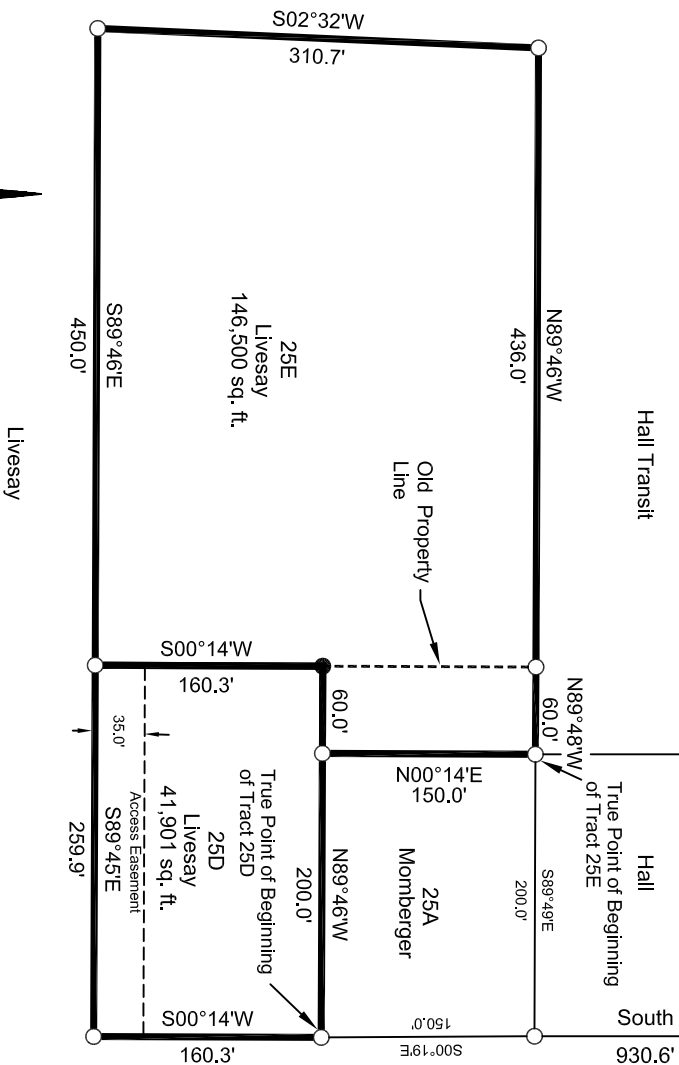
6. The City has or will have the financial and staffing capability to administer and enforce the amendment.

The City has the financial and staffing capability to enforce the amendment if it is approved. The zoning map amendment will only affect one lot and the property will be developed in a manner consistent with the zoning for this area.

AMENDED PLAT OF

Tracts 25D and 25E McClean Garden Tracts
in Section 23
T.20N., R.3E., P.M.MT., Cascade County, Montana

30.0'
14
23
24
930.0'W



METHODS:
Methods were performed in accordance with applicable State laws. A Survey Grade Global Positioning System (GPS) was used in this survey.

OTHER DATA AVAILABLE:
For a detailed description of corner monumentation, see the appropriate Corner Reconnection Form on file in the Cascade County Clerk & Recorder's Office.

BASIS OF BEARING:
The Basis of Bearing for this survey is the Record Bearing of the Section line between the Northeast Section Corner of Section 23, T.20N., R.3E. and the East One Quarter Corner of Section 23, T.20N., R.3E.

LEGEND:



(North - 40.0 chains)

SECTION CORNER STATUS AS NOTED

QUARTER SECTION CORNER STATUS AS NOTED

FOUND PREVIOUSLY SET CORNER AS NOTED

SET 5/8" REBAR WITH YELLOW PLASTIC CAP

EXISTING FENCE LINES

GLD RECORD MEASUREMENTS

PURPOSE:
This survey was performed in July 2018 as a Boundary Line Adjustment of two parcels in McClean Garden Tracts in Section 23, T.20N., R.3E., P.M.MT., Cascade County, Montana.

DESCRIPTION OF PARCELS SURVEYED:
Two tracts of land in Section 23, T.20N., R.3E., P.M.MT., more particularly described:

LOT 25D: Beginning at Northeast Section Corner of Section 23, T.20N., R.3E., P.M.MT.; thence N. 90°00' W., 30.0 feet; thence South, 930.6 feet; thence South, 150.0 feet to the True Point of Beginning of Lot 25D; thence N. 89°46' W., 200.0 feet; thence N. 89°46' W., 60.0 feet; thence S. 0°14' W., 160.3 feet; thence S. 89°46' E., 259.9 feet; thence N. 0°14' E., 160.3 feet to the True Point of Beginning of Lot 25D containing 41,901 sq. ft.

