



**City Commission Meeting Agenda
2 Park Drive South, Great Falls, MT
Commission Chambers, Civic Center
August 19, 2025
7:00 PM**

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

Public participation is welcome in the following ways:

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

Meeting Decorum Statement

1. Members of the public shall address their comments to the presiding officer and the Commission as a body and not to any individual member of the Commission or City staff.
2. Speakers shall keep their comments germane to the subject item on the agenda or, during petitions and communications, matters of significant public interest which are within the jurisdiction of the Commission.
3. Be respectful and do not engage in disorderly or boisterous conduct, including but not limited to applause, booing, or making any remarks that are, threatening, profane, abusive, personal, or slanderous that disturbs, disrupts, or otherwise impedes the orderly conduct of our meeting.
4. Signs, placards, banners, or other similar items shall not be permitted in the audience during our City Commission meeting.
5. Remain seated, unless addressing the body at the podium or entering or leaving the meeting. Private or informal conversations may occur outside of the Chambers. Obey any lawful order of the Presiding Officer to enforce the Rules of Decorum.

A complete copy of Rule 10 pertaining to the public participation is available on the table in the Commission Chambers and is included with the Meeting posting on the City's Website.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL / STAFF INTRODUCTIONS

AGENDA APPROVAL

CONFLICT DISCLOSURE / EX PARTE COMMUNICATIONS

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

1. Miscellaneous reports and announcements.

NEIGHBORHOOD COUNCILS

2. Miscellaneous reports and announcements from Neighborhood Councils.

BOARDS AND COMMISSIONS

3. Miscellaneous reports and announcements from Boards and Commissions

CITY MANAGER

4. Miscellaneous reports and announcements from City Manager.

CONSENT AGENDA

The Consent Agenda is made up of routine day-to-day items that require Commission action. Items may be pulled from the Consent Agenda for separate discussion/vote by any Commissioner.

- [5.](#) Minutes, August 5, 2025, City Commission Meeting.
- [6.](#) Total Expenditures of \$5,009,748 for the period of July 10, 2025 through July 30, 2025 to include claims over \$25,000, in the amount of \$4,080,471.
- [7.](#) Contracts List.
- [8.](#) Grants List.
- [9.](#) Approve the purchase of water meter equipment for FY26 from Ferguson Enterprises, Inc. in an amount not to exceed \$650,000.
- [10.](#) Approve a Professional Services Agreement in the amount of \$123,757.06 to DJ&A, P.C. for the 9th Street NE Water Main Replacement project, and authorize the City Manager to execute the necessary documents.
- [11.](#) Approve the Interlocal Agreement between the City of Great Falls and Cascade County to jointly resurface sections of Airport Bench Road.

Action: Approve Consent Agenda as presented or remove items for separate discussion and/or vote by any Commission member. After motion is made, Mayor requests a second to the motion, public comment, Commission discussion, and calls for the vote.

PUBLIC HEARINGS

- [12.](#) Resolution 10585 to Levy and Assess the General Boulevard District No. 3570. *Action: Conduct a public hearing and adopt or deny Res. 10585. (Presented by Melissa Kinzler)*
- [13.](#) Resolution 10586 to Levy and Assess Great Falls Park District No. 1. *Action: Conduct a public hearing and adopt or deny Res. 10586. (Presented by Melissa Kinzler)*

14. Resolution 10587 to Levy and Assess Properties within Special Improvement Lighting Districts. *Action: Conduct a public hearing and adopt or deny Res. 10587. (Presented by Melissa Kinzler)*
15. Resolution 10588 to Levy and Assess the Portage Meadows Maintenance District No. 1195. *Action: Conduct a public hearing and adopt or deny Res. 10588. (Presented by Melissa Kinzler)*
16. Resolution 10591 to Levy and Assess the Street Maintenance District. *Action: Conduct a public hearing and adopt or deny Res. 10591. (Presented by Melissa Kinzler)*
17. Peace Harbor Phase 1 Major Subdivision Annexation and Planned Unit Development Zoning. *Action: Conduct a joint public hearing. (Presented by Brock Cherry)*
- I. Resolution 10593, to approve the annexation of the subject property and the Improvement Agreement, annexation of the adjoining right-of-way of 21st Avenue South, and the adjoining parcel owned by the City of Great Falls. *Action Adopt or deny Res. 10593 and approve or not approve the Improvement Agreement.*
- II. Ordinance 3276, to assign a Planned Unit Development (PUD) zoning district for the subject property; and approval of the Preliminary Plat of Peace Harbor Phase 1 Major Subdivision. *Action: Adopt or deny Ord. 3276 and approve or deny the Preliminary Plat.*
18. CDBG & HOME 2025-2026 Annual Action Plan. *Action: Conduct a Public Needs Hearing (Presented by Sylvia Tarman)*

OLD BUSINESS

NEW BUSINESS

ORDINANCES / RESOLUTIONS

19. Resolution 10599, Acknowledging the effect of the Montana House Bill 231 on the City's Fixed Library Mill Levy limit and direct implementation. *Action Adopt or deny Res. 10599. (Presented by Melissa Kinzler)*
20. Resolution 10582, Annual Tax Levy. *Action: Adopt or deny Res. 10582. (Presented by Melissa Kinzler)*

CITY COMMISSION

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

ADJOURNMENT

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

Assistive listening devices are available for the hard of hearing, please arrive a few minutes early for set up, or contact the City Clerk's Office in advance at 455-8451. Wi-Fi is available during the meetings for viewing of the online meeting documents.

Commission meetings are televised on cable channel 190 and streamed live at . City Commission meetings are re-aired on cable channel 190 the following Wednesday morning at 10 am, and the following Tuesday evening at 7 pm.

JOURNAL OF COMMISSION PROCEEDINGS
August 5, 2025 -- Regular City Commission Meeting
Civic Center Commission Chambers, Room 206 -- Mayor Reeves Presiding

CALL TO ORDER: 7:00 PM

PLEDGE OF ALLEGIANCE

ROLL CALL/STAFF INTRODUCTIONS:

City Commission members present: Cory Reeves, Joe McKenney, Rick Tryon, Shannon Wilson, and Susan Wolff.

Also present were City Manager Greg Doyon and Deputy City Manager Bryan Lockerby, Planning and Community Development Director Brock Cherry, Finance Director Melissa Kinzler, City Attorney David Dennis, Assistant Chief of Fire Prevention Mike McIntosh, Police Captain Brian Black, and City Clerk Lisa Kunz.

AGENDA APPROVAL:

City Manager Greg Doyon noted that he did not have a City Manager's report for agenda item 5. Mayor Reeves noted that presentations for agenda items 16 and 17 would be combined for a joint public hearing. There were no proposed changes to the agenda by the City Manager or City Commission. The Commission approved the agenda as presented.

CONFLICT DISCLOSURE/EX PARTE COMMUNICATIONS:

None.

MILITARY UPDATES

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

Colonel Scott Smith, Wing Commander of the 120th Airlift Wing, provided the following updates:

- Changes of Command: June - Trent Gibson was appointed due to General Hronick's retirement; September – General Thomas will be taking over after General Dixon's retirement.
- Almost 150 airmen are half-way through their deployments.

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- The National Guard Bureau will conduct a site visit September 15-19, 2025, to start finalizing the plan for the conversion.
- The last C130H model will depart Great Falls in December. MANG will be without airplanes until the J model arrives some time between March and May.
- Col. Cinq-Mars, Maintenance Group Commander, was in Georgia about a month ago and was able to see their first C130's being built on the assembly line.
- Two pilots and two load masters are back from training.
- Construction started on the fuel facility.
- HB 5 was signed by the governor. MANG received the funding to buy the property in Power, MT for a drop zone.
- Also moving forward is the unimproved landing zone project for training purposes.
- MANG and Malmstrom's Red Horse Squadron have \$1.2 - \$1.4 billion worth of upcoming construction projects over the next 10-years.

PETITIONS AND COMMUNICATIONS

2. **John Hubbard**, City resident, suggested that Great Falls Fire Rescue personnel train on condemned buildings rather than building a new Training Center. He finds it ridiculous the way government is treating the people who are on social security and who built this country.

NEIGHBORHOOD COUNCILS

3. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

None.

BOARDS AND COMMISSIONS

4. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

None.

CITY MANAGER

5. **MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

None.

CONSENT AGENDA

6. Minutes, July 15, 2025, City Commission Meeting.
7. Minutes, July 29, 2025, Special City Commission Meeting.

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8. Total Expenditures of \$5,573,633 for the period of June 26, 2025, through July 9, 2025, to include claims over \$25,000, in the amount of \$4,832,100.
9. Contracts List.
10. Approve a Professional Services Agreement in the amount of \$264,097 for the Downtown Storm Drainage Improvements Phase 3, and \$323,767 for Phase 4 to Great West Engineering Inc. and authorize the City Manager to execute the agreement documents. **OF 1779.2**
11. Approve a Professional Services Agreement for the Wastewater Treatment Plant Access Gate in the amount not to exceed \$127,870 to Advanced Engineering and Environmental Services, Inc., and authorize the City Manager to execute the agreement documents.
OF 1846.0
12. Approve a final payment of \$139,765.95 for the 33rd Street Water Storage Tank. This is comprised of \$138,368.29 to DN Tanks and \$1,397.66 to the State Miscellaneous Tax Fund and authorize the City Manager to execute the necessary documents. **OF 1794.1**
13. Award a contract in the amount of \$212,720 to Montana Materials & Construction, for the Giant Springs Road Slide Repair, and authorize the City Manager to execute the necessary documents. **OF 1789.0**
14. Approve a CDBG Funding Agreement in the amount of \$24,000 to the Montana Legal Services Association for the Montana Housing Justice CDBG Project which will provide support to LMI individuals experiencing housing-related legal problems.
15. Approve a CDBG Funding Agreement in the amount of \$111,077 to the Spark! Children's Museum of Montana for the "Spark Inclusion" CDBG Project for ADA accessibility at their new location, 201 2nd Avenue S.

Commissioner Wolff moved, seconded by Commissioner Tryon, that the City Commission approve the Consent Agenda as presented.

Mayor Reeves asked if there were any comments from the public.

Written public comment was submitted from **Shyla Patera**, North Central Independent Living Services, Inc. in support of Agenda Items 14 and 15.

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

Mayor Reeves inquired if Item 11 had to do with BNSF.

City Manager Greg Doyon responded that the City has recommended interim measures to BNSF that will be implemented once the City gets some feedback. The City has to continue looking at what the gate design will look like.

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

Motion carried 5-0.

PUBLIC HEARINGS

16. RESOLUTION 10580, AN INTENT TO INCREASE PROPERTY TAX.

17. RESOLUTION 10579, ANNUAL BUDGET RESOLUTION.

Mayor Reeves declared the combined public hearing open and asked for presentation of the agenda reports.

Finance Director Melissa Kinzler reviewed PowerPoint slides for agenda items 16 and 17 (available in the City Clerk's Office) and discussed Commission goals and priorities; national, state and city trends; a general fund recap; city-wide revenues; proposed assessment and utility rate adjustments; city-wide expenses; capital outlay; employee summary; and the upcoming budget process.

The estimated newly taxable property in the general fund for fiscal year 2026 is \$330,000. If the Commission approves the inflationary factor the amount would be \$448,822. The fiscal impact of the proposed increase for inflation for a residential home with a taxable market value of \$100,000 would be approximately \$2.58, \$7.74 for a \$300,000 home and \$17.80 for a \$600,000 home for the year. This is the first year using the tiered tax rate and is the first step in the process of all the legislative changes.

The permissive medical levy for fiscal year 2026 is not being increased but will be assessed the same amount as last year in the amount of \$4.6 million dollars. The entitlement share increase this year will be \$87,666. The total revenue increases being projected for the general fund is \$936,488. There are a lot of uncertainties right now in the general fund and the actual overall legislative impacts that are going to happen.

Fund balance will be used for the general fund, and staff is projecting a 23.3% fund balance at the end of fiscal year 2026 to be able to take into fiscal year 2027.

The total citywide revenues in the fiscal year 2026 budget are \$144 million, and proposed expenses are \$176 million. The majority of that increase is from the 11.59% capital outlay increase in the water, sewer and storm drain fund. Personal services is going up 3.54% due to collective bargaining increases that were negotiated. Health insurance is moving from an 85/15 split to an 80/20 split with a 5% increase. The general fund debt service is increasing \$238,000 for the Fire Training Center.

Mayor Reeves asked if the Commissioners had any questions of Director Kinzler.

Mayor Reeves received clarification that, if Resolution 10580 is adopted, the approximate property tax increase on a \$300,000 house is \$7.74 per year, and about \$17 on a \$600,000 per year, not per month.

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Mayor Reeves asked if there were any comments from the public in support of Resolution 10580.

Written public comments were submitted by **Shyla Patera**, North Central Independent Living Services, Inc. (NCILS), pertaining to Agenda Items 16 and 17. NCILS recognizes that property taxes are important, yet difficult for many. NCILS hopes that the proposed increase will be both equitable and fair to low- and middle-income property owners, while giving the City of Great Falls an opportunity to provide community services which enhance the live-ability of Great Falls as well as accessibility and affordability in the community.

Mayor Reeves asked if there were any comments from the public in opposition to Resolution 10580.

John Hubbard, City resident, suggested contacting Governor Gianforte who is sitting on \$2.5 billion dollars of tax money rather than raising taxes. He opined that the City wastes money and should make do with what it has rather than buying new. He also commented that all the water in the United States is polluted and suggested that the City better take care of Giant Springs.

There being no one further to address the Commission on Resolution 10580, Mayor Reeves asked if there were any comments from the public in support of or opposition to Resolution 10579. Hearing none, Mayor Reeves closed the public hearing and asked the will of the Commission.

Commissioner Wolff moved, seconded by Commissioner Wilson, that the City Commission adopt Resolution 10580 – Intent to Increase Property Tax.

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

Commissioner McKenney commented that, for the last 26 years, the state legislature has set up local governments up to fail. That is why the City is having the challenge of funding public safety, parks, recreation, and administration.

Commissioner Wolff thanked Director Kinzler and Director Gaub for the Water Treatment Plant move to an on-site chlorination process that will save money down the road.

Commissioner Wilson thanked fiscally responsible staff for putting together a great budget package with such a small tax increase for the entire year.

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

Motion carried 5-0.

Mayor Reeves asked the will of the Commission with regard to Resolution 10579.

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Commissioner Wilson moved, seconded by Commissioner Wolff, that the City Commission adopt Resolution 10579 – Annual Budget Resolution.

Mayor Reeves asked if there was any further discussion amongst the Commissioners.

Commissioner Tryon commented that the City Manager, Finance Staff and Department Heads are very fiscally responsible people. He has heard this from folks in other cities that Great Falls is one of the most fiscally conservative and fiscally responsible cities in Montana. Anytime the Commission has to raise taxes, even if it is just a little bit, it is not easy to do. The Commission members all have to pay the same tax. The cost to the City of doing business has gone up, and especially over the past two or three years. When the costs go up, everybody has to pitch in a little bit more.

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

Motion carried 5-0.

18. RESOLUTION 10592, CONDITIONAL USE PERMIT (CUP) TO ALLOW “MARIJUANA CULTIVATION” WITHIN THE I-1 LIGHT INDUSTRIAL ZONINE DISTRICT UPON THE PROPERTY ADDRESSED AS 748 CRESCENT CIRCLE.

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

Planning and Community Development Director Brock Cherry reported that, while marijuana-related land use can be a sensitive and sometimes divisive issue, his role tonight is to focus strictly on the land use aspects of this request. The Planning and Community Development Department has reviewed this application for zoning compliance, Growth Policy alignment, and mitigation of potential impacts.

The applicant, Bobby Long of Flower, is requesting a Conditional Use Permit (CUP) to allow marijuana cultivation at 748 Crescent Circle, a site zoned I-1 Light Industrial. While retail is permitted by right, cultivation requires a CUP under Ordinance 3249, adopted by the City Commission in 2022 to regulate marijuana land use in Great Falls.

The proposed project is a fully enclosed, secure indoor facility that will include:

- Indoor cultivation
- Limited, state-licensed retail operations
- Packaging and administrative functions

No outdoor cultivation operations will be allowed, and design measures address odor, visibility, and access concerns in accordance with City Code.

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Mr. Long is the founder and CEO of Flower, a Montana-based cannabis company. He describes the facility as compliance-focused, professionally operated, and workforce-driven, with 10–15 trained employees expected on-site during business hours.

Operational Mitigations (Key Concerns), include:

- Odor: Managed through sealed grow rooms and a carbon-filtered HVAC system.
- Security: Includes monitored video surveillance, controlled access, and alarm systems, which will both meet and exceed state requirements.
- Visibility: No signage referencing cultivation, no exterior venting, or visible waste.

The CUP application was reviewed by City Planning, Engineering, Fire, and Building departments. All departments have deemed this request suitable as long as the conditions provided by staff are met.

Neighborhood Council #2 voted 4–1 to “not oppose” the application, noting general concern about the number of cannabis businesses in the area. This was also brought up at the work session. He noted that, by the nature of how a cannabis business is currently regulated in Great Falls, it is only allowed in industrial areas. Therefore, you will see a strong concentration in those areas of the community which have that zoning, which we are seeing in Neighborhood Council #2.

The Zoning Commission recommended approval by a 4–1 vote. One dissenting commissioner cited federal law concerns, which were addressed by the City Attorney, clarifying that those concerns have been adjudicated and are not legally defensible grounds for denial.

The request meets all seven CUP criteria, including:

- Compatibility with surrounding I-1 light industrial uses
- No immediate injury to nearby properties
- Adequate infrastructure, access, and traffic handling
- Alignment with the City’s Growth Policy, including infill and reuse of underutilized sites

In closing, while marijuana businesses can evoke varying perspectives, this application has been evaluated based on land use planning standards and local regulations.

Bobby Long, Applicant, 380 Cumberland Street, Lolo, MT, commented that he is the founder and owner of Flower, a Montana based company that he started over a decade ago with his wife. Flower has grown from a small local business into a vertically integrated operation, handling everything in house, from cultivation to lab extraction to packaging and retail sales at two retail locations. Tonight, he is asking for Commission approval to convert a warehouse at 748 Crescent Circle, currently zoned for light industrial use, into a cultivation and packaging facility. He is already licensed to operate a retail dispensary which will open this September. He could hire a few workers, run the store, and funnel the

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profits back into Missoula County. But that is not his vision. His vision is to build something long-term here, something that benefits this community.

He is not here tonight to change anyone's mind about cannabis. He is not applying for a rezone or a variance. He is asking for a conditional use permit for cultivation which is already allowed under the current zoning code. This falls directly within the rules that this Commission and the City of Great Falls have established. He has done the work to meet these rules, and he is committed to following them. He is also fully aware that he is the first person to apply for this permit in Great Falls. He has already invested millions in this market and purchased the building outright.

This project represents a major commitment to this community and to his family's future. This isn't just about him. It's about responsible growth and the tough decisions that the Commission has to make every day to balance development, economic development, and community values. It is about establishing and enforcing rules that create a fair playing field for entrepreneurs who want to take risks, invest in this community, and build something sustainable and valuable for the city.

This project checks every box. Zoning compatibility, infrastructure readiness, minimal community impact, and alignment with long term city goals. There are no infrastructure upgrades required, and the operation is fully contained with zero impact from the street. He has gone to great lengths to ensure that this project not only checks the required boxes, but also the ones that are implied. This facility is a prime example of how an underutilized area can be revitalized without burdening city services. Parking, traffic, and community impact have all been carefully considered. And they had to be, because to make this level of investment here in the community, he had to make sure to make this decision as easy as possible for the Commission.

The most common and valid concern and one that was raised by the Planning Board is the smell. He clarified something that the Planning Board said about carbon filtration. That is actually not a part of his plan. Carbon filtration is basically taking air and filtering it to take the smell out. It is a way that people in his industry put band aids on a problem that don't actually fix it at its root source. Carbon actually expires. Those things need to be replaced. And what it actually implies is that air is actually moving to and from the outside and is being scrubbed of the smell. That doesn't really work. There's only one way to do this, and that is designing a facility with sealed HVAC systems and carbon dioxide generation to ensure that no smell escapes. It is the most expensive part of this project, but it is crucial for operational integrity and community consideration. If smell can escape, contaminants can get in. That is a risk he can't afford to take. Investing three quarters of a million dollars on this alone is not optional.

Montana's cannabis industry is currently under a two-year license freeze. This means that what he is asking for tonight isn't the opening of a floodgate. It is the opportunity to set the standard to show how cannabis can integrate into an industrial corridor professionally and responsibly. That is the standard which any future applicant will be measured against. What he is asking for is a fair chance to build a project that will bring long-term benefits to this

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city. This isn't just a cannabis facility. It is a job creator, a local investment, and part of a larger plan to grow his operations here. If he is approved tonight, he can expand retail into other markets, bringing more manufacturing and jobs to Great Falls. This project is Phase 2 of a larger plan. The money flows here. The investment happens here. The jobs happen here.

In closing, he highlighted that this decision starts or ends with the Commission tonight. In order to stand here before the Commission, he had to put the horse before the cart. He had to take massive risks because someone had to have the courage to be the first one and stand before the Commission already invested and leveraged and ask permission.

The phases of this project that he hopes to accomplish are all centered around this foundational part of the plan. He knows what it is like to be in a community and be a part of a community. He has done that in Missoula for the last 15 years. His business has won best of nine out of the last 10 years.

Mr. Long concluded that he is humbly asking the Commission to accept his application and allow him to begin his project.

Mayor Reeves asked if the Commissioners had any questions of the applicant or Director Cherry.

Hearing none, Mayor Reeves asked if there were any comments from the public in support of Resolution 10592.

Hearing none, Mayor Reeves asked if there were any comments from the public in opposition to Resolution 10592.

Ron Paulick, City resident, read from a prepared statement that he is not opposed to recreational use of marijuana. The citizens of Great Falls voted to allow its use, and he respects their decision. He realizes that Light Industrial 1 and 2 zoning codes are designated for various marijuana businesses. However, the ultimate decision to allow or not allow these businesses is in the Commission's trusted hands.

Mr. Paulick commented that he is totally opposed to allowing this CUP to move forward citing no cities can regulate marijuana potency, only zoning requirements. This state control is unacceptable, and he suggested the Commission demand that local legislators correct this flaw. Additionally, public safety personnel are underfunded and understaffed, and likely municipal courts as well. He urged the Commission to correct these flaws before loading City departments with more work. He also noted that the City Health Department and mental health and substance abuse businesses are strapped by other drug and health issues that it becomes uncalled for to allow marijuana cultivation and dispensaries to increase product use and harms in Great Falls.

Mr. Paulick referred to The Missoula Current News 6/6/2025 article "Montana marijuana industry shares concerns over testing" discussing Montana currently has limited marijuana potency testing labs, with only one lab actively conducting necessary testing

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for marijuana products. Allowing more marijuana businesses doesn't seem like the right thing to do. It simply exasperates the problem.

There being no one further to address the Commission, Mayor Reeves asked if Applicant Long wanted to respond to any public comments.

Applicant Long clarified that there is actually a bit of a bottleneck in testing right now. But that does not mean that products don't get tested. That just means instead of it taking four days, it takes 14 days to be able to get those test results back.

In general, the public doesn't realize the level of compliance that the Cannabis Control Division is putting on this industry. In his experience, this is the most regulated industry in Montana. He has no choice but to run a tight ship and to adapt to changes in laws. He has employees that just deal with the compliance component.

Any cannabis business that operates within this state is very tightly regulated. There is no product that gets to the shelf that is not tested. The businesses just bear the brunt of longer wait times.

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

Commissioner Wilson moved, seconded by Mayor Reeves, that the City Commission approve Resolution 10592 subject to the Conditions of Approval being fulfilled by the applicant.

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

Mayor Reeves commented that he believes the City went down this path years before he was in office and it ended up in district court. The Commission must adopt alternative findings to support the decision to deny the CUP.

City Attorney David Dennis responded that the Commission certainly has legal standing to consider the criteria that are laid out for approval or disapproval of a conditional use permit. Any one of the Commission members could look at those criteria and maybe have concerns or disagree with the conclusions of staff.

The issue that was raised previously was the question of whether marijuana sales, marijuana use, and other marijuana activities was legal in the state of Montana because it was prohibited federally. There are several federal court opinions that set forth that a state may make marijuana activities legal and not violate federal preemption. There is also a U.S. Supreme Court opinion that held that the federal government may not require states to enforce federal laws. In a circumstance like this, the state of Montana is allowed to legalize marijuana, and the City Commission is allowed to approve or disapprove marijuana businesses based on the conditions that are laid out in the Official Code of the City of Great Falls.

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Commissioner Tryon thanked Mr. Long for his professional, respectful presentation. He then raised concerns about the box he feels the City Commission is put in. Based on the presentation and staff report, it appears the Commission is required to approve the CUP unless it can present specific findings of fact to justify denial. He expressed concern that if he and two other Commissioners were inclined to vote against the CUP, they would not have sufficient legal or procedural basis to do so without such findings.

Commissioner Tryon noted that he could dispute basis of decision #1 in that recreational marijuana wasn't made legal in the state for several years after the 2013 Growth Policy was adopted. He could also produce studies to dispute #2 that the establishment, maintenance or operation of the zoning and conditional use will not be detrimental to, or endanger the health, safety, morals, comfort or general welfare.

Because the Commission doesn't have alternative findings of fact, the Commission doesn't have the opportunity to dispute that and he believes the Commission is forced to vote "yes."

He would like to make a motion to table this issue until September 2, 2025. Between now and September 2, the Commission would have the opportunity to ask staff to determine whether or not there is a basis to provide facts that are adequate to support a "no" vote.

Mayor Reeves respectfully disagreed, stating that those findings of fact are what staff provided the Commission. Had there been alternatives, they would have been provided to the Commission in the packet already. He would like the Commission to move forward on the motion.

Commissioner McKenney called point of order, stating that in order to be considered there would need to be a second to Commissioner Tryon's suggested motion.

Commissioner Tryon moved, seconded by Commissioner Wolff, that the City Commission table this issue to a date certain, September 2, 2025, to provide an opportunity for staff to provide alternative findings of fact to support the basis of decision.

Commissioner Tryon asked staff to address his concerns that whenever a CUP comes before the Commission, they have always been in the position of voting "yes" or coming up with findings of fact as a basis to vote "no."

City Attorney Dennis responded that the agenda report suggests that, if the Commission is not going to approve the CUP, it has to come up with different findings of fact. He recognized that coming up with well-crafted findings of fact on the fly would be a near impossibility. He suggested a couple of ways the Commission could address that by (1) having a Commissioner walk through each finding of fact and outline why they disagree and take a vote on whether to approve or not approve. If the vote is not to approve, ask staff to draft findings of fact consistent with the decision; or (2) make a motion to continue the matter when a Commissioner is seeking apparently additional evidence or additional time to review the evidence that has been presented and take it up at a later date.

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Mayor Reeves noted that he hears Commissioner Tryon, but he believes that the applicant has met all the requirements. The Neighborhood Council has spoken, and the Zoning Commission has approved the application. He doesn't think Commission members can assert their personal feelings.

Commissioner Tryon commented that he is not inserting his personal feelings about marijuana. He is saying it is not appropriate to vote on a CUP and have no option to vote "no."

Commissioner Wilson noted she has been torn about CUP permits, particularly with housing projects. She understands what Commissioner Tryon is saying. She doesn't know Mr. Long personally but is aware of his reputation in this industry in the state and his responsible conducting of his business. The City is lucky to have an applicant like him. However, she is not opposed to waiting for a little bit to get all the questions answered. She would support Commissioner Tryon's motion.

Commissioner McKenney commented he was not on the same page as Commissioner Tryon. All of the information was available when the application went through the Neighborhood Council and the Zoning Commission before it came to the Commission on Thursday. He has done his research, understands what is before the Commission tonight and is ready to make a decision without delay.

Mayor Reeves had the City Clerk reiterate the motion on the floor – that the City Commission table this issue to a date certain, September 2, 2025, to provide an opportunity for staff to provide alternative findings of fact to support the basis of decision.

Mayor Reeves called for the vote on the motion to table.

Motion failed 2-3 (Mayor Reeves and Commissioners McKenney and Wilson dissenting).

Mayor Reeves had the City Clerk reiterate the original motion - that the City Commission approve Resolution 10592 subject to the Conditions of Approval being fulfilled by the applicant.

Mayor Reeves asked if there was any further discussion amongst the Commissioners.

Commissioner McKenney inquired why a CUP was required when marijuana was already approved in industrial zoning districts.

Director Cherry responded that the conditional use permit is an acknowledgement that there are certain uses that may have a certain intensity and conditions of approval may be needed in order to mitigate harm that use may have on surrounding areas.

Staff utilized the conditional use permit process to address additional conditions of approval that should be recommended in order to proceed this forward. Not only did staff

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do this, but the applicant agreed. When drafting these findings, staff does so in a very unbiased manner.

Given the framework of approval for this business that was established by it being a CUP process, the fear from staff is that it would take significant staff and legal time to see what alternative findings would look like. Because, during the process of staff doing due diligence with the applicant, staff has made additional requirements that the applicant has agreed to, and a recommendation of approval was based solely on the land use and the applicant has complied with those requests. Staff is here to support the governing body during the decision-making process. He reassured the Commission that staff has utilized the process approved by this body for this use in industrial zones with an approved conditional use permit. Staff took those standards and those opportunities afforded by them to make recommendations and even added more conditions during the process.

Commissioner McKenney received clarification that all future cultivation businesses would need a CUP. Marijuana cultivation as a land use is only allowed in industrial areas with an approved Conditional Use Permit.

Commissioner Tryon commented that he is going to vote “no,” not based on the presentation or the good work of staff, but because he doesn't like making a vote that he feels he is being constrained to make. He reiterated his arguments that different findings of fact could support the basis of decision for Items 1 through 3.

He appreciated Mr. Long's presentation. His comments are not about Mr. Long personally or about his business. His concern is the process and, to him, is not right. He wants to make sure it is fixed in the future so that if another CUP comes before the Commission, that the Commission can at least look at the possibility of alternative findings of fact that could be considered so that Commission members could have a basis to vote no if they wanted to.

Commissioner Wolff thanked the applicant for the work he has done and for meeting the additional requirements. She is voting “no” because she knows that marijuana can lead to use of other drugs and, even though the citizens voted for marijuana and it is legal, she cannot support that knowing the burdens it is going to put on the Police and EMS systems.

Commissioner Wilson commented that she doesn't see a reason to say no to somebody who has a responsible proposal and is meeting the guidelines and laws.

There being no further discussion, Mayor Reeves called for the vote on the main motion.

Motion carried 3-2 (Commissioners Tryon and Wolff dissenting).

19. RESOLUTION 10596, REFERRING ORDINANCE 3278, AN ORDINANCE AMENDING TITLE 9, CHAPTER 9, SECTION 030, OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS TO RESTRICT PERMISSIBLE FIREWORKS FOR SALE OR DISCHARGE, TO A VOTE OF THE PEOPLE AT AN ELECTION TO BE HELD ON NOVEMBER 4, 2025.

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

City Attorney David Dennis reported that fireworks have long been a topic of discussion and concern in Great Falls with strong opinions expressed on both sides of the issue over the course of several decades. In recent years this issue has drawn renewed attention from residents and stakeholders. The City Commission has received significant input from community members regarding the sale and use of fireworks within the incorporated city limits. Many residents have voiced support for restricting these types of fireworks, citing concerns related to public safety, fire hazards, noise disturbances, and negative impacts on Veterans, pets and other vulnerable populations. These individuals urged the City to adopt stricter local regulations beyond those permitted under State law to address these concerns. Conversely, the City Commission has also received opposition from community members who wished to preserve the ability to sell, purchase, or use fireworks as currently allowed under State law. These residents emphasize personal freedom, traditional celebration, and economic considerations.

The City Commission has the authority to refer policy questions to the city electorate by ballot issue and has indicated to staff that it would like to place the issue on the November 4, 2025, general election ballot.

Under Montana law, the Commission may refer a proposed amendment to a City ordinance to a vote of the people. Resolution 10596 will officially refer the question to the electors on the November ballot. The ballot measure would amend § 9.9.030 of the Official Code of the City of Great Falls to limit the type of fireworks allowed to be sold or discharged within the incorporated city limits of Great Falls.

Currently, § 9.9.030 allows all fireworks that are authorized by state law. If the amendment passes by a vote of the electorate, the permissible fireworks allowed in the City of Great Falls under § 9.9.030 would be those fireworks allowed under state law, except that fireworks designed to leave the ground and fireworks designed to explode upon activation would be prohibited. These restrictions would not apply to fireworks involved in a City approved and City permitted public display.

In conjunction with this Resolution and ballot question, City staff is proposing Ordinance 3278 be presented to the electors for decision. Ordinance 3278 will only be incorporated into the Official Code of the City of Great Falls upon a majority “yes” vote to the ballot question.

The fiscal impact of adding the question to the ballot for the November 4, 2025, general election is \$88.

Mayor Reeves asked if the Commissioners had any questions of City Attorney Dennis.

Hearing none, Mayor Reeves asked if there were any comments from the public in support of Resolution 10596.

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Heather Rohlff, City resident, expressed support for Resolution 10596 and the proposed ordinance language being presented to voters in November 2025. She cited multiple reasons for her position, emphasizing the negative impacts of personal fireworks use in city limits. She shared personal experiences, noting that she must medicate her dogs during fireworks season and often feels forced to leave the City in order to ensure her animals are safe and away from the disturbing loudness. She has had to resort to getting them all a thunder shirt. Ms. Rohlff pointed out that animals, like people, can suffer from PTSD-like symptoms and heightened fear in response to fireworks activity. Dogs can hear more than twice as many frequencies and hear sounds four times further than a human can. Additional concerns included the harmful effects on individuals living with PTSD and other disorders/illnesses, the risk of property damage, and the significant amount of trash left behind. She also highlighted the ongoing issue of fireworks being set off at all hours, making it nearly impossible for residents to find relief from the noise.

Ms. Rohlff advocated for fireworks to be limited to organized events, such as ball games or the City's fireworks display. She concluded that fireworks laws are frequently ignored, placing an unnecessary burden on law enforcement who have more important tasks/calls. She noted that other Montana communities have prohibited fireworks within city limits.

John Hubbard, City resident, commented that he used to love fireworks, but people are abusing them and are irresponsible, citing the fire in Gibson Flats and the lady that lost her life over fireworks this year. He doesn't get to watch the City display because he stays home every 4th of July just to make sure his property does not burn down.

Sunday Rossberg, City resident, spoke in support of limiting the sale of fireworks. She shared a deeply personal and tragic experience. On July 5, she lost both of her rescued dogs—Bella, a Cane Corso, and Lulu, a three-legged dog. Bella had no history of aggression. She was assessed by a vet, completed two training courses, came to work with her, and was gentle with her paralegal's daughter at the office.

Knowing fireworks can be stressful, she planned ahead. But when she got home that evening, the smoke and explosions in her neighborhood were overwhelming. The noise triggered Bella, who tragically attacked Lulu. She had to put Lulu down the next day—and out of concern for safety, she made the heartbreaking decision to put Bella down as well.

She now lives with PTSD from witnessing that attack. She doesn't believe the attack would have happened except for the degree of fireworks.

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Anita Hall, City resident, commented that, after the 4th of July, she confronted neighbors who continued setting off illegal fireworks—and was labeled the “bad neighbor” just for calling attention to it. These large, intense fireworks are terrifying no matter the time of day.

There must be limits on their intensity. While she would prefer the five members of the Commission make that decision, she worries a public ballot—like with urban chickens—would get voted down. If that happens, she hopes the decision will be made by the Commission.

Ron Paulick, City resident, commented that this is a good ballot issue.

Written public comments were submitted by **Bianca Hibbert**, in support of banning larger, artillery like fireworks and allowing voters to be a part of that decision. She suggested allowing fireworks for one day – the 4th of July. Although enforcement may be a challenge at first, if people know there will be enforcement and accountability, she thinks they will more likely comply over time.

Mayor Reeves asked if there were any comments from the public in opposition to Resolution 10596.

Belinda Holland, City resident, commented that she respects and supports the idea of putting this issue to a public vote. The community deserves the chance to weigh in, and democracy works best when people have a voice. But she strongly opposes the proposed ban itself. Fireworks are about celebration, freedom, and connection. They are one of the few affordable, meaningful traditions left that don't require a monthly subscription or a bank loan. For a generation that feels like everything is being taken from them, this ban just feels like one more thing slipping away.

She understands the concerns about noise, fire safety, and the impacts on Veterans and individuals with sensory needs. These are real issues, and they require real solutions, not blanket restrictions. There will always be people who break rules, even if fireworks are banned. Punishing law abiding citizens doesn't solve the problem. It just creates new ones.