LOT 25E: Beginning at the Northwest Section corner of Section 23, T.20N., R.3E., P.M.MT.; thence N. 89°46' W., 30.0 feet; thence South, 930.6 feet; thence N. 89°46' E., 200.0 feet to the True Point of Beginning of Lot 25E; thence S. 0°14' W., 150.0 feet; thence N. 89°46' E., 60.0 feet; thence S. 0°14' W., 160.3 feet; thence N. 89°46' W., 450.0 feet; thence N. 2°46' W., 310.7 feet; thence S. 89°46' W., 436.0 feet; thence S. 89°46' W., 60.0 feet to the True Point of Beginning containing 146,500 sq. ft.

CERTIFICATE OF LANDOWNERS:

We, the undersigned property owners do hereby certify that we have caused to be surveyed as shown by this Certificate of Survey, two parcels of land in McClean Garden Tracts in Section 23, T.20N., R.3E., P.M.MT., Cascade County, Montana. We further certify that no new or additional parcels are hereby created, therefore this survey is exempt from review as a subdivision under both the Montana Subdivision and Platting Act 76-3-207-1A and the Montana Sanitation in Subdivision Act 76-4-105(17).

Dated this _____ day of _____, 2018

Robert L. Livesay _____ Jan M. Livesay _____

STATE OF MONTANA)
COUNTY of _____ :ss

On this _____ day of _____, 2018, before me a Notary Public in and for the State of Montana, personally appeared the above signed property owners, known to me to be the person who executed the foregoing Certificate of Survey and acknowledged to me that he executed the same.

CERTIFICATE OF SURVEYOR:

I, Dale E. Schaeffer, Montana Registered Professional Engineer and Land Surveyor, Montana Registration No. 52006ES, do hereby certify that in July, 2018, I surveyed a tract of land in Section 33, T.21N., R.2E., P.M.MT., Cascade County, Montana, as shown on the accompanying map.

Dale E. Schaeffer, P.E.L.S.
1400 N. 2nd Street
Great Falls, Montana
July 26, 2018



OWNERS: Robert L. Livesay and Jan M. Livesay

7/26/2018	23	3E	25E	25D
DATE	SECTION	RANGE	TOWNSHIP	RANGE
DALE E. SCHAEFFER	1	1	1	1
DATE	SHEET	SHEET	SHEET	SHEET

SCHAEFFER ENGINEERING & SURVEYING
GREAT FALLS, MONTANA 59405
SCHAEFFER@ENGINEERING.MT.USCGO.COM

1/16/19

From ben and Diane hall

2705 upper river road

City zoning board.

This letter is in regards to the zone request submitted by mt. lines, bob livsay.

I live rite across the street, I have been informed that they want to build a large Wearhouse type building on there property . this will block my view to the west.

They already put up a ugly cell tower that is visible for miles without asking anybody's opinion ,how did that happen?

.i think this expansion is unnecessary.

This is mainly a residential area and should be treated that way.

I STRONGLY OPPOSE the rezoning to the property in question.

Thanks for considering no the request.

Ben hall



Diane hall

1/16/19

From pat miller

2616 upper riv rd

City zoning board.

This letter is in regards to the zone request submitted by mt. lines, bob livsay.

I live rite next to mt lines in the back,in my opinion they have grown beyond light industrial adding more and more equipment and expansion every year, the noise that starts at 6 am is increasing more and more. They also manufacture thermoplastic witch is very stinky which blows in my direction I have been informed that they want to build a large Wearhouse type building next to my property ,the markers are already there, this will block what little view I have already, they have property to the south that would not be as much a hinderance to everybody's view .

They are always cutting threw my driveway and running over my hose and destroying it and creating pot holes in the past,I am a single woman living alone,there is always strange cars driving threw, some of which is mt limes they come at all different times .i think this expansion is unnecessary.

This is mainly a residential area and should be viewed as such.

I STRONGLY OPPOSE the rezoning to the property in question.at some point the city has to say no before the area is over run with industrial type property.

Thanks for considering no the request.



Pat miller

1/15/19

From scott hall

2700 upper riv rd

City zoning board.

This letter is in regards to the zone request submitted by mt. lines, bob livsay.

I live rite next to mt lines,in my opinion they have grown beyond light industrial adding more and more equipment and expansion every year, the noise that starts at 6 am is increasing more and more,and makes it difficult to sleep after working at nights on occasions. They also manufacture thermoplastic witch is very stinky which blows directly over my house, my wife is battling health issues related to toxicities. I have been informed that they want to build a large building next to my property line,the markers are already there, this will block what little view I have already, as much of the buildings that they have already does, they have property to the south that would not be as much a hinderance to everybody's view .

I know that the city is all about the tax base ,which dictates most of the decision making in some cases,

This expansion will decrease my property value without decreasing my property taxes.

This is mainly a residential area and should be viewed as such. Just imagine that this was to be asked of the property next to your home.

In short I STRONGLY OPPOSE the rezoning to the property in question.

Thanks for considering no the request.

Any questions feel free to call me at 217-6754.

Scott Hall

Handwritten signature of Scott Hall in cursive script.

HALL TRANSIT CHARTER SERVICE, INC.



2620 UPPER RIVER ROAD
GREAT FALLS, MONTANA 59405
PHONE (406) 452-0082

Planning & Community Develop Office
Civic Center
Rm. 112 #2 Park Drive So.
Great Falls, MT 59405

In regards to Robert and Jan Livesay, request for rezoning. It raises some serious questions concerning their fellow neighbors.

1. What does this do to the residential value of their property?
2. If they build another shop right up against their property line, what kind of Noise level would this create for the residents?
3. Will another shop be blocking the view and the sun from the homes ?
4. Why Would you want to have your home & land changed to commercial property other than to use it also as commercial uses
5. There is already enough with nothing on it where a shop could be built without bothering any of the neighbors.

Please take these factors into consideration before commercializing any more of this land to commercial.

Sincerely,

A handwritten signature in cursive script that reads "Darlene Cashman".

Darlene Cashman,
Gen.Mgr.
Hall Transit Charter Ser.



Item: Resolution No. 10284 Approving the Donation of Used Equipment to the Town of Vaughn for Use by the Vaughn Volunteer Fire & Rescue Department.

From: Stephen A. Hester, Fire Chief

Initiated By: Stephen A. Hester, Fire Chief

Presented By: Stephen A. Hester, Fire Chief

Action Requested: Conduct a Public Hearing and Adopt Resolution.

Public Hearing:

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

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (adopt/deny) Resolution 10284.”

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

Staff Recommendation: Staff recommends that the City Commission conduct a public hearing and adopt Resolution 10284.

Summary: The City of Great Falls decommissioned two (2) 1990 Luverne Fire Engines in 2016 that are no longer capable of meeting the demands of an urban firefighting environment and should have been retired in 2010. Engine VIN # 2FVH4LY91MV393719 (City ID 124-19) is proposed to be donated for parts because the transmission is inoperative. Engine VIN # 2FVH4LY98MV393720 (City ID 125-19) is still operational and would serve Vaughn VFD as a Structure Engine.

The Vaughn Volunteer Fire Department (VFD) Fire Chief Jason McAllister advised the City that his department had a critical need for a fire engine to protect people and property in the fee area they serve. He explained that they had no financial means of purchasing a new or used fire engine. The Fleet Manager and Fire Chief realized the benefit this vehicle would provide to the people served by Vaughn VFD. This small department provides fire protection services to the Town of Vaughn and to homes and businesses on the City’s Northern border.

Vaughn VFD jurisdiction adjoins the City and the departments have a Mutual Aid Agreement that has been exercised on several occasions. Therefore, the engine will not only serve in their jurisdiction but also still serve our community from time to time.

Background: Staff recognized that the best use for these retired fire apparatuses would be to donate the vehicles to a Community with a desperate need for a fire truck that has the pumping capacity to extinguish a structure Fire. The Vaughn VFD does not run near the calls for service that the City does so this older engine would serve their needs for years to come. Additionally, the engine used for parts, would help keep the serviceable engine available even longer.

Most importantly, the City's ability to donate these engines to one of our local communities will most certainly assist Vaughn VFD in protecting lives and lowering fire loss in their jurisdiction. This far outweighs any financial gain the City may or may not realize if we tried to sell these apparatuses.

Fiscal Impact: Due to the condition of these apparatuses, the City would have a difficult time selling the vehicles. After spending time researching this, Staff found no other fire apparatus for sale of this age and condition as a comparable, but estimated the value (if it could be sold) at about \$1,500.00 for the parts vehicle and \$3,000.00 for the operational engine.

Alternatives: The City Commission could choose to deny the resolution that would leave Vaughn without a critically needed Fire Engine.

Concurrences: City Fleet Manager, Doug Alm

Attachments/Exhibits: Resolution No. 10284
Letter of Request from Vaughn Volunteer Fire Department, Fire Chief Jason McAllister

RESOLUTION NO. 10284

A RESOLUTION APPROVING THE DONATION OF USED EQUIPMENT TO THE TOWN OF VAUGHN FOR USE BY THE VAUGHN VOLUNTEER FIRE & RESCUE DEPARTMENT

WHEREAS, pursuant to the Official Code of the City of Great Falls (OCCGF) 3.04.080, the City may sell, trade, grant, donate or lease for any period of time any real or personal property to a governmental entity by negotiation without an appraisal or advertising for bids. If, by grant or donation, the real or personal property must be retained for a direct or perpetual benefit or use. Requirements, as specified in Sections 3.04.010, 3.04.020 and 3.04.030 remain applicable; and

WHEREAS, Great Falls Fire Rescue has decommissioned two 1990 Freightliner/Luverne Fire Engines, Vehicle Identification Numbers: 2FVH4LY91MV393719 (City ID 124-19) and 2FVH4LY98MV393720 (City ID 125-19). The engines are no longer needed for use by Great Falls Fire Rescue at present or in the foreseeable future; and