She suggested limiting sales to July 1 through July 4, ending each night at 10pm, offering quiet zones, sensory friendly alternatives, educational outreach for safety and respect, and enforcing the rules already in place before stripping away more rights from residents who follow them.

Written public comments were submitted by **Brandon Seder**, in opposition to any further ban on fireworks, noting that he feels this is a huge attack on Americans and their freedoms and should be left alone. Alternatively, restrict fireworks to one day - the 4th of July holiday. He suggested the only suitable solution for the fireworks problem is to open overtime shifts for fireworks enforcement.

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

Commissioner Wilson moved, seconded by Commissioner Tryon, that the City Commission adopt Resolution 10596.

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

Commissioner Wolff commented that she will vote for this to go on the ballot, although her preference would be that the elected Commission members make these decisions.

Commissioner Wilson commented that this is a divisive community issue, and she is in favor of putting it on the ballot for the people to decide.

Commissioner McKenney commented that almost always ballot initiatives are citizen driven; not driven by the folks that should be making the decision. He discussed three points:

Leadership and Responsibility - When he ran for office, he took the time to tell voters who he was and how he thinks. The people of Great Falls elected him to make decisions, not avoid them. We are here for exactly that reason — to use our best judgment, especially when the issues are hard or controversial. If every controversial issue was just sent to the ballot, he asked: Why are we here? Hard decisions are part of the job.

Governing with Integrity - We are a representative government. That means we lead, even when it's uncomfortable or when it's divisive. Every day each of the Commission members hears from the community. Listening doesn't mean agreeing with everything we hear. It means we take it in, consider it seriously, and then make the best decision we can — using the judgment voters elected us for.

Accountability – He thinks the Commission is punting on accountability in this instance — and that bothers him. If voters don't like the decisions he makes, they can vote him out. That is real accountability, and he welcomes it. But, if the Commission punts this issue to the ballot, who's accountable? What happens when the community passes a ban — and next July 2nd, 3rd, and 4th, fireworks are still going off all over town? We already know enforcement is nearly impossible. We know fireworks stands are just minutes away. We know communities that have banned them still deal with illegal fireworks. And our police have made it clear — they're already stretched thin.

Commissioner Tryon received confirmation that a multiple-choice question cannot be put on a ballot; only a yes or no issue can go on the ballot. He will vote for putting this on the ballot, not because he wants to ban fireworks, but because people that are opposed to fireworks in residential neighborhoods deserve to have their concerns and their issues directly addressed instead of ignored and told that their concerns don't matter. He thinks the best way to address those in the most appropriate way is by sending this issue to the ballot.

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He has no problem making controversial decisions on this City Commission. No matter what voters decide on restricting fireworks in city limits in residential neighborhoods, the Commission will be accountability to address the issue of enforcement in making sure public safety personnel has the resources and policies in place. He thinks that the voters' decision will have more effect, credibility and will be more decisive. It will make enforcement easier if voters decide to restrict fireworks in city limits.

Commissioner Wilson noted that she is not ducking the issue either. She has heard from enough people that want to see this issue on a ballot. Regardless of either way the vote goes, the City and Commission will have a lot to deal with. The proposed ballot language is not to ban fireworks. It is to restrict fireworks that aren't dangerous and shooting off onto somebody else's roof.

Commissioner Wolff commented that the dangers of fires and the woman who lost her life needlessly were discussed. With regard to issues being put on the ballot, she doesn't think she has ever known of a chicken who killed anybody.

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

Motion carried 4-1 (Commissioner McKenney dissenting).

OLD BUSINESS

NEW BUSINESS

ORDINANCES / RESOLUTIONS

20. RESOLUTION 10594, RELATING TO FINANCING CERTAIN PROPOSED WATER SYSTEM IMPROVEMENTS; ESTABLISHING COMPLIANCE WITH REIMBURSEMENT BOND REGULATIONS UNDER THE INTERNAL REVENUE CODE.

Finance Director Melissa Kinzler reported that Resolution 10594 is a reimbursement resolution for costs associated with certain improvements to the water filtration system at the Great Falls Water Treatment Plant (WTP). Reimbursable items include designing, engineering, procurement, advertisement, and construction of (i) a new retrofitted settling basin system, (ii) improvements and upgrades to the headhouse building, (iii) bulk sodium hypochlorite tanks, and related improvements (collectively, the "Projects"). This resolution will allow reimbursement by bond proceeds for costs that have occurred prior to the bond issuance and permit City staff to keep the projects on course.

WTP staff prioritized the three projects through a risk matrix as very critical and urgent improvements at the plant. The bond funding and capital improvement budgets are in the FY 2026 City of Great Falls Proposed Budget under the Water Fund and are identified in

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the Capital and Debt portion of the proposed budget. Current expenditures have been drawn from the Water Enterprise Fund, and the projects are identified in the Water CIP.

Adoption of this resolution will allow the City to be reimbursed for costs of improvements for the identified projects once the bonds have been issued. Additional Commission action will be required at a later date to authorize the issuance and fix the terms and conditions of the bonds.

Commissioner Tryon moved, seconded by Commissioner Wolff, that the City Commission adopt Resolution 10594.

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

Commissioner Wolff commented that this is a wise way to access funds to complete a project.

Hearing none, Mayor Reeves called for the vote.

Motion carried 5-0.

21. RESOLUTION 10597, AUTHORIZING PARTICIPATION IN THE BOARD OF INVESTMENTS OF THE STATE OF MONTANA ANNUAL ADJUSTABLE RATE MUNICIPAL FINANCE CONSOLIDATION ACT EXTENDABLE BOND (INTERCAP LOAN PROGRAM) FOR THE RENOVATION OF THE GREAT FALLS FIRE RESCUE TRAINING CENTER.

Finance Director Melissa Kinzler reported that at the April 1, 2025, City Commission meeting, the City Commission approved staff to pursue financing for the Fire Training Center Renovations through the Montana Board of Investments (MBOI) Intercap Loan Program. An application was completed and a loan for \$2,500,000 was approved by the Montana Board of Investments.

The current interest rate for an MBOI loan is 5%. The proposed term for the debt service is 15 years. Annual payment is estimated to be \$238,888.20. Due to its favorable interest rates and available funding, the City commonly uses the Montana Board of Investments (MBOI) Intercap Loan program when committing to non-voted general obligation debt. This is the final City Commission action that will be required during the process of issuing the debt.

Any amounts that are authorized in the borrowing that are more than the amount needed for the renovations will be released back to the Montana Board of Investments for their use on other projects. Early redemption of the loan is possible.

Commissioner Wolff moved, seconded by Commissioner Tryon, that the City Commission adopt Resolution 10597 authorizing participation in the Board of Investments of the State of Montana Annual Adjustable Rate Municipal Finance

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Consolidation Act Extendable Bond (Intercap Loan Program), approving the form and terms of the Loan Agreement and authorizing the execution and delivery of documents related thereto.

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

Commissioner McKenney commented that at the April 15, 2025, meeting he was a dissenting vote on this item. He clarified that, on behalf of the City Commission, he was actively visiting with community leaders on the topic of public safety. One of the discussions was a capital campaign, and part of the capital campaign was for the Fire Training Center. Since that time, the capital campaign efforts are in a holding pattern, and he is all for Resolution 10597 for the Fire Training Center.

Hearing none, Mayor Reeves called for the vote.

Motion carried 5-0.

CITY COMMISSION**22. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Commissioner Wilson expressed appreciation to the hard working personnel of the Great Falls Police Department and Great Falls Fire Rescue for her ride alongs and training this week, staff's work on the fireworks Resolution and Ordinance in a short timeframe, and to Finance staff for putting together a budget that was easy to pass, noting a \$7 per year increase for a \$300,000 house.

Commissioner Wilson also noted that she misses having Neighborhood Council updates. Councils used to present updated reports once per month to the Commission at work sessions, and she would like to see that start again.

23. COMMISSION INITIATIVES.

None.

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ADJOURNMENT

There being no further business to come before the Commission, **Commissioner Tryon moved, seconded by Mayor Reeves, to adjourn the regular meeting of August 5, 2025, at 9:18 p.m.**

Motion carried 5-0.

Mayor Cory Reeves

City Clerk Lisa Kunz

Minutes Approved: August 19, 2025



Commission Meeting Date: August 19th, 2025
CITY OF GREAT FALLS
COMMISSION AGENDA REPORT

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

PRESENTED BY: Finance Director

ACTION REQUESTED: Approval with Consent Agenda

LISTING OF ALL ACCOUNTS PAYABLE CHECKS ISSUED AVAILABLE ONLINE AT

<https://greatfallsmt.net/finance/checkregister>

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

ACCOUNTS PAYABLE CHECKS	07/10/2025 - 07/30/2025	4,294,891.00
MISCELLANEOUS ACCOUNTS PAYABLE WIRES	07/10/2025 - 07/30/2025	707,518.89
	SUB TOTAL: \$	5,002,409.89
MUNICIPAL COURT CHECKS	07/10/2025 - 07/30/2025	7,338.02
	GRAND TOTAL: \$	5,009,747.91

GENERAL FUND

POLICE

GUY TABACCO CONSTRUCTION	PD FRONT COUNTER FINAL (SPLIT AMONG FUNDS)	18,885.62
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SPECIAL REVENUE FUNDS

LIBRARY FOUNDATION

CTA ARCHITECTS	PROFESSIONAL SERVICES FOR JUNE 2025	34,435.50
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STREET DISTRICT

UNITED MATERIALS OF GREAT FALLS	4TH AVE N ST RECON/PMT 3 (SPLIT AMONG FUNDS)	509,938.86
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GREAT FALLS SAND & GRAVEL INC	12,000 TONS OF TYPE B & C ASPHALT	33,805.14
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SUPPORT & INNOVATION

GF TOURISM BUSINESS IMPROVEMENT	JUNE 2025 TBID ASSESSMENT TAX DIST	84,617.99
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GF BUSINESS IMPROVEMENT DISTRICT	JUNE 2025 BID ASSESSMENT TAX DIST	30,269.53
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DEBT SERVICE FUNDS

CAPITAL PROJECT FUNDS

GENERAL CAPITAL PROJECTS

GUY TABACCO CONSTRUCTION	PD FRONT COUNTER FINAL (SPLIT AMONG FUNDS)	56,656.88
CUSTOM PLASTER LLC	THEATER CEILING REPAIR	169,760.25
MONTANA MATERIALS & CONSTRUCTION	DEMO FIRE TOWER	65,000.00

ENTERPRISE FUNDS**WATER**

AE2S INC	MAFB INSTALL RESILIENCE STUDY PMT 4	57,044.07
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SEWER

VEOLIA WATER NORTH AMERICA	MONTHLY WWTP OPERATION CONTRACT	318,988.87
SLETTEN CONSTRUCTION COMPANY	WWTP BAR SCREEN IMPROVEMENT PMT 5	29,411.32
PROSPECT CONSTRUCTION INC	LS1 REPAIRS AND SUPPLEMENTAL FM PMT 5	213,038.02

STORM DRAIN

UNITED MATERIALS OF GREAT FALLS	STORM DRAIN MIDDLE BASIN PMT 2	605,720.56
UNITED MATERIALS OF GREAT FALLS	4TH AVE N ST RECON/PMT 3 (SPLIT AMONG FUNDS)	7,802.86

PARKING

STANDARD PARKING CORPORATION	JUNE 2025 PARKING SERVICES FEES	34,600.67
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INTERNAL SERVICE FUNDS**CENTRAL GARAGE**

MOUNTAIN VIEW CO-OP	UNLEADED & DIESEL FUEL - FY 2026	29,888.90
MOUNTAIN VIEW CO-OP	UNLEADED & DIESEL FUEL - FY 2026	25,457.32

HEALTH & BENEFITS

HEALTH CARE SERVICE CORPORATION	JUNE 2025 BCBS INSURANCE	789,550.53
METROPOLITAN LIFE INSURANCE CO	METLIFE DENTAL AND VISION JUNE 2025	46,875.70
RXBENEFITS INC	CAREMARK RX CLAIM 7.1 - 7.15.25	50,214.22

TRUST AND AGENCY FUNDS**PAYROLL CLEARING**

STATE TREASURER	MONTANA TAXES	79,953.33
FIREFIGHTER RETIREMENT	FIREFIGHTER RETIREMENT EMPLOYEE & EMPLOYER CONTRIBUTIONS	58,908.67
STATEWIDE POLICE RESERVE FUND	POLICE RETIREMENT EMPLOYEE & EMPLOYER CONTRIBUTIONS	79,201.67

PUBLIC EMPLOYEE RETIREMENT	PUBLIC EMPLOYEE RETIREMENT EMPLOYEE & EMPLOYER CONTRIBUTIONS	160,732.41
US BANK	FEDERAL TAXES, FICA & MEDICARE	279,230.06
WESTERN CONF OF TEAMSTERS	EMPLOYEE CONTRIBUTIONS	27,405.06
MONTANA OE - CI TRUST FUND	EMPLOYEE CONTRIBUTIONS	30,000.94
UTILITY BILLS		
NORTHWESTERN ENERGY	ELECTRIC SUPPLY JULY 2025	83,950.23
NORTHWESTERN ENERGY	ELECTRIC SUPPLY JUNE 2025	69,126.24
CLAIMS OVER \$25,000 TOTAL:		\$ 4,080,471.42

**CITY OF GREAT FALLS, MONTANA
COMMUNICATION TO THE CITY COMMISSION**

DATE: August 19, 2025

ITEM: CONTRACTS LIST
Itemized listing of administratively approved contracts.
(Listed contracts are available for inspection in the City Clerk's Office.)

PRESENTED BY: Lisa Kunz, City Clerk
ACTION REQUESTED: Ratification of Contracts through the Consent Agenda

MAYOR' S SIGNATURE: _____

CONTRACTS LIST

	DEPARTMENT	OTHER PARTY (PERSON OR ENTITY)	PERIOD	AMOUNT	PURPOSE
A	Public Works – Engineering	Montana Department of Transportation (MDT)	Initial 10-year term - automatically renews for successive one-year terms unless superseded by a new Agreement between the parties	\$0.00	Construction and Maintenance Agreement CM 57-1(14)0, GF District ADA Upgrades UPN 10589000 for the construction of sidewalk, ADA accesses, curb and gutters, located on 1 st Ave N, 2 nd Ave N, 14 th Street and 15 th Street. Project is within MDT right-of-way. OF 1651.0

B	Public Works – Engineering	Montana Department of Transportation (MDT)	Initial 10-year term - automatically renews for successive one-year terms unless superseded by a new Agreement between the parties	\$0.00	Construction and Maintenance Agreement CMGF STWD(977) Off System Sidewalks – GF UPN 1019000 for the construction of sidewalk, ADA accesses, curb and gutters, located at 2 nd St NE, 3 rd St NE, 4 th St NE, 5 th St NE, 5A St, 6 th St NE, 7 th St NE, 8 th St NE, 9 th St NE, 1 st St NW, 2 nd St NW, 5 th St NW, 7 th St NW, 14 th Ave NW, 18 th Ave NW, Riverview 1E and Sacajawea Dr. Project is within City right-of-way. OF 1651.0
C	Public Works – Engineering	Matthew McDonald	Perpetual	\$0.00	Water and Sewer Main Utility Easement consisting of 30 feet in width for the construction and maintenance of a water and sewer main, covering a land area of 0.51 acres locating in Tract 22 of McLean Garden Tracts OF 1103.1

CITY OF GREAT FALLS, MONTANA**COMMUNICATION TO THE CITY COMMISSION****DATE:** August 19, 2025

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

PRESENTED BY: Lisa Kunz, City Clerk

ACTION REQUESTED: Ratification of Grants through the Consent Agenda

MAYOR'S SIGNATURE: _____

GRANTS

	DEPARTMENT	OTHER PARTY (PERSON OR ENTITY)	PERIOD	GRANT AMOUNT REQUESTED	MATCH	PURPOSE
A	Park and Recreation	Montana Fish, Wildlife & Parks	Fall 2025- Spring 2026	\$50,000	\$15,000 – River's Edge Trail Foundation \$15,000 – Park & Recreation In- Kind Labor \$10,000 – Park District Maintenance Division \$10,000 Park District Trails Division	Montana Land and Conservation Fund grant application for the River's Edge Trail Caboose Deck Renovation project at 1801 River Drive North. The project includes improved ADA accessibility, enhanced safety and visibility, community value and sustainable infrastructure



Commission Meeting Date: August 19, 2025

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Water Meter Equipment Purchases for FY26

From: Jake Mckenna, Utility Systems Manager

Initiated By: Public Works Department

Presented By: Christoff Gaub, Public Works Director

Action Requested: Approve Purchases

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (approve/not approve) the purchase of water meter equipment for FY26 from Ferguson Enterprises, Inc. in an amount not to exceed \$650,000.”

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 purchase of water meter equipment.

Background:

Significant Impacts

The City’s Water Distribution System includes approximately 22,800 water meters. Public Works has replaced the majority of the smaller meters that were not compatible with the radio read system. Public Works is now focusing on replacing the larger meters (2” to 8” diameter) and installing MXUs (radio read equipment) on the remaining meters. Currently, approximately 10,650 radio reads are installed in the city, with approximately 12,170 remaining to be replaced.

Purpose

The annual purchases are to continue replacing manual read meters with the MXU system to make meter reading safer, more accurate, more efficient, and to comply with Lead Free regulatory standards.

Project Work Scope

In FY25, staff purchased \$413,575.11 worth of radio read equipment, new meters, meter parts and installation equipment from Ferguson Enterprises, Inc. In FY26, staff proposes to purchase radio read equipment, new meters, meter parts and installation equipment from Ferguson Enterprises, Inc. totaling approximately \$650,000.

Public Works' plan for the upcoming 1 to 2 years, is to replace the larger water meters (1-1/2", 2" and 4") that are incompatible with the remote read system and continue installing MXUs. The larger OMNI meters have 10-year battery life, and the meter heads are failing. These meters are typically in apartment and condominium complexes, where a great deal of coordination is needed to shut off the water during meter switch out. Some are in meter pits that are difficult to access. Public Works' goal is to move these meters above ground, which requires additional plumbing work.

Finally, the EPA has changed the definition of "Lead Free" to allow plumbing fixtures to contain 0.25% (down from 8.0%) of lead by weight. The majority of the City's meters are brass, with lead levels above the EPA limit. When these meters need maintenance (stuck, broken, etc.), the City is not allowed to rebuild them and must instead install new 0.25% "Lead Free" meters or "I-Perl" meters (composite/plastic material).

Evaluation and Selection Process

Ferguson Enterprises, Inc. is the sole distributor of compatible parts and equipment for the City's metering system. Due to compatibility issues with different equipment, supplies and suppliers, staff proposes to continue to purchase equipment from Ferguson. Public Works' plan is also in line with how other cities in Montana (and industry-wide) are equipping and maintaining their meter system.

Fiscal Impact: Water meter equipment and supply purchases are programmed and budgeted on an annual basis in the Public Works Water Distribution Division enterprise fund.

Alternatives: The City Commission could vote to deny the purchases, which would cause City staff to change water meter suppliers and switch out all City water meters to a new system at significantly greater cost to the City.



Commission Meeting Date: August 19, 2025

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Professional Services Agreement: 9th St. NE Water Main Replacement;
OF 1848.0

From: Engineering Division

Initiated By: Public Works Department

Presented By: Christoff Gaub, Public Works Director

Action Requested: Consider and approve Professional Services Agreement

Suggested Motion:

1. Commissioner moves:

"I move that the City Commission (approve/not approve) a Professional Services Agreement in the amount of \$123,757.06 to DJ&A, P.C. for the 9th St NE Water Main Replacement project, and authorize the City Manager to execute the necessary documents."

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

Staff Recommendation: Approve Professional Services Agreement.

Summary:

The City proposes to retain DJ&A, P.C. to conduct a topographic survey, complete project design, assist with bidding, and provide construction administration support services for the water main replacement and street upgrades of four city blocks along 9th St NE from 32nd Ave NE to 36th Ave NE.

Background:

This project will replace water mains that are failing with increasing frequency. Water main breaks are causing damage to property and roadways while disrupting water service to local residents. The water main breaks are primarily due to corrosive soils, age, and type of pipe material used. The water mains being replaced along 9th St NE include a 16-inch cast iron main installed in 1963 and an asbestos cement main installed in 1965. The project will also include a 2-inch mill and asphalt overlay due to severe asphalt deterioration. Additionally, handicap ramps will be upgraded to comply with the Americans with Disabilities Act (ADA).

Significant Impacts:

The project would be designed by DJ&A, P.C. over the winter with construction scheduled for spring 2026. Construction of the project is expected to take approximately 3 months. The project will require closing portions of 9th St NE while the water main and street work is being completed. Residents will still be able to access their properties through the side streets.

Workload Impacts:

City staff will provide project management, full-time construction inspection, and post construction services.

Project Work Scope:

See attachment 1.

Conclusion:

The project has been selected, prioritized, and executed in accordance with the Public Works Capital Improvement Plan. City staff recommends approving the Agreement with DJ&A, P.C. in the amount of \$123,757.06 to provide design, bidding, and construction administration services.

Fiscal Impact:

Water Utility Enterprise Funds have been budgeted for engineering services. Water Utility Enterprise Funds and Street Funds have been programmed and budgeted for the Spring 2026 construction of this project.

Alternatives:

The City Commission could vote to deny the Professional Services Agreement and request Staff to look for another Consultant to perform the service or cancel the project. Bringing a different consultant on board may result in increased engineering fees and may delay the project. Delaying the project may increase the risk of another water main break and possible flooding of property in the area. The area experienced a water main break in June 2025 and a very large water main break in July 2024 that caused a Boil Water Advisory.

Attachments:

1. Professional Services Agreement including Exhibit A
2. Project Summary Sheet

PROFESSIONAL SERVICES AGREEMENT

THIS AGREEMENT is made and entered into by and between the **CITY OF GREAT FALLS, MONTANA**, a municipal corporation organized and existing under the laws of the State of Montana, P.O. Box 5021, Great Falls, Montana 59403-5021, hereinafter referred to as “City,” and **DJ&A, P.C.**, 2000 Maple Street, Missoula, MT, 59808, hereinafter referred to as “Consultant.”

In consideration of the mutual covenants and agreements herein contained, the receipt and sufficiency whereof being hereby acknowledged, the parties hereto agree as follows:

1. Purpose: City agrees to hire Consultant as an independent contractor to perform for City services described in the Scope of Services attached hereto as Exhibit “A” and by this reference made a part hereof.

2. Term of Agreement: This Agreement is effective upon the date of its execution. Both parties reserve the right to cancel this Agreement by providing a written thirty (30) day notice to the other party.

3. Scope of Work: Consultant will perform the work and provide the services in accordance with the requirements of the Scope of Services.

4. Payment: City agrees to pay Consultant at the hourly rate(s) set forth in the Scope of Services, for a total not to exceed amount of ONE HUNDRED TWENTY THREE THOUSAND SEVEN HUNDRED FIFTY SEVEN AND 06/100 DOLLARS (\$123,757.06) for services performed pursuant to the Scope of Services. Any alteration or deviation from the described work that involves extra costs will be performed by Consultant after written request by the City, and will become an extra charge over and above the contract amount. The parties must agree upon any extra charges in writing.

5. Independent Contractor Status: The parties agree that Consultant is an independent contractor for purposes of this Agreement and is not to be considered an employee of the City for any purpose. Consultant is not subject to the terms and provisions of the City’s personnel policies handbook and may not be considered a City employee for workers’ compensation or any other purpose. Consultant is not authorized to represent the City or otherwise bind the City in any dealings between Consultant and any third parties.

Consultant shall comply with the applicable requirements of the Workers’ Compensation Act, Title 39, Chapter 71, MCA, and the Occupational Disease Act of Montana, Title 39, Chapter 71, MCA. Consultant shall maintain workers’ compensation coverage for all members and employees of Consultant’s business, except for those members who are exempted by law.

Consultant shall furnish the City with copies showing one of the following: **(1)** a binder for workers’ compensation coverage by an insurer licensed and authorized to provide workers’

compensation insurance in the State of Montana; or (2) proof of exemption from workers' compensation granted by law for independent contractors.

6. Indemnification: To the fullest extent permitted by law, Consultant shall fully indemnify, defend, and save City, its agents, representatives, employees, and officers harmless from and against any and all claims, actions, costs, fees, losses, liabilities or damages of whatever kind or nature arising from or related to Consultant's negligence and/or errors or omissions in the performance of this Agreement and Consultant's work on the Project contemplated herein or work of any subcontractor or supplier to Consultant. The indemnification obligations of this Section must not be construed to negate, abridge, or reduce any common-law or statutory rights of the City which would otherwise exist. Consultant's indemnity under this Section shall be without regard to and without any right to contribution from any insurance maintained by City. Consultant also waives any and all claims and recourse against the City or its officers, agents or employees, including the right of contribution for loss or damage to person or property arising from, growing out of, or in any way connected with or incident to the performance of this Agreement except responsibility for its own fraud, for willful injury to the person or property of another, or for violation of law, whether willful or negligent, according to 28-2-702, MCA. These obligations shall survive termination of this Agreement and the services performed hereunder.

7. Insurance: Consultant shall purchase and maintain insurance coverage as set forth below. The insurance policy, except Workers' Compensation and Professional Liability, must name the City, (including its elected or appointed officers, officials, employees, or volunteers), as an additional insured or contain a blanket additional insured endorsement and be written on a "primary—noncontributory basis." Consultant will provide the City with applicable additional insured endorsement documentation. Each coverage shall be obtained from an insurance company that is duly licensed and authorized to transact insurance business and write insurance within the state of Montana, with a minimum of "A.M. Best Rating" of A-, VI, as will protect the Consultant, the various acts of subcontractors, the City and its officers, employees, agents, and representatives from claims for bodily injury and/or property damage which may arise from operations and completed operations under this Agreement. All insurance coverage shall remain in effect throughout the life of this Agreement and for a minimum of one (1) year following the date of expiration of Consultant's warranties. All insurance policies, except Workers' Compensation, must contain a provision or endorsement that the coverage afforded will not be canceled, materially changed, or renewal refused until at least thirty (30) days prior written notice has been given to Consultant, City, and all other additional insureds to whom a certificate of insurance has been issued. All insurance documentation shall be in a form acceptable to the City.

*** Insurance Coverage at least in the following amounts is required:**

1.	Commercial General Liability (bodily injury and property damage)	\$1,000,000 per occurrence \$2,000,000 aggregate
2.	Products and Completed Operations	\$2,000,000
3.	Automobile Liability	\$1,000,000 combined single limit
4.	Workers' Compensation	Not less than statutory limits

- | | | |
|----|--|--|
| 5. | Employers' Liability | \$1,000,000 |
| 6. | Professional Liability (E&O)
(only if applicable) | \$1,000,000 per claim
\$2,000,000 aggregate |

Consultant may provide applicable excess or umbrella coverage to supplement Consultant's existing insurance coverage, if Consultant's existing policy limits do not satisfy the coverage requirements as set forth above.

*** If a request is made to waive certain insurance requirements, insert the insurance item # and corresponding description from the list above: .**

Legal reviewer initials: ☐ **Approved** ☐ **Denied**

8. Professional Service: Consultant agrees that all services and work performed hereunder will be accomplished in a professional manner consistent with the professional standard of practice under similar circumstance and in the same location.

9. Compliance with Laws: Consultant agrees to comply with all federal, state and local laws, ordinances, rules and regulations, including the safety rules, codes, and provisions of the Montana Safety Act in Title 50, Chapter 71, MCA. As applicable, Consultant agrees to purchase a City safety inspection certificate or special business license.

10. Nondiscrimination: Consultant agrees that all hiring by Consultant of persons performing this Agreement will be on the basis of merit and qualification and will not discriminate on the basis of race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, national origin, or other class protected by state and/or federal law.

11. Default and Termination: If either party fails to comply with any condition of this Agreement at the time or in the manner provided for, the other party, at its option, may terminate this Agreement and be released from all obligations if the default is not cured within ten (10) days after written notice is provided to the defaulting party. Said notice shall set forth the items to be cured. Additionally, the non-defaulting party may bring suit for damages, specific performance, and any other remedy provided by law. These remedies are cumulative and not exclusive. Use of one remedy does not preclude use of the others. Notices shall be provided in writing and hand-delivered or mailed to the parties at the addresses set forth in the first paragraph of this Agreement.

12. Modification and Assignability: This document contains the entire agreement between the parties and no statements, promises or inducements made by either party or agents of either party, which are not contained in this written Agreement, may be considered valid or binding. This Agreement may not be enlarged, modified or altered except by written agreement signed by both parties hereto. The Consultant may not subcontract or assign Consultant's rights, including the right to compensation or duties arising hereunder, without the prior written consent of City. Any subcontractor or assignee will be bound by all of the terms and conditions of this Agreement.

13. Ownership and Publication of Materials: All reports, information, data, and other materials prepared by the Consultant pursuant to this Agreement are the property of the City. The City has the exclusive and unrestricted authority to release, publish or otherwise use, in whole or part, information relating thereto. Any re-use without written verification or adaptation by the Consultant for the specific purpose intended will be at the City's sole risk and without liability or legal exposure to the Consultant. No material produced in whole or in part under this Agreement may be copyrighted or patented in the United States or in any other country without the prior written approval of the City.

14. Liaison: City's designated liaison with Consultant is **Matt Proud** and Consultant's designated liaison with City is **Mike Whelehon**.

15. Applicability: This Agreement and any extensions hereof shall be governed and construed in accordance with the laws of the State of Montana.

IN WITNESS WHEREOF, Consultant and City have caused this Agreement to be executed and intend to be legally bound thereby as of the date set forth below.

CITY OF GREAT FALLS, MONTANA

**DJ&A, P.C.
CONSULTANT**

By: _____
Print Name:
Print Title:
Date:

By: Kyle J. Gauthier
Print Name: Kyle J. Gauthier
Print Title: CE&D Group Lead
Date: 07.27.2025

ATTEST:

(Seal of the City)

Lisa Kunz, City Clerk

APPROVED AS TO FORM:

By _____
David G. Dennis, City Attorney*

* By law, the City Attorney may only advise or approve contract or legal document language on behalf of the City

of Great Falls, and not on behalf of other parties. Review and approval of this document was conducted solely from the legal perspective, and for the benefit, of the City of Great Falls. Other parties should not rely on this approval and should seek review and approval by their own respective counsel.

Exhibit A

9th Street NE Water Main Replacement - Scope

Introduction/Scope of Work

DJ&A, P.C. will provide design, bidding, and construction administration services for approximately 1,500 linear feet of water main replacement along 9th Street NE in the City of Great Falls. According to the City Engineer, the Utility Division has repaired pipe breaks recently in the area, a sign that the pipe may have reached the end of its useful life.

Specific scope items for this project include:

- Replacing 16-inch cast iron pipe along 9th Street NE from 32nd Avenue NE to 36th Avenue NE.
- Replacing 8-inch asbestos cement pipe along 9th Street NE from 36th Avenue NE to 200 feet north of the intersection.
- New handicap ramps at the following intersections:
 - 9th Street NE and 34th Avenue NE
 - 9th Street NE and 33rd A Avenue NE
 - 9th Street NE and 36th Avenue NE (north side only)
 - A mid-block handicap ramp
- Mill and overlay from 32 Avenue NE to the south side of 36th Avenue NE. Anticipate a 2-inch mill. Curbs and gutters will remain in-place and trenched areas will receive 12 inches of base course and 4 inches of asphalt before the milling operation commences.

Figure 1, below, shows an aerial image of the project site. The cyan/blue line is the water main. The orange circles are handicap ramps, and the purple swath is the area proposed for mill and overlay.

Below are the descriptions, assumptions, and deliverables for the following tasks:

- Task 1 - Project Initiation
- Task 2 - Topographic and Utility Survey
- Task 3 - Preliminary Design (60%)
- Task 4 - Design / MDEQ Review (90%)
- Task 5 - Final Design (100%)
- Task 6 - Bidding Support
- Task 7 - Construction Support
- Task 8 – Miscellaneous / Optional Services



For each task, DJ&A will provide services for project management, billing administration, internal quality control (QC) review, and client meetings.

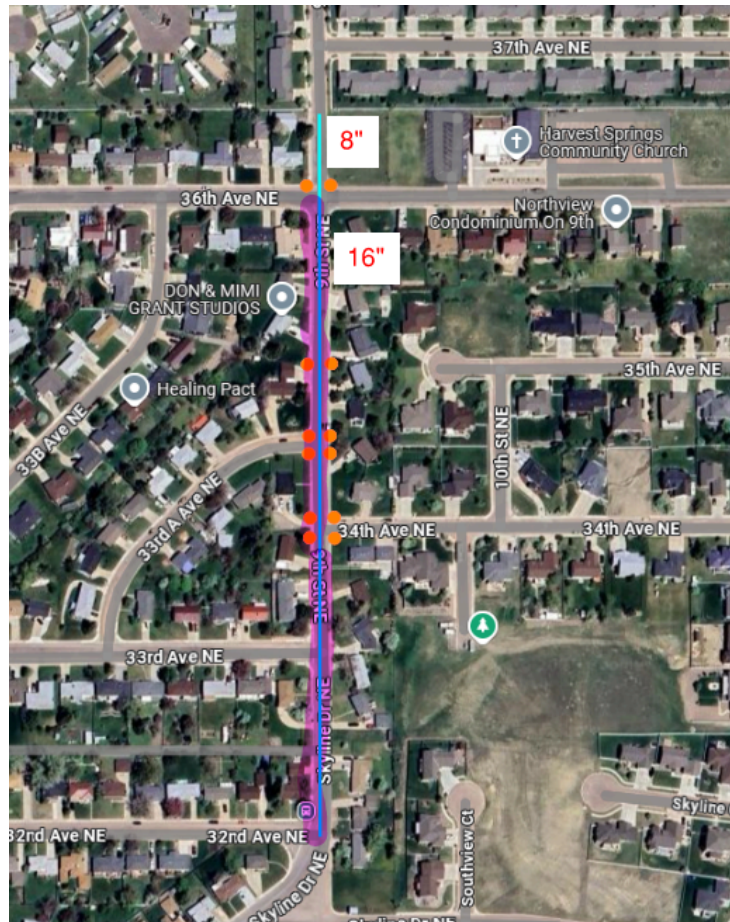


Figure 1 – Project Site

Task 1 - Project Initiation

Description:

This task includes meeting/corresponding with City staff to determine the final scope of work, reviewing available information, preparing the scope of work, and the fee proposal.

Assumptions:

- N/A

Deliverables:

- Project scope and fee proposal



Task 2 – Topographic and Utility Survey

Description:

DJ&A's primary role will be to provide a detailed topographic/planimetric/existing condition and utility survey within the subject area, as shown in **Figure 1**. The secondary role is an initial site visit for the design engineer. The survey will include the following:

Assumptions:

- DJ&A will collect topographic features to create 1-foot contours within the project limits.
- DJ&A will have full access to the project limits.
- DJ&A will set 4 intervisible permanent control points for future construction.
- Project control will be processed utilizing Montana State Plane Coordinates, utilizing NAD83-2011(Epoch 2010.0000) with basis of bearing being Grid North and brought to ground.
- Project units will be International Feet for Horizontal and U.S. Survey Feet for Vertical coordinates.
- DJ&A assumes no title research or title review will be required.
- DJ&A assumes no boundary control will be required.
- Right-of-way lines within project limits will be developed from existing right-of-way monuments and publicly available records held at the County Clerk and Recorder's Office, including Subdivision Maps and Certificates of Survey. DJ&A will recover right-of-way monuments within project limits to sufficiently coordinate with public records to depict right-of-way limits.
- DJ&A assumes the site will have minimal snow cover at the time of the survey.
- DJ&A assumes the City will locate the underground water and sewer utilities.
- DJ&A assumes all other underground utilities will be located by Montana 811 through requests made by DJ&A for Engineering Design Dig Tickets.
- All visible aboveground and marked underground utilities will be surveyed.
- Trees within the project limits will be located.
- Cross sections of the road and ground shots will be spaced no more than 25 feet apart.
- Provide location, size, and color of pavement markings (lane lines, crosswalks, e.g.) on all road striping within survey boundaries.
- Provide the location of water and gas mains and other utilities located within the project area.
- Provide the location of electricity, telephone, and other communication services.
- Include all gravity flow utilities, including storm and sanitary sewers, using elevation information found in the field and record drawings.



- Location, size, depth, and direction of flow of sanitary sewers, combination sewers, storm drains, and culverts serving or on property. Location of catch basins and manholes with rim and invert elevations of pipe at each structure
- All break lines will be surveyed, and spot elevations on critical design points of the existing sidewalks will be tied.
- A design engineer will join the survey crew for a day to meet on-site with Public Works/Engineering staff and discuss essential survey needs and potential utility conflicts.
- Traffic control signage will be set to denote the presence of survey activity while working within the roadway. The City will provide four hours of traffic control during activities to open and measure sewer manholes.

Deliverables:

- 1 electronic copy of the site map in AutoCAD Civil 3D, version 2018 or newer.
- 1 sheet set in PDF form of the topographic and utility survey.

Task 3 - Preliminary Design (60%)

Description:

DJ&A will complete the preliminary design of the water main alignment. Preliminary design includes drawings in AutoCAD Civil 3D, a draft specification manual, a draft design report, and an engineer's estimate of probable construction costs. The preliminary design package will be submitted to the City of Great Falls Public Works/Engineering for review and comment.

Assumptions:

- The drawings are anticipated to be 20 sheets.
- For specification, the city will provide the standard project manual documents, including Special Provisions and Modifications to MPWSS, which DJ&A will modify/tailor to this specific project.
- The design report is anticipated to be up to 20 pages including appendices
- A geotechnical investigation is not part of this scope.
- A traffic control plan is not part of this scope.
- New dry utility services (gas, electric, fiber optic, telephone, etc.) and sewer are not part of this scope.
- The preliminary design of the water main alignment will follow requirements outlined in MDEQ Circular DEQ-1, Montana Public Works Standard Specifications, Official Code of the City of Great Falls, and Revision No. 4 City of Great Falls Standards for Design and Construction, along with applicable standard drawings.
- Meetings and coordination with City Public Works/Engineering staff during this task will be limited to two 1-hour virtual meetings.



- Design deliverables will be submitted electronically.
- No water modeling (in EPANET or WaterCAD) is part of the scope.

Deliverables:

- One 11" x 17" PDF copy of 60% drawings. All sheets will be included even if not fully developed.
- One 8.5" x 11" PDF copy of the 60% specification manual.
- One 8.5" x 11" PDF copy of the 60% design report.
- One 8.5" x 11" PDF copy of the engineer's estimate of probable construction costs.

Task 4 - Design / MDEQ Review (90%)

Description:

DJ&A will complete the 90% design of the water main alignment and submit it to the Montana Department of Environmental Quality (MDEQ) for regulatory review and the City of Great Falls Public Works/Engineering for final review. 90% design includes advancing the 60% drawings, specification manual, design report, and an engineer's estimate of probable construction costs. The 90% design package will also be submitted to the City of Great Falls Public Works/Engineering for review and comment concurrently with MDEQ.

Assumptions:

- Task 3 assumptions apply here as well.
- Meetings and coordination with City Public Works/Engineering staff during this task will be limited to two 1-hour virtual meetings.
- MDEQ Water Main Certified Checklist (August 8, 2014 edition) for water main replacement projects will be used. MDEQ normally reviews complete submittals within 10 working days. However, we anticipate 30 working days.
- MDEQ's new digital portal system will be used to submit the design package for review. No hard copies are anticipated.
- No MDEQ deviations are part of this scope.
- City of Great Falls will provide a signed owner certification stating that a professional engineer will be retained for construction inspection. The professional engineer will certify completion in accordance with the approved plans and prepare as-builts for submittal to MDEQ.
- MDEQ requires a sealed and signed design package, so the 90% package will be sealed and signed (only to MDEQ) to meet the requirements.
- Only one iteration of MDEQ review is anticipated.
- The City will pay the MDEQ review fee separately. The review fee is not included in the design fee.



Deliverables:

- MDEQ:
 - One 11" x 17" PDF copy of sealed and signed drawings.
 - One 8.5" x 11" PDF copy of sealed and signed specification manual.
 - One 8.5" x 11" PDF copy of sealed and signed design report.
- City of Great Falls:
 - One 11" x 17" PDF copy of sealed and signed drawings.
 - One 8.5" x 11" PDF copy of sealed and signed specification manual.
 - One 8.5" x 11" PDF copy of sealed and signed design report.
 - One 8.5" x 11" PDF copy of the engineer's estimate of probable construction costs.

Task 5 - Final Design (100%)

Description:

DJ&A will complete the final design of the water main alignment and submit it to City of Great Falls Public Works/Engineering. Final design includes advancing the 90% drawings, specification manual, design report, and an engineer's estimate of probable construction costs to a level that will be sealed and signed by a Licensed Professional Engineer in the State of Montana and is ready for bidding solicitation and construction. The final design will be developed based on feedback and comments from MDEQ and the City of Great Falls Public Works/Engineering.

Assumptions:

- Task 3 assumptions apply here as well.
- Meetings and coordination with City Public Works/Engineering staff during this task will be limited to two 1-hour virtual meetings.

Deliverables:

- MDEQ:
 - One response letter addressing each comment.
- City of Great Falls:
 - 12 - 11" x 17" hard copies and PDF copy of sealed and signed drawings.
 - 12 - 8.5" x 11" hard copies and PDF copies of sealed and signed specification manual.
 - One 8.5" x 11" PDF copy of sealed and signed design report.
 - One 8.5" x 11" PDF copy of the engineer's estimate of probable construction costs.



Task 6 - Bidding Support

Description:

DJ&A will provide bidding support services, including working with the Clerk and Recorder for solicitation dates and advertising language, attending the pre-bid meeting, supporting addenda, and answering bidders' questions.

Assumptions:

- Coordinating with the Clerk and Recorder will be virtual.
- Virtual attendance for the pre-bid meeting. The City is responsible for developing the agenda and facilitating.
- We anticipate four addenda and four questions from the bidder.
- Attending the bid opening is not part of this scope.

Deliverables:

- N/A

Task 7 - Construction Support

Description:

DJ&A will provide construction support services, including attending the pre-construction meeting, reviewing submittals/shop drawings, visiting the site on occasion for observation, responding to contractor requests for information (RFIs), addressing change orders, visiting the site for a final walk-through, developing draft and final as-builts, and writing the MDEQ certification letter that closes out the project with MDEQ.

Assumptions:

- Virtual attendance for the pre-construction meeting. The City is responsible for developing the agenda and facilitating.
- Assume up to 10 submittals/shop drawings.
- One site visit for construction observation is anticipated when construction is 50% complete. This also includes a daily diary (including photographs) of the construction activities.
- Full-time construction observation is not part of this scope.
- Assume up to five RFIs.
- Assume up to two Change Orders
- One site visit for a meeting with the construction contractor and the City for the final walk-through. This also includes developing a punch list.
- For as-built drawings. The City and construction contractor will provide redlines reflecting field changes and adjustments and associated fittings, tie-ins, elevations, and details.
- Construction progress meetings are not part of this scope.



- The City is responsible for payment applications and verifying quantities.
- The City is responsible for Notice of Award, Notice to Proceed, Substantial Completion, and Warranty Inspection.
- The City will provide quality assurance compaction testing.
- Construction staking is not part of this scope.

Deliverables:

- Construction Observation: One 8.5" x 11" PDF copy of the daily diary with photographs.
- Draft As-builts: one 11" x 17" PDF copy
- Final As-builts: one 24" x 36" mylar and PDF copies.

Task 8 – Miscellaneous / Optional Services

Description:

This task is for miscellaneous requests for work not listed explicitly within the scope of Tasks 1-7. It is an optional service and will only be used with written City approval.

Assumptions:

- N/A

Deliverables:

- N/A

Project Schedule

Approximate dates for design are as follows:

- **2025**
 - August 25th: Contract signed and NTP given to DJ&A to begin work
 - September 9th: Begin field work for topographic and utility survey
 - September 23rd: Topographic and utility map complete
 - September 24th - October 14th: Preliminary design (60%)
 - October 15th – 30th: City review and comment
 - November 3rd – 24th: Design (90%)
 - November 25th – December 19th: MDEQ and City review and comment
 - December 22nd – January 5th: Address MDEQ and City comments and complete final design (100%)



▪ **2026**

- January 9th: Final project manual in-hand and ready for solicitation for bids
- January 20th: Solicitation for bids
- March 15th – May 15th: Construction*

**The construction schedule is dependent on the owner-selected contractor.*

Fees

DJ&A will bill for its services on a lump-sum basis to a maximum anticipated fee of **\$123,757.06**. The fee breakdown is summarized below.

Task	Description	Quantity	Unit	
1	Project Initiation	ALL	LS	\$3,524.00
2	Topographic and Utility Survey	ALL	LS	\$18,842.00
3	Preliminary Design (60%)	ALL	LS	\$25,770.00
4	Design / MDEQ Review (90%)	ALL	LS	\$21,026.00
5	Final Design (100%)	ALL	LS	\$7,894.00
6	Bidding Support	ALL	LS	\$3,881.00
7	Construction Support	ALL	LS	\$18,827.50
8	Miscellaneous / Optional Services	ALL	LS	\$20,000.00
9	Total Direct Expenses	ALL	LS	\$3,992.56
Total Price BASE/OPTIONAL Items:				\$123,757.06

Exhibit B - Fee Proposal

Agenda #10.

7/24/2025

Project: **9th Street NE Water Main Replacement**
 Contract Number: **TBD**
 Client: **City of Great Falls**
 DJ&A Project Number: **25023**

Prepared By: Mike Whelehan, PE.
 Checked By: Evan Anderson, PE

		Senior Project Manager	Project Engineer I	Construction Inspector II	Survey Project Manager I	Two-Person Survey Crew	Survey/Mapping Technician II	CAD Operator / Draftsman II	Accounting	TOTALS
	Rate	\$231.00	\$148.00	\$133.00	\$173.00	\$223.00	\$123.00	\$121.00	\$154.00	
1.0	Project Initiation									
1.1	Developing Final Scope and Fee Proposal	8.0							2.0	\$ 2,156.00
1.2	Corresponding with City Public Works/Engineering	2.0								\$ 462.00
1.3	Reviewing Available Information	2.0								\$ 462.00
1.4	QC Review		3.0							\$ 444.00
	Total Hours	12.0	3.0	0.0	0.0	0.0	0.0	0.0	2.0	17.0
	Total Labor Cost	\$2,772.00	\$444.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$308.00	\$3,524.00
2.0	Topographic and Utility Survey									
2.1	Project Management (general oversight, billing/invoicing, internal QC/QA, and internal meetings with team)				10.0					\$ 1,730.00
2.2	Pre-field Coordination	2.0	4.0		2.0	2.0				\$ 1,846.00
2.3	811 Utility Locates					2.0				\$ 446.00
2.4	Topographic Survey - Field Work		10.0			26.0				\$ 7,278.00
2.5	Topographic Survey - Office Work					4.0	36.0			\$ 5,320.00
2.6	Right-of-Way Mapping					4.0	6.0			\$ 1,630.00
2.7	Final Deliverable				2.0		2.0			\$ 592.00
	Total Hours	2.0	14.0	0.0	14.0	38.0	44.0	0.0	0.0	112.0
	Total Labor Cost	\$462.00	\$2,072.00	\$0.00	\$2,422.00	\$8,474.00	\$5,412.00	\$0.00	\$0.00	\$18,842.00
3.0	Preliminary Design (60%)									
3.1	Project Management (general oversight, billing/invoicing, internal QC/QA, and internal meetings with team)	16.0							4.0	\$ 4,312.00
3.2	Preliminary Design Drawings		23.0					70.0		\$ 11,874.00
3.3	Draft Specification Manual		26.0							\$ 3,848.00
3.4	Draft Design Report		20.0							\$ 2,960.00
3.5	Engineer's Estimate of Probable Construction Costs		8.0							\$ 1,184.00
3.6	Meetings and Coordination with City Public Works/Engineering Staff	2.0	2.0							\$ 758.00
3.7	Submit Deliverables		4.0					2.0		\$ 834.00
	Total Hours	18.0	83.0	0.0	0.0	0.0	0.0	72.0	4.0	177.0
	Total Labor Cost	\$4,158.00	\$12,284.00	\$0.00	\$0.00	\$0.00	\$0.00	\$8,712.00	\$616.00	\$25,770.00
4.0	Design / MDEQ Review (90%)									
4.1	Project Management (general oversight, billing/invoicing, internal QC/QA, and internal meetings with team)	18.0							4.0	\$ 4,774.00
4.2	Address City's Comment Responses from 60% Design Review		4.0					6.0		\$ 1,318.00
4.3	90% Design Drawings		16.0					50.0		\$ 8,418.00
4.4	90% Specification Manual		8.0							\$ 1,184.00
4.5	90% Design Report		8.0							\$ 1,184.00
4.6	Update Engineer's Estimate of Probable Construction Costs		6.0							\$ 888.00
4.7	MDEQ Checklist For Water Main Replacement		8.0							\$ 1,184.00
4.8	Meetings and Coordination with City Public Works/Engineering Staff	2.0	2.0							\$ 758.00

Exhibit B - Fee Proposal

Agenda #10.

7/24/2025

Project: **9th Street NE Water Main Replacement**
 Contract Number: **TBD**
 Client: **City of Great Falls**
 DJ&A Project Number: **25023**

Prepared By: Mike Whelehan, PE.
 Checked By: Evan Anderson, PE

		Senior Project Manager	Project Engineer I	Construction Inspector II	Survey Project Manager I	Two-Person Survey Crew	Survey/Mapping Technician II	CAD Operator / Draftsman II	Accounting	TOTALS
	Rate	\$231.00	\$148.00	\$133.00	\$173.00	\$223.00	\$123.00	\$121.00	\$154.00	
4.9	Submit Deliverables		4.0					6.0		\$ 1,318.00
	Total Hours	20.0	56.0	0.0	0.0	0.0	0.0	62.0	4.0	142.0
	Total Labor Cost	\$4,620.00	\$8,288.00	\$0.00	\$0.00	\$0.00	\$0.00	\$7,502.00	\$616.00	\$21,026.00
5.0	Final Design (100%)									
5.1	Project Management (general oversight, billing/invoicing, internal QC/QA, and internal meetings with team)	6.0							1.0	\$ 1,540.00
5.2	Sealed/Signed Design Drawings		3.0							\$ 444.00
5.3	Sealed/Signed Specification Manual		3.0							\$ 444.00
5.4	Sealed/Signed Design Report		3.0							\$ 444.00
5.5	Update Engineer's Estimate of Probable Construction Costs		3.0							\$ 444.00
5.6	Address MDEQ and City's Comment Responses from 90% Design Review		4.0				6.0			\$ 1,318.00
5.7	Meetings and Coordination with City Public Works/Engineering Staff	2.0	2.0							\$ 758.00
5.8	Submit Deliverables		12.0				6.0			\$ 2,502.00
	Total Hours	8.0	30.0	0.0	0.0	0.0	12.0	1.0	0.0	51.0
	Total Labor Cost	\$1,848.00	\$4,440.00	\$0.00	\$0.00	\$0.00	\$1,452.00	\$154.00	\$0.00	\$7,894.00
6.0	Bidding Support									
6.1	Project Management (general oversight, billing/invoicing, internal QC/QA, and internal meetings with team)	3.0							1.0	\$ 847.00
6.2	Coordinating with Clerk and Recorder for solicitation dates and advertising language		3.0							\$ 444.00
6.3	Pre-bid Meeting		1.5							\$ 222.00
6.4	Addenda Support		10.0							\$ 1,480.00
6.5	Answering Bidders' Questions		6.0							\$ 888.00
	Total Hours	3.0	20.5	0.0	0.0	0.0	0.0	1.0	0.0	24.5
	Total Labor Cost	\$693.00	\$3,034.00	\$0.00	\$0.00	\$0.00	\$0.00	\$154.00	\$0.00	\$3,881.00
7.0	Construction Support									
7.1	Project Management (general oversight, billing/invoicing, internal QC/QA, and internal meetings with team)	14.0								\$ 3,234.00
7.2	Pre-construction Meeting			1.5						\$ 199.50
7.3	Review Submittals/Shop Drawings			25.0						\$ 3,325.00
7.4	Construction Observation - 50% Complete			18.0						\$ 2,394.00
7.5	RFIs			12.5						\$ 1,662.50
7.6	Change Orders			5.0						\$ 665.00
7.7	Final Walk-Through and Punch List			16.0						\$ 2,128.00
7.8	Draft As-builts			5.0			20.0			\$ 3,085.00
7.9	Final As-builts			2.5			10.0			\$ 1,542.50
7.10	MDEQ Certification Letter and Closeout		4.0							\$ 592.00
	Total Hours	14.0	4.0	85.5	0.0	0.0	30.0	0.0	0.0	133.5
	Total Labor Cost	\$3,234.00	\$592.00	\$11,371.50	\$0.00	\$0.00	\$3,630.00	\$0.00	\$0.00	\$18,827.50

Exhibit B - Fee Proposal

Agenda #10.

7/24/2025

Project: **9th Street NE Water Main Replacement**
 Contract Number: **TBD**
 Client: **City of Great Falls**
 DJ&A Project Number: **25023**

Prepared By: Mike Whelehan, PE.
 Checked By: Evan Anderson, PE

		Senior Project Manager	Project Engineer I	Construction Inspector II	Survey Project Manager I	Two-Person Survey Crew	Survey/Mapping Technician II	CAD Operator / Draftsman II	Accounting	TOTALS
Rate		\$231.00	\$148.00	\$133.00	\$173.00	\$223.00	\$123.00	\$121.00	\$154.00	
Item	Task									
8.0	Miscellaneous / Optional Services									
8.1	Project Management (general oversight, billing/invoicing, internal QC/QA, and internal meetings with team)	15.0								\$ 3,465.00
8.2	Miscellaneous / Optional Services at the Request of the City of Great Falls Public Works/Engineering Staff		111.7							\$ 16,535.00
Total Hours		15.0	111.7	0.0	0.0	0.0	0.0	0.0	0.0	126.7
Total Labor Cost		\$3,465.00	\$16,535.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$20,000.00
Project Summary										
Total Hours		92.0	322.2	85.5	14.0	38.0	44.0	176.0	12.0	783.7
Total Labor Cost		\$21,252.00	\$47,689.00	\$11,371.50	\$2,422.00	\$8,474.00	\$5,412.00	\$21,296.00	\$1,848.00	\$119,764.50
check		\$21,252.00	\$47,689.00	\$11,371.50	\$2,422.00	\$8,474.00	\$5,412.00	\$21,296.00	\$1,848.00	\$119,764.50
Project Total Direct Labor Costs										\$119,764.50
Direct Expenses										
						quantity	unit	rate		
Survey: Vehicle Mileage						350.0	miles	\$0.70	\$245.00	
Engineer/Construction Inspector: Vehicle Mileage						1050.0	miles	\$0.70	\$735.00	
GPS Unit (hour)						24.0	hour	\$24.50	\$588.00	
Survey: Lodging						6.0	night	155.8	\$934.56	
Survey: Meals						10.0	day	\$74.00	\$740.00	
Materials and Miscellaneous (printing, shipping, etc.)								\$750.00	\$750.00	
Total Direct Expenses										\$3,992.56
SUMMARY										
Direct Labor										\$119,764.50
Direct Expenses										\$3,992.56
TOTAL:										\$123,757.06

PROJECT SUMMARY SHEET:
9th St NE Water Main Replacement, O.F. 1848.0
FY 2026 Capital Improvement Plan
Current as of: August 5, 2025

Description: 9th St NE from 32nd Ave NE to 36th Ave NE. Water main replacement, ADA upgrades, and 2" mill and overlay.

Justification: Project to replace 4 blocks of aging water mains where recent breaks have occurred. Water main break occurred nearby at 32nd Ave NE and 7th St NE in June 2024. Another water main break occurred in July 2025 at 9th St NE and 33rd Ave NE. Project will also provide a more durable surface for traffic and improve safety for pedestrians. The current Overall Condition Index (OCI) road score for 9th St NE from 32nd Ave NE to 33rd Ave NE is 64 out of 100. The current Overall Condition Index (OCI) road score for 9th St NE from 33rd Ave NE to 36th Ave NE ranges from 35 to 44 out of 100. Any street with a Pavement Condition Index below a 40 out of 100 is a candidate for a full street reconstruction. This project will not get a full street reconstruction but will receive a more economical 2" mill and overlay to extend the life of the road.

Scope: Project location: 9th St. NE from 32nd Ave NE to 36th Ave NE.

16-inch cast iron water main to be replaced from 32nd St NE to 36th Ave NE. 8-inch asbestos cement main to be replaced from 36th Ave NE to the north for 200 ft. 2" mill and overlay along 9th St NE from 32nd Ave NE to south side of 36th Ave NE. ADA ramps upgraded where needed from 33rd Ave NE to north side of 36th Ave NE.

Added to CIP: FY26

CIP Timeline: Hiring DJ&A, P.C. as design consultant. Construction scheduled for spring 2026.

Cost:

- CIP programmed \$1,500,000/FY26 (Design & Construction)
- Design Costs: \$123,757.06 (DJ&A)
- Construction: Low Bidder - TBD
- Awarded Construction Cost: TBD
- Final Construction Cost: TBD

Funding Source(s): Water Utility Enterprise Fund (\$1.2 million), Street Fund (\$300,000)

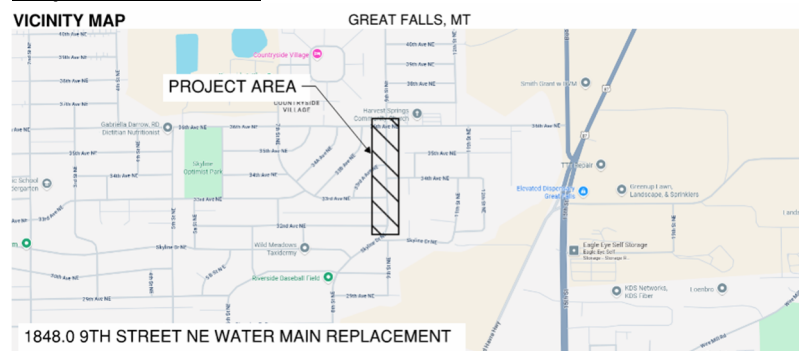
Planned Execution Method: Design-Bid-Build

Planned Construction CY: 2026

Current Project Stage (Estimated Completion Date): Planning (Summer 2025), Design (Fall 2025), Bid (January 2026), Commission Decision (TBD), Construction (Spring/Summer 2026), Punch List Completed (TBD), Warranty (TBD)

- Design Method: Consultant

Map & Site Pictures:



PROJECT SUMMARY SHEET:
9th St NE Water Main Replacement, O.F. 1848.0
FY 2026 Capital Improvement Plan
Current as of: August 5, 2025



Water Main Break at 9th Street NE and 33rd Ave NE. June 2025. (Photos 2025)



Existing damage to asphalt along 9th St. NE from 32 Ave NE to 36 Ave NE. (Photos 07282025)



Lack of handicap ramps at intersection along project corridor. (Photos 07282025)



Commission Meeting Date: August 19, 2025

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Airport Bench Road Interlocal Agreement

From: Street Division

Initiated By: Public Works Department

Presented By: Christoff Gaub, Public Works Director

Action Requested: Consider and Approve Interlocal Agreement with Cascade County

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (approve/not approve) the Interlocal agreement between the City of Great Falls and Cascade County to jointly resurface sections of Airport Bench Road.”

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

Staff Recommendation: Approve Interlocal Agreement.

Summary: The City of Great Falls plans to facilitate infrastructure improvements, promote cost-efficiency, and streamline construction efforts between the City of Great Falls and Cascade County. The City plans to remove deteriorated asphalt and surface gravel on its portion of Airport Bench Road during the 2025 construction season. Cascade County, which owns the northern segment of the road, has requested to participate in the project. Under the terms of the Interlocal Agreement (attachment 1), the City will serve as the lead agency, managing and executing the construction. Cascade County will contribute material and labor to complete the gravel resurfacing across the entire corridor.

Background: Airport Bench Road lies under split jurisdiction (attachment 2) between the City of Great Falls and Cascade County. The roadway consists of aging asphalt and road mix gravel in need of full rehabilitation. The project includes:

- Removal of asphalt sections;
- Removal and replacement of gravel across the full length of the corridor.

The Interlocal Agreement enables collaboration under the Montana Interlocal Cooperation Act (MCA §7-11-101 et seq.) allowing both agencies to share resources and coordinate responsibilities for roadway reconstruction. Rather than addressing these segments separately—resulting in mismatched materials, staggered timing, and inefficiencies—staff are proposing a collaborative solution with Cascade County. This will also provide a seamless end product to customers who utilize this road.

The City of Great Falls will be responsible for asphalt removal, permitting, labor, and necessary equipment. Cascade County will supply gravel materials, graders, rollers, and labor for surface replacement along the entire road.

Alternatives:

Reject the agreement, requiring the City and County to separately reconstruct their respective segments, leading to higher costs and logistical challenges.

Concurrences:

- Cascade County Public Works Director
- City Of Great Falls Public Works Director
- City Attorney's Office

Cascade County Commission approved the Interlocal Agreement during their meeting on August 12, 2025. Cascade County Contract reference #25-108.

Attachments:

1. Interlocal Agreement
2. Project Summary Sheet

INTERLOCAL AGREEMENT

BETWEEN CASCADE COUNTY AND THE CITY OF GREAT FALLS
TO CONVERT 1.58 MILES OF AIRPORT BENCH ROAD BACK TO GRAVEL.

WHEREAS, the Montana Interlocal Cooperation Act, codified at Mont. Code Ann. § 7-11-101, et seq. (hereinafter, the “Act”), permits local government units to make the most efficient use of their powers by enabling them to cooperate with other local government units on the basis of mutual advantage, and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors influencing the needs and development of local communities; and

WHEREAS, the Act provides that public agencies may authorize and approve interlocal agreements with other public agencies to perform any administrative service, activity, or undertaking which such public agencies are otherwise authorized by law to perform; and

WHEREAS, Cascade County and the City of Great Falls, are corporate political subdivisions of the State of Montana, and as of such are “public agencies,” as defined by Mont. Code Ann. § 7-11-103; and

WHEREAS, the City of Great Falls and Cascade County separately own various sections of Airport Bench Road comprising of 1.58 miles collectively (the “**Airport Bench Road**” or “**Road**”), which is currently a mixture of asphalt, gravel and millings; and

WHEREAS, during summer 2025, the City of Great Falls and Cascade County will work together to mill up the existing 1.58 miles of driving surface and then combine this material with Cascade County supplied gravel, to be used as the finished driving surface for the Road; and

WHEREAS, City of Great Falls will supply the “mill” equipment, and the personnel to run the equipment, along with trucks, rollers, and personnel, to assist the County, if necessary. The County will supply personnel, trucks, graders, rollers and gravel; and

WHEREAS, the City will be responsible for its equipment cost and employee time and the County will be responsible for its equipment cost, employee time and the necessary gravel for the project described herein.

NOW, THEREFORE, pursuant to the Montana Interlocal Cooperation Act, and in consideration of the mutual covenants set forth herein, the receipt and sufficiency of which are hereby acknowledged, Cascade County and the City of Great Falls hereby agree as follows:

1. Incorporation of Recitals.

The Recitals set forth above are incorporated into and shall constitute a material part of this Interlocal Agreement (“**Agreement**”).

2. Purpose of Agreement.

The City of Great Falls owns the .58 miles of Airport Bench Road traveling north and south off of Ulm North Frontage Road, while the County owns the remaining 1.00 mile of the Road traveling north and south and then turning west traveling east and west. The purpose of this Agreement is to clarify the terms and conditions of the combined work between the City of Great Falls and Cascade County, to convert the 1.58 miles of Airport Bench Road, back to gravel (the “**Project**”).

3. Term and Duration of the Agreement.

This Agreement shall be immediately effective upon its execution by the duly authorized representatives of Cascade County and the City of Great Falls (collectively “the **Parties**”). This Agreement shall continue in full force until the Project is completed or as otherwise terminated as set forth in Section 14 herein.

4. Sites and Equipment.

Cascade County shall retain and have exclusive title, responsibility, and control over those portions of Airport Bench Road owned by Cascade County as well as belly dumps, rollers, water trucks, and road graders which may be utilized by County drivers thereof and gravel to be supplied for the Project; and shall bear all labor costs for County employees related to the Project, material costs for the Project and maintenance of the County owned portion of the Road.

The City of Great Falls shall have exclusive title, responsibility and control over those portions of Airport Bench Road owned by the City of Great Falls as well as trucks, rollers, mill and all other equipment, as necessary for the Project; and shall bear all labor costs for City employees related to the Project and maintenance of the City owned portion of the Road.

5. Consideration. The County and City of Great Falls shall work together to mill up the existing driving surface, that is, a mixture of gravel, asphalt, millings, and concrete. This material shall be used as an additional base to install the County-supplied gravel for the new driving surface. Both the City of Great Falls

and the County shall provide its respective labor, equipment and insurance needed for the Project. The Parties shall be independently responsible for their own equipment and employees as stated herein.

6. Creation of Legal Entity.

This Agreement does not create a separate legal entity.

7. Retirement Systems Contributions.

No new employment is contemplated by this Agreement and therefore no retirement systems contributions will be paid by either party under this Agreement.

8. General Warranty.

The City and County warrant that the milled material and all equipment furnished under this Agreement will be of good quality, that the Project will be free from defects not inherent in the quality required or permitted, and that the Project will conform to the requirements of this Agreement. Further, the County warrants that the gravel furnished for the Project will be of good quality and free from defects not inherent in the quality required or permitted.

9. Performance Standards.

Except as otherwise expressly provided, the City of Great Falls and Cascade County shall fully perform all Project work and shall do so in a timely, professional and good workmanlike manner and in accordance with prevailing industry standards and customs. The City of Great Falls and Cascade County shall exercise due care to avoid damage to structures, property and to utilities (either above or below ground). The City of Great Falls and Cascade County shall jointly and promptly repair any damage resulting from the City or County's work. The City of Great Falls and Cascade County will be required to properly sign and secure the work site so as to maintain, at all times, the safety of all employees, agents, invitees and public.

10. Hold Harmless and Indemnification.

Subject to the limitations of MCA § 2-9-108, the City shall protect, defend, indemnify, and hold harmless the County from and against any and all manner and form of liability, damages, claims, claims for damages, demands, causes of action, or expenses, including interest, of any nature or description resulting from or arising out of or in connection with the City's intentional or negligent acts and omissions in the performance of the Project described in paragraph 2 herein. Nothing herein shall be construed as an agreement by the City to release, indemnify or hold harmless the County, its official agents or employees from

liability for damage or injury to persons or property caused by the negligence, carelessness, or intentional acts of the County, its officials, agents or employees unless said officials, agents or employees are acting under the direction or control of the City.

Subject to the limitations of MCA § 2-9-108, the County shall protect, defend, indemnify, and hold harmless the City from and against any and all manner and form of liability, damages, claims, claims for damages, demands, causes of action, or expenses, including interest, of any nature or description resulting from or arising out of or in connection with the County's intentional or negligent acts and omissions in the performance of the Project described in paragraph 2 herein, or other obligations, terms or conditions of this Agreement. Nothing herein shall be construed as an agreement by the County to release, indemnify or hold harmless the City, its official agents or employees from liability for damage or injury to persons or property caused by the negligence, carelessness, or intentional acts of the City, its officials, agents or employees unless said officials, agents or employees are acting under the direction or control of the County.

11. Compliance with Laws.

The Parties agree that in the actions undertaken pursuant to this Agreement, shall comply with all applicable state and federal laws, regulations, and municipal ordinances including, but not limited to, all workers' compensation laws; all environmental laws including, but not limited to, open meetings and public records laws; privacy laws, all applicable City, County, and State construction/building, electrical and other applicable codes; the Americans with Disabilities Act and all non-discrimination statutes and regulations.

12. Amendments.

Except as otherwise expressly provided herein, this Agreement may not be amended except by a written Agreement of the undersigned Parties, in conformance with the requirements of the Montana Interlocal Cooperation Act, codified at Title 7, Chapter 11, Part 1, Mont. Code Ann.

13. Jurisdiction, Venue, Costs and Fees.

This Agreement shall be interpreted and enforced pursuant to Montana law. In the event of litigation concerning this Agreement, venue shall be proper in the Eighth Judicial District Court, Cascade County, Montana. The Parties in any action brought to enforce this Agreement shall bear their own costs and attorney fees.

14. Termination.

This Agreement may be terminated by either party upon thirty (30) days' notice to the other party. In the event, this Agreement is terminated, by either party, work on the Project shall immediately cease and either party's equipment shall be removed from the portion of Airport Bench Road owned by the other party.

15. Administration.

Any administration necessitated by this Agreement shall be performed by the City of Great Falls.

16. Notice.

All notices required to be provided shall be given in writing, addressed to the respective parties' authorized representatives as designated herein, and delivered personally or by U.S. mail. For purposes of this Agreement, written notice shall be deemed to have been duly served: (1) in the case of personal delivery, on the date indicated upon a written receipt issued by the recipient; (2) in the case of unregistered and uncertified U.S. mail, three business days following the listed date of the notice or the date of the postmark, whichever is later; and (3) in the case of registered or certified mail, the date indicated on the return receipt.

17. Authorized Representatives.

The City and County shall each designate a representative authorized to receive all agreement communications and notices and who shall be authorized and responsible to take action necessary for the execution and administration of this agreement. Except as otherwise designated in writing by the respective parties, the authorized representatives of the parties are:

Public Works Director for Cascade County.

Public Works Director for the City of Great Falls.

18. Severability.

If any term of this Agreement should hereafter be declared or become void or unenforceable by judicial decree or operation of law, all other terms of this Agreement shall continue to be effective unless the void or unenforceable term tends to materially defeat the manifest intent and purpose of this Agreement.

19. Merger.

This Agreement constitutes the entire Agreement of the undersigned parties with respect to matters addressed herein and supersedes any and all previous agreements or representations, if any, between the parties, except as stated herein.

20. Construction.

In the event of any ambiguity or imprecision in regard to the construction of the provisions of this Agreement, such ambiguity or imprecision shall not, as a matter of course, be construed against any of the undersigned entities. All provisions of this Agreement shall be construed to effect the manifest intent and purpose of this Agreement. If any provision of this Agreement is held unenforceable or invalid, then such provision shall be modified, by an amendment, to reflect the parties' intention. All remaining provisions of this Agreement shall remain in full force and effect.

21. Assignment and Authority.

Neither party may assign, transfer, or convey any right or obligation set forth in this Agreement without the prior written consent of the other Party. The undersigned represent that they have authority to enter into this Agreement.

22. Time is of the Essence.

Time is of the essence in the performance of all Parties' obligations and duties under this Agreement.

23. Assent.

Pursuant to Mont. Code Ann. § 7-11-104, the undersigned Cascade County and the City of Great Falls, hereby authorize, approve, and execute the terms of this Agreement.

[The remainder of page intentionally left blank. Signatures pages follow on next page.]

CITY OF GREAT FALLS,
MONTANA

Cory Reeves, Mayor

DATED this _____ day of _____, 2025.

ATTEST:

(Seal of the City)

Lisa Kunz, City Clerk

*APPROVED AS TO FORM:

By _____
David G. Dennis, City Attorney

*By law, the City Attorney may only advise or approve contract or legal document language on behalf of the City of Great Falls, and not on behalf of other parties. Review and approval of this document was conducted solely from the legal perspective, and for the benefit, of the City of Great Falls. Other parties should not rely on this approval and should seek review and approval by their own respective counsel.

//

BOARD OF COUNTY COMMISSIONERS,
CASCADE COUNTY

James L. Larson, Chairman

Joe Briggs, Commissioner

Eric Hinebauch, Commissioner

ATTESTED this ____ day of _____, 2025

Cascade County Clerk & Recorder

* APPROVED AS TO FORM:
Josh Racki, County Attorney

DEPUTY COUNTY ATTORNEY

* THE COUNTY ATTORNEY HAS PROVIDED ADVICE AND APPROVAL OF THE FOREGOING DOCUMENT LANGUAGE ON BEHALF OF THE BOARD OF CASCADE COUNTY COMMISSIONERS, AND NOT ON BEHALF OF OTHER PARTIES OR ENTITIES. REVIEW AND APPROVAL OF THIS DOCUMENT BY THE COUNTY ATTORNEY WAS CONDUCTED SOLELY FROM A LEGAL PERSPECTIVE AND FOR THE EXCLUSIVE BENEFIT OF CASCADE COUNTY. OTHER PARTIES SHOULD NOT RELY ON THIS APPROVAL AND SHOULD SEEK REVIEW AND APPROVAL BY THEIR OWN RESPECTIVE COUNSEL.

PROJECT SUMMARY SHEET:
Airport Bench Road,
Cooperative effort City of Great Falls and Cascade
County
as of: July 1, 2025

Description: Airport Bench Road from Ulm North Frontage Road to North 1.58 Miles.