WHEREAS, the Vaughn Volunteer Fire & Rescue Department has advised Great Falls Fire Rescue it has a critical need for a fire engine to protect homes and businesses in its district; and

WHEREAS, Vaughn Volunteer Fire & Rescue Department has no financial means of purchasing a new or used fire engine; and

WHEREAS, Vaughn Volunteer Fire & Rescue Department and Great Falls Fire Rescue have a mutual aid agreement to render fire, rescue and EMS services when requested. The fire engine would remain in the county and available for mutual aid assistance; and

WHEREAS, adoption of this resolution requires a four-fifths (4/5) vote of all the members of the City Commission pursuant to OCCGF 3.04.010. OCCGF 3.04.020 is not applicable as said personal property is not property held in trust for park purposes. Pursuant to the requirements of OCCGF 3.04.030, the Town of Vaughn shall pay the publication costs of the required notice of public hearing.

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

1. The donation of used equipment to be used for parts, specifically: one (1) 1990 Freightliner/Luverne Fire Engine, Vehicle Identification Number: 2FVH4LY91MV393719 (City ID 124-19), to the Town of Vaughn for use by the Vaughn Volunteer Fire & Rescue Department, is hereby approved; and
2. The donation of used equipment, specifically: one (1) 1990 Freightliner/Luverne Fire Engine, Vehicle Identification Number: 2FVH4LY98MV393720 (City ID 125-19), to the Town of Vaughn for use by the Vaughn Volunteer Fire & Rescue Department, is hereby approved; and

3. In return, the Town of Vaughn shall pay publication costs of the required notice of public hearing; and
4. Pursuant to the mutual aid agreement entered into between the Vaughn Volunteer Fire & Rescue Department and Great Falls Fire Rescue, the City ID 125-1 fire engine shall remain in the county and available for mutual aid assistance; and, City ID 124-1 fire engine shall be used for parts for City ID 125-1 fire engine.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, this 19th day of March, 2019.

Bob Kelly, Mayor

ATTEST:

Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

Joseph Cik, Assistant City Attorney

Good Morning,

It is the understanding that City of Great Falls Has 2 Luverne Pumper Engines in inventory as surplus. 1 in operable condition and 1 for parts. At this time Vaughn Volunteer Fire Department is requesting donation of both units. Reason for request is to replace a Pumper Engine that has failed DOT inspection in December of 2018 and is permanently out of service and cannot be repaired at a reasonable cost within our budget due to the age of the unit. Vaughn Volunteer Fire Department operates on an annual budget of \$22,500 which is mostly expended on fuel, maintenance, equipment, and utilities to keep the station operational. With that stated it is not within our budget to replace our out of service pumper. As a fully active mutual aid partner to the City of Great Falls through Great Falls Fire Rescue we believe this donation would directly help both City of Great Falls citizens as well as Vaughn and many other community's throughout the state as Vaughn Volunteer Fire Department is a member of the State mutual aid and will respond anywhere in Montana if requested. Thank you for you continued support and consideration to this request.

Respectfully,

Jason McAllister
Fire Chief
Vaughn Volunteer Fire Department
(406)403-8774
mtfirerescue1@aol.com
P.O. Box 409
Vaughn, MT. 59487



Item: Resolution 10285, titled, "A Resolution Declaring Certain Property Located at 3026 9th Avenue North, Lot 5 Block 103, Great Falls 12th, Cascade County, Montana, a Nuisance, Order the Nuisance be Abated and Authorize City Staff To Force Abatement if Necessary."

From: Craig Raymond, Director, Planning and Community Development

Initiated By: City of Great Falls

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

Action Requested: Conduct a public hearing and adopt Resolution 10285 Declaring Certain property located at 3026 9th Avenue North, a Nuisance, order the Nuisance be abated and authorize City staff to force abatement if necessary.

Public Hearing:

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

Suggested Motion:

1. Commissioner moves:

"I move that the City Commission (adopt/deny) Resolution 10285, Declaring Certain property located at 3026 9th Avenue North, Lot 5 Block 103, Great Falls 12th, Cascade County, Montana, a Nuisance, order the Nuisance be abated and authorize City Staff to force abatement if necessary."

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

Staff Recommendation: Staff recommends the City Commission adopt Resolution 10285 Declaring Certain property located at, 3026 9th Avenue North, a Nuisance.

Summary:

Beginning in March 2017, and continuing through October 2018, the Great Falls Planning and Community Development Department received multiple complaints about the condition of the property located at 3026 9th Avenue North. Between 2017 and present, the Department made all efforts to work with Mr. Calvin Osborn, the property owner.