Justification: Airport Bench Road has long been in need of improvement. The surface is a mixture of aging asphalt and segregated gravel surfaces.

Scope: City and County staff will remove gravel surface and mill asphalt surfaces from the entire length of road, and replace with new gravel supplied by the County. City will supply the milling machine, trucks, graders, rollers, and staff while the county supplies graders, trucks, rollers, gravel material, and staff. This work is being completed in accordance with a formal Interlocal Agreement between the parties.

Added to CIP: N/A (this is an in-house project between City and County)

CIP Timeline: On track (Construction scheduled for August/September 2025)

Funding Source(s):

PW/Streets:

Planned Execution Method: Design-Build

Planned Construction CY: August/September 2025

Current Project Stage (Estimated Completion Date): Planning (Winter 2024/2025), Interlocal Agreement (July 2025), Commission Decision (August, 2025), Construction (To be Completed by September 2025)

Future Maintenance: Each agency to maintain their sections with a possible future agreement between City of Great Falls and Cascade County to swap maintenance efforts with Cascade County maintaining Airport Bench Road and City of Great Falls Maintaining gravel stretch of 18th Ave N.

Map & Site Pictures:

Airport Bench Road Ulm Frontage Road looking North (City Section)



PROJECT SUMMARY SHEET:
Airport Bench Road,
Cooperative effort City of Great Falls and Cascade
County
as of: July 1, 2025

Airport Bench Road City County Line (City Section)



Airport Bench Road City County Line (County Section)



PROJECT SUMMARY SHEET:
Airport Bench Road,
Cooperative effort City of Great Falls and Cascade
County
as of: July 1, 2025

Airport Bench Road Corner (County Section)

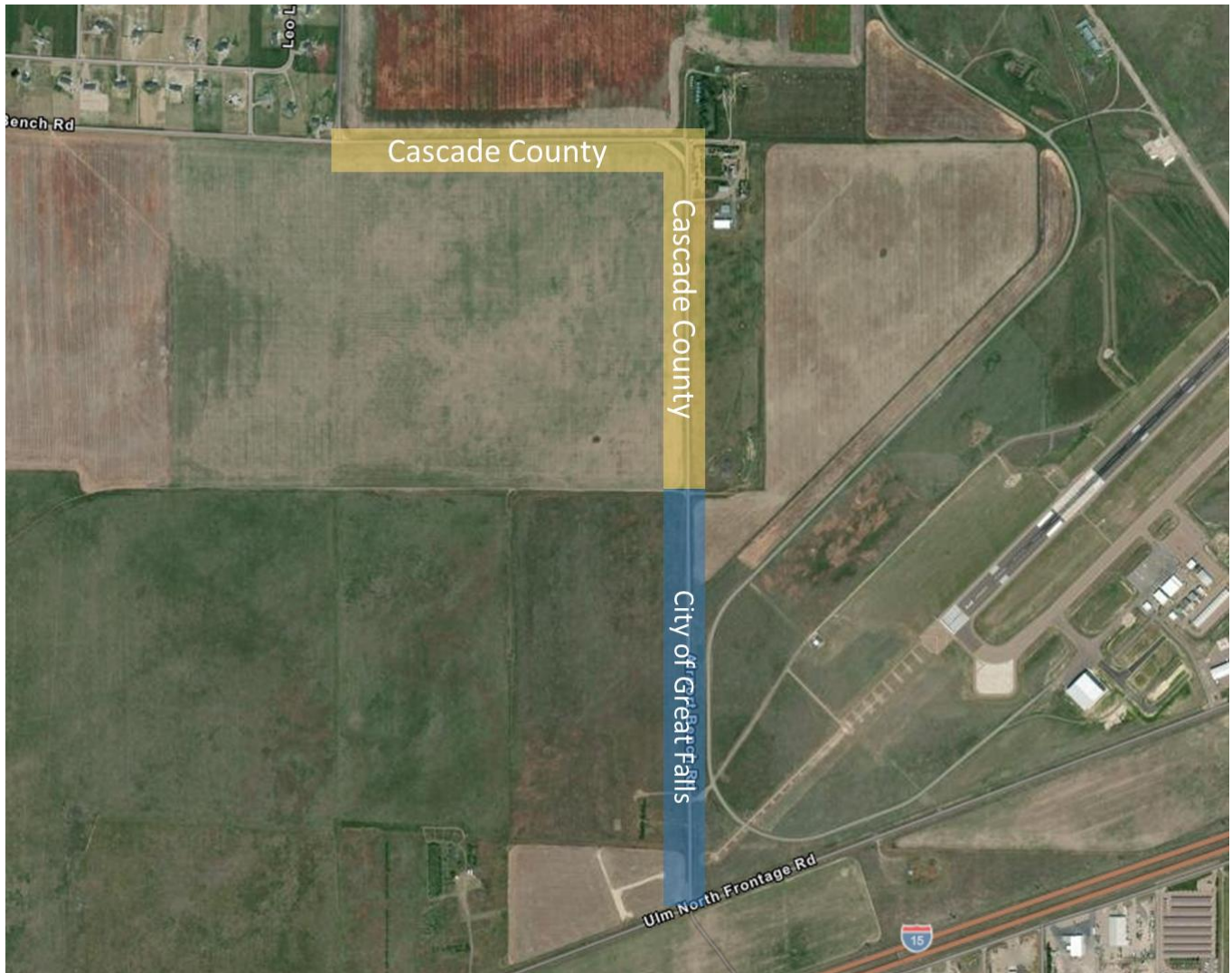


Airport Bench Road End of Project (County Section)



PROJECT SUMMARY SHEET:
Airport Bench Road,
Cooperative effort City of Great Falls and Cascade
County
as of: July 1, 2025

Project area Map





Commission Meeting Date: August 19, 2025

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Resolution 10585 to Levy and Assess the General Boulevard District No. 3570

From: Melissa Kinzler, Finance Director

Initiated By: Annual Budget and Assessment Process

Presented By: Melissa Kinzler, Finance Director

Action Requested: City Commission conduct public hearing and adopt Resolution 10585 to Levy and Assess the General Boulevard District No. 3570

Public Hearing:

1. Mayor conducts public hearing, pursuant to OCCGF 1.2.050 and Title 17, Chapter 16, Article 6.
 2. Mayor closes public hearing and asks the will of the Commission.
-

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (adopt/deny) Resolution 10585.”
 2. Mayor requests a second to the motion, Commission discussion, and calls for the vote.
-

Staff Recommendation: Staff recommends the City Commission adopt Resolution 10585.

Background: The Park and Recreation Department, Natural Resources - Boulevard Division is responsible for the care and maintenance of over 15,000 street trees located within the General Boulevard District. Services provided within the District are pruning, removal, planting and streetscape design.

The budget development process begins in January of each year when the Natural Resources - Boulevard Division receives its midyear financial reports. The midyear reports, and subsequent reports, are used to determine the current financial position of the division. Information is gathered regarding the actual and anticipated expenses, future projects, goals and objective of the department.

After calculating all factors pertinent to the operation of the Natural Resources - Boulevard Division, an assessment amount for the next fiscal year is calculated, proposed and presented to the City Commission for approval. For Fiscal Year 2026, the boulevard assessment is increasing 15% or an estimated \$16.20

for the average size lot to cover the increased costs of operations (i.e. personnel, tree planting, fuel, etc.). The last General Boulevard increase of 6% was approved in Fiscal Year 2025.

In order to legally provide for the necessary assessment support, State laws require City Commission hearings and passage of authorizing resolutions. MCA Sections 7-12-4102, 4176, and 4179 authorize the City Commission to create and assess the costs of work, improvements, and maintenance to the owners of property within the boundaries of such district.

As part of the annual budget development and adoption procedures, the General Boulevard Maintenance District Assessment Resolution must be submitted for City Commission action. A public notice and hearing is required prior to final passage of the assessment resolution.

Fiscal Impact: Adoption of Resolution 10585 will allow the City to finance the costs of work, improvements and maintenance conducted each year in the General Boulevard District.

The estimated assessment amount for the General Boulevard District for the next fiscal year is the amount reflected in the Fiscal Year 2026 Budget. This equates to an estimated assessment of \$0.016555 per square foot, for a total of \$587,407 and will result in an assessment of approximately \$124.16 for an average size lot of 7,500 square feet (7,500 sq. ft. x 0.016555 factor = \$124.16.)

Alternatives: The City Commission could choose to deny the adoption of Resolution 10585 to Levy and Assess the General Boulevard Maintenance District; however, the reduction in services to trim, prune, spray, and maintain the trees within the district would be harmful and devastating to the overall shelter and beauty provided by the street trees to the community.

Concurrences: Park and Recreation staff is responsible for the operation expenses of the Boulevard District Fund. Finance staff is responsible for assessing and collecting the revenues necessary to carry out the operations.

Attachments/Exhibits:

Resolution 10585

Map of the General Boulevard District

RESOLUTION NO. 10585

A RESOLUTION LEVYING AND ASSESSING THE COST OF MAINTAINING BOULEVARDS IN THE GENERAL BOULEVARD DISTRICT NO. 3570 OF THE CITY OF GREAT FALLS, MONTANA FOR THE FISCAL YEAR BEGINNING JULY 1, 2025 AND ENDING JUNE 30, 2026

WHEREAS, the Great Falls City Commission did create a General Boulevard Maintenance District No. 3570 by Resolution 3570 on January 2, 1946; and

WHEREAS, the City Commission did amend and exclude Lots 8-14, Block 34 of Boston and Great Falls Addition, from the boundaries of the General Boulevard District by Resolution 8132 on September 1, 1987, in accordance with Mont. Code Ann. § 7-12-4335; and

WHEREAS, the City intends to continue trimming, pruning, spraying, and otherwise maintaining the trees within said district, except when such maintenance conflicts with other provisions of the Official Code of the City of Great Falls; and

WHEREAS, on August 5, 2025, the City Commission adopted Resolution 10579, Annual Budget Resolution, in which the estimated assessment for such maintenance within the General Boulevard Maintenance District No. 3570 was reflected as FIVE-HUNDRED EIGHTY-SEVEN THOUSAND FOUR HUNDRED SEVEN DOLLARS (\$587,407); and

WHEREAS, in accordance with Mont. Code Ann. § 7-1-4127, notice was published setting forth that Resolution No. 10585 Levying and Assessing the Cost of Maintaining Boulevards in the General Boulevard Maintenance District No. 3570 would be brought before the Great Falls City Commission for public hearing on August 19, 2025.

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

Section 1 – Maintenance Costs Assessed

The cost of maintaining boulevards in General Boulevard Maintenance District No. 3570, totaling \$587,407, be levied and assessed upon the properties in said district for the fiscal year ending June 30, 2026.

Section 2 – Maintenance Assessment Method

Each lot and parcel within the district be assessed in proportion to its square footage. The procedure for determining the square footage to be assessed is the total square footage as set forth in Exhibit “A” of Resolution 6202 adopted by the Great Falls City Commission on July 22, 1968, and presently on file in the office of the City Clerk.

Section 3 – Assessment Due Date

Assessments are payable in two payments and will become delinquent at 5:00 o'clock p.m. on November 30, 2025 and May 31, 2026.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, this 19th day of August, 2025.

Cory Reeves, Mayor

ATTEST:

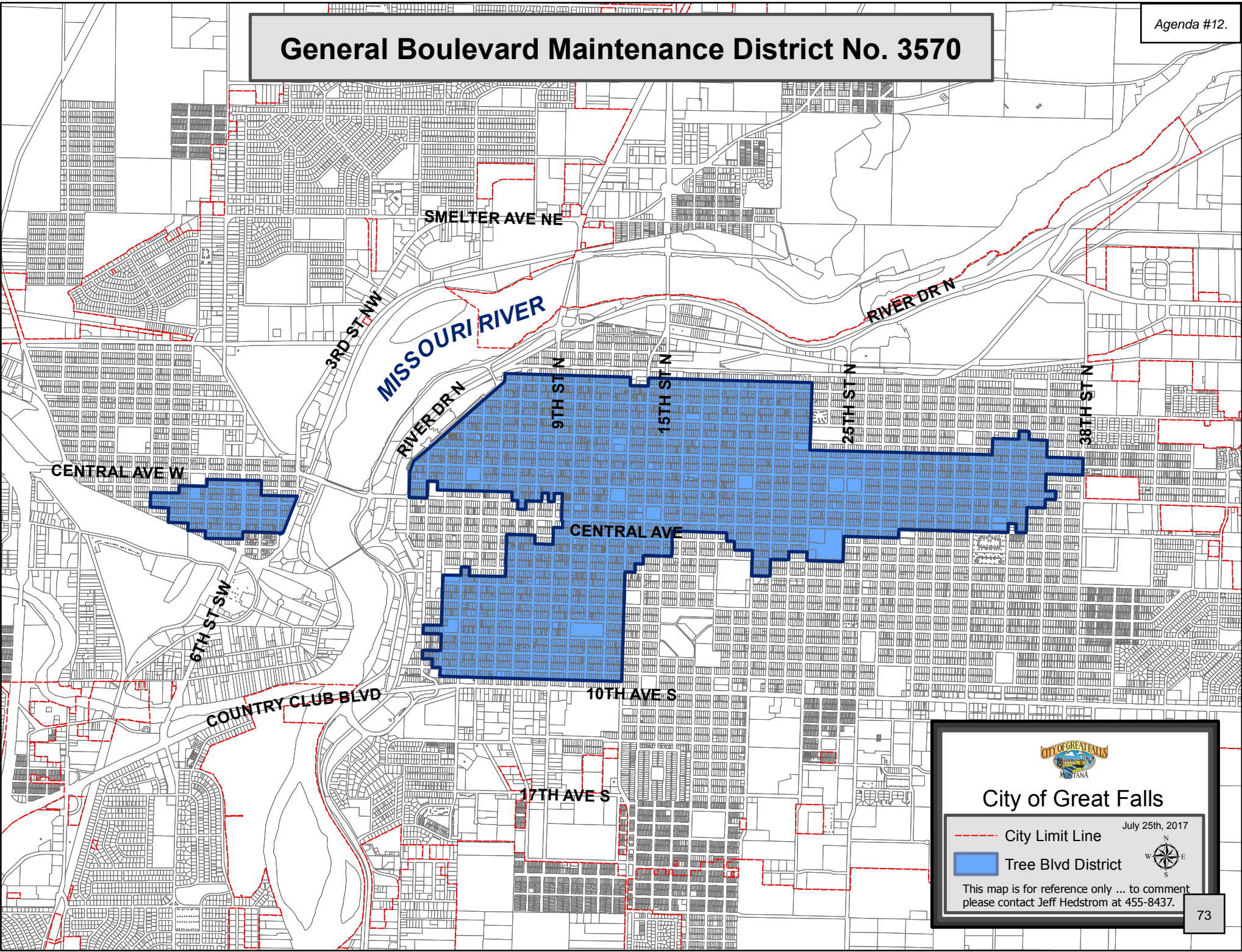
Lisa Kunz, City Clerk

(Seal of the City)

APPROVED FOR LEGAL CONTENT:

David Dennis, City Attorney

General Boulevard Maintenance District No. 3570





Commission Meeting Date: August 19, 2025

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Resolution 10586 to Levy and Assess Great Falls Park District No. 1

From: Melissa Kinzler, Finance Director

Initiated By: Annual Budget and Assessment Process

Presented By: Melissa Kinzler, Finance Director

Action Requested: City Commission conduct public hearing and adopt Resolution 10586 to Levy and Assess Great Falls Park District No. 1

Public Hearing:

1. Mayor conducts public hearing, pursuant to OCCGF 1.2.050 and Title 17, Chapter 16, Article 6.
 2. Mayor closes public hearing and asks the will of the Commission.
-

Suggested Motion:

1. Commissioner moves:
 "I move that the City Commission (adopt/deny) Resolution 10586."
 2. Mayor requests a second to the motion, Commission discussion, and calls for the vote.
-

Staff Recommendation: Staff recommends the City Commission adopt Resolution 10586.

Background: On June 5, 2018, the City Commission adopted Resolution 10238 creating the Great Falls Park District Number 1. The boundaries of the District are the current incorporated limits of the City, as well as all properties later annexed thereto.

The Park District's overall purpose is to utilize assessment dollars and direct those monies to:

- Maintenance, repair, replacement, upkeep, installation, improvements, operation enhancement, construction, acquisition of land;
- Implementation of measures required to maintain public health and safety or meet legal or regulatory requirements;
- Purchase, replace and/or maintain equipment, tools or vehicles used to carry out the functions described herein; and/or

- Other functions, labor, supplies and/or materials necessary for management and maintenance of City-owned facilities, lands, and equipment under the responsibility and care of the City of Great Falls Park and Recreation Department including but not limited to:
 - Public parks and park areas (as described in the City of Great Falls Park and Recreation Master Plan), recreation facilities, trails, open space, urban forest, medians, boulevards, pathways, sidewalks, public easements, and other facilities which are located in the city limits and/or are owned by the City.

The Park District's revenue may not be used for programming.

According to Mont. Code Ann. Sections 7-11-2021 and 1025, prior to annually levying assessments necessary to carry out the services to be performed in the District, each year the Commission shall specify the method of assessment for the lots of parcels of land located in the District, publish notice, and conduct a public hearing on such assessment before finally adopting a resolution levying assessments against the lots of parcels of land in the District. The Commission must annually adopt a resolution establishing the annual assessment for the District.

Fiscal Impact: The cost of the proposed improvements for the Great Falls Park District No. 1 is \$1,500,000 annually. Fiscal Year 2026 is year 8 of the assessment.

The annual assessment shall be based on the taxable value of each parcel within the District for a total of \$1,500,000 district-wide. The City will not receive current taxable value information from the Montana Department of Revenue until August approximately. Furthermore, tax year 2025 will be the first year of the tiered tax rates enacted by the Legislature. While there is no increase to the overall assessment amount of \$1,500,000, individual property owners may see fluctuations in their Park District assessment according to the tiered tax rates. Last year, the estimated annual assessment for every \$100,000 of market value was \$19.26.

Alternatives: The City Commission could choose to deny Resolution 10586 to Levy and Assess Great Falls Park District No. 1. However, the reduction in services and improvements to the park system including facilities and the urban forest or maintenance will not improve and facilities will deteriorate or close.

Concurrences: Park and Recreation staff is responsible for the operational expenses of the Park District Number 1. Finance staff is responsible for assessing and collecting the revenue necessary to carry out the operations.

Attachments/Exhibits:
Resolution 10586

RESOLUTION NO. 10586

A RESOLUTION LEVYING AND ASSESSING THE COST OF IMPROVEMENTS AND MAINTENANCE IN THE GREAT FALLS PARK DISTRICT NUMBER 1 OF THE CITY OF GREAT FALLS, MONTANA FOR THE FISCAL YEAR BEGINNING JULY 1, 2025 AND ENDING JUNE 30, 2026

WHEREAS, the City Commission did create Great Falls Park District No. 1 (hereinafter “District”) by adoption of Resolution 10238 on June 5, 2018; and

WHEREAS, said Resolution 10238 set forth the boundaries of the District, the method of governing the District, the assessment method, estimated cost of the District and method of financing, payment of the assessment, list of properties available and the duration of the District. The District was established for the purpose of providing services including but not limited to:

- Maintenance, repair, replacement, upkeep, installation, improvements, operation enhancement, construction, reconstruction, acquisition of land;
- Implementation of measures required to maintain public health and safety or meet legal or regulatory requirements;
- Purchase, replace and/or maintain equipment, tools or vehicles used to carry out the functions described herein; and/or
- Any other functions, labor, supplies and/or materials necessary for management and maintenance of City-owned facilities, lands, and equipment under the responsibility and care of the City of Great Falls Park and Recreation Department including but not limited to:
 - Public parks and park areas (as described in the City of Great Falls Park and Recreation Master Plan), recreation facilities, trails, open space, urban forest, medians, boulevards, pathways, sidewalks, public easements, and other facilities which are located in the city limits and/or are owned by the City; and

WHEREAS, pursuant to Montana Code Annotated, Title 7, Chapter 11, Part 10 (the “Act”) and in accordance with the provisions of Title 7, Chapter 7, Part 44, the City is permitted to issue revenue bonds in one or more series (collectively, the “Bonds”) to fund costs of improvements in the District, and pursuant to Ordinance No. 3228 adopted on May 4, 2021, the City Commission established the authority of the City to levy assessments each year against the properties in the District in an amount necessary to pay debt service on any outstanding Bonds.

WHEREAS, on August 5, 2025, the City Commission adopted Resolution 10579, Annual Budget Resolution, in which the estimated assessment for such maintenance and improvements (including debt service on Bonds) within the District was reflected as ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000); and

WHEREAS, in accordance with Mont. Code Ann. § 7-11-1024 and § 7-1-4127, notice was published setting forth that Resolution No. 10586 Levying and Assessing the Cost of the Great Falls Park District No. 1 would be brought before the Great Falls City Commission for public hearing on August 19, 2025.

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

Section 1 – Costs Assessed

The cost of maintenance and improvements (including debt service on Bonds) in the District, totaling \$1,500,000, be levied and assessed upon the properties in the District for the fiscal year ending June 30, 2026.

Section 2 –Assessment Method

Each lot or parcel of land, including improvements on the lot or parcel, will be assessed for that part of the cost of the District that its taxable valuation bears to the total taxable valuation of the properties within the District.

Section 3 – Assessment Due Date

Assessments are payable in two payments and will become delinquent at 5:00 o'clock p.m. on November 30, 2025 and May 31, 2026.

Section 4 – Office of Record

The official list of properties subject to potential assessment, fees or taxation of the District is on file and available for public inspection in the City Clerk's office, and further that such list is the last completed property tax record maintained by the Department of Revenue for the county. The City Clerk's office is designated as the office of record for the minutes to be maintained.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, this 19th day of August, 2025.

Cory Reeves, Mayor

ATTEST

Lisa Kunz, City Clerk

(Seal of the City)

APPROVED FOR LEGAL CONTENT:

David Dennis, City Attorney



Commission Meeting Date: August 19, 2025

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Resolution 10587 to Levy and Assess Properties within Special Improvement Lighting Districts

From: Melissa Kinzler, Finance Director

Initiated By: Annual Budget and Assessment Process

Presented By: Melissa Kinzler, Finance Director

Action Requested: City Commission conduct public hearing and adopt Resolution 10587 to Levy and Assess Properties within Special Improvement Lighting Districts

Public Hearing:

1. Mayor conducts public hearing, pursuant to OCCGF 1.2.050 and Title 17, Chapter 16, Article 6.
 2. Mayor closes public hearing and asks the will of the Commission.
-

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (adopt/deny) Resolution 10587.”
 2. Mayor requests a second to the motion, Commission discussion, and calls for the vote.
-

Staff Recommendation: Staff recommends the City Commission adopt Resolution 10587.

Background: There are currently 27 Special Improvement Lighting Districts (SLD's) with approximately 9,429 roadway lights. The majority (97%) of the roadway lights are owned by Northwestern Energy. The City pays a maintenance fee to Northwestern Energy for these lights in addition to a fee which covers the electrical transmission and distribution. The electrical supply for the street lights is currently being furnished by Energy Keepers. The remaining 3% of roadway lighting is City-owned. The Special Improvement Lighting District funds are administered by the Finance Department. The purpose of the funds is to maintain the light poles and furnish electrical supply for the lighting districts throughout the year. After determining financial factors pertinent to the operation of the special improvement lighting districts, an assessment amount for the next fiscal year is calculated, budgeted and presented to the City Commissioners for approval.

As part of the annual budget development and adoption procedures, the Special Improvement Lighting Districts Assessment Resolution must be submitted for City Commission action. A public notice and hearing is required prior to final passage of the assessment resolution.

Fiscal Impact: Adoption of Resolution 10587 will allow the City to fund the operational and maintenance costs required in the Special Improvement Lighting Districts for the fiscal year.

The estimated assessment amount for the Special Improvement Lighting District funds for the next fiscal year is \$1,487,790. After review of the budget and the estimated assessment for Fiscal Year 2026, the total assessment amount reflects an aggregate 5.2% increase from the prior fiscal year. It is important to note that not all districts will have an increased assessment this year. Only those districts without a sufficient cash balance to cover the cost of operations will be increased (shown in Exhibit A). Many districts have been using their fund balance in recent years to offset assessment increases.

<u>BUDGETED</u>	<u>FISCAL YEAR</u>
<u>TOTAL ASSESSMENT</u>	
\$ 1,159,589	2017/2018 (27 Districts)
\$ 1,164,252	2018/2019 (27 Districts)
\$ 1,170,052	2019/2020 (27 Districts)
\$ 1,123,242	2020/2021 (27 Districts)
\$ 1,111,842	2021/2022 (27 Districts)
\$ 1,161,507	2022/2023 (27 Districts)
\$ 1,325,660	2023/2024 (27 Districts)
\$ 1,414,060	2024/2025 (27 Districts)
\$ 1,487,790	2025/2026 (27 Districts)

The Fiscal Year 2026 assessment per district is indicated on the Lighting Districts Maintenance Budget & Assessment Worksheet attached as Exhibit "A" and made a part of Resolution 10587.

Alternatives: The City Commission could choose to not set the public hearing and thereby deny the adoption of Resolution 10587; however, there will either be a reduction in services or some districts may have a negative cash balance.

Concurrences: Public Works staff is responsible for the maintenance of all City-owned lights. Finance staff is responsible for assessing and collecting revenues.

Attachments/Exhibits:

Resolution 10587

Exhibit A

RESOLUTION NO. 10587

A RESOLUTION LEVYING AND ASSESSING THE COST OF MAINTAINING SPECIAL IMPROVEMENT LIGHTING DISTRICTS (SLD'S) NUMBERED 18, 650, 651, 912, 973, 1067A, 1105, 1230, 1255, 1261, 1269, 1270, 1289, 1290, 1294, 1295, 1296, 1297, 1298, 1302, 1303, 1304, 1305, 1306, 1308, 1309 AND 1310 IN THE CITY OF GREAT FALLS, MONTANA, FOR THE FISCAL YEAR BEGINNING JULY 1, 2025 AND ENDING JUNE 30, 2026

WHEREAS, the City Commission declares that the above-captioned Special Improvement Lighting Districts were created, lighting systems installed and that the City intends to continue maintenance of such lighting systems in said SLD's; and

WHEREAS, the City Commission declares that each lot or parcel of land contained in each of said SLD's will continue to be benefited by such lighting in the same manner as determined in the creation of each Special Improvement Lighting District; and

WHEREAS, on August 5, 2025, the City Commission adopted Resolution 10579, Annual Budget Resolution. The budgeted amounts for maintenance of the City's lighting systems were reviewed and adjusted. The newly adjusted assessment amount totals ONE MILLION FOUR HUNDRED EIGHTY-SEVEN THOUSAND SEVEN HUNDRED NINETY DOLLARS (\$1,487,790); and

WHEREAS, in accordance with § 7-1-4127, MCA, notice was published setting forth that Resolution No. 10587 Levying and Assessing the Cost of Maintaining Special Improvement Lighting Districts (SLD's) Nos. 18, 650, 651, 912, 973, 1067A, 1105, 1230, 1255, 1261, 1269, 1270, 1289, 1290, 1294, 1295, 1296, 1297, 1298, 1302, 1303, 1304, 1305, 1306, 1308, 1309 and 1310 in the City of Great Falls, Montana, would be brought before the Great Falls City Commission for public hearing on August 19, 2025.

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

Section 1 – Maintenance Costs Assessed

The cost of maintenance for said lighting systems in the above-captioned SLD's totaling \$1,487,790 be levied and assessed upon the properties in said SLD's.

Section 2 – Assessment Method

Each lot and parcel within each SLD is hereby assessed a proportion of the maintenance costs attributed to the SLD in the proportion to which its assessable area (individual square feet) bears to the area of the whole special improvement lighting district (total square feet), exclusive of streets, avenues, alleys and public places. An assessment projection summary of each district, describing total cost, is attached hereto and, by this reference, incorporated herein as if fully set

forth. The description of each lot or parcel of land within each SLD and the respective assessments are set forth in the records of the Finance Department of the City of Great Falls, Montana and by this reference is also incorporated herein as if fully set forth.

Section 3 – Assessment Due Date

Assessments are payable in two payments and will become delinquent at 5:00 o'clock p.m. on November 30, 2025 and May 31, 2026.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, this 19th day of August, 2025.

Cory Reeves, Mayor

ATTEST:

Lisa Kunz, City Clerk

(Seal of the City)

APPROVED FOR LEGAL CONTENT:

David Dennis, City Attorney

FY2026 LIGHTING DISTRICTS BUDGET & ASSESSMENT WORKSHEET
RESOLUTION 10587 - EXHIBIT "A"

			FY 2026 PROJECTED BEGINNING CASH	FY 2026 REQUESTED TOTAL EXPENSES	FY 2026 ESTIMATED ASSESSMENT	FY 2026 ENDING CASH	TARGET CASH BALANCE		FY 2025 ASSESSMENT	FY 2026 ASSESSMENT	\$ DIFF (+/-)	% DIFF (+/-)
	DISTRICT	DISTRICT TYPE	FUND									
1	18 STREET		8402	\$ 3,491	\$ 2,889	\$ 2,800	\$ 3,402	\$ 1,445	\$ 2,700	\$ 2,800	\$ 100	4%
2	650 PERIOD		8403	56,574	720	500	56,354	360	500	500	0	0%
3	651 STREET		8404	2,404	4,240	4,500	2,664	2,120	4,500	4,500	0	0%
4	912 STREET		8405	15,583	13,081	11,000	13,502	6,541	10,000	11,000	1,000	10%
5	973 STREET		8406	23,737	198	40	23,579	99	40	40	0	0%
6	1067A ALLEY		8407	3,108	5,718	5,500	2,890	2,859	5,000	5,500	500	10%
7	1105 STREET		8408	2,259	4,673	5,000	2,586	2,337	5,000	5,000	0	0%
8	1230 STREET		8409	470	216	200	454	108	170	200	30	18%
9	1255 STREET		8410	1,016	431	400	985	216	350	400	50	14%
10	1261 PERIOD		8411	18,643	11,824	10,000	16,819	5,912	8,500	10,000	1,500	18%
11	1269 PERIOD		8412	85,780	40,197	30,000	75,583	20,099	27,000	30,000	3,000	11%
12	1270 PERIOD		8413	16,700	18,562	15,000	13,138	9,281	13,500	15,000	1,500	11%
13	1289 STREET		8414	5,482	15,458	16,000	6,024	7,729	16,000	16,000	0	0%
14	1290 STREET		8415	912	1,302	1,300	910	651	1,200	1,300	100	8%
15	1294 SLDA		8416	77,719	177,130	180,000	80,589	88,565	170,000	180,000	10,000	6%
16	1298 SLDI		8417	(9,348)	26,179	31,500	(4,027)	13,090	30,000	31,500	1,500	5%
17	1295 SLDC		8418	65,121	64,904	56,000	56,217	32,452	54,000	56,000	2,000	4%
18	1296 SLDR		8419	704,909	1,115,163	1,050,000	639,746	557,582	1,000,000	1,050,000	50,000	5%
19	1297 SLDT		8420	(2,245)	59,401	62,000	354	29,701	60,000	62,000	2,000	3%
20	1302 ML3		8430	16,120	751	1,000	16,369	376	1,000	1,000	0	0%
21	1304 EC1		8432	9,972	3,722	1,500	7,750	1,861	1,200	1,500	300	25%
22	1306 ML4		8434	7,382	228	600	7,754	114	600	600	0	0%
23	1308 ECII & III		8436	10,523	831	1,000	10,692	416	1,000	1,000	0	0%
24	1310 ML5		8438	6,216	978	800	6,038	489	750	800	50	7%
25	1303 Stone Meadow 1		8440	11,410	431	400	11,379	216	350	400	50	14%
26	1305 Water Tower		8442	11,651	309	300	11,642	155	250	300	50	20%
27	1309 Stone Meadow 2		8444	4,751	452	450	4,749	226	450	450	0	0%
	ALL DIST	Fund 217	8401	205,180	-	0	205,180	-	-	-	-	-
				\$ 1,355,519	\$ 1,569,987	\$ 1,487,790	\$ 1,273,321	\$ 784,994	\$ 1,414,060	\$ 1,487,790	\$ 73,730	5.2%

City-Owned Lighting Districts

Aggregate % of Increase (Decrease) 5.2%



Commission Meeting Date: August 19, 2025

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Resolution 10588 to Levy and Assess the Portage Meadows Maintenance District No. 1195

From: Melissa Kinzler, Finance Director

Initiated By: Annual Budget and Assessment Process

Presented By: Melissa Kinzler, Finance Director

Action Requested: City Commission conduct public hearing and adopt Resolution 10588 to Levy and Assess the Portage Meadows Maintenance District No. 1195

Public Hearing:

1. Mayor conducts public hearing, pursuant to OCCGF 1.2.050 and Title 17, Chapter 16, Article 6.
 2. Mayor closes public hearing and asks the will of the Commission.
-

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (adopt/deny) Resolution 10588.”
 2. Mayor requests a second to the motion, Commission discussion, and calls for the vote.
-

Staff Recommendation: Staff recommends the City Commission adopt Resolution 10588.

Background: In February 1977, Resolution 6913 created Special Improvement Maintenance District No. 1195 for the purpose of maintaining the Green Belt of the Portage Meadows Addition. The assessment covers the costs for materials, snow removal labor, water, mowing labor, fertilizer costs and labor, aerification labor, and tree pruning, which was part of the original Planned Unit Development.

The budget development process begins in January of each year when the Park & Recreation Department receives its midyear financial reports for the Portage Meadows Fund. The midyear reports and subsequent reports are used to determine the current financial position of the department. Information is gathered regarding the actual and anticipated expenses, future projects, goals and objective of the department.

After calculating all factors pertinent to the operation of the Portage Meadows Maintenance District, an assessment amount for the next fiscal year is calculated, proposed and presented to the City Commissioners for approval. For Fiscal Year 2026, the Portage Meadows assessment is increasing 6%

or an estimated \$24.24 for the average size lot to cover the increased costs of operations (i.e. personnel, fuel, maintenance of the irrigation system, etc.). The last Portage Meadows Maintenance District increase of 5% was approved in Fiscal Year 2025.

In order to legally provide for the necessary assessment support, State laws require City Commission hearings and passage of authorizing resolutions. MCA Sections 7-12-4102, 4176, and 4179 authorize the City Commission to create and assess the costs of work, improvements, and maintenance to the owners of property within the boundaries of such district.

As part of the annual budget development and adoption procedures, the Portage Meadows Maintenance District Assessment Resolution must be submitted for City Commission action. A public notice and hearing is required prior to final passage of the assessment resolution.

Fiscal Impact: Adoption of Resolution 10588 will allow the City to finance the cost of repairs and maintenance required each year in the Portage Meadows Maintenance District.

The estimated assessment amount for Portage Meadows Boulevard Maintenance for the next fiscal year is the amount reflected in the Fiscal Year 2026 Budget. This equates to an estimated assessment of \$0.095121 per square foot, a total of \$80,071 and will result in an annual assessment of approximately \$428.14 for an average lot of 4,501 square feet ($4,501 \text{ sq. ft.} \times 0.095121 \text{ factor} = \428.14).

Alternatives: The City Commission could choose to deny Resolution 10588 to Levy and Assess the Portage Meadows Maintenance District; however, the City agreed to provide the services when the land area was donated to the City. The proposed assessment will allow for the recovery of costs incurred providing those services.

Concurrences: Park and Recreation staff members are responsible for the operational expenses for the Portage Meadows Maintenance District. Finance staff members are responsible for assessing and collecting the revenues necessary to carry out the operations.

Attachments/Exhibits:

Resolution 10588

Map of Portage Meadows Boulevard District

RESOLUTION NO. 10588

A RESOLUTION LEVYING AND ASSESSING THE COST OF MAINTAINING THE GREEN BELT PARK OF PORTAGE MEADOWS ADDITION IN THE CITY OF GREAT FALLS ON ALL REAL ESTATE IN SPECIAL IMPROVEMENT MAINTENANCE DISTRICT NO. 1195 FOR THE FISCAL YEAR BEGINNING JULY 1, 2025 AND ENDING JUNE 30, 2026

WHEREAS, the City Commission did create and amend Special Improvement Maintenance District No. 1195 by Resolutions 6913, 6980, and 8426 on February 15 and July 17, 1977, and July 16, 1991, respectively; and

WHEREAS, the City intends to continue maintaining the Green Belt Park of Portage Meadows Addition within Special Improvement Maintenance District No. 1195; and

WHEREAS, on August 5, 2025, the City Commission adopted Resolution 10579, Annual Budget Resolution, in which the estimated costs for the assessment of such maintenance within Special Improvement Maintenance District No. 1195 was reflected as EIGHTY THOUSAND SEVENTY-ONE DOLLARS (\$80,071); and

WHEREAS, in accordance with § 7-1-4127, MCA, notice was published setting forth that Resolution No. 10588 Levying and Assessing the Cost of Maintaining the Green Belt Park of Portage Meadows Addition in the City of Great Falls on all Real Estate in Special Improvement Maintenance District No. 1195 would be brought before the Great Falls City Commission for public hearing on August 19, 2025.