Do to the owner's non-compliance, a Municipal Court Complaint was filed in 2017 against Mr. Osborne for Maintaining a Public Nuisance. Following the owner's guilty plea on the Complaint, the Department made several attempts to work with Mr. Osborn during site visits but were unsuccessful each time. Violation and notice letters were mailed on March 29, 2017, April 21, 2017, and January 15, 2019, in hopes that the Official Code of the City of Great Falls (OCCGF) violations on the property would be cured, but compliance never occurred. Mr. Osborn assured the City on January 29, 2019, during a court appearance for the Complaint filed in 2017, that because he was incarcerated, he would have an agent or an acquaintance bring the property into compliance. Based on the observations from the public right of way on numerous site visit dates, violations were shown to exist consistent with the history of complaints. As of February 14, 2019, the violations were still present.

To date, Mr. Osborne is incarcerated in the Cascade County Detention Center on a pending felony charge of Assault with a Weapon. Additionally, Mr. Osborne's suspended Municipal Court sentence for Maintaining a Public Nuisance was revoked based on non-compliance. Given Mr. Osborne's current criminal status, Staff finds it highly unlikely that the property will be brought into compliance without adoption of the Resolution under consideration.

The property maintenance violations on the property include, but are not limited to:

1. Persons occupying a recreational vehicle on the property not located in the required zoning district which allows "camping";
2. Tan and white unsecure motorhome with no visible license plate and illegally parked on the property; and
3. Exterior storage/salvage materials between the residence and garage and side yard including, but not limited to, propane tanks, tires, pallets, trash, etc.

Based on these continued deficiencies and OCCGF violations, Staff concludes that the subject property constitutes a Nuisance as defined by OCCGF Title 8, Chapter 49, and should be subject to forced abatement pursuant to that Chapter. For further information, see attached Exhibits.

The Title Commitment from Stewart Title acquired on January 3, 2019 indicated that Calvin Osborn was the sole owner of the property. The City mailed Mr. Osborn a letter dated January 15, 2019 (by regular USPS mail, certified mail, and posted the letter on the property) requesting the property be cured within 30 days. The owner didn't complete the requirements. The City then mailed a Public Hearing Notice dated February 14, 2019 (by regular USPS mail, certified mail, and posted the notice on the property) requesting complete abatement in 30 days by removing or taking the appropriate action to cure the nuisance. A Notice of Public Hearing was published on March 10, 2019 in the Great Falls Tribune.

Concurrences:

Legal Department

Alternatives: The Commission could deny Resolution 10285. If the City Commission denies Resolution 10285, the Nuisance will not be abated for the foreseeable future.

Fiscal Impact: The total cost of the abatement of removal of the non-compliant vehicle, and removal of rubbish/exterior storage on the property, should Mr. Osborn fail to comply, is unknown at this time. Funds from the Hazard Removal Fund will be used to carry out abatement if necessary. However, the continued presence of these conditions propagates blight and slum, thereby decreasing surrounding property values.

Attachments/Exhibits:

Resolution 10285

10 day Nuisance Letter

Public Hearing Notice Letter

Photo Set 1

Photo Set 2

Photo Set 3

Photo Set 4

Photo Set 5

Photo Set 6

Photo Set 7

RESOLUTION 10285

A RESOLUTION DECLARING CERTAIN PROPERTY LOCATED AT 3026 9TH AVENUE NORTH, LOT 5 BLOCK 103, GREAT FALLS 12TH, CASCADE COUNTY, MONTANA, A NUISANCE, ORDER THE NUISANCE BE ABATED, AND AUTHORIZE CITY STAFF TO FORCE ABATEMENT IF NECESSARY.

WHEREAS, Calvin Osborn, (hereinafter “property owner”), owner of the real property and structures located at 3026 9th Avenue North, Lot 5 Block 103, Great Falls 12th, Cascade County, Montana, and within the incorporated boundaries of the City of Great Falls, was given notice pursuant to the Official Code of the City of Great Falls (OCCGF) Section 8.49.040, of a hearing before the City Commission on March 19, 2019, wherein said property owner was informed the City Commission would proceed to hear the testimony of City personnel and the testimony of any other interested party, who may be present, and desire to testify respecting the condition of the property; and

WHEREAS, said property owner was informed that the City Commission upon the conclusion of the hearing, would by resolution, declare its findings, and may declare the property to be a nuisance, and direct the owner to physically commence abatement of the nuisance within ten (10) days, and to complete said abatement within thirty (30) days, by having the property repaired, demolished, removed or other appropriate act necessary to cure the nuisance; and

WHEREAS, said property owner was informed that failure to abate the nuisance would result in the property being the subject of repair, demolition, removal, or other appropriate act, as the case may be, by the City and the expenses thereof shall remain a lien on the property; and

WHEREAS, the City Commission has conducted the hearing on March 19, 2019, regarding the property pursuant to OCCGF Section 8.49.050, hearing the testimony of the City personnel and the testimony of any other interested party, who was present, and desired to testify respecting the condition of the property, removal or other appropriate action.