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

Section 1 – Maintenance Costs Assessed

The cost of care and maintenance in Special Improvement Maintenance District No. 1195, totaling \$80,071, be levied and assessed upon the properties in said district for the fiscal year ending June 30, 2026.

Section 2 – Maintenance Assessment Method

There are 188 properties contained within the boundaries of Portage Meadows Special Improvement Maintenance District No. 1195. The costs per property and the property list for Portage Meadows Special Improvement Maintenance District No. 1195 are set forth in the records of the City Clerk of the City of Great Falls. Said property is generally identified as each lot or parcel of land within Portage Meadows Additions #1, #2, and #3, excluding Blocks 4, 5, and 6 of Portage Meadows #1 Addition.

Assessments may be reviewed on an annual basis and the amount may be revised according to the following formula: cost plus ten percent (10%) divided by the total square feet of all of the lots within said district times the square feet of each lot. Costs shall be for expendable material, snow

removal labor, water, mowing labor, fertilizer costs and labor, aerification labor, and tree pruning costs.

Section 3 – Assessment Due Date

Assessments are payable in two payments and will become delinquent at 5:00 o'clock p.m. on November 30, 2025 and May 31, 2026.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, this 19th day of August, 2025.

Cory Reeves, Mayor

ATTEST:

Lisa Kunz, City Clerk

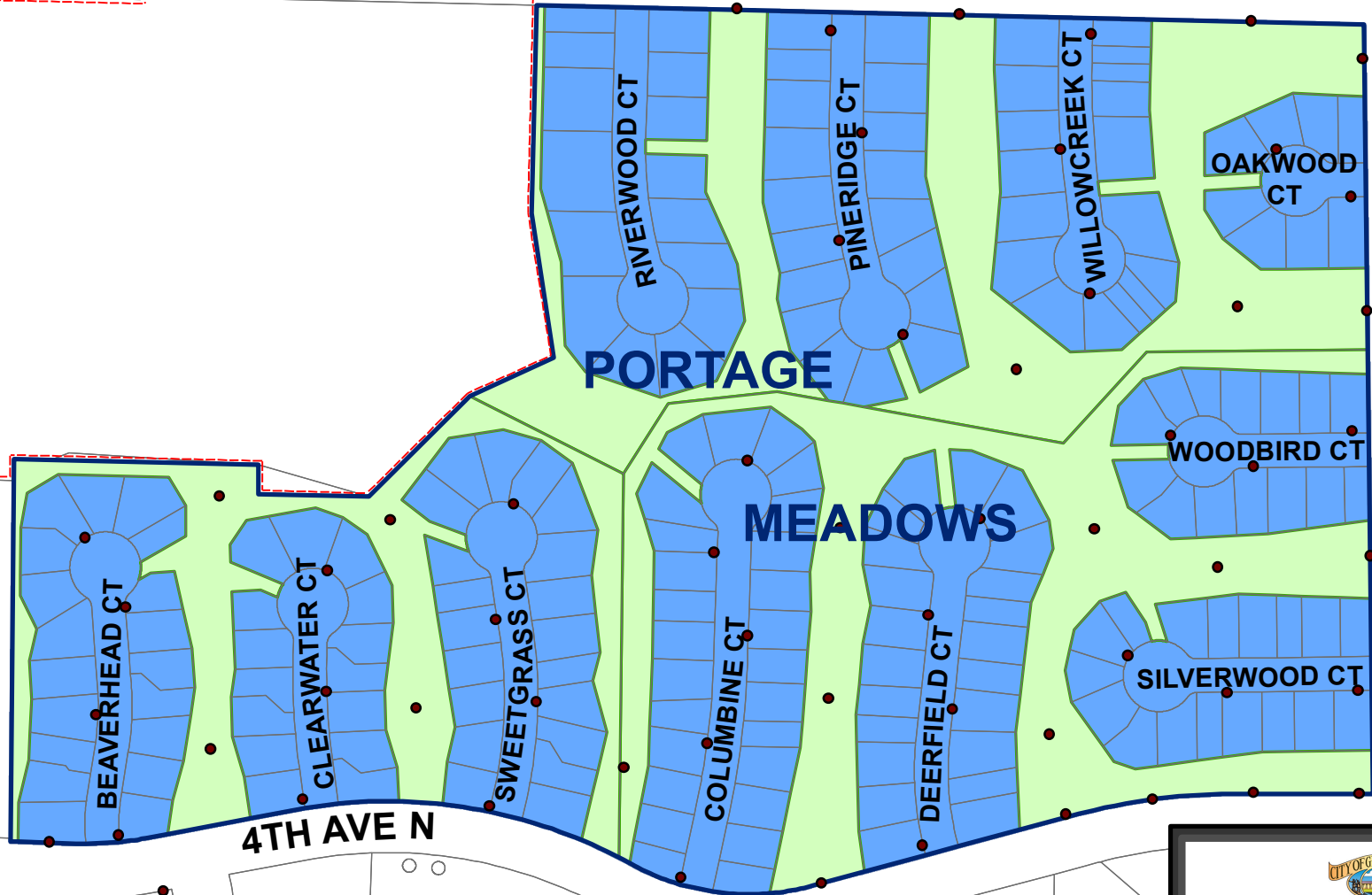
(Seal of the City)

APPROVED FOR LEGAL CONTENT:

David Dennis, City Attorney

Portage Meadows Maintenance District No. 1195

Agenda #15.



52TH ST N

4TH AVE N

46TH ST N



City of Great Falls

June 12th, 2014

- City Limit Line
- Light Poles
- Green Belt Area
- Portage Properties



This map is for reference only ... to comment
please contact Jeff Hedstrom at 455-8437.



Commission Meeting Date: August 19, 2025

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Resolution 10591 to Levy and Assess the Street Maintenance District

From: Melissa Kinzler, Finance Director

Initiated By: Annual Budget and Assessment Process

Presented By: Melissa Kinzler, Finance Director

Action Requested: City Commission conduct public hearing and adopt Resolution 10591 to Levy and Assess the Street Maintenance District

Public Hearing:

1. Mayor conducts public hearing, pursuant to OCCGF 1.2.050 and Title 17, Chapter 16, Article 6.
 2. Mayor closes public hearing and asks the will of the Commission.
-

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (adopt/deny) Resolution 10591.”
 2. Mayor requests a second to the motion, Commission discussion, and calls for the vote.
-

Staff Recommendation: Staff recommends the City Commission adopt Resolution 10591.

Background: The Street Division maintains approximately 393 miles of streets and alleys within the city limits. Maintenance consists of pavement rehabilitation and restoration, street cleaning, snow and ice removal, alley maintenance, and the nuisance weed program. In addition, Traffic Operations are funded through the Street Division and are responsible for the maintenance of all roadway signs, signals, and pavement markings.

During the budget process, information is gathered regarding the actual and anticipated expenses of the Street District Fund, future capital projects are reviewed, and the street maintenance assessment for the next fiscal year is discussed.

After calculating all factors pertinent to the operation of the Street Maintenance District, an assessment amount for the next fiscal year is calculated, proposed and presented to the City Commission for approval. The proposed 10% increase was used in preparing the FY 2026 annual budget. The last street maintenance increase of 10% was approved in FY 2025.

As part of the annual budget development and adoption procedures, the Street Maintenance Assessment Resolution must be submitted for separate City Commission action. A public notice and hearing is required prior to final passage of the assessment resolution.

ASSESSMENT OPTION

MCA Section 7-12-4425 states: "...The council shall pass and finally adopt a resolution specifying the district assessment option and levying and assessing all the property within the several districts..." The City uses the "assessable area" option under MCA Section 7-12-4422, to assess its street maintenance. The assessable area option defines assessable area by square footage caps. Four options for assessments exist:

Residential: Square footage caps per parcel of 12,000 square feet for residential property and properties categorized as non-profit/cemetery organizations 501(c)(13) as defined by the Internal Revenue Code.

Downtown: Downtown District shall be defined as being within an area bounded on the north by Third Alley North, on the south by Third Alley South, on the east by Tenth Street and on the west by Park Drive. Any properties located in this area with a designated residential land use code of 111, 112 or 114 shall be excluded from the District and assessed as part of the Residential District.

Mixed-Use: A 'mixed-use' category consists of property equal to or greater than 112,000 square feet but less than 50% commercially developed. For the 'mixed-use' category, the Planning & Community Development Department shall annually identify all property equal to or greater than 112,000 square feet which are 50% or less commercially developed. Those properties shall be assessed 50% commercial and 50% at capped residential.

Commercial: 1 million square foot cap for all other property. The 1 million square foot cap for all other property encourages large green areas on some private properties within the City.

Fiscal Impact: Adoption of Resolution 10591 will allow the City to fund the cost of operations, improvements, and maintenance in the Street Maintenance District.

For Fiscal Year 2026, the street maintenance assessment will increase 10%. For an average-sized residential lot of 7,500 square feet, the estimated assessment factor is \$0.019513 per square foot, or approximately \$146.35 (7,500 sq. ft. x 0.019513 factor = \$146.35.). This is an estimated increase of \$13.30 or 10% for the averaged-sized residential lot. The estimated total assessment for the District is \$6,100,327.

Alternatives: The City Commission could choose to deny Resolution 10591 to Levy and Assess the Street Maintenance District; however, there would be a significant reduction in services for street maintenance.

Concurrences: Public Works staff is responsible for the operational expenses of the Street Department. Finance staff is responsible for assessing and collecting revenues necessary to carry out the operations.

Attachments/Exhibits:

Resolution 10591

RESOLUTION NO. 10591

A RESOLUTION LEVYING AND ASSESSING THE COST OF STREET MAINTENANCE FOR STREETS AND ALLEYS IN THE CITY OF GREAT FALLS, MONTANA FOR THE FISCAL YEAR BEGINNING JULY 1, 2025 AND ENDING JUNE 30, 2026

WHEREAS, creation and alteration of Street Maintenance Districts is authorized pursuant to Mont. Code Ann. Title 7, Chapter 12, Part 44; and

WHEREAS, the Great Falls City Commission did provide for street maintenance pursuant to Ordinance 1687 adopted September 7, 1971; and

WHEREAS, the City Commission did amend and expand the scope of street maintenance services pursuant to Ordinance 2584 adopted February 5, 1991; and

WHEREAS, the City Commission finds and has determined that each and every lot or parcel within said district has been or will be specially benefited by said maintenance; and

WHEREAS, the City intends to continue maintaining streets and alleys within the corporate limits of the City of Great Falls; and

WHEREAS, on August 5, 2025, the City Commission adopted Resolution 10579, Annual Budget Resolution, in which the estimated assessment for such maintenance not offset by other revenues within the Street Maintenance District was reflected as SIX MILLION ONE HUNDRED THOUSAND THREE HUNDRED TWENTY-SEVEN DOLLARS (\$6,100,327); and

WHEREAS, in accordance with Mont. Code Ann. § 7-12-4426, notice was published setting forth that Resolution No. 10591 Levying and Assessing the Cost of Street Maintenance for Streets and Alleys in the City of Great Falls, Montana, would be brought before the Great Falls City Commission for public hearing on August 19, 2025.

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

Section 1 – Maintenance Costs Assessed

The costs of maintenance, not offset by other revenues, in the Street Maintenance District, totaling SIX MILLION ONE HUNDRED THOUSAND THREE HUNDRED TWENTY-SEVEN DOLLARS (\$6,100,327) be levied and assessed upon the property in said district for the fiscal year ending June 30, 2026. The description of each lot or parcel of land within the Street Maintenance District and the respective assessments are set forth in the records of the Finance Department of the City of Great Falls, Montana, and by this reference incorporated herein as if fully set forth.

Section 2 – Maintenance Assessment Method

The percentage of the cost of maintenance for the assessable areas benefitted by the maintenance district as established in Mont. Code Ann. § 7-12-4425 shall be made as set forth in Mont. Code Ann. § 7-12-4422.

The Street Maintenance District shall be assessed according to factors based on the property classification and square footage with caps. Assessable areas within the Street Maintenance District shall be set with a square footage cap of 12,000 square feet for residential property and properties categorized as non-profit/cemetery organizations 501(c)(13) as defined by the Internal Revenue Code, and a square footage cap of one million square feet for all other property. Downtown District shall be defined as being within an area bounded on the north by Third Alley North, on the south by Third Alley South, on the east by Tenth Street and on the west by Park Drive and any properties located within this area with a designated residential land use code shall be excluded from the District and assessed as residential. The Planning and Community Development Department shall annually identify all mixed-use property equal to or greater than 112,000 square feet which are 50% or less commercially developed. Those mixed-use properties shall be assessed 50% commercial and 50% capped residential.

No proration of the street maintenance assessment shall be made for any reason, including the fact that a particular property did not have paved streets for the entire taxable year.

Section 3 – Assessments Due Date

Assessments are payable in two payments and will become delinquent at 5:00 o'clock p.m. on November 30, 2025 and May 31, 2026.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, this 19th day of August, 2025.

Cory Reeves, Mayor

ATTEST:

Lisa Kunz, City Clerk

(Seal of the City)

APPROVED FOR LEGAL CONTENT:

David Dennis, City Attorney



Commission Meeting Date: August 19, 2025

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Public Hearing – Resolution 10593 to approve the annexation of the subject property and the Improvement Agreement, annexation of the adjoining right-of-way of 21st Avenue South, and the adjoining parcel owned by the City of Great Falls; Ordinance 3276 to assign a Planned Unit Development (PUD) zoning district for the subject property; and approval of the Preliminary Plat of Peace Harbor Phase 1 Major Subdivision.

From: Sara Reynolds, Associate Planner, Planning and Community Development

Initiated By: Karl Birky, KIB Homes

Presented By: Brock Cherry, Director, Planning and Community Development

Action Requested: City Commission adopt Resolution 10593 and approve the Annexation Agreement, adopt Ordinance 3276, and approve the Preliminary Plat.

Public Hearing:

1. Mayor conducts public hearing, pursuant to OCCGF 1.2.050 and Title 17, Chapter 16, Article 6.
2. Mayor closes public hearing and asks the will of the Commission.

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (adopt/deny) Resolution 10593 to annex the property legally described as Lot 1A of the Mercedes Minor Subdivision and approve the Improvement Agreement, subject to the Conditions of Approval being fulfilled by the applicant,”

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

2. Commissioner moves:

“I move that the City Commission (adopt/deny) Ordinance 3276 to assign Planned Unit Development (PUD) zoning to the subject property, subject to the Conditions of Approval being fulfilled by the applicant.”

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

3. Commissioner moves:

“I move that the City Commission (approve/deny) Preliminary Plat of Peace Harbor Phase 1 Major Subdivision, subject to the Conditions of Approval being fulfilled by the applicant.”

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

Zoning Commission & Staff Recommendation: After a public hearing held on June 24, 2025, the Planning Advisory Board/Zoning Commission recommended the City Commission approve the annexation, establishment of Planned Unit Development (PUD) zoning, and preliminary plat of Peace Harbor Phase 1 for the subject property legally described as Lot 1 of the Mercedes Minor Subdivision located in the SE1/4 SW1/4 and NE1/4 SW1/4 of Section 13, T20N, R3E, Cascade County, Montana. Staff also recommends approval with the following conditions:

Conditions of Approval:

1. **General Code Compliance.** Any future development of the property shall be consistent with the conditions in this report, as well as all codes and ordinances of the City of Great Falls, the State of Montana, and all other applicable regulatory agencies.
2. **Improvement Agreement.** The applicant shall abide by the terms and conditions and pay all fees specified in the attached Improvement Agreement for the subject property. The Improvement Agreement must be signed by the applicant and recorded with the Cascade County Clerk and Recorder.
3. **Final Plat.** The Final Plat of Peace Harbor Phase 1 shall incorporate correction of any errors or omissions noted by staff.
4. **Engineering Drawings.** The final engineering drawings, specifications, and cost estimates for public improvements for Peace Harbor shall be submitted to the City Public Works Department for review and approval prior to consideration of the Final Plat.
5. **Land Use & Zoning.** The property's development shall be consistent with the allowed uses and specific development standards of the proposed Planned Unit Development (PUD) zoning district.

Project Overview & Background: On January 14, 2025, Karl Birky of KIB Homes submitted an application to the Planning and Community Development Department requesting annexation of the subject property, assignment of the City's Planned Unit Development (PUD) zoning designation, and approval of the Preliminary Plat for the proposed Peace Harbor Phase 1 major subdivision. The subject property is approximately 15.47 acres in size and is located east of 20th Avenue South and south of Benefis Court. It is legally described as Lot 1 of the Mercedes Minor Subdivision, located in the SE¼ SW¼ and NE¼ SW¼ of Section 13, Township 20 North, Range 3 East, Cascade County, Montana.

According to the application, the applicant is committed to expanding housing opportunities by offering a variety of lot and home sizes aimed at increasing access to housing for a broader range of individuals and families. To support this objective, the applicant is requesting a Planned Unit Development (PUD) zoning designation, which provides flexibility from standard residential zoning requirements. The proposal includes smaller lot sizes, with a minimum of 5,000 square feet, and increased lot coverage of up to 60%. The Preliminary Plat for Peace Harbor Phase 1 Subdivision includes 67 single-family lots ranging from approximately 5,200 to 12,200 square feet, supporting a more compact and diverse residential development aligned with community goals of housing variety and efficient land use.

The proposed subdivision would be developed in two phases. Phase 1 includes 30 lots located along Columbia Street and Harvard Avenue, while Phase 2 includes the remaining 37 lots and the extension of

21st Avenue South. Access to the subdivision would be provided from two points: 20th Avenue South to the west and 21st Avenue South to the east. A phasing plan is included as Exhibit A in the attached Improvement Agreement. Approval of the current request would authorize development of the 67 lots shown in the Preliminary Plat; any future phases beyond those shown would require a new application for annexation, zoning, and subdivision approval.

Annexation Request: The applicant requests annexation of the 15.47-acre property legally described above. The applicant is required to submit a boundary line adjustment to slightly modify the boundaries of the Mercedes Minor Subdivision to match the proposed infrastructure plans and lot layout before annexation can be filed. The site is contiguous to City limits on the west, connecting from 20th Avenue South, and the north through properties owned by Great Falls Athletic Club and Benefis Health System (1901 Benefis Court).

The City proposes also to annex the adjoining right-of-way of 21st Avenue South, extending from the eastern property line of the subject property to the intersection of 8th Street South, as well as the adjoining thirty (30) foot-wide parcel owned by the City of Great Falls, north of the subject property and legally described in Reel 100, Document No. 1068. Staff supports the annexation request to allow for residential development.

The basis of decision for an annexation by petition request is listed in OCCGF 17.16.7.050. The recommendation of the Planning Advisory Board and the decision of the City Commission shall, at a minimum, consider the criteria which are attached as *Basis of Decision – Annexation*.

Establishment of PUD Zoning: A Planned Unit Development (PUD) is a specialized zoning district proposed by the developer to accommodate a mix of residential uses and to allow for flexibility from standard development requirements, such as lot size, setbacks, and coverage. Each PUD is distinct and governed by a customized set of development standards, which are established and documented as part of the approval process. The applicant indicates that deviations from the Official Code of the City of Great Falls (OCCGF) are necessary to support the project's goal of providing attainable housing. A PUD Narrative and accompanying Development Standards have been included in the application packet, outlining the proposed variations in lot sizes and dimensions. The PUD is proposed with an underlying zoning designation of R-3 Single-Family High Density.

The basis for decision of a planned unit development is listed in the OCCGF 17.29.050 of the Land Development Code. The recommendation of the Zoning Commission and the decision of the City Commission shall, at a minimum, consider the criteria, which are attached as *Findings of Fact – Planned Unit Development*.

Preliminary Plat Request: The applicant is requesting a preliminary plat of the subject property, which would subdivide the property into 67 single-family residential lots. Staff found the preliminary plat consistent with OCCGF standards, the Montana Subdivision and Platting Act, and the proposed Planned Unit Development. The applicant submitted a Preliminary Plat of Peace Harbor Phase 1 within the *Application Packet*, which shows the layout for the proposed subdivision.

The basis for the decision on zoning map amendments is listed in the OCCGF 17.16.26.040 of the Land Development Code, in addition to the requirements of 76-3-608 of the Montana Code Annotated (MCA). The recommendation of the Zoning Commission and the decision of the City Commission shall, at a minimum, consider the criteria, which are attached as *Findings of Fact - Subdivision*.

Improvements: An *Improvement Agreement* is included as an attachment to this report, outlining the developer's responsibilities and proportionate cost shares for public infrastructure improvements associated with the proposed subdivision. The development will be accessed from two points—20th Avenue South and 21st Avenue South—enhancing overall connectivity. As stated above, the developer proposes to complete the request in two (2) phases, with the first phase being the northern thirty (30) lots off of Columbia Street and Harvard Avenue. The second phase will include the extension of 21st Avenue South and the remaining thirty-six (36) homes. As part of the agreement, the developer will construct all necessary public streets and avenues to serve the subdivision, including the off-site extension of 21st Avenue South to its intersection with 8th Street South. All new streets will include curb and gutter, with sidewalks and boulevard landscaping installed throughout the development to support a walkable, attractive neighborhood environment. The off-site extension of 21st Avenue South will not require sidewalks at this time, but will be required to be built when those adjacent properties request annexation into the City.

To ensure adequate utility service, the developer will install a looped 8-inch public water main through the subdivision, connecting to the existing water system. This includes the installation of fire hydrants in compliance with City standards. Sanitary sewer mains will also be extended to serve all lots. While installation of the water and sewer systems is the responsibility of the developer, ownership and long-term maintenance of these public utilities will transfer to the City upon completion.

Stormwater management will be addressed through the construction of a regional stormwater detention facility sized to serve the contributing basin. This facility will be located on a parcel dedicated to the City during the final plat phase of the development. Upon completion, the stormwater system—including the pond—will be owned and maintained by the City (excluding any temporary facilities). A fully operational stormwater system is required prior to approval of the final plat for the first phase.

As stated in the conditions of approval, the final engineering drawings, specifications, and cost estimates for public improvements for the development shall be submitted to the City Public Works Department for review and approval prior to consideration of the Final Plat.

Traffic Analysis: A 67-lot single-family subdivision is proposed east of the current terminus of 20th Avenue South, just east of 4th Street South, and extending eastward to the Highland Park subdivision and south to the extension of 21st Avenue South.

The proposed subdivision would connect to 20th Avenue South on the northwest and construct an extension of 21st Avenue South on the east to connect to 8th Street South. All external connections would be to local streets feeding to Collector streets just to the north – 17th Avenue South, 4th Street South north of 17th Avenue South, and 9th Street South north of 17th Avenue South are designated Collector roadways.

The appropriate Land Use type from the *ITE Trip Generation Manual, 11th Ed.*, is “210-Single Family Detached Housing.” The ITE Manual's definition is:

“A single-family detached housing site includes any single-family detached home on an individual lot. A typical site surveyed (by ITE) is a suburban subdivision.”

Referencing the *ITE Trip Generation Manual*, a Single-Family Detached Housing land use would be expected to generate an average of 9.43 trips per dwelling unit on a weekday, for a total estimated average trips generated by the proposed subdivision's 66 dwelling units (at full buildout) of 623 trips per weekday.

Traffic from the proposed subdivision during “peak hour” – that is, the hour of the day generating the highest traffic – is estimated to be generated at the rate of .99 vehicle trips per dwelling unit for a one-hour period during the afternoon/evening. For the 66 dwelling units, this equates to 66 vehicle trips at full buildout (*Source: ITE Trip Generation Manual, 11th Ed.*).

Sidewalks exist on the existing segment of 20th Avenue South and connect to a larger sidewalk network. No sidewalks exist east of the proposed subdivision.

There are no traffic counts in the immediate vicinity of the proposed subdivision.

To analyze the impact on the current street network, assumptions must be made regarding the distribution of the trips on existing street segments. There are two possible routes to and from the proposed development – west onto 20th Avenue South and east on 21st Avenue South.

It is assumed that more traffic will use the 21st Avenue South route, as it is a more direct route to 10th Avenue South (at 7th Street South) – the closest major arterial. Therefore, the estimated trip distribution percentage would be 35% via 20th Avenue South and 65% via 21st Avenue South.

TABLE 1

STREET SEGMENT	DAILY VOLUME (DATE)	PROJECTED DAILY VOLUME	PROJECTED PEAK HOUR VOLUME
20 th Ave. S.	n/a	218	23
21 st Ave. S.	n/a	405	43

Note: all numbers are vehicle trips per day or vehicle trips per hour

The developer would be required to build sidewalk within the subdivision, connecting to the existing network on 20th Avenue South as is outlined in the *Improvements Agreement*.

Although not immediately adjacent to the proposed subdivision, Great Falls Transit does provide service along 17th Avenue South, approximately 1/3 of a mile to the north of the proposed subdivision.

Due to the relatively low projected volumes generated by the proposed subdivision, the local road network has sufficient capacity to accommodate the additional traffic. The eastern access via 21st Avenue South is projected to be the most heavily used access point by residents and would be the most direct route for emergency responders. Therefore, it is recommended that the second phase of the proposed development be conditioned upon the construction of the 21st Avenue South connection to 8th Street South.

Growth Policy Compliance: The proposed project is substantially consistent with the overall intent and purpose of the City of Great Falls 2013 Growth Policy Update. The proposal to annex and assign the zoning of PUD for the proposed property will allow the developer to construct a single-family residential development. Staff finds the City’s Growth Policy supports the proposed zoning map amendment to facilitate higher density development upon a partial infill parcel, providing much needed attainable housing. The proposed project is consistent with several of the Plan’s policies, including:

Social – Housing (page 134)

Soc1.4.2 Expand the supply of residential opportunities, including single-family homes, apartments, manufactured homes, and assisted living facilities.

- Soc1.4.3 Support the development of affordable housing in all neighborhoods to ensure geographic dispersal and reduce concentrations of poverty.
- Soc1.4.6 Encourage a variety of housing types and densities so that residents can choose by price or rent, location, and place of work.

Economic – Community Vitality (pages 157-158)

- Eco3.7.2 Encourage reinvestment in older neighborhoods and infill housing to support existing services and commercial districts.
- Eco3.4.3 Support quality of life investments such as recreation, housing, and amenities that help attract and retain the workforce. (page 155)

Physical - Land Use (page 162)

- Phy4.1.4 Foster the development of safe, walkable neighborhoods with a mix of uses and diversity of housing types.
- 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.
- Phy4.3.1 Support development patterns that optimize existing City utilities and limit the extension of public infrastructure. (page 166)

In conclusion, the proposed development will enable these policies to be addressed and further the implementation of the Growth Policy.

Neighborhood Council Input: The project was presented to Neighborhood Council #6 at its regularly scheduled meeting on May 7, 2025. Following the presentation and discussion, the Council voted unanimously to support the proposal.

Concurrences: Representatives from multiple departments, including Planning and Community Development, Public Works, and Fire Departments, have been involved throughout the review process for this request. In addition, both the Engineering Division of Public Works and the Legal Department have collaborated on the proposed Improvement Agreement.

Fiscal Impact: The proposed development reflects a strategic and fiscally responsible approach to growth, with City boundaries expanding in a logical, incremental manner. While water and sewer services will be provided by the City, all infrastructure improvements will be funded by the applicant, as detailed in the attached Improvement Agreement. New connections via 20th and 21st Avenues South will improve neighborhood access and connectivity. By increasing the number of residential lots, the preliminary plat strengthens the City's tax base and supports long-term revenue. Peace Harbor Phase 1 illustrates the benefits of this development model: increased residential density distributes infrastructure costs across more units, improving cost efficiency and reducing the per-unit financial burden. This approach promotes a more resilient, economically sustainable pattern of growth that aligns infrastructure investment with community benefit.

Alternatives: The City Commission could deny Resolution 10593, Ordinance 3276, and the Preliminary Plat for Peace Harbor Phase 1 Major Subdivision. For these actions, the City Commission must provide a separate Basis of Decision for the denial of the annexation, the establishment of the PUD zoning, and the subdivision.

Attachments/Exhibits:

- Resolution 10593
- Resolution 10593 - Exhibit A
- Ordinance 3276
- Ordinance 3276 - Exhibit A
- Basis of Decision - Annexation
- Findings of Fact – Planned Unit Development
- Findings of Fact - Subdivision
- Improvement Agreement
 - Exhibit A
 - Exhibit B
- Application Packet
 - Narrative
 - Preliminary Plat
 - PUD Zoning and Development Standards
- Public Comments

RESOLUTION 10593

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO EXTEND THE BOUNDARIES OF THE CITY OF GREAT FALLS TO INCLUDE LOT 1A OF THE MERCEDES MINOR SUBDIVISION IN THE SE1/4 SW1/4 AND NE1/4 SW1/4, SECTION 13, T20N, R3E, P.M.M. CASCADE COUNTY, MONTANA, THE ADJOINING RIGHT-OF-WAY OF 21ST AVENUE SOUTH TO THE INTERSECTION OF 8TH STREET SOUTH, AND THE ADJOINING PARCEL OWNED BY THE CITY OF GREAT FALLS LEGALLY DESCRIBED WITHIN REEL 100, DOCUMENT NO. 1068, IN ACCORDANCE WITH THE PROVISION OF SECTION 7-2-4601, MONTANA CODE ANNOTATED.

* * * * *

WHEREAS, the City of Great Falls is a city incorporated under the laws of the State of Montana, and having a population of more than ten thousand (10,000) is a city of the first class; and

WHEREAS, there is contiguous to said City, but without the boundaries thereof, certain tracts of land situated in the County of Cascade, State of Montana, and described as follows:

Lot 1A of the Mercedes Minor Subdivision located in the SE1/4 SW1/4 and NE1/4 SW1/4 of Section 13, T20N, R3E, Cascade County, Montana;

all as shown on the map attached hereto marked "Exhibit A", and by this reference made a part hereof; and

WHEREAS, Section 7-2-4601, Montana Code Annotated, provides that whenever the owner of real property contiguous to any incorporated city of the first class petition to have said property made a part of the municipal corporation, such land may be embraced

within the corporate limits thereof and the boundaries of such city of the first class extended so as to include the same; and

WHEREAS, Karl Birky, the property owner of the hereinabove described property has submitted a petition to have the subject property annexed to the City of Great Falls; and

WHEREAS, the Great Falls Planning Advisory Board/Zoning Commission conducted a public hearing on June 24, 2025, to consider said annexation, assignment of zoning of Planned Unit Development (PUD), and preliminary plat, and, at the conclusion of said hearing, passed a motion recommending the City Commission annex, assign said zoning, and approve the preliminary plat to the property legally described as Lot 1A of the Mercedes Minor Subdivision located in the SE1/4 SW1/4 and NE1/4 SW1/4 of Section 13, T20N, R3E, Cascade County, Montana, the adjoining right-of-way of 21st Avenue South from the subject property to the intersection of 8th Street South, and the adjoining parcel owned by the City of Great Falls legally described within in Reel 100, Document No. 1068; and,

WHEREAS, the City Commission finds that it is to the best interest of the City of Great Falls and its inhabitants to proceed with the incorporation of said territory into the City of Great Falls; and

WHEREAS, the City Commission adopted Resolution 10593 to authorize and direct City staff to update the appropriate boundaries of Neighborhood Council District 6 to include the subject properties.

WHEREAS, all of the proceedings herein have been conducted in strict compliance with and in conformity to the laws of the Montana Code Annotated, Title 7, Chapter 2, Part 46, Annexation by Petition, and all conditions, acts, and actions required to be performed precedent to and in the passage and adoption of this resolution have been properly and legally done, and performed.

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

That the boundaries of the City of Great Falls, Montana, be, and the same are hereby extended so as to embrace and include within the corporate limits of said city, all of the land hereinabove described, included as Lot 1A of the Mercedes Minor Subdivision located in the SE1/4 SW1/4 and NE1/4 SW1/4 of Section 13, T20N, R3E, Cascade County, Montana, the adjoining right-of-way of 21st Avenue South from the subject property to the intersection of 8th Street South, and the adjoining parcel owned by the City of Great Falls legally described within in Reel 100, Document No. 1068; as shown on attached "Exhibit A."

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

That the Cascade County Clerk and Recorder is hereby authorized and directed to change the appropriate boundaries of the City of Great Falls, Montana, to include said tract of land; and

That this Resolution shall become effective from and after the date of the filing of said document in the office of the Cascade County Clerk and Recorder.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on this 19 day of August, 2025.

Cory Reeves, Mayor

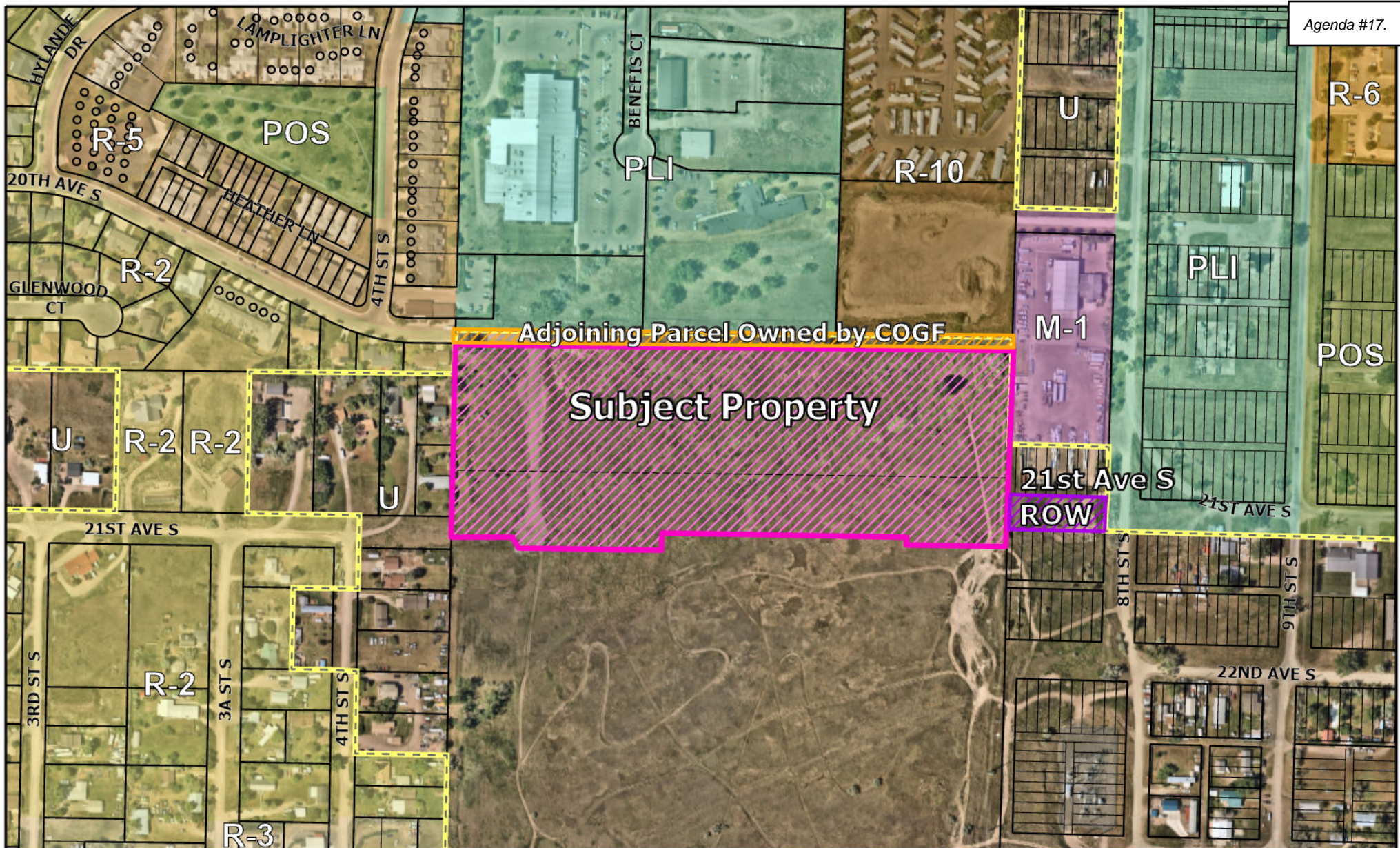
ATTEST:

Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

David Dennis, City Attorney



Resolution 10593
Exhibit A

Lot 1A
Mercedes Minor Subdivision

- City Addresses
- City Streets
- - - City Limit
- Parcels



0 50 100 200 102
Feet

ORDINANCE 3276

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS TO ASSIGN A ZONING CLASSIFICATION OF PLANNED UNIT DEVELOPMENT (PUD) TO THE PROPERTY LEGALLY DESCRIBED AS LOT 1 OF MERCEDES MINOR SUBDIVISION, SECTION 13, T20N, R3E, P.M.M. CASCADE COUNTY, MONTANA, THE ADJOINING RIGHT-OF-WAY OF 21ST AVENUE SOUTH TO THE INTERSECTION OF 8TH STREET SOUTH, AND THE ADJOINING PARCEL OWNED BY THE CITY OF GREAT FALLS LEGALLY DESCRIBED WITHIN REEL 100, DOCUMENT NO. 1068.