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

1. Staff and other interested parties having presented evidence of the condition of the subject property, and having described the condition of the subject property, the City Commission does hereby find the same to be a nuisance pursuant to OCCGF Section 8.49.040, and hereby directs the owner to commence abatement within ten (10) days of the date of this resolution to the satisfaction of the Great Falls Planning and Community Development Director, pursuant to OCCGF Section 8.49.050.

2. It is further ordered that, abatement, to the satisfaction of the Great Falls Planning and Community Development Director, be completed within thirty (30) days of the date of this resolution, pursuant to OCCGF Section 8.49.050.
3. It is further ordered that, if the owner fails to abate said nuisance as ordered and within the time allowed, the City Staff is directed to take any and all steps necessary to abate the nuisance with all expenses to attach as a lien against the property.
4. This Resolution shall be in effect for a six (6) month period from the date below.
5. City staff shall serve said property owner with a copy of this resolution by certified mail, postage prepaid, and return receipt requested, as required by Section 8.49.050, OCCGF.

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that this Resolution shall become effective immediately upon its passage and approval.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on March 19, 2019.

Bob Kelly, Mayor

ATTEST:

Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

Joseph Cik, City Attorney



Planning & Community Development
Room 112
2 Park Drive South
Great Falls, MT 59401

January 15, 2019

Calvin Osborn
3026 9th Avenue North
Great Falls, MT 59401

Re: 3026 9th Avenue North, Great Falls, MT 59401; Calvin Osborn property

Dear Calvin Osborn:

I am writing this letter to you as the legal property owner of the above referenced property. If you no longer own this property, please advise me as soon as possible.

On August 22, 2018, the Planning & Community Development, the Water Utilities Department, and the Great Falls Police Department visited 3026 9th Avenue North and met with you regarding the ongoing nuisance violations on the property, and the illegal usage of water from the neighboring property across the alley. The City's Code Enforcement Officer offered you an additional 30 day extension to comply with the violations currently in place. On November 14, 2018, it was noted that an electrical extension cord was being run from a neighboring property across the alley for power. This constitutes a safety hazard and an additional nuisance violation on the property. You are hereby ordered to remove said electrical extension cord immediately. On January 2, 2019, City staff performed a final re-inspection on the property located at 3026 9th Avenue North.

Based on my observations of the property, it is my professional opinion that the current condition of the property constitutes a nuisance.

Pursuant to OCCGF 8.49.030, I am now providing you notice of the deficiencies observed on the above cited property. The deficiencies on the exterior of the property include:

1. Individuals occupying recreational vehicles on the property not located in the required zoning district for "camping". See OCCGF 17.20.3.060;
2. Red pickup with an expired license plate being used for storage and illegally parked on the property without the required off-street parking surfacing. See OCCGF 17.32.150;
3. Inoperable and unsecure GMC Midas motorhome with no visible license plate parked in the driveway at the residence. See OCCGF 10.13.010;
4. Tan and white unsecure motorhome with no visible license plate and illegally parked on the property. See OCCGF 17.32.150;

5. Extension cord run from a neighboring property across the alley to the residence. See NEC 2014 Uses Not Permitted Section 400.8 (1);
6. Exterior storage/salvage materials between the residence and garage and side yard including but not limited to a propane tanks, tires, pallets, trash, etc. See OCCGF 8.51.030;

This property has been an on-going nuisance and an eyesore over the past months which affect the safety and aesthetics of the neighborhood. The above cited deficiencies constitute a condition that is, in my professional opinion, injurious to health, is indecent or offensive to the senses, is an obstruction to the free use of another's property, so as to interfere with the comfortable enjoyment of life or property of others, and its appearance is a blight to the community. This condition constitutes a nuisance pursuant to OCCGF 8.49.010.

Pursuant to OCCGF 8.49.030, I am now providing you notice of the required improvements to be made to abate the nuisances listed at the above cited property. The required improvements and clean-up include:

1. Cease occupying the recreational vehicles and/or move to an approved RV park located in an appropriate zoning district;
2. Properly remove, and currently license both vehicles currently in the yard, and/or conceal them with a cover designed for such purpose and properly park them to comply with all applicable state laws and OCCGF provisions;
3. Remove or license vehicle in the driveway, and/or conceal it with a cover designed for such purpose to comply with all applicable state laws and OCCGF provisions. Standard tarps are not allowed for this purpose;
4. Cease utilizing the neighboring properties electrical utility and remove any extension cords placed across the alley;
5. Remove all rubbish, exterior storage/salvage materials, and trash on the property to comply with all applicable state laws and OCCGF provisions.

Pursuant to OCCGF 8.49.030, you will have ten (10) days as of the date that this notice was mailed to you to commence the improvements listed above. You will have thirty (30) days to complete the requirements listed above or to provide proof of substantial compliance. If the improvements are not commenced and completed within the required time parameters, the Great Falls Planning and Community Development Department will pursue further administrative action on the subject property, pursuant to OCCGF 8.49.040-.090.