* * * * *

WHEREAS, the property owner, Karl Birky, has petitioned the City of Great Falls to annex the subject property, which consists of approximately 15.47 acres, as legally described above; and,

WHEREAS, Karl Birky has petitioned the City of Great Falls to assign a zoning classification of Planned Unit Development (PUD) to Lot 1 of the Mercedes Minor Subdivision, upon annexation to the City; and,

WHEREAS, the Great Falls Planning Advisory Board/Zoning Commission conducted a public hearing on June 24, 2025, to consider said assignment of zoning of Planned Unit Development (PUD), and, at the conclusion of said hearing, passed a motion recommending the City Commission assign said zoning to the subject property legally described as Lot 1 of the Mercedes Subdivision, Section 13, T20N, R3E, P.M.M., Cascade County, Montana, the adjoining right-of-way of 21st Avenue South from the subject property to the intersection of 8th Street South, and the adjoining parcel owned by the City of Great Falls legally described within in Reel 100, Document No. 1068; 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 August, 2025, before final passage of said Ordinance herein; and,

WHEREAS, following said public hearing, it was found and decided that the assignment of zoning of Planned Unit Development (PUD) for said property meets the Basis of Decision requirements in the Official Code of the City of Great Falls (OCCGF), Section 17.16.29.050, and that the said zoning 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 Planned Unit Development (PUD) zoning request meets the criteria and guidelines cited in Mont. Code Ann. § 76-2-304, and Section 17.16.29.050 of the OCCGF.

Section 2. That the zoning classification of “Planned Unit Development (PUD)” be assigned to Lot 1 of the Mercedes Subdivision, Section 13, T20N, R3E, P.M.M., Cascade County, Montana, the adjoining right-of-way of 21st Avenue South from the subject property to the intersection of 8th Street South, and the adjoining parcel owned by the City of Great Falls legally described within in Reel 100, Document No. 1068, as shown in “Exhibit A”, subject to the setbacks, and other development standards and by this reference made a part hereof, as well as all other applicable regulatory codes and ordinances.

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 July 15, 2025.

ADOPTED by the City Commission of the City of Great Falls, Montana on second reading August 19, 2025.

Cory Reeves, Mayor

ATTEST:

Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

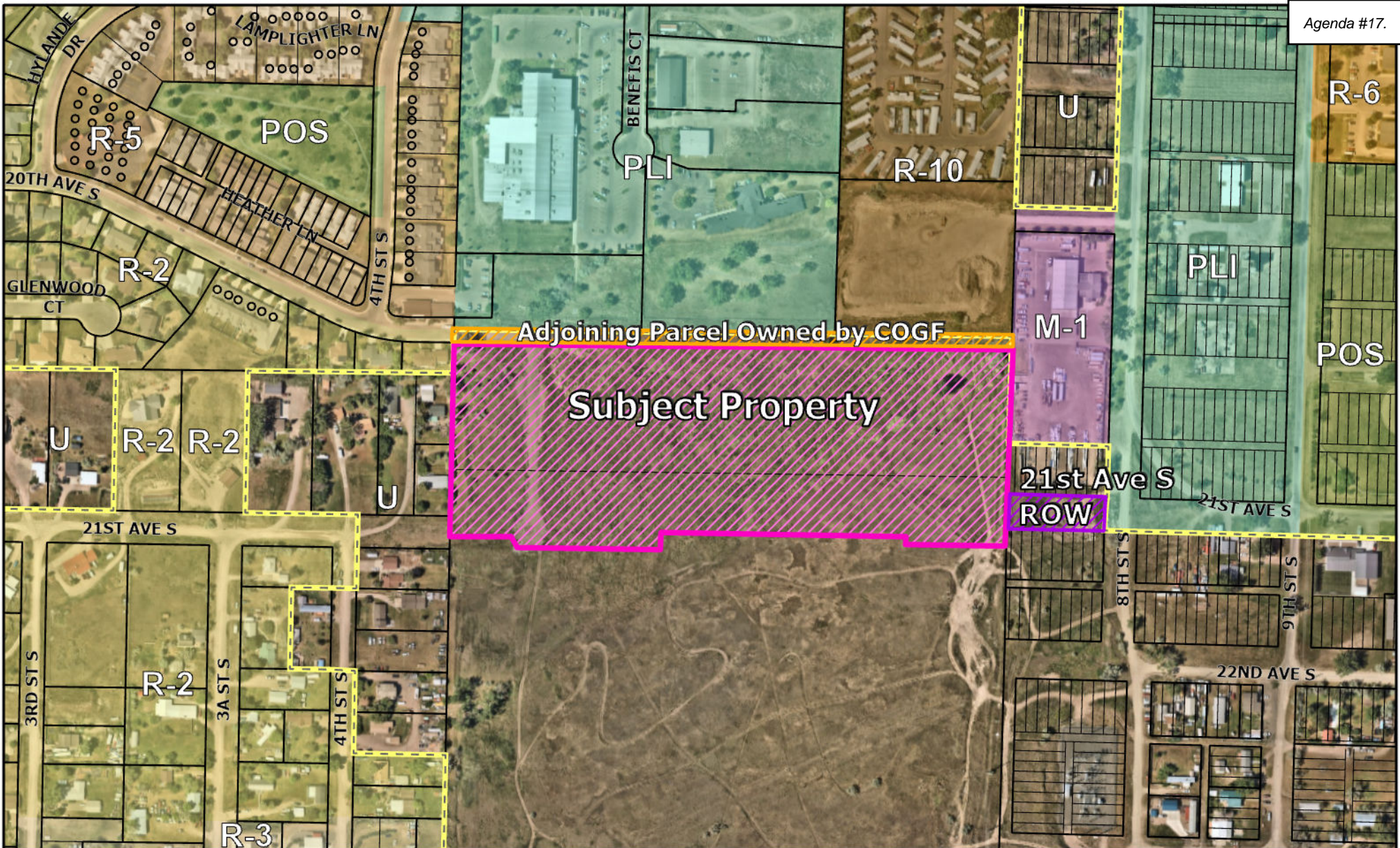
David Dennis, City Attorney

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 City Commission, Ordinance 3276 on the Great Falls Civic Center posting board and the Great Falls City website.

(CITY SEAL)

Lisa Kunz, City Clerk



**Ordinance 3276
Exhibit A**

**Lot 1A
Mercedes Minor Subdivision**

- City Addresses
- City Streets
- - - City Limit
- Parcels



0 50 100 200 106
Feet

BASIS OF DECISION – ANNEXATION

Lot 1A of the Mercedes Minor Subdivision located in the SE1/4 SW1/4 and NE1/4 SW1/4 of Section 13, T20N, R3E, Cascade County, Montana, the adjoining right-of-way of 21st Avenue South, and the adjoining parcel owned by the City of Great Falls legally described within in Reel 100, Document No. 1068.

PRIMARY REVIEW CRITERIA:

The basis for decision on annexation is listed in the Official Code of the City of Great Falls (OCCGF) § 17.16.7.050 of the Land Development Code. The recommendation of the Planning Advisory Board and the decision of the City Commission shall at a minimum consider the following criteria:

1. The subject property is contiguous to the existing City limits.

The subject property is contiguous to the existing City limits, with previously annexed property present to the west, north, and east of the proposed annexation.

2. The proposed annexation is consistent with the City's growth policy.

The proposed project is substantially consistent with the overall intent and purpose of the City of Great Falls 2013 Growth Policy Update. The proposal to annex and assign the zoning of PUD for the proposed property will allow the developer to construct a single-family residential development. Staff finds the City's Growth Policy supports the proposed zoning map amendment to facilitate higher density development upon a partial infill parcel, providing much-needed attainable housing. The proposed project is consistent with several of the Plan's policies including:

Social – Housing (page 134)

- Soc1.4.2 Expand the supply of residential opportunities including single-family homes, apartments, manufactured homes, and assisted living facilities.
- Soc1.4.3 Support the development of affordable housing in all neighborhoods to ensure geographic dispersal and reduce concentrations of poverty.
- Soc1.4.6 Encourage a variety of housing types and densities so that residents can choose by price or rent, location, and place of work.

Economic – Community Vitality (pages 155-158)

- Eco3.7.2 Encourage reinvestment in older neighborhoods and infill housing to support existing services and commercial districts.
- Eco3.4.3 Support quality of life investments such as recreation, housing, and amenities that help attract and retain the workforce.

Physical - Land Use (pages 162-166)

- Phy4.1.4 Foster the development of safe, walkable neighborhoods with a mix of uses and diversity of housing types.
- 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.

Phy4.3.1 Support development patterns that optimize existing City utilities and limit the extension of public infrastructure.

In conclusion, the proposed project will enable these policies to be addressed and further the implementation of the Growth Policy.

3. The proposed annexation is consistent with applicable neighborhood plans, if any.

The subject property is located adjacent to Neighborhood Council #6. There is no adopted neighborhood plan for Neighborhood Council #6, nor any other Council within the City. Neighborhood Council #6 discussed the project at their May 7th, 2025, meeting. The Council voted unanimously to support the request.

4. The proposed annexation 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 is not located within any adopted plan or sub-area planning areas.

5. The City has, or will have, the capacity to provide public services to the subject property.

The City Public Works Department has verified that capacity is adequate to provide public utility services to the subject property. A more detailed description of the various public utility services that will be provided to the development has been outlined in the agenda report as well as in the Improvement Agreement. Additionally, the City has the ability to provide public emergency services to the subject property. Lastly, the proposed annexation will result in the construction of 67 single-family homes that will generate traffic onto the existing City of Great Falls transportation network. The existing roads can accommodate the additional traffic generated from the project.

6. The subject property has been or will be improved to City standards.

The proposed annexation includes a 67 lot subdivision. These lots and supporting infrastructure, including roads, will be developed to applicable City standards, requirements detailed in the Improvement Agreement, and standards provided within the proposed Planned Unit Development.

7. The owner of the subject property will bear all of the cost of improving the property to City standards and or/ the owner has signed an agreement waiving the right of protest to the creation of a special improvement district created to pay, in whole or in part, any necessary improvement.

An Improvement Agreement for the subject property has been drafted outlining the responsibilities and proportionate shares of costs for various improvements. The Improvement Agreement has been attached to the agenda report. This Improvement Agreement addresses the creation of any special improvement district.

8. The subject property has been or will be surveyed and officially recorded with the County Clerk and Recorder.

The subject property has been surveyed as part of the Mercedes Minor Subdivision. In addition, a preliminary plat is provided as part of the request to annex and proposed to subdivide the subject property into 67 single-family lots. The preliminary plat is required to be reviewed by City staff and the City Commission. A final plat will be recorded with the Cascade County Clerk and Recorder.

9. The City will provide both water and sewer service to each of the uses in the subject property that may require potable water and waste water treatment and disposal.

Public improvements for City water and City sanitary sewer services are required of the project. Timing and obligations are detailed within the agenda report as well as in the Improvement Agreement.

10. The subject property is not located in an area the City Commission has designated as unsuitable for annexation.

The subject property is not located in an area the City Commission has designated as unsuitable for annexation.

11. The subject property is not located in another city or town. (See: 7-2-4608 (1), MCA)

The subject property is not located in another city or town.

12. The subject property is not used in whole or in part for agriculture, mining, smelting, refining, transportation, or any other industrial or manufacturing purpose or any purpose incidental thereto. (See: 7-2-4608 (2), MCA)

The subject property is not used for the uses listed above. The tract of land is contiguous to the City limits and has always been considered a logical extension of the City's urban area.

FINDINGS OF FACT – PLANNED UNIT DEVELOPMENT

Lot 1A of the Mercedes Minor Subdivision located in the SE1/4 SW1/4 and NE1/4 SW1/4 of Section 13, T20N, R3E, Cascade County, Montana, the adjoining right-of-way of 21st Avenue South, and the adjoining parcel owned by the City of Great Falls legally described within in Reel 100, Document No. 1068.

PRIMARY REVIEW CRITERIA:

The basis of decision for Planned Unit Development (PUD) is listed in Official Code of the City of Great Falls § 17.16.29.050 of the Land Development Code. The recommendation of the Zoning Commission and the decision of City Commission shall at a minimum consider the following criteria:

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

The proposed project is substantially consistent with the overall intent and purpose of the City of Great Falls 2013 Growth Policy Update. The proposal to annex and assign the zoning of PUD for the proposed property will allow the developer to construct a single-family residential development. Staff finds the City's Growth Policy supports the proposed zoning map amendment to facilitate higher density development upon a partial infill parcel, providing much-needed attainable housing. The proposed project is consistent with several of the Plan's policies including:

Social – Housing (page 134)

- Soc1.4.2 Expand the supply of residential opportunities including single-family homes, apartments, manufactured homes, and assisted living facilities.
- Soc1.4.3 Support the development of affordable housing in all neighborhoods to ensure geographic dispersal and reduce concentrations of poverty.
- Soc1.4.6 Encourage a variety of housing types and densities so that residents can choose by price or rent, location, and place of work.

Economic – Community Vitality (pages 155-158)

- Eco3.7.2 Encourage reinvestment in older neighborhoods and infill housing to support existing services and commercial districts.
- Eco3.4.3 Support quality of life investments such as recreation, housing, and amenities that help attract and retain the workforce.

Physical - Land Use (pages 162-166)

- Phy4.1.4 Foster the development of safe, walkable neighborhoods with a mix of uses and diversity of housing types.
- 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.
- Phy4.3.1 Support development patterns that optimize existing City utilities and limit the extension of public infrastructure.

In conclusion, the proposed project will enable these policies to be addressed and further the implementation of the Growth Policy.

2. The development project is consistent with applicable neighborhood plans, if any

The subject property is located adjacent to Neighborhood Council #6. There is no adopted neighborhood plan for Neighborhood Council #6, nor any other Council within the City. Neighborhood Council #6 discussed the project at their May 7th, 2025, meeting. The Council voted unanimously to support the request.

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

There are no existing public health, safety, or welfare issues that have been identified for the subject property. The zoning assignment of a PUD will have no impact on these issues. The surrounding area already within the City limits is currently receiving law enforcement and fire protection service from the City of Great Falls. Providing these services to the subdivision is not expected to have a negative effect on public health and safety.

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

The proposed PUD includes a mix of single-family housing lot sizes and provides two access to the development, improving neighborhood connectivity. The development project fits the context of the surrounding area and land uses. The development project will not negatively impact the use and enjoyment of nearby properties, nor will it substantially diminish or impair property values in the surrounding area.

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

The proposed project is not expected to impede the normal and orderly development or improvement of surrounding properties. The surrounding area includes a mix of land uses, including residential, commercial, and light-industry properties. The development project fits harmoniously with the surrounding area.

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

The proposed structures are single-family residences, which are compatible with the character of the neighborhood. Maximum building heights and lot coverage requirements are provided within the PUD standards to ensure the development fits within the context of the surrounding area.

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

The City Public Works Department has verified that capacity is adequate to provide public utility services to the subject property. A more detailed description of the various public utility services that will be provided to the development has been outlined in the Agenda Report as well as in the Improvement Agreement. The development will be accessed from two points—20th Avenue South and 21st Avenue South—enhancing overall connectivity. Additionally, the City has the ability to provide public emergency services to the subject property, as the subject property is within an area served by Great Falls Fire Rescue and Great Falls Police Department.

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

A 67-lot single-family subdivision is proposed east of 20th Avenue South, extending toward the Highland Park subdivision and 21st Avenue South. The development will connect to local streets at 20th Avenue South (northwest) and 21st Avenue South (east), which provide access to nearby Collector streets. Based on the ITE Trip Generation Manual (*Source: ITE Trip Generation Manual, 11th Ed.*), the subdivision is expected to generate approximately 623 vehicle trips per weekday and 67 trips during the peak afternoon hour at full buildout. Projected traffic volumes are relatively low and can be accommodated by the existing local road network.

FINDINGS OF FACT – SUBDIVISION

For the proposed Peace Harbor Phase 1 Major Subdivision legally described as Lot 1A of the Mercedes Minor Subdivision located in the SE1/4 SW1/4 and NE1/4 SW1/4 of Section 13, T20N, R3E, Cascade County, Montana.

PRIMARY REVIEW CRITERIA:

The basis for decision on subdivision is listed in the Official Code of the City of Great Falls § 17.16.26.040 of the Land Development Code. The recommendation of the Planning Advisory Board and the decision of the City Commission to approve, conditionally approve, or deny an application shall be based on whether the application, preliminary plat or minor plat, environmental assessment and public hearing, if applicable, or additional information demonstrates that the proposed subdivision:

1. meets the standards of this Title and the Montana Subdivision and Platting Act (Title 76, Chapter 3, MCA);
2. is consistent with the City's zoning regulations and covenants, if any (See: 76-3-608(1), MCA); and
3. is in the public interest.

Staff has determined the request meets the standards listed above and is consistent with the City's zoning regulations. Additionally, to determine whether the proposal would be in the public interest, the governing body shall weigh and make specific findings regarding each of the following criteria:

1. **Effects on agriculture:** The subject property has not recently been used for agriculture. Agricultural use in the vicinity of the subject property has not occurred due to land being within the urban envelope of the City. The proposed subdivision and development do not interfere with agricultural operations in the area.
2. **Effects on agricultural water-user facilities:** There is not an agricultural water user facility in the area that the proposed development will interfere with.
3. **Effects on local services:** Staff has reviewed the effects on local services and determined the City can accommodate the proposed subdivision and development.

The existing public road system has sufficient capacity to accommodate the traffic that would be generated by the proposed development. The nearest fire station, Station #1, is approximately 1.8 miles away from the subject property. The surrounding area within the City limits is currently receiving law enforcement and fire protection service from the City of Great Falls. Providing these services to the subdivision is expected to be a manageable cost to the City and increased tax revenues from improved properties may cover increased costs.

The developer will extend and connect to City water and sanitary sewer mains. The Owner

will pay the cost of extending these utility mains. The occupants of the single-family residences within the subdivision are responsible for the cost of private service connections to City mains and they will pay regular water and sewer charges, and monthly storm drain charges.

4. **Effects on the natural environment:** The subdivision is not expected to adversely affect the natural environment. The project will have to provide stormwater quantity and quality features to ensure discharge from the project does not negatively impact the water quality. This will come in the form of construction of a regional stormwater detention facility or pond sized to accommodate the contributing basin. In addition, the project will not adversely impact soils or soil erosion, vegetation and air pollution, or noxious weeds.
5. **Effects on wildlife and wildlife habitat:** The proposed subdivision is not in an area of significant wildlife habitat beyond occasional grazing deer or migrating fowl. This subdivision will not result in closure of public access to hunting or fishing areas, nor to public lands.
6. **Effects on public health and safety:** As stated in criteria #3 above, the surrounding area already within the City limits is currently receiving law enforcement and fire protection service from the City of Great Falls. Providing these services to the subdivision is not expected to have a negative effect on public health and safety. The subject property is not within a wildland fire hazard area, or exposed to the presence of other known hazards.

REQUIREMENTS OF MONTANA SUBDIVISION AND PLATTING ACT, UNIFORM STANDARDS FOR MONUMENTATION, AND LOCAL SUBDIVISION REGULATIONS

The subdivision meets the requirements of the Montana Subdivision and Platting Act and the surveying requirements specified in the Uniform Standards for Monumentation, and conforms to the design standards specified in the local subdivision regulations. The local government has complied with the subdivision review and approval procedures set forth in the local subdivision regulations.

EASEMENT FOR UTILITIES

The developer shall provide necessary utility easements to accommodate water mains, sanitary sewer mains, stormwater mains, and private utilities to serve all lots of the subdivision.

LEGAL AND PHYSICAL ACCESS

The proposed subdivision will be legally accessed by 20th Avenue South and 21st Avenue South, connections the developer has agreed to construct, including street, curb, gutter, and sidewalks. As part of the Improvement Agreement, the developer will construct all necessary public streets and avenues to serve the subdivision, including the off-site extension of 21st Avenue South to its intersection with 8th Street South. All new streets will include curb and gutter, with sidewalks and boulevard landscaping installed throughout the development to support a walkable, attractive neighborhood environment.

**IMPROVEMENT AGREEMENT FOR THE DEVELOPMENT OF PEACE HARBOR SUBDIVISION BY
KARL JOHN BIRKY, UPON THE PROPERTY LEGALLY DESCRIBED AS LOT 1 OF THE MERCEDES
MINOR SUBDIVISION SE1/4 SW1/4 AND NE1/4 SW1/4 OF SECTION 13, T20N, R3E, P.M.M.,
CASCADE COUNTY, MONTANA**

The following is a binding Agreement dated this _____ day of _____, 2025, between **Karl John Birky**, hereinafter referred to as “**Owner**”, and the **CITY OF GREAT FALLS**, Montana, a municipal corporation of the State of Montana, hereinafter referred to as “**City**”, regarding the requirements for the annexation and development of a tract of land into the corporate limits of the City legally described as Lot 1 of the Mercedes Minor Subdivision SE1/4 SW1/4 and NE1/4 SW1/4 of Section 13, Township 20 North, Range 3 East, Cascade County, Montana, hereinafter referred to as “**Subject Property**”. The Owner agrees to, and is bound by, the provisions of this Agreement, and by signing this Agreement, therefore agrees to terms applicable to the Subject Property. The City is authorized to enter into this Agreement by §§ 17.68.010-040 of the Official Code of the City of Great Falls (OCCGF).

1. Purpose. The purpose of this Agreement is to ensure that certain improvements are made and certain conditions are fulfilled by the Owner, as required by the City's approval of the annexation, subdivision, and supporting documents. Generally, this Agreement:

1.1 Declares that the Owner is aware of and has properly accounted for any natural conditions that may adversely affect the development of the Subject Property;

1.2 Insulates the Subject Property from the impact of changes in the City's zoning regulations, provided that no substantial changes in the development of the Subject Property are proposed;

1.3 Requires the Owner to guarantee that the agreed-upon improvements contained in this agreement are made in a timely manner by providing the financial securities required by OCCGF;

1.4 Provides for the inspection and warranty of the required improvements before they are accepted for operation and maintenance by the City;

1.5 Waives protest and appeal by the Owner and its successors against the creation of special improvement districts that would provide and maintain necessary infrastructure;

1.6 Establishes how necessary changes of final construction plans required by the Agreement may be made with the approval of the City;

1.7 Contemplates reimbursements to the Owner when neighboring properties that benefit from certain improvements made by the Owner are developed;

1.8 Embodies certain conditions that are imposed by the City upon approval of the annexation of the Subject Property in order to facilitate their enforcement; and

1.9 Indemnifies the City from challenges to its approval of the annexation of the Subject Property, for natural conditions of the Subject Property and for any faults in Owner's assessment of those conditions; and holds it harmless from errors and omissions in the approval and oversight of the improvements relating to development of the Subject Property.

2. Duration. The term of this Agreement begins at the date here above written and with the exceptions stated below, is a perpetual recorded agreement between the Owner and the City.

2.1 If Work Does Not Begin. This Agreement may be amended if final construction plans for the first phase of the Development are not submitted for approval within three years of the date of the City Manager's signature on this Agreement.

2.2 Failure to Build. The Owner's failure to complete improvements in accordance with the final construction plans may result in the City retaining the security required in Section 15 of this Agreement. It may also void this Agreement and the vested rights established by Section 8, below.

2.3 Failure to Pay. The Owner's failure to make timely payment of its share of any of the required improvements listed in this Agreement, voids the Agreement and the vested rights established by Section 8. It may also result in the City attempting to collect the amount due by any lawful means.

3. Supporting Documents. Each of the following supporting documents are to be submitted for review and approval by the City.

3.1 Preliminary Plat. This agreement is based on the Preliminary Plat of Peace Harbor Subdivision and accompanying materials approved by the City Commission. Changes in the plat and the accompanying materials are governed by Section 4 of this Agreement. To remain valid, the preliminary plat must be periodically renewed according to Montana Code Annotated (MCA) 76-3-610, which requires that preliminary plat approval be for no more than three years, unless it proceeds to final plat before that time. The Owner understands and agrees that it must submit a letter to the Administrator requesting renewal of the preliminary plat at least 90 days before the third anniversary of this Agreement, and then again, before every third anniversary until this Agreement expires. The preliminary plat may also be renewed if and when an amendment is approved.

3.2 Final Plat. The final plat of each phase of Peace Harbor Subdivision is to be filed on record in the Clerk and Recorder's Office of Cascade County, Montana, upon approval by the City. Final plat approval is contingent upon full compliance with the provisions of this Agreement, the approved Peace Harbor PUD Document, and the OCCGF.

3.3 Construction Documents. Engineering drawings, specifications, reports, and cost estimates (preliminary and final), prepared for the Subject Property, consisting of documents for, but not limited to the public sanitary sewer, water, storm drain, and street improvements. Construction documents shall be designed in compliance with the City's Standards for Design and Construction Manual.

3.4 As Built Drawings. "As Built" reproducible 4 mil mylar drawings and one electronic copy of public infrastructure, private utilities, and drainage facilities shall be supplied to the City, and one electronic copy of public infrastructure, private utilities, and drainage facilities shall be supplied to the City upon completion of the construction.

3.5 Legal Documentation. Legal documents, including but not limited to any articles of incorporation, bylaws, covenants, and declarations establishing the authority and responsibilities of the Owner relating to the Subject Property, which may be recorded in the Clerk and Recorder's Office of Cascade County, Montana.

3.6 Peace Harbor Planned Unit Development Standards. The Peace Harbor Planned Unit Development Document, including all associated development standards, tables, and exhibits, is incorporated herein by reference. The Owner agrees that all development on the Subject Property shall conform to the approved PUD standards. Any deviation not authorized by OCCGF §§ 17.16.29.100 shall be subject to review as a Major or Minor Change as defined in Section 4 of this Agreement and OCCGF.

4. Changes. The Owner understands that failure to install required improvements in accordance with the final construction plans approved for the development of the Subject Property is a breach of, and may void, this Agreement. The Owner also understands that such failure is a violation of the OCCGF and is subject to the penalties provided for such violations. The City recognizes, however, that minor changes are often necessary as construction proceeds and the Administrator (the Administrator is the person or persons charged by the City Manager with the administration of this improvement agreement) is hereby authorized to allow minor changes to approved plans, as provided below:

4.1 Minor Changes. Minor changes to engineering documents and such revisions to the engineering drawings as are deemed appropriate and necessary by the Administrator and which do not materially affect the hereinabove mentioned Subject Property, can be made as follows:

4.1.1 Before making changes, the Owner must submit revised plans to the Administrator for review. Failure to do this before the proposed change is made may be considered by the City to be a breach of this Agreement and a violation of the OCCGF. The Administrator shall respond to all proposed changes within fifteen (15) days of receipt of the revised plans.

4.1.2 Based on a review of the revised plans, the Administrator may permit minor dimensional changes provided they do not result in a violation of the conditions of approval for the annexation of the Subject Property or the OCCGF.

4.1.3 Based on a review of the revised plans, the Administrator may permit substitutions for proposed building and construction materials provided that the proposed substitute has the same performance and, for exterior materials, appearance as the originally approved material.

4.1.4 Minor changes in the location and specifications of the required public improvements may be permitted by the Administrator. The Owner must submit revised plans showing such changes to the Administrator. Revised plans are not accepted until approved by the Administrator.

4.2 Substantial Changes. Substantial changes are not permitted by this Agreement. A new public review and permitting process will be required for such changes. “Substantial Change” versus “Minor Change” is described as follows in order to further clarify what may be permitted as a “Minor Change”:

4.2.1 A substantial change adds one or more lots; changes the approved uses; changes the location or extent of the area proposed to be cleared, graded, or otherwise disturbed by more than 4,000 square feet (a smaller change in the area that will be cleared, graded, or otherwise disturbed may be treated as a minor dimensional change); changes the location, extent, or design of any required public improvement, except where a minor change is approved by the Administrator; A smaller change in the size of a lot, or other minor deviations may be treated as a minor dimensional change and may be approved by the Administrator.

5. Fees. The Owner understands that it is required to pay the following fees as they come due. The absence of any fee from this Agreement which is lawfully charged by the City in connection with construction activity associated with the Subject Property shall not constitute a waiver by the City.

5.1 Recording Fees. The Owner is responsible for all recording fees at the rate charged by Cascade County at the time a document or plat is submitted for recording.

5.2 Park Fee in Lieu of Land Dedication or Parkland Dedication. A Park Fee in lieu of a parkland dedication is required and shall be based on the State of Montana statutory requirement as applied to the current appraisal of the undivided, undeveloped value of the acreage included in the Development that is prepared by a licensed real estate appraiser and submitted by the Owner along with the final plat for each phase of the Development. This payment will be due and payable within 30 days after the final plat for each phase is approved by the City Commission, and before any permits, including the construction of streets and trenching for utilities, are issued.

5.3 Engineering Inspections. The Owner is responsible to pay all applicable engineering fees established by Resolution of the City Commission of the City of Great Falls.

5.4 Permit Fees. The Owner is responsible to pay all applicable planning and building permit fees established by Resolution of the City Commission of the City of Great Falls.

5.5 Connection and Construction Fees. Water service tapping and water and sewer service connection fees will be paid By Owner at the times of tapping and connections.

5.6 Storm Drain Fee. The Owner is responsible to pay a storm drain fee in the amount of \$250 per acre for the Subject Property. This would equal a total of \$3,867.50 for the total 15.47 acres of the Subject Property. The total storm drain fee is to be paid to the City no later than 30 days after the annexation resolution for the Subject Property is recorded.

5.7 Application Fees. In addition to the fees outlined above, application fees paid by the Owner are: the \$9,320.50 application fee for annexation and zoning, and the \$10,600.00 subdivision application fee which have been paid prior to this Agreement. Application fees are to be paid by the Owner for each phase of the final plat.

6. Site Conditions. The Owner warrants that it has conducted site investigations sufficient to be aware of all natural conditions, including, but not limited to, flooding, slopes, and soils characteristics, that may affect the installation of improvements on the site and its development for the approved use. The Owner further warrants that all plans submitted pursuant to this Agreement and all applications for building permits within the development will properly account for all such conditions. The Owner indemnifies, defends, and holds the City harmless for natural conditions and for any faults in their own assessment of those conditions.

7. Permits. This Agreement must be approved by the City Commission and signed by the City Manager and the Owner before permits for any work will be approved, including, but not limited to, grading for streets or trenching for the installation of utilities.

8. Vested Rights. The approval of this Agreement by the City creates a vested right that protects the Owner from changes in the zoning regulations of Title 17 of the OCCGF. This vested right does not exempt the Owner from compliance with other provisions of the OCCGF, including specifically those intended to prevent and remediate public nuisances, nor does it exempt the Owner from changes in the City's building codes and fees, development fees, and inspection fees. This vested right does not exempt the owner from compliance with changes to state and federal requirements, including those of the Montana Department of Transportation (MDT). This vested right may be voided, in whole or in part, if the Owner proposes substantial changes in the approved final construction plans of the development of the Subject Property.

9. On-Site Improvements. The on-site improvements required prior to certificate of occupancy of any structure built upon the Subject Property shall include everything required to provide water, sanitary sewer, sanitary sewer industrial pretreatment (as applicable), fire protection, storm drainage, storm water quality treatment, access, and other requirements as may be required by OCCGF. Access for purposes of emergency vehicles shall be installed to City specifications prior to the issuance of any building permits for the Subject Property. The Owner shall provide public utility easements for all required public utilities, including City water, sewer, and storm main easements for mains being dedicated to the City. The Owner agrees to install on-site stormwater quality and quantity improvements consistent with City standards and submitted plans approved by the City. Stormwater quantity and quality control measures must comply with standards of the City of Great Falls Storm Drainage Design Manual. The design, installation, inspection, and maintenance responsibilities of these improvements shall be approved by the City. Temporary public stormwater facilities will not be owned and maintained by the city and an enforceable operation and maintenance agreement with the City and the Owner is required to ensure private stormwater control measures function properly.

10. Required Public Improvements. The public improvements required for the development of the Subject Property shall be installed as shown on the final construction plans that are submitted to and approved by the City prior to issuance of the applicable Certificates of Occupancy for each development phase. As an alternative, the Owner may provide a financial security for said improvements as prescribed in Section 14.

10.1 Water. The Owner hereby agrees to extend a looped eight (8) inch public water main through the development and connect to the existing water mains as shown on the proposed Infrastructure Plans consistent with City standards and submitted plans approved by the City, including the addition of the required fire hydrants. The improvements shall be in accordance with City and Montana Department of Environmental Quality standards and approved plans and specifications. Any portion of water main service located outside of the public right-of-way shall be located in a minimum 20-foot wide public City water main easement, the location of which shall be approved by the City. The improvement, exclusive of service lines, is to be owned and maintained by the City upon completion.

10.2 Sanitary Sewer. All buildings upon the subject property shall be served by sanitary sewer as shown on the proposed Infrastructure Plans. Installation of sewer mains is the responsibility of the Owner. Sanitary sewer mains shall be constructed consistent with City standards and submitted plans approved by the City of Great Falls. The improvements shall be in accordance with City and Montana Department of Environmental Quality standards and approved plans and specifications. All sewer

service lines shall be stubbed to all lots shown on the final plat during construction of the public improvements. Changes to lot configuration shall require the Owner to dig up and abandon un-needed service lines at the main and rebuild the effected street section at the Owner's expense. Any portion of sewer main located outside of the public right-of-way shall be located in a minimum 20-foot wide public sewer main easement, the location of which shall be approved by the City. The improvement, exclusive of service lines, is to be owned and maintained by the City upon completion.

10.3 Storm Water. The Owner agrees to install stormwater quality, quantity, piping, above ground conveyance features, and pond improvements consistent with City Standards, the City Storm Drainage Design Manual, and approved by the City of Great Falls Public Works Department. The Owner agrees to construct a regional stormwater detention facility or pond sized to accommodate the contributing basin. The pond parcel will be dedicated to the City during the final plat process of the appropriate phase. A City storm drainage easement shall be provided for all off-site storm features including the full pond buildout, the off-site conveyance features to the pond, and access to the off-site features. Access shall be provided to the pond at the first phase. Owner agrees to install minimum 15-foot wide xeriscape conveyance swales to route off-site run on to the designated stormwater conveyance facilities and elsewhere as deemed necessary by the City. The Owner shall install a fenced and gated minimum 15-foot wide gravel maintenance access road and 15-foot wide xeriscape conveyance swale within the City parcel which adjoins the north side of Subject Property. The Owner shall install a gated minimum 15-foot wide gravel maintenance access road and 15-foot wide xeriscape conveyance swale to the pond. Any portion of storm main or surface conveyance feature located outside of the public right-of-way shall be located in a minimum 20-foot wide City storm drainage easement. The improvements are to be owned and maintained by the City upon completion, exclusive of temporary facilities. A fully functional stormwater system shall be in place prior to approval of the final plat of the first phase. Temporary facilities will not be owned or maintained by the City.

10.4 Streets and Sidewalks. The Owner agrees to extend and construct all public streets and avenues necessary to serve the subdivision. This includes the off-site extension of 21st Avenue South to the easterly intersection of 21st Avenue South and 8th Street South. (see attached Exhibit A). Design and installation shall be consistent with City standards and submitted plans approved by the City of Great Falls. Construction of these streets shall include curb, gutter, and sidewalks; however, sidewalks will not be required on 21st Avenue South east of the subject property line. All street improvements are to be owned and maintained by the City upon completion.

The Owner also agrees to extend and construct the connection to the current eastern terminus of 20th Avenue South, including street, curb and gutter and sidewalk on both sides of the street. The sidewalk shall be back-of-curb style leading from the current eastern terminus of 20th Avenue South and transition to boulevard-style sidewalk after the lot-line of the first lot within the subdivision. The back-of-curb portion of sidewalk shall be constructed at the same time as the adjoining street segment. After construction, the City will maintain that portion of sidewalk and boulevard area adjoining the City utility easement. The City and Owner agree that the cost of construction of this portion of 20th Avenue South and sidewalk shall be the full responsibility of the Owner, with no participation from or future reimbursement by the City of Great Falls.