Sincerely,


Craig Raymond
Great Falls Planning and Community Development Director

- c. Greg Doyon, City Manager
Joseph Cik, Assistant City Attorney
Guardian Tax MT LLC, 1423 Grandview Ave, Papillion, NE 68046



Planning & Community Development
Room 112
2 Park Drive South
Great Falls, MT 59401

February 14, 2019

Calvin Osborn
3026 9th Avenue North
Great Falls, MT 59401

Re: 3026 9th Avenue North, Great Falls, MT 59401; Osborn Property.

Dear Calvin Osborn.

I am writing this letter to you as the legal recorded owners of the above referenced property. If you no longer own the property, please advise me as soon as possible.

You are hereby advised that pursuant to the Official Code of the City of Great Falls (OCCGF) § 8.49.040 that a Great Falls City Commission meeting is scheduled for March 19, 2019, at 7:00 p.m. This City Commission meeting will be held pursuant to OCCGF § 8.49.050. At said Commission meeting, the Commission will proceed to hear the testimony of the City personnel and the testimony of any other interested party who may be present and desire to testify respecting the condition of the above stated property. Apparent conditions on the property constitute a violations of the OCCGF §§ 8.49.030, 8.51.030, 17.20.3.060, 17.32.150. Based on the observations of the property, it is my professional opinion, that the current condition of the property constitutes a nuisance including but not limited to non-compliant vehicles on the property, exterior storage, occupying a recreational vehicle on the property that isn't properly zoned as well as an attractive nuisance to the community.

See attached Summary of Inspection Statement for a list and description of observed violations.

You are hereby advised that pursuant to OCCGF § 8.49.050, upon the conclusion of the hearing, the City Commission will, by resolution, declare its findings and in the event it so concludes, it may declare the property to be a nuisance and direct you to physically commence abatement of the nuisance within ten (10) days, and to complete said abatement within thirty (30) days, by removing or taking the appropriate act necessary to cure the nuisance. Additionally, such resolution shall further notify you that if the nuisance is not abated, the property will be the subject of repair, removal, or other appropriate act, as the case may be, by the City and the expenses thereof shall remain a lien on the property.

Finally, you are also hereby advised that if the City Commission declares the property to be a nuisance by resolution, the City Clerk shall file a certified copy of the resolution declaring real property a nuisance with the Cascade County Clerk and Recorder. If you have any questions, please contact the Code Enforcement Officer, Heather Rohlf, at 406-455-8574 by Email at codeenforce@greatfallsmt.net or in room 112, Planning & Community Development Department at the Civic Center located at #2 Park Drive and Central Avenue.

Sincerely,

A solid black rectangular redaction box covering the signature of the sender.

Craig Raymond
Great Falls, Planning and Community Development Director

cc. Greg Doyon, City Manager
Joseph Cik, Assistant City Attorney
Guardian Tax MT LLC, 1423 Grandview Ave, Papillion, NE 68046



Planning & Community Development
Room 112
2 Park Drive South
Great Falls, MT 59401

SUMMARY OF INSPECTION STATEMENT

See below for a list and description of observed violations on the property located at 3026 9th Avenue North:

1. An individual or individuals occupying a recreational vehicle on the property not located in the required zoning district for "camping". See OCCGF 17.20.3.060;
2. Tan and white unsecure motorhome with no visible license plate and illegally parked on the property. See OCCGF 17.32.150;
3. Exterior storage/salvage materials between the residence and garage and side yard including but not limited to propane tanks, tires, pallets, trash, etc. See OCCGF 8.51.030.









02/08/2019 08:18



02/08/2019 08:18





02/14/2019 11:28



02/14/2019 11:28





Item: Resolution 10280 to annex a portion of a tract of land equaling +/- 6.254 acres legally described as Mark 7K, in Section 4, T20N, R4E P.M.M., Cascade County, Montana, and Ordinance 3195 to establish I-2 Heavy Industrial zoning.

From: Erin Borland, Planner II, Planning and Community Development

Initiated By: Talcott Holdings Inc.

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

Action Requested: City Commission postponement of public hearing and establishment of a new public hearing for a date certain.

Suggested Motion:

1. Commissioner moves:

"I move that the City Commission (approve/deny) the postponement of the public hearing to a date certain of April 16, 2019."

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

Summary: The applicant, Talcott Holdings Inc., has requested annexation and establishment of zoning for a 6.254 acre parcel in the county. The City Commission accepted Ordinance 3195 on first reading on December 18, 2018. The public hearing was set for January 15, 2019. At the request of the applicant, the January 15, 2019 public hearing was postponed to a date certain of February 19, 2019. The applicant then again requested to postpone the public hearing to a date certain of March 19, 2019.

Despite multiple attempts from staff, the applicant has not communicated as to whether issues have been resolved to proceed forward with the scheduled March 19 hearing. As a result, staff is proposing another postponement of the public hearing and establishment of a new public hearing on April 16, 2019.