As part of the required infrastructure for Phase 1A, the Owner shall provide a performance bond, or other financial security acceptable to the City, in an amount equal to one hundred thirty-five percent (135%) of the estimated costs associated with the construction of the roadway and vehicle access from 20th Avenue South to 8th Street South via 21st Avenue South. This financial guarantee shall ensure the timely construction of the roadway improvements, including the off-site extension and required connector road.

In the event construction does not commence for Phase 1B, a connector road must still be installed to City standards to provide vehicle access from 20th Avenue South to 8th Street South via 21st Avenue South within five (5) years after the date of this Agreement, unless an extension is granted by the Administrator to the Owner.

11. Reimbursements owed to Owner. Except as set forth herein, the City will assist in obtaining initial reimbursements due from other adjacent or benefitted property owners under this Agreement, however the Owner remains responsible for any legal enforcement of the terms of this agreement as against future benefitted owners. The owner shall provide the city with documentation of its actual out-of-pocket costs of the installation of the hereafter mentioned improvements within four months after approval and acceptance thereof by the City. In the event of Owner's failure to provide the City with said cost data or other required documents, the City shall not be obliged to undertake collection of the reimbursement provided for herein, and the responsibility for collection thereof shall be that of the Owner, its heirs, successors and assigns. Failure of the Owner to provide the City with said cost data for reimbursement as herein required shall in no way alter the obligation of any other party to make reimbursement as provided for herein, said failure will affect only the City's obligation to assist in collection thereof.

11.1 Oversizing. The City shall reimburse the Owner the cost difference of any required over-sizing of public water main, sanitary main, and storm drain improvements. The amount to be reimbursed shall be determined by the Administrator's evaluation of the Owner's actual improvement cost for over-sizing of the pipe, including fittings and valves. The reimbursement amount shall be based on actual quantity of improvements constructed. In the event that the improvement costs are not provided by the Owner or they are determined by the City to be unreasonable, the City will determine the reimbursement amount using standard bid and/or material prices.

11.2 Streets. Proportional reimbursements for the costs of the street design and construction is required from the adjoining beneficiary parcels of the off-site eastern extension of 21st Avenue South and the construction of 20th Avenue South in accordance to the signed Improvement Agreement for Benefis West Minor Subdivision and Amended Plat of St.Peregrine Addition (recording #R000150.) The reimbursement amount shall be based on actual quantity of improvements constructed. In the event that the improvement costs are not provided by the Owner or they are determined by the City to be unreasonable, the City will determine the reimbursement amount using standard bid and/or material prices.

11.3 Regional Stormwater Facility. The Owner shall provide the City with a contributing basin exhibit (see attached Exhibit B) that delineates contributing acreages by parcel. Final proportional cost shares will be based on final construction costs as provided to the City by the Owner. Annexed parcels within the contributing drainage basin which have cost share obligations per their signed

Improvements or Annexation Agreements are to provide their proportional share of the regional stormwater facility based on their contributing acreage as listed below. If these funds are not able to be obtained, the Owner shall be responsible for those costs. Un-annexed parcels that are in the basin will reimburse the Owner a future proportional share in accordance with their contributing acreage at the time of annexation. The City will provide a proportional share for the contributing acreage of the existing or proposed City right of ways and City owned parcels within the basin. The City cost sharing shall not exceed the remaining available funds in the unscheduled development item of the Stormwater Fund at the time of request for payment.

City – Contributing areas of existing and proposed Rights of Way and city owned parcels within the contributing basin – 25.35 acres as defined in the basin exhibit

Williamson Fence – Contributing areas of this parcel per its signed Annexation Agreement R0201776 GFA - 2.66 acres as defined in the basin exhibit

Benefis West Subdivision – Contributing areas of this Subdivision per its signed Improvements Agreement R-000150 - 9.22 acres as defined in the basin exhibit

Hylande Heights Lot 11A, Block 3 – Contributing areas of this parcel which previously were within the Benefis West Subdivision per the Benefis West signed Improvements Agreement (recording number R-000150) - 0.33 acres as defined in the basin exhibit

Peace Harbor – Contributing areas of this development and the remainder acreage of the basin - 59.79 acres as defined in basin exhibit

12. Waiver of Protest. Owner agrees to waive protest against the creation of one or more special improvement districts for the construction and maintenance of necessary facilities, including, but not limited to, storm water management facilities, sanitary sewer facilities, sanitary sewer lift stations, roadways and major streets. As with all other provisions of this agreement, this waiver applies to the Binding Effect of Section 20.

13. Warranty, Ownership and Inspection of Public Improvements. The Owner is responsible for the repair or replacement of any faults in the materials or workmanship of the required on-site and off-site public improvements for a period of two years from the date those improvements are accepted for maintenance by the City. This warranty will be enforced by the City receiving 10% of the security required by Section 14 of this Agreement for the two-year warranty period. That sum will be released at the end of two years unless the parties are involved in a dispute about the condition, repair, or replacement of any of the required improvements, in which case funds will be held by the City until that dispute is resolved. The release of warranty funds follow the procedure established in Section 14 of this Agreement for the release of securities.

Installation of all sidewalks, curb ramps, water, sewer, storm drain, and other public improvements for the Subject Property shall be subject to the City's inspection policy in place at the time of installation.

14. Security for Public Improvements. If any public improvements in each construction phase need to be deferred, the Owner shall, provide the City with a performance bond, an irrevocable letter of credit, or another form of security acceptable to the Administrator in an amount equal to one hundred thirty-five percent (135%) of the costs of the required public improvements.

The security required by this section shall be returned or released upon acceptance of the required improvements, except as provided in Section 13. Following the final required inspection and City Approval

of the public improvements, the Director of Public Works shall promptly inform the Administrator, in writing, that all improvements have been inspected and are acceptable for maintenance by the City. If all other improvements relating to the development of the Subject Property are in compliance with all conditions of approval, this Agreement, and the OCCGF, the Administrator shall then instruct the City Clerk to release the security to the Owner, minus the retained portion to be held in warranty as required by Section 13 of this Agreement.

15. Maintenance & Special Improvement Districts. The Owner hereby agrees to waive its right to protest and appeal the lawful creation of maintenance or special improvement districts for any proper purpose including, but not limited to, fire hydrant and street maintenance and shall pay the proportionate share of the costs associated with said maintenance districts as they may be applied to the Subject Property.

16. Park District. Owner acknowledges that the Subject Property is, by operation of law and pursuant to Resolution No. 10238, adopted by the City Commission on June 5, 2018, included within the boundaries of the Great Falls Park District Number 1. Owner acknowledges that property within the Great Falls Park District Number 1, including the Subject Property, is subject to annual assessments for the purposes of the Great Falls Park District Number 1 in amounts to be determined by the City Commission each year, in accordance with Resolution No. 10238, as it may be amended or supplemented.

17. Public Roadway Lighting. The Owner agrees to waive its right to protest and appeal the creation of any future special lighting district for public roadway lighting facilities that service the Subject Property,

18. City Acceptance and Zoning. In consideration of the terms of this Agreement, the City hereby accepts the Subject Property for incorporation by annexation into the corporate limits of the City of Great Falls, Montana, with an assigned City zoning classifications of Planned Unit Development (PUD) for the Subject Property.

19. Limitation of Liability. The City will conduct a limited review of plans and perform inspections for compliance with requirements set forth in this agreement and/or in applicable law. The scope of such review and inspections will vary based upon development type, location and site characteristics. The Owner is exclusively responsible for ensuring that the design, construction drawings, completed construction, and record drawings comply with acceptable engineering practices, State requirements, and other applicable standards. The City's limited plans review and inspections are not substantive reviews of the plans and engineering. The City's approval of any plans or completed inspections is not an endorsement of the plan or approval or verification of the engineering data and plans. Neither the Owner, nor any third party may rely upon the City's limited review or approval.

The Owner shall indemnify, hold harmless and defend the City, its officers, agents, servants and employees and assigns from and against all claims, debts, liabilities, fines, penalties, obligations and costs including reasonable attorney fees, that arise from, result from or relate to obligations relating to the Subject Property described herein including, but not limited to, approval and oversight of the improvements related to development of the Subject Property. This indemnification by the Owner of shall apply unless such damage or injury results from the gross negligence or willful misconduct of the City. Any obligation of the City shall be limited by the amounts set forth in MCA § 2-9-108.

Upon the transfer of ownership of the Lots comprising the Subject Property, the prior owner's (whether it is the Owner that signed this Agreement or a subsequent owner) indemnity obligation herein is released, for the Lots transferred, and the indemnity obligation runs to the new owner of the Lot(s). Only the owner of the Subject Property, or Lot(s) contained therein, with adverse conditions at the time the City incurs the claim, debt, liability, fine, penalty, obligation or cost is obligated to indemnify, and no owner of uninvolved Lot(s) is obligated to indemnify.

20. Future Phase Approvals and Entitlement Contingencies. The Owner acknowledges and agrees that any future phases of the proposed subdivision are subject to, and contingent upon, the Owner obtaining all necessary zoning and subdivision approvals from the City of Great Falls. Approval of this agreement, or the acceptance of Phase 1 infrastructure, shall not be interpreted as approval of any subsequent phase of development, nor shall it be construed to imply or guarantee the granting of future entitlements by the City. All future phases must independently satisfy applicable review procedures, standards, and regulatory requirements.

21. Binding Effect. The provisions, covenants and terms of this Agreement shall run with the land and bind the present owners, their devisees, heirs, successors, and assigns; and any and all parties claiming by, through, or under them, shall be taken to agree and covenant with each of the parties to the Agreement, their devisees, heirs, successors and assigns, to conform to the provisions, covenants and terms of this Agreement.

IN WITNESS WHEREOF, the parties hereto have set their hands and seal the day, month and year first hereinabove written.

THE CITY OF GREAT FALLS, MONTANA

A Municipal Corporation of the State of Montana

Gregory T. Doyon, City Manager

ATTEST:

(Seal of City)

Lisa Kunz, City Clerk

APPROVED FOR LEGAL CONTENT*:

David Dennis, City Attorney

*By law, the City Attorney may only advise or approve contract or legal document language on behalf of the City of Great Falls, and not on behalf of other parties. Review and approval of this document was conducted solely from the legal perspective, and for the benefit, of the City of Great Falls. Other parties should not rely on this approval and should seek review and approval by their own respective counsel.

Karl John Birky

By: _____

Its: _____

State of _____)

:ss.

County of _____)

On this _____ day of _____, in the year Two Thousand and Twenty-Five, before me, the undersigned, a Notary Public for the State of _____, personally appeared _____, known to me to the persons whose names are subscribed to the instrument within and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.

(NOTARIAL SEAL)

Notary Public

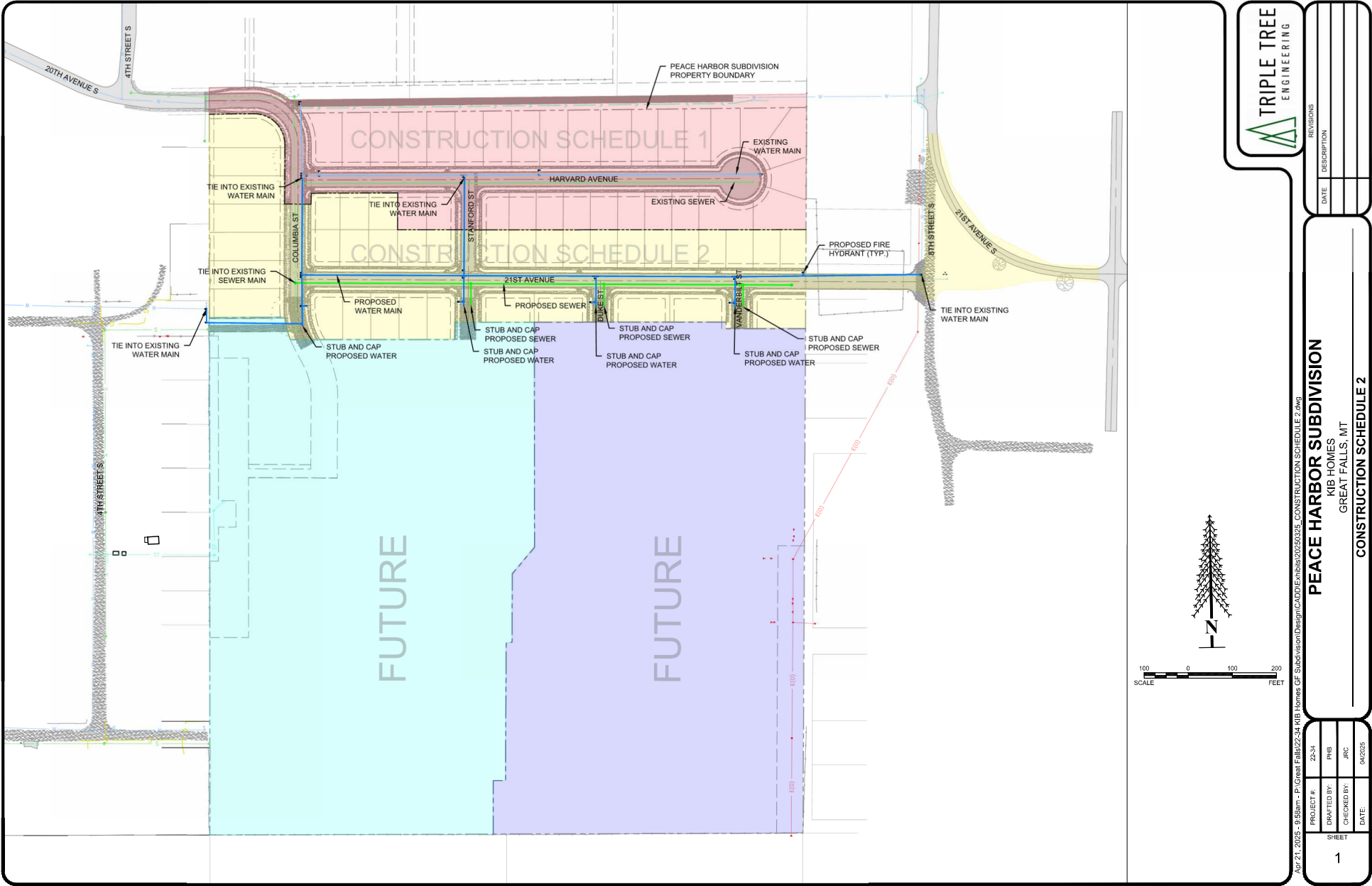
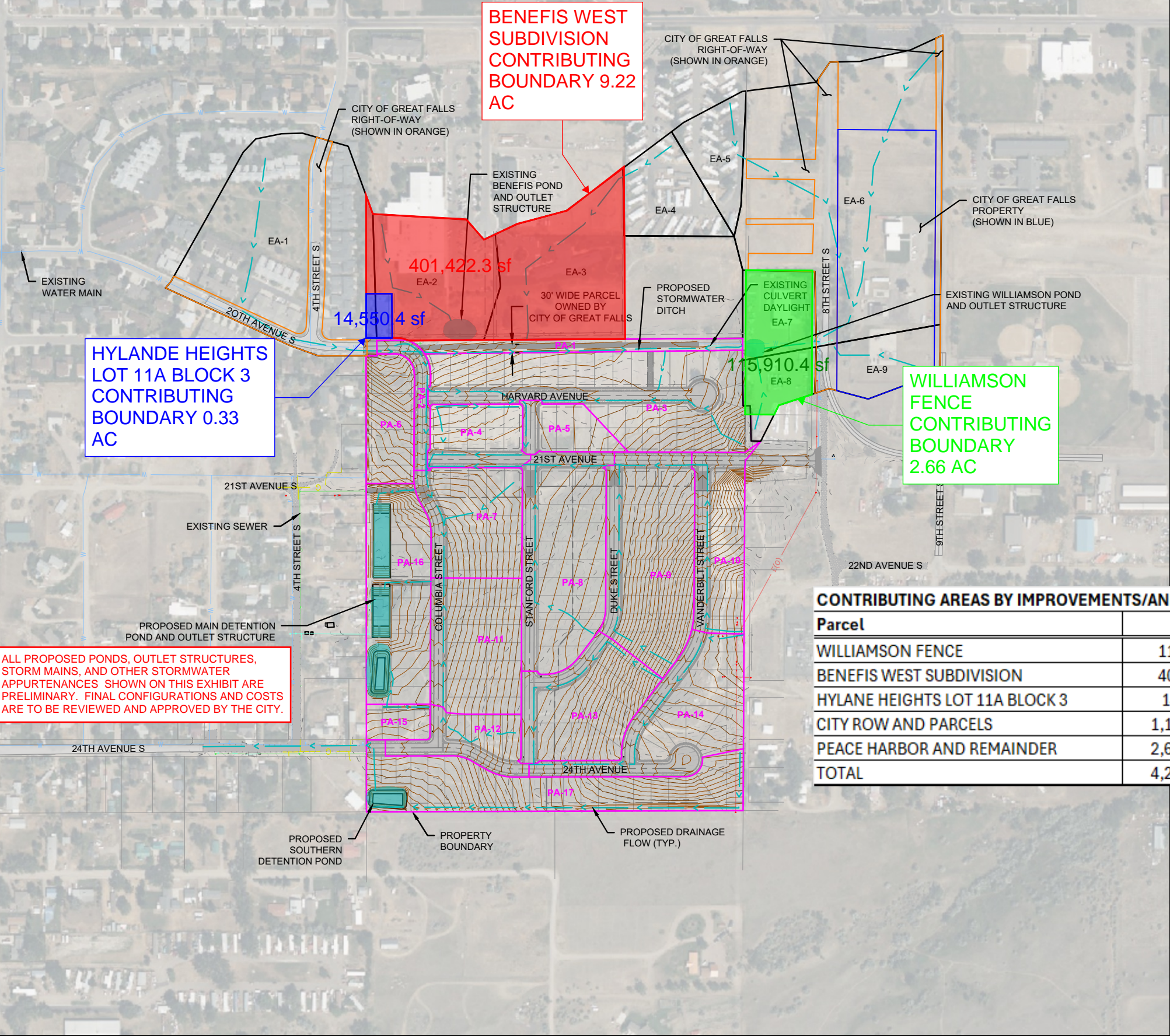


EXHIBIT B



DRAINAGE BASIN AREAS

DRAINAGE AREA	SF	DRAINAGE AREA	SF
EA-1 ENTIRETY	412,239	PA-1 ENTIRETY	52,999
EA-1 ROW	82,002	PA-1 COGF OWNED	34,418
EA-2 ENTIRETY	183,424	PA-2 ROW	30,532
EA-3 ENTIRETY	370,882	PA-3 ENTIRETY	296,221
EA-4 ENTIRETY	94,380	PA-3 ROW	66,216
EA-5 ENTIRETY	71,996	PA-4 ENTIRETY	76,026
EA-6 ENTIRETY	622,749	PA-4 ROW	21,803
EA-6 COGF OWNED	254,652	PA-5 ENTIRETY	52,179
EA-6 ROW	131,900	PA-5 ROW	12,125
EA-7 ENTIRETY	76,949	PA-6 ENTIRETY	77,879
EA-8 ENTIRETY	53,749	PA-6 ROW	568
EA-9 ENTIRETY	84,010	PA-7 ENTIRETY	133,269
EA-9 COGF OWNED	65,063	PA-7 ROW	24,127
EA-9 ROW	18,947	PA-8 ENTIRETY	223,241
TOTAL ROW	232,849	PA-8 ROW	61,597
TOTAL COGF OWNED PROPERTY	319,715	PA-9 ENTIRETY	228,735
		PA-9 ROW	52,959
		PA-10 ENTIRETY	117,190
		PA-10 ROW	45,763
		PA-11 ENTIRETY	156,211
		PA-11 ROW	27,607
		PA-12 ENTIRETY	71,297
		PA-12 ROW	37,818
		PA-13 ENTIRETY	155,680
		PA-13 ROW	38,662
		PA-14 ENTIRETY	181,211
		PA-14 ROW	72,774
		PA-15 ENTIRETY	28,790
		PA-15 ROW	370
		PA-16 ENTIRETY	176,328
		PA-16 ROW	800
		PA-17 ENTIRETY	212,665
		PA-17 ROW	5,117
		TOTAL ROW	498,868
		TOTAL COGF OWNED PROPERTY	52,999

CONTRIBUTING AREAS BY IMPROVEMENTS/ANNEXATION AGREEMENTS

Parcel	SF	AC
WILLIAMSON FENCE	115,910	2.66
BENEFIS WEST SUBDIVISION	401,422	9.22
HYLANE HEIGHTS LOT 11A BLOCK 3	14,550	0.33
CITY ROW AND PARCELS	1,104,401	25.35
PEACE HARBOR AND REMAINDER	2,604,548	59.79
TOTAL	4,240,831	97.36



Agenda #17.

REVISIONS

DATE	DESCRIPTION

Aug 06, 2025 - 6:50am - P:\Great Falls\22-34 KIB Homes GF Subdivision\Design\Stormwater\SWMM\DWGS\Proposed\DrainageBasinMap with CITY ROW.dwg

PROJECT #:

DRAFTED BY:

CHECKED BY:

DATE:

21-34

PHB

DCT

09/2025

SHEET

B

KIB HOMES GF SUBDIVISION STORMWATER

KIB HOMES PEACE HARBOR

GREAT FALLS, MONTANA

PROPOSED DRAINAGE BASINS



January 2025

Planning & Community Development Department
City of Great Falls
P.O. Box 5021
Great Falls, MT 59403

RE: Peace Harbor PUD Narrative

Nestled within the picturesque landscapes of Great Falls, Montana, Peace Harbor Subdivision emerges as a diverse planned urban development that seamlessly blends modern living with the region's natural beauty. Designed to enhance the quality of life for residents and foster a sense of community, this development seeks to create a harmonious balance between urban conveniences and serene surroundings. The developer is requesting a PUD to better fit the need for housing that Great Falls is in dire need of. Creating a higher density of units and options of lot and housing sizes will allow more citizens access to housing.

A site sensitive design layout works with the existing landscapes, streets that follow the natural contours of the land, this will aid in the look and feel while also assisting in the movement of storm water.

The Lot Layout of Peace Harbor Subdivision will boast a diverse range of sizes to accommodate a larger range of buyers. As this is a need in Great Falls, the hope is that more citizens will have the opportunity to own a home.

Architectural styles that pay homage to Montana's heritage while offering modern comforts. Rustic elements, such as stone accents and wood finishes, will evoke a sense of warmth, while contemporary design features ensure that homes are equipped with energy-efficient technologies and sustainable building materials.

An Economic Boost, the development also holds the potential to boost the local economy by creating jobs during construction and attracting new businesses once completed.

Thank You!

Sincerely,

Triple Tree Engineering, Inc.

PEACE HARBOR SUBDIVISION – PHASE 1 (PRELIMINARY PLAT)
LOCATED IN: SW1/4 OF SECTION 13 T20N, R03E, P.M. MT, CASCADE COUNTY, MONTANA
PURPOSE: 66 LOT MAJOR SUBDIVISION
COMMISSIONED BY: KARL JOHN BIRKY
OWNER: KARL JOHN BIRKY

CERTIFICATE OF SURVEY:

WE, THE UNDERSIGNED PROPERTY OWNERS, DO HEREBY CERTIFY THAT WE HAVE CAUSED TO BE SURVEYED, SUBDIVIDED AND PLATTED INTO BLOCKS, LOTS AND EASEMENTS, AS SHOWN BY THE ATTACHED PLAT, THE TRACT OF LAND TO BE KNOWN AS THE PLAT OF PEACE HARBOR SUBDIVISION –PHASE 1, TO THE CITY OF GREAT FALLS, A SUBDIVISION IN THE SW1/4 OF SECTION 13, T20N, R03E P.M. MONTANA, CASCADE COUNTY, MONTANA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 1 OF MERCEDES MINOR SUBDIVISION; THENCE S00°17'25"W, 501.03 FEET ALONG THE EAST LINE OF SAID MERCEDES MINOR SUBDIVISION; THENCE S89°57'28"W, 180.00 FEET; THENCE N00°17'25"E, 15.24 FEET; THENCE S89°57'28"W, 615.01 FEET; THENCE S00°17'25"W, 39.17 FEET; THENCE S89°57'28"W, 372.52 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 205.00 FEET, ARC LENGTH OF 50.25 FEET, DELTA ANGLE OF 14°02'42", CHORD BEARING OF N14°29'31"W AND CHORD DISTANCE OF 50.13 FEET; THENCE S89°36'51"W, 170.96 FEET TO THE WEST LINE OF SAID MERCEDES MINOR SUBDIVISION; THENCE N00°02'59"W, 523.16 FEET ALONG THE WEST LINE OF SAID MERCEDES MINOR SUBDIVISION TO THE SOUTH LINE OF LOT 11A, BLOCK 3 OF HYLANDE HEIGHTS ADDITION; THENCE N89°21'13"E, 100.55 ALONG THE SOUTH LINE OF SAID LOT 11A AND LOT 3BC, BLOCK 1 OF BENEFIS WEST ADDITION; THENCE ALONG A NON-TANGENT CURVE THE RIGHT HAVING A RADIUS OF 130.00 FEET, ARC LENGTH OF 129.81 FEET, DELTA ANGLE OF 57°12'39", CHORD BEARING OF S61°49'49"E AND CHORD DISTANCE OF 124.48 FEET TO THE NORTH LINE OF SAID LOT 1 OF MERCEDES MINOR SUBDIVISION; THENCE N89°21'13"E, 1143.95 FEET ALONG THE NORTH LINE OF SAID LOT 1 OF MERCEDES MINOR SUBDIVISION TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINS 15.48 ACRES MORE OR LESS AND IS SUBJECT TO ALL EXISTING EASEMENTS, EASEMENTS SHOWN ON PLAT AND DOCUMENTS OF RECORD.

CERTIFICATE OF ACKNOWLEDGEMENT/APPROVAL

(1) THE UNDERSIGNED HEREBY GRANTS UNTO EACH AND EVERY PERSON, FIRM OR CORPORATION, WHETHER PUBLIC OR PRIVATE, PROVIDING OR OFFERING TO PROVIDE TELEPHONE, TELEGRAPH, ELECTRIC POWER, GAS, CABLE TELEVISION, WATER OR SEWER SERVICE TO THE PUBLIC, THE RIGHT TO THE JOINT USE OF AN EASEMENT FOR THE CONSTRUCTION, MAINTENANCE, REPAIR AND REMOVAL OF THEIR LINES AND OTHER FACILITIES, IN, OVER, UNDER AND ACROSS EACH AREA DESIGNATED ON THIS PLAT AS "UTILITY EASEMENT" TO HAVE AND HOLD FOREVER, TOGETHER AS DEFINED BY MONTANA LAW AND WITH THE FOLLOWING CONDITIONS: (A) NO PERMANENT STRUCTURES MAY BE PLACED ON THE EASEMENT: (B) FEATURES SUCH AS FENCING OR LANDSCAPING ARE SUBJECT TO BE TORN UP FOR MAINTENANCE NEEDS.

(2) WEED MANAGEMENT WILL BE THE RESPONSIBILITY OF THE INDIVIDUAL PROPERTY OWNERS WITHIN THE SUBDIVISION.

(3) THE UNDERSIGNED HEREBY CREATES A 10' WIDE UTILITY EASEMENT AS SHOWN AND DEPICTED ON PLAT.

(4) THE UNDERSIGNED HEREBY CREATES A 20' WIDE STORMWATER EASEMENT AS SHOWN AND DEPICTED ON PLAT.

(4) THE UNDERSIGNED HEREBY DEDICATE COLUMBIA STREET, HARVARD AVENUE, DUKE STREET, 21ST AVENUE SOUTH AND VANDERBILT STREET AS SHOWN AND DEPICTED ON PLAT TO THE CITY OF GREAT FALLS AS A CITY STREET.

UNDER PENALTIES OF PERJURY, WE DECLARE THAT WE HAVE EXAMINED THIS FINAL PLAT OF THE PROPOSED DIVISION OF LAND, AND TO THE BEST OF OUR KNOWLEDGE AND BELIEF, IT IS TRUE, CORRECT, COMPLETE AND IS IN COMPLIANCE WITH ALL STATE LAWS AND LOCAL REGULATIONS.

OWNER:KARL JOHN BIRKY (LOT 1 MERCEDES MINOR SUBDIVISION)

STATE OF MONTANA, COUNTY OF CASCADE
ON THIS _____ DAY OF _____, 20____,
PERSONALLY APPEARED BEFORE ME AND HAVING BEEN DULY SWORN DID HEREIN EXECUTE THE ABOVE INSTRUMENT FOR THE PURPOSES STATED.

PRINTED NAME OF NOTARY _____
NOTARY PUBLIC FOR THE STATE OF _____
RESIDING AT _____
MY COMMISSION EXPIRES _____, 20____

OWNER: CITY OF GREAT FALLS (REEL 100, DOC. 1068) TITLE _____

STATE OF MONTANA, COUNTY OF CASCADE
ON THIS _____ DAY OF _____, 20____,
PERSONALLY APPEARED BEFORE ME AND HAVING BEEN DULY SWORN DID HEREIN EXECUTE THE ABOVE INSTRUMENT FOR THE PURPOSES STATED.

PRINTED NAME OF NOTARY _____
NOTARY PUBLIC FOR THE STATE OF _____
RESIDING AT _____
MY COMMISSION EXPIRES _____, 20____

OWNER: GREAT FALLS ATHLETIC CLUB LLC TITLE _____
(LOT 3BC, BLOCK 1 BENEFIS WEST ADDITION)

STATE OF _____, COUNTY OF _____
ON THIS _____ DAY OF _____, 20____,
PERSONALLY APPEARED BEFORE ME AND HAVING BEEN DULY SWORN DID HEREIN EXECUTE THE ABOVE INSTRUMENT FOR THE PURPOSES STATED.

PRINTED NAME OF NOTARY _____
NOTARY PUBLIC FOR THE STATE OF _____
RESIDING AT _____
MY COMMISSION EXPIRES _____, 20____

CERTIFICATE OF PUBLIC WORKS DIRECTOR:

I, PAUL SKUBINNA, PUBLIC WORKS DIRECTOR FOR THE CITY OF GREAT FALLS, MONTANA DO HEREBY CERTIFY THAT I HAVE EXAMINED THE ACCOMPANYING PEACE HARBOR SUBDIVISION, PHASE 1 AND THE SURVEY IT REPRESENTS. I FIND THAT IT CONFORMS TO REGULATIONS GOVERNING THE PLATTING OF LANDS AND PRESENTLY PLATTED ADJACENT LANDS, AS NEAR AS CIRCUMSTANCES WILL PERMIT. I HEREBY APPROVE THIS PLAT.

DATED THIS, _____DAY OF _____, 20____

PAUL SKUBINNA, PUBLIC WORKS DIRECTOR, CITY OF GREAT FALLS

CERTIFICATE OF CITY COMMISSION:

I, GREGORY T. DOYON, CITY MANAGER FOR THE CITY OF GREAT FALLS, MONTANA DO HEREBY CERTIFY THAT THE ACCOMPANYING PEACE HARBOR SUBDIVISION, PHASE 1 AND THE SURVEY IT REPRESENTS WAS DULY EXAMINED AND APPROVED BY THE COMMISSION OF THE CITY OF GREAT FALLS, MONTANA AT ITS REGULAR MEETING HELD ON THE ____ DAY _____, 2023

GREGORY T. DOYON, CITY MANAGER, CITY OF GREAT FALLS, MONTANA

CERTIFICATE OF AVAILABLE MUNICIPAL SERVICES:

I, GREGORY T. DOYON, CITY MANAGER FOR THE CITY OF GREAT FALLS, MONTANA DO HEREBY CERTIFY THAT THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA AT IT'S REGULAR MEETING HELD ON THE ____ DAY OF _____, 20____ FOUND THAT ADEQUATE MUNICIPAL FACILITIES FOR THE WATER AND THE DISPOSAL OF SEWAGE AND SOLID WASTE ARE AVAILABLE TO THE ABOVE DESCRIBED PROPERTIES, NAMELY THE SAID FACILITIES OF THE CITY OF GREAT FALLS, MONTANA. THIS CERTIFICATE IS MADE PURSUANT TO SECTION 76-4-125(1)(d) M.C.A. AND PERMITS THE OFFICE OF THE CLERK AND RECORDER OF CASCADE COUNTY, MONTANA TO RECORD THE ACCOMPANYING PLAT.

GREGORY T. DOYON, CITY MANAGER, CITY OF GREAT FALLS, MONTANA

CERTIFICATE OF GREAT FALLS PLANNING BOARD:

WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THE ACCOMPANYING PEACE HARBOR SUBDIVISION, PHASE 1 AND THE SURVEY IT REPRESENTS HAS BEEN SUBMITTED TO THE GREAT FALLS PLANNING BOARD FOR EXAMINATION BY THEM AND THE SAME WAS APPROVED AT ITS REGULAR MEETING HELD ON THE ____ DAY OF _____, 20____

DAVID BERTELSEN, PRESIDENT, GREAT FALLS PLANNING BOARD CRAIG RAYMOND, SECRETARY, GREAT FALLS PLANNING BOARD

CERTIFICATE OF SURVEYOR

I, THE UNDERSIGNED, JUSTIN STEFANIK, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS CERTIFICATE OF SURVEY WAS SURVEYED UNDER MY SUPERVISION AND DESCRIBED AS SHOWN ON THE ACCOMPANYING PLAT AND PLATTED IN ACCORDANCE WITH THE PROVISION OF THE MONTANA SUBDIVISION AND PLATTING ACT, SECTION 76-3-101 THROUGH 76-3-625, MCA, AND THE CITY OF GREAT FALLS SUBDIVISION REGULATIONS.

DATED THIS _____ DAY OF _____, 20____.

JUSTIN STEFANIK, PLS
MT REG. NO. 32881LS

CERTIFICATE OF COUNTY TREASURER:

I, DIANE HEIKKILA, COUNTY TREASURER OF CASCADE COUNTY, MONTANA HEREBY CERTIFY PURSUANT TO SECTION 76-3-207(3), M.C.A. THAT ALL REAL PROPERTY TAXES ASSESSED AND LEVIED ON THE LAND DESCRIBED HEREIN HAVE BEEN PAID.