Item: Memorandum of Understanding for Great Falls Police Protective Association (GFPPA)

From: Gaye McInerney, Human Resources Director

Initiated By: Gaye McInerney, Human Resources Director

Presented By: Gaye McInerney, Human Resources Director

Action Requested: Approve the Memorandum of Understanding for 10:40 Shifts between the City of Great Falls and GFPPA.

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (approve/deny) the Memorandum of Understanding between the City of Great Falls and the Great Falls Police Protective Association.”

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

Staff Recommendation: Staff recommends the City Commission approve the Memorandum of Understanding (MOU) between the City of Great Falls and the GFPPA.

Summary and Background: The MOU includes a trial period of January 1, 2019 through June 30, 2019 to utilize a 10:40 shift schedule, the details and duration of which are described in the attachment. During the trial period, the effectiveness of the 10:40 shift schedule will be evaluated by the City and the GFPPA. The 10:40 shift schedule is designed to allow staff members the ability to staff the shifts properly and respond to calls for service in a timely manner. The shifts allow the Department to have enough officers on the streets, to handle calls for service, and to provide safety of the public and officers.

Fiscal Impact: Seven years of data enabled analysis of heavy call volumes and calls with multiple officers’ usage. Preliminary data after two months use of the 10:40 shift schedule revealed a cost savings. This data has allowed the Department to staff more appropriately through overlapping of shifts resulting in a reduction of overtime, acting pay for fill-in supervisors and shift extensions.

Alternatives: If the 10:40 shift schedule is not approved, the return to the current shift schedules would result in improperly staffing of shifts and an inability to respond to the community needs in as timely a manner.

Attachments/Exhibits: MOU between the City of Great Falls and the Great Falls Police Protective Association.

MEMORANDUM OF UNDERSTANDING

Between

The City of Great Falls and the Great Falls Police Protective Association

WHEREAS, the parties, The City of Great Falls (the City) and the Great Falls Police Protective Association (the Association), are subject to a Collective Bargaining Agreement (CBA) effective through June 30, 2019, and negotiations concerning this agreement will not open until May 1, 2019; and

THEREFORE, the parties to this Memorandum of Understanding (MOU) agree to the following:

Without establishing prevailing rights, and without prejudice to either party's reservation of rights in future negotiations, the City and the Association mutually agree to allow a trial Shift Schedule to determine the safety, viability and affordability of a 10:40 shift. It is mutually agreed to that the 10:40 trial shift will be implemented beginning January 1, 2019 and continue through June 30, 2019, subject to the terms and conditions stipulated below:

1. A trial period of no less than three (3) months, starting from January 1, 2019, will be given to the proposed 10:40 shift schedule which is described in this MOU, during which time the 10:40 shift schedule will be evaluated by the City and the Association.

2. Under Article 7 – Hours of Work, Section 7.1 – Hours of Duty will read:

The working year shall normally be two thousand eighty (2,080) hours. The regularly scheduled working hours for employees shall be forty (40) hours per week, except for the patrol division that presently works nine (9), ten (10), and ten-hour and forty-minute shift schedules (10:40).

3. Under Article 7 – Hours of Work, Section 7.2 – Work Schedule. The following will be added as a fourth paragraph:

The hours of work each day may consist of a ten-hour, forty-minute shift (10:40), which will include sixty-five minutes for a meal and one twenty-minute rest break.

4. Under Article 8 – Additional Duty, Section 8.1(b) – Overtime. The following will be added as a second paragraph:

For those employees working the ten-hour, forty-minute shift (10:40), overtime shall be computed to the nearest 1/3 hour starting one minute after the 1/3 hour begins and extending to the full 1/3 hour.

5. Under Article 10 – Holidays, Section 10.2 – Compensation for Working Holidays first paragraph, second sentence will read:

When an employee is required to work on a holiday, he/she will earn compensatory time at the rate of twelve (12) hours for an eight (8) hour shift, thirteen and one-half

(13½) hours for a nine (9) hour shift, fifteen (15) hours for a ten (10) hour shift, and sixteen (16) hours for a ten-hour, forty-minute shift (10:40).

6. Under Article 23 – Wellness Program, Section 23.1, paragraph two, second sentence will read:

Participating employees will receive paid time off for successful completion of the outlined areas. The incentives for the program are: one (1) completed section results in one-half (½) day paid leave, two (2) completed sections results in an additional one-half (½) day paid leave, and if all three (3) sections are successfully completed an additional one (1) day leave will be awarded, not to exceed two full shifts regardless of the shift worked or bureau assigned to when all three are completed.

This Memorandum of Understanding shall be enforceable pursuant to the grievance procedure in the CBA, until such time as this Memorandum expires on June 30, 2019.

Dated this _____ day of _____, 2019.

City of Great Falls

Great Falls Police Protective Association

By: _____
Greg Doyon, City Manager

By: _____
Clint Houston, PPA President

By: _____
Dave Bowen, Chief of Police