LOT 1 OF MERCEDES MINOR SUBDIVISION
ASSESSMENT CODE: 0002422300 GEOCODE: 02-3015-13-3-02-01-0000


LOT 3BC, BLOCK 1, BENEFIS WEST ADDITION
ASSESSMENT CODE: 0001485415 GEOCODE: 02-3015-13-3-11-13-0000

REEL 100, DOC. No. 1068 (CITY OF GREAT FALLS)
ASSESSMENT CODE: N/A GEOCODE: N/A

DATED THIS, ____ DAY OF _____, 20____

DIANE HEIKKILA, COUNTY TREASURER, CASCADE COUNTY

P.M. MONTANA,
CASCADE COUNTY

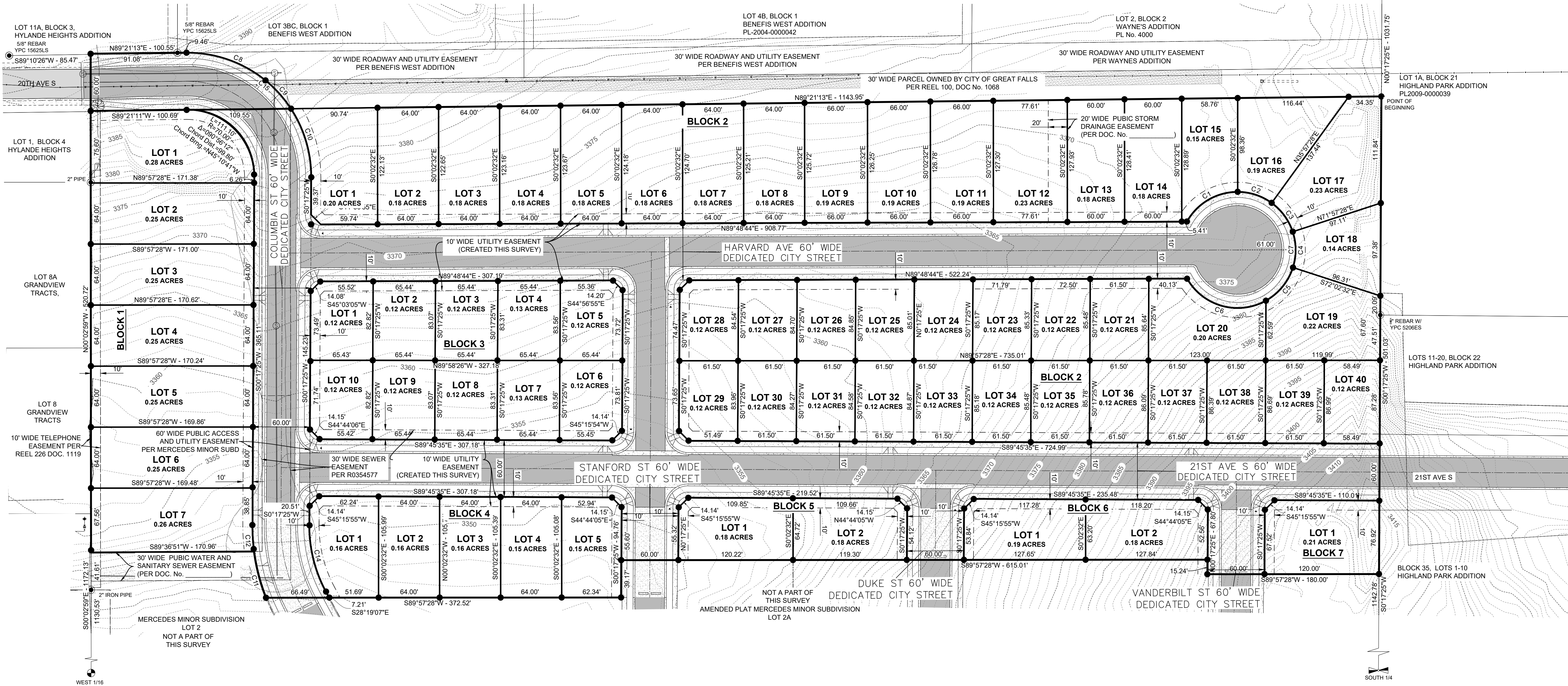
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	13	20N	03E



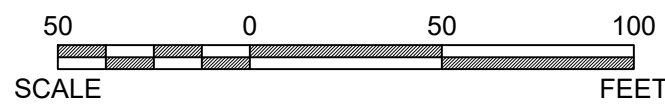
2969 Airport Road
Helena, MT 59601
(406) 449-7764
www.kljeng.com

SHEET 1 OF 2		Field Book:	
DRWN BY CEM	CHKD BY JWS	PROJECT NO 2224-01707	DATE 6/19/2025

PEACE HARBOR SUBDIVISION – PHASE 1 (PRELIMINARY PLAT)
 LOCATED IN: SW1/4 OF SECTION 13 T20N, R03E, P.M. MT, CASCADE COUNTY, MONTANA
 PURPOSE: 66 LOT MAJOR SUBDIVISION
 COMMISSIONED BY: KARL JOHN BIRKY
 OWNER: KARL JOHN BIRKY, CITY OF GREAT FALLS AND GREAT FALLS ATHLETIC CLUB LLC



NOTES:
 FIELD WORK STARTED AUGUST 2024
 AND COMPLETED IN 2025.



LEGEND

- 1/4 CORNER 2.5" BRASS CAP
- 1/16 CORNER 2" PIPE
- FOUND 5/8" PROPERTY CORNER AS DESCRIBED
- SET 5/8"x24" REBAR WITH YPC 32881LS
- (R) RECORD DIMENSION PER MERCEDES MINOR SUBDIVISION
- YPC YELLOW PLASTIC CAP
- TELEPHONE PEDESTAL
- SANITARY MANHOLE
- TELEPHONE LINE
- SANITARY SEWER LINE
- WATER LINE
- EASEMENT CREATED THIS SURVEY
- EXISTING EASEMENT

PARCEL CURVE DATA					
SEGMENT	LENGTH	RADIUS	DELTA	CHORD DISTANCE	CHORD BEARING
C1	64.76	61.00'	60°49'48"	61.76'	N 59°41'10" E
C2	38.11	61.00'	35°47'39"	37.49'	S 72°00'07" E
C3	38.13	61.00'	35°49'05"	37.52'	S 36°11'46" E
C4	38.23	61.00'	35°54'41"	37.61'	S 00°19'52" E
C5	45.99	61.00'	43°11'43"	44.91'	S 39°13'20" W
C6	95.32	61.00'	89°32'00"	85.91'	N 74°24'49" W
C7	320.55	61.00'	301°04'54"	60.00'	S 00°11'16" E
C8	89.63	130.00'	39°30'19"	87.87'	S 70°40'59" E
C9	40.18	130.00'	17°42'27"	40.02'	S 42°04'37" E
C10	76.04	130.00'	33°30'48"	74.96'	S 16°27'59" E
C11	50.25	205.00'	14°02'42"	50.13'	N 14°29'31" W
C12	27.76	205.00'	7°45'35"	27.74'	N 03°35'22" W
C14	72.40	145.00'	28°36'32"	71.65'	S 14°00'51" E
C15	129.81	130.00'	57°12'45"	124.48'	S 61°49'46" E

STREETS
 LOTS
 TOTAL

AREA
 4.57 ACRES
 10.09 ACRES
 15.48 ACRES

BASIS OF BEARING:
 GEODETIC NORTH: BASED UPON
 G.P.S. OBSERVATIONS AT
 N47°28'56.73270"
 W111°17'44.49230"

P.M. MONTANA,
 CASCADE COUNTY

1/4 SEC. T. R.
 13 20N 03E



2969 Airport Road
 Helena, MT 59601
 (406) 449-7764
 www.kljeng.com

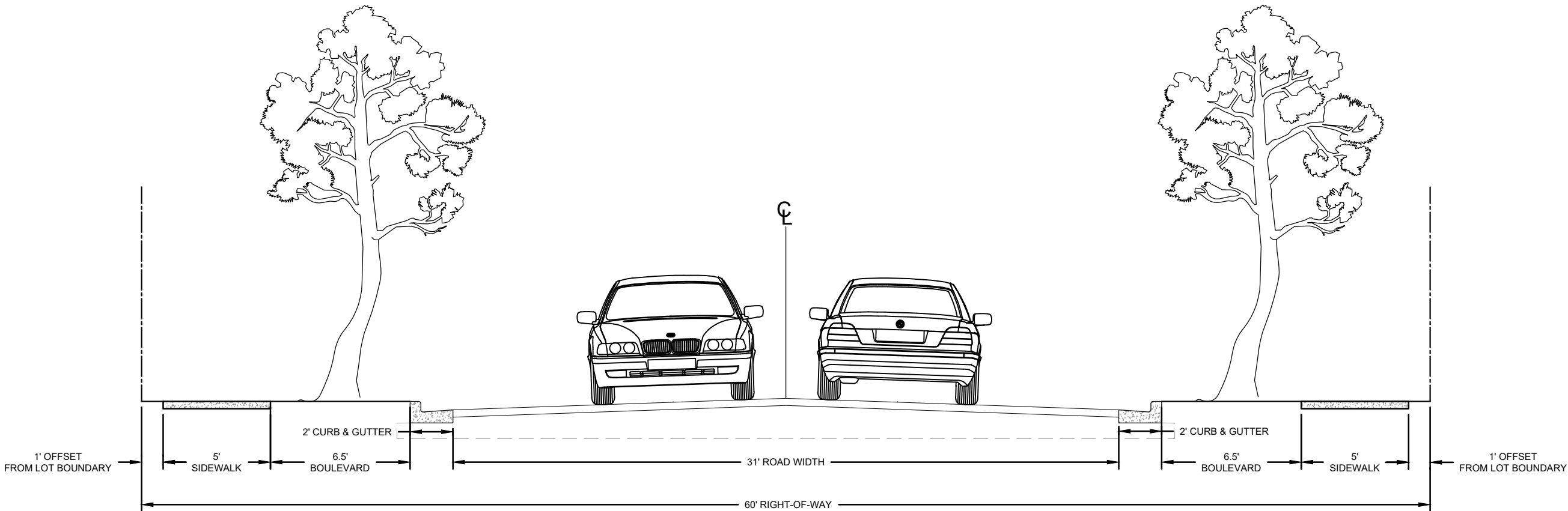
SHEET 2 OF 2
 Field Book:
 DRAWN BY: CEM
 CHKD BY: JWS
 PROJECT NO: 2224-01707
 DATE: 6/19/2025

PEACE HARBOR SUBDIVISION

TABLE 1 PER LOT DEVELOPMENT STANDARDS

STANDARD	PUD	R-3
Residential density	NA	NA
Minimum lot size for newly created lots	5,000 square feet	7,500 square feet
Minimum lot width for newly created standard lots	60 feet	60 feet
Minimum lot width for newly created cottage lots	50 feet	
Minimum lot width for newly created CUL-DE-SAC lots	32 feet (FACING CUL-DE-SAC)	60 feet
Lot proportion for newly created standard lots (maximum depth to width)	5:1	2.5:1
Lot proportion for newly created cottage lots (maximum depth to width)	2.5:1	2.5:1
Lot proportion for newly created CUL-DE-SAC lots (maximum depth to width)	5.5:1	2.5:1
Maximum building height of principal building	35 feet	35 feet
Maximum building height of detached garage	24 feet, but may not be higher than the uppermost elevation of the principal building	24 feet, but may not be higher than the uppermost elevation of the principal building
Maximum building height of other accessory structures and buildings	12 feet	12 feet
Minimum front yard setback for standard lots	20 feet	20 feet
Minimum front yard setback for cottage lots	20 feet	20 feet
Minimum front yard setback for CUL-DE-SAC	20 feet	20 feet
Minimum rear yard setback for standard lot	10 feet for lots less than 150 feet in depth; 15 feet for lots 150 feet in depth and over	10 feet for lots less than 150 feet in depth; 15 feet for lots 150 feet in depth and over
Accessory structures and buildings minimum rear yard setback	2 feet	2 feet
Minimum side yard setback	Principal building: 6 feet each side; accessory building: 2 feet provided the front of the building is at least 40 feet from the front lot line	Principal building: 6 feet each side; accessory building: 2 feet provided the front of the building is at least 40 feet from the front lot line
Maximum lot coverage of principal and accessory buildings	Corner lot: 60%; Other types: 60%	Corner lot: 55%; Other types: 50%
Boulevard trees required	2	2
Parking requirement	2	2 off street

* This includes Peace Harbor Subdivision, Peace Harbor Subdivision 2, and Peace Harbor Subdivision 3



TYPICAL ROADWAY SECTION
NO SCALE

Sep 11, 2024 - 4:22pm - P:\Great Falls\22-34 KIB Homes GF Subdivision\Design\CADD\Exhibits\LOT SET BACKS AND ROAD TYPICAL SECTION PUD.dwg

PEACE HARBOR SUBDIVISION

KIB HOMES
GREAT FALLS, MT

ROAD TYPICAL SECTION

PROJECT #:	22-34
DRAFTED BY:	PHB
CHECKED BY:	JRC
DATE:	SEPT 2024

SHEET

1



REVISIONS	
REVISION	DESCRIPTION
DATE	

PEACE HARBOR SUBDIVISION
KIB HOMES
GREAT FALLS, MT
PROPOSED UNIT DEVELOPMENT

PROJECT #:	22-34
DRAFTED BY:	PHB
CHECKED BY:	JRC
DATE:	SEPT 2024

SHEET

4

LOT DESIGN - COTTAGE

- DEPTH =

MAX 130', MIN. 80'

*

THE MAX AND MIN FOR DEPTH AND WIDTH ACCOUNT FOR ANTICIPATED FUTURE DEVELOPMENTS
- WIDTH =

MIN 50'
- FRONT YARD SETBACK =

20'
- SIDE YARD SETBACK =

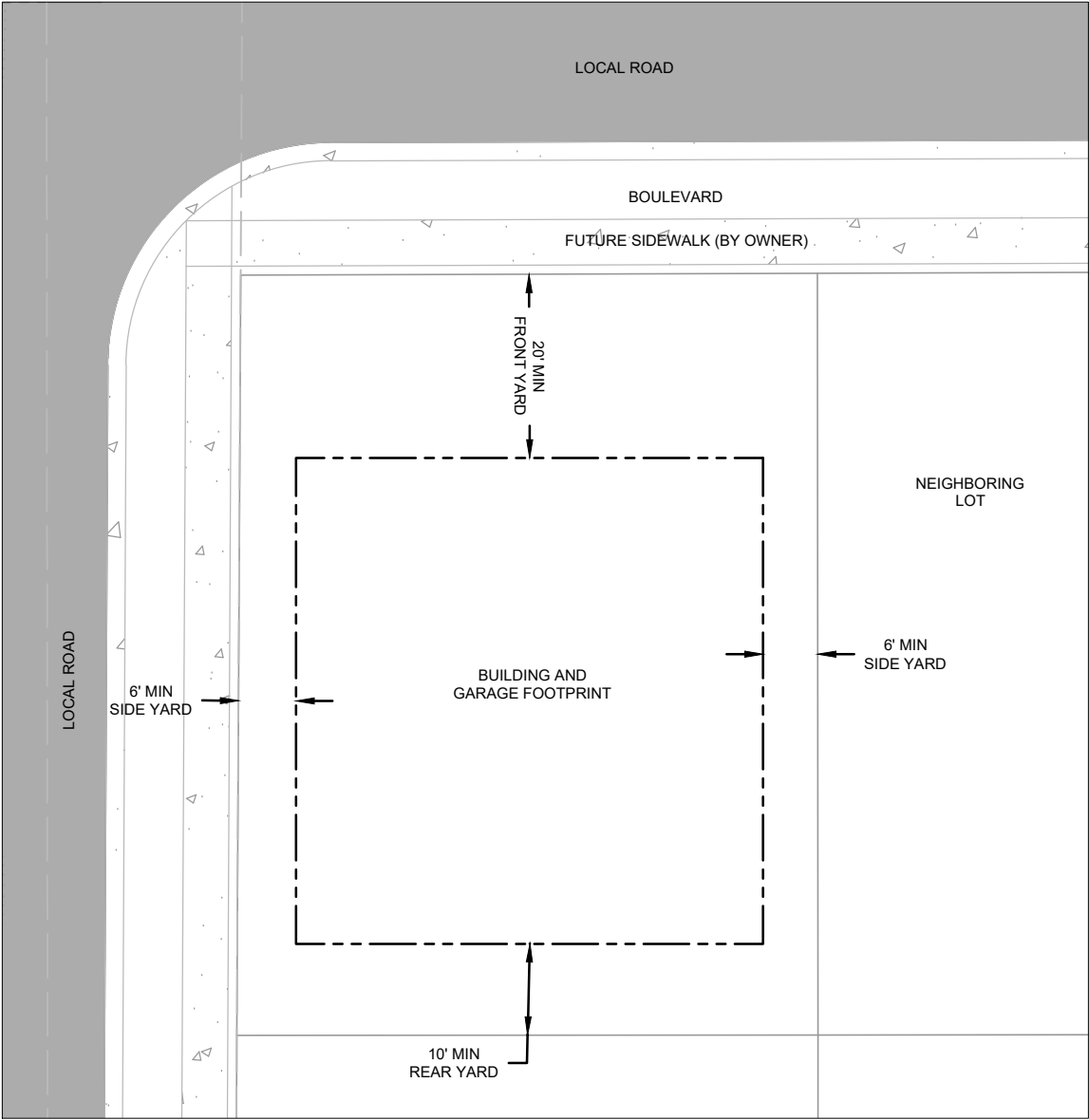
6'
- REAR YARD SETBACK =

10'
- PORCHES =

MAY EXTEND INTO THE FRONT YARD SETBACK, NO MORE THAN 9', TOTAL AREA NOT TO BE MORE THAN 60% OF HOUSE COVERAGE
- GARAGES =

ALLOWED

FOR CORNER LOTS, THE OWNER MAY CHOOSE WHICH DIRECTION THE ORIENTATION OF THE HOUSE FACES.



LOT DESIGN - STANDARD

- DEPTH =

MAX 290', MIN. 90'

*

THE MAX AND MIN FOR DEPTH AND WIDTH ACCOUNT FOR ANTICIPATED FUTURE DEVELOPMENTS
- WIDTH =

MIN 60'
- FRONT YARD SETBACK =

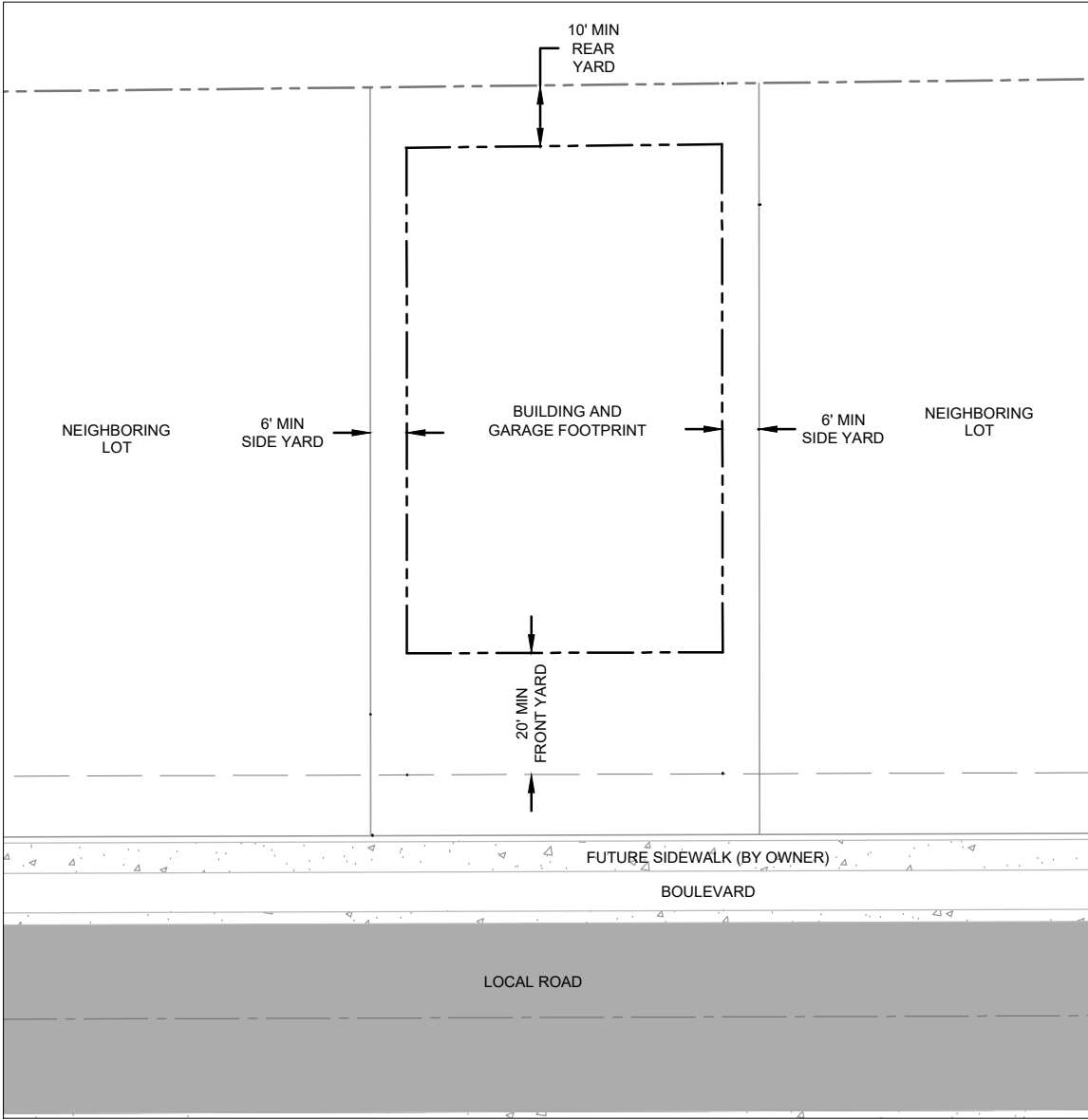
20'
- SIDE YARD SETBACK =

6'
- REAR YARD SETBACK =

10 FEET FOR LOTS LESS THAN 150' IN DEPTH;
15 FEET FOR LOTS 150 FEET IN DEPTH AND OVER
- PORCHES =

MAY EXTEND INTO THE FRONT YARD SETBACK, NO MORE THAN 9', TOTAL AREA NOT TO BE MORE THAN 60% OF HOUSE COVERAGE
- GARAGES =

ALLOWED



LOT DESIGN - CUL-DE-SAC

- DEPTH =

MAX 180', MIN. 60'

* THE MAX AND MIN FOR DEPTH AND WIDTH ACCOUNT FOR ANTICIPATED FUTURE DEVELOPMENTS
- WIDTH =

MIN 30'
- FRONT YARD SETBACK =

20'
- SIDE YARD SETBACK =

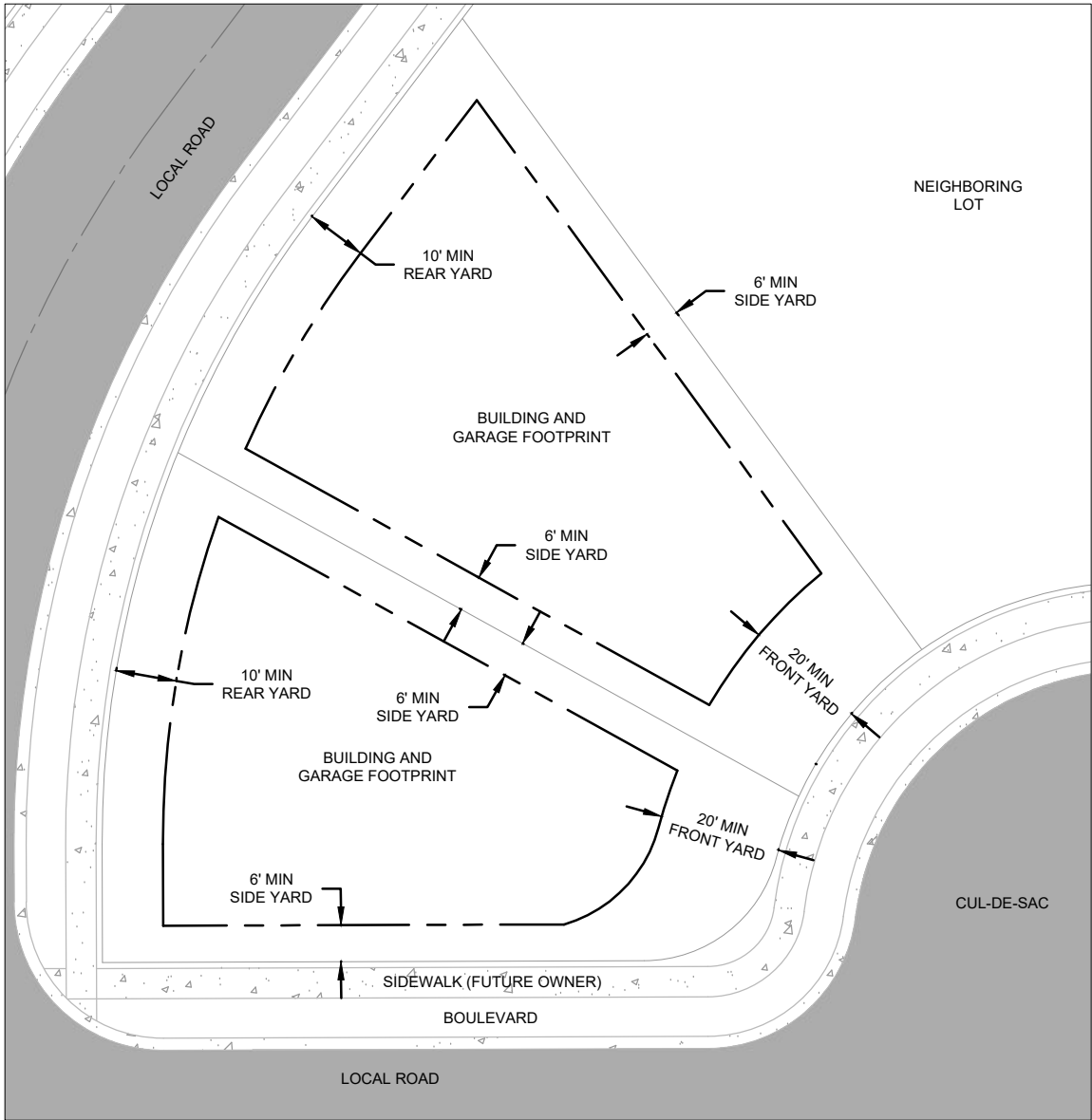
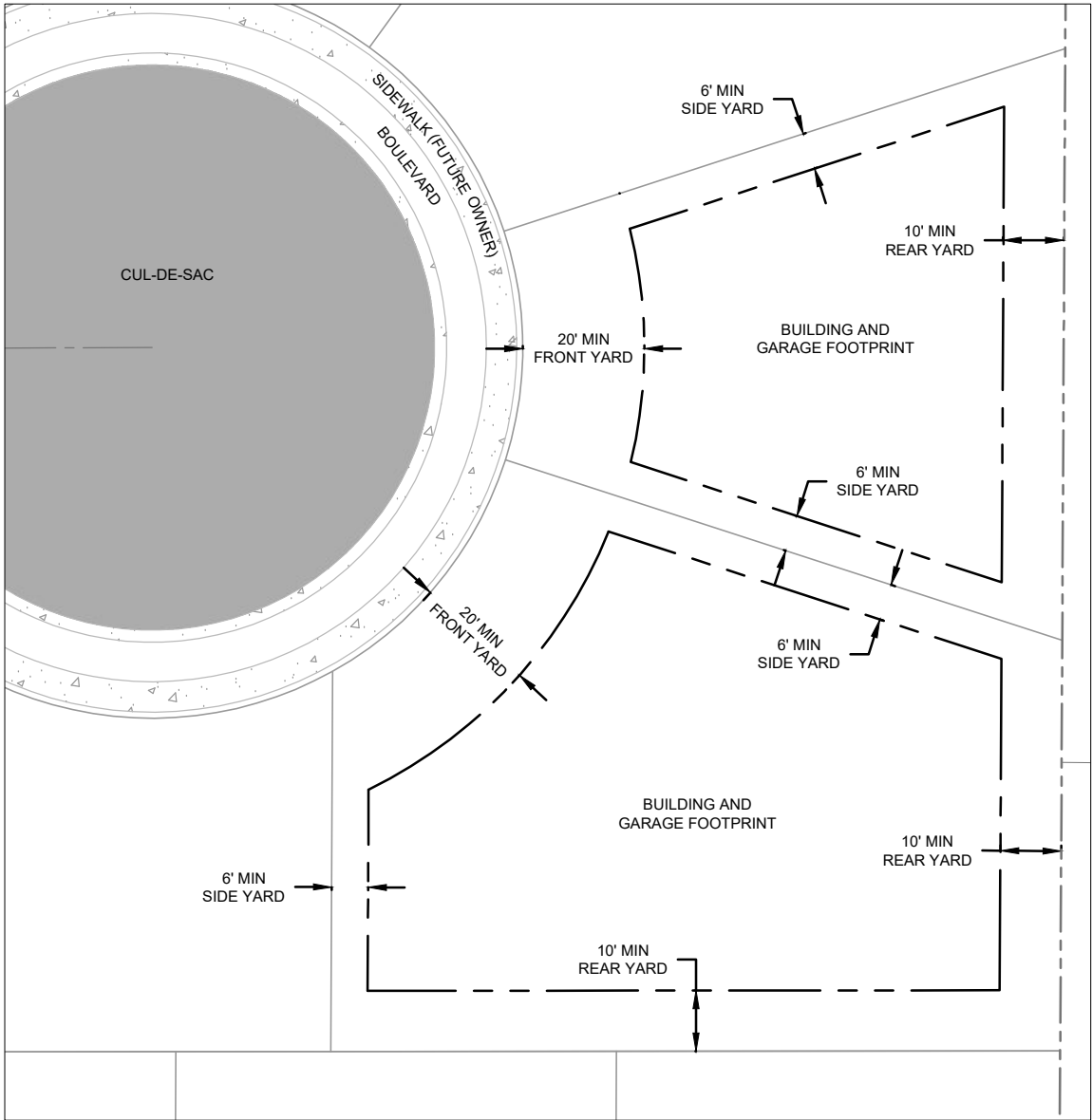
6'
- REAR YARD SETBACK =

10 FEET FOR LOTS LESS THAN 150' IN DEPTH;
15 FEET FOR LOTS 150 FEET IN DEPTH AND OVER
- PORCHES =

MAY EXTEND INTO THE FRONT YARD SETBACK, NO MORE THAN 9', TOTAL AREA NOT TO BE MORE THAN 60% OF HOUSE COVERAGE
- GARAGES =

ALLOWED

FOR CORNER LOTS, THE OWNER MAY CHOOSE WHICH DIRECTION THE ORIENTATION OF THE HOUSE FACES.



Agenda #17.

REVISIONS	
DATE	DESCRIPTION

PEACE HARBOR SUBDIVISION

KIB HOMES

GREAT FALLS, MT

PROPOSED UNIT DEVELOPMENT - 2

PROJECT #:

22-34

DRAFTED BY:

PHB

CHECKED BY:

JRC

DATE:

SEPT 2024

SHEET

5

135

Jan 14, 2025 - 5:02pm - P:\Great Falls\22-34 KIB Homes GF Subdivision\Design\CADD\Exhibits\LOT DESIGN PUD.dwg



Great Falls Public Schools

District Offices • 1100 4th Street South • P.O. Box 2429 • Great Falls, Montana 59403
406.268.6052 • www.gfps.k12.mt.us

June 13, 2025

City of Great Falls
PCD
PO Box 5021
Great Falls, MT 59403

To Whom It May Concern,

Thank you for your letter denoting the Peace Harbor Minor Subdivision Permit Application. This property is located within our school district boundaries. The following is a response to the information sent to the Great Falls Public School District. We have formulated the questions below to comment on the proposed subdivision.

1. Will the existing school facilities be able to accommodate additional students?

The addition of the development will have an impact on the Great Falls Public School District. The estimated increase in students will be able to be accommodated by the school district.

2. Do you have any other comments or requirements on the proposed subdivision as it affects the public school system?

The students will be able to ride the existing bus routes to Sunnyside Elementary School, East Middle School, and Great Falls High School.

Sincerely,

Brian Patrick
Director of Business Operations
Great Falls Public Schools

From: Bob Jordan <bobjjordan70@gmail.com>

Sent: Tuesday, August 5, 2025 8:44 AM

To: commission <commission@greatfallsmt.net>; Sara Reynolds <sreynolds@greatfallsmt.net>

Subject: Comments for meeting regarding Peace Harbor development

My name is Robert Jordan and I live in Lamplighter Lane condos between 4th Street So. and Hylande Drive. This is a very quiet, peaceful neighborhood so I am voicing my opposition to a proposed development near us called Peace Harbor. I believe the extra traffic will ruin the very nature and character of this neighborhood. A lot of elderly people live here and walk the streets and Hylande Park here. I am especially worried about any construction equipment using 4th St So to access the development off of 20th ave so.

We already have traffic issues at the intersection of 4th St So, Hylande Dr., and Lamplighter Lane due to the dentist office there. They have so many employees that they park all over that intersection. It is very difficult to see to pull out onto 4th St So from Hylande Drive or Lamplighter Lane due to the hill and slight curve when the dentist employees and patients are parked there.

I am attaching some pictures that illustrate this.

Please deny this development. But if it goes through, please make the main access and construction traffic come off of 8th St. south on the east side of the development land. That is just common sense since there is not a nice residential neighborhood on that east side of the land.

Thanks for your consideration.

Robert Jordan
341 Lamplighter Lane
Great Falls, MT 59405
406-564-0061
bpjordan@bresnan.net















Commission Meeting Date: August 19, 2025

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: CDBG & HOME 2025-2026 Annual Action Plan Public Needs Hearing

From: Finance Department

Initiated By: Sylvia Tarman, CDBG Administrator

Presented By: Sylvia Tarman, CDBG Administrator

Action Requested: Conduct the Public Needs Hearing for the CDBG & HOME 2025-2026 Annual Action Plan

Public Hearing:

1. Mayor conducts public hearing, pursuant to OCCGF 1.2.050 and Title 17, Chapter 16, Article 6.
 2. Mayor closes public hearing and asks the will of the Commission.
-

Suggested Motion: No action required.

Staff Recommendation: Staff recommends the City Commission conduct the Public Needs Hearing required for the City's Community Development Block Grant (CDBG) and HOME Grant programs.

Summary: Holding a Public Needs Hearing to receive community input on the needs within the community is a requirement outlined in the City's Citizen Participation Plan submitted with the City's Five Year Consolidated Plan to the U.S. Department of Housing and Urban Development (HUD). The Public Needs Hearing is the first formal opportunity for the public as well as subrecipient agencies to impact the priorities the City will outline in the development of its Annual Action Plan submission to HUD.

Notice of the Public Needs Hearing was published in the Great Falls Tribune per HUD requirements. Notice about the Public Needs Hearing will be made available to all Great Falls Housing Authority residents and given to the nine Neighborhood Councils, local non-profit agencies, City departments, and has been posted on the City's website.

Background: CDBG and HOME programs are federal programs administered by HUD to help fund local community development programs including affordable housing, public service agency assistance, economic development and public infrastructure projects. The primary goal of these programs is to assist low and moderate income (LMI) persons in Great Falls. State and local governments receive funding from HUD based on a formula derived from population and housing statistics. HUD requires public input, especially input from lower income citizens and the agencies representing them, on issues and needs of

the community. The Commission will be asked to give consideration to citizen comments received during this public hearing when determining funding priorities for the CDBG and the HOME Grant Programs.

For the 2025-2026 Program Year the City will start a competitive application process for CDBG funded projects once again. Prior to the 2024-2025 Program Year, the City operated a year round application process to enable the City the opportunity to meet its timeliness deadline. Given the City is timely once again, we will go back to accepting quarterly applications for funding.

Fiscal Impact: Conducting the Public Needs Hearing is a pre-condition for the City to receive its annual allocation of CDBG and HOME grant funds from HUD. For the current program year, the City received \$777,762 in CDBG funds and \$231,257.10 of HOME funds. Although the expected allocation of funds for the next program year is not yet known, it is reasonable to assume that funding amounts will be consistent with current and past program years.

Alternatives: The City Commission could elect to not hold a public hearing and thereby decide to delay or not accept CDBG and HOME funding for PY 2025/2026.

Attachments:

Draft Annual Action Plan

City of Great Falls

2025 ANNUAL ACTION PLAN

Draft
AUGUST 4, 2025

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Great Falls 2025 Annual Action Plan

AP-15 Expected Resources – 91.220(c)(1,2)

Introduction

The following table describes the City of Great Falls' CDBG & HOME anticipated resources to carry out the goals of the Consolidated Plan.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	\$761,417.00	\$72,000	\$72,000	\$921,762	\$3,045,668	Program Income comes primarily from Revolving Loan Funds

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
HOME	public - federal	Acquisition Homebuyer assistance Homeowner rehab Multifamily rental new construction Multifamily rental rehab New construction for ownership TBRA	\$226,142.86	\$0	\$0	\$226,142.86	\$904,571	The City typically grants out funds to CHDO for down payment assistance. These programs do not generate Program income.

Table 1 - Anticipated Resources

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied.

Federal funding will be leveraged with the support of local, state, and outside (private) sources of funding. CDBG and HOME projects can maximize their local impact within the Great Falls community when combined with leveraged local resources among area providers.

If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

Not applicable.

Discussion

Annual Goals and Objectives

AP-20 Annual Goals and Objectives

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Affordable Housing	2025	2029	Affordable Housing Homeless Non-Homeless Special Needs	City of Great Falls	Affordable Housing Housing Rehabilitation	CDBG: \$69,478.60 HOME: \$203,528.58	Rental units rehabilitated: 8 Household Housing Unit
2	Public Facilities and Improvements	2025	2029	Public Housing Non-Homeless Special Needs Non-Housing Community Development	City of Great Falls	Public Facilities and Improvements	CDBG: \$650,000	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 500 Persons Assisted
3	Planning and Administration	2025	2029	Affordable Housing Public Housing Homeless Non-Homeless Special Needs Non-Housing Community Development Planning and Administration	City of Great Falls	Planning and Administration	CDBG: \$152,283.40 HOME: \$22,614.28	Other: 1 Other
4	CDBG Slum & Blight Removal	2025	2029	Non-Housing Community Development	City of Great Falls	Public Facilities and Improvements CDBG Slum & Blight Removal	CDBG: \$50,000	Buildings Demolished: 1 Buildings

Table 2 – Goals Summary

Goal Descriptions

1	Goal Name	Affordable Housing
	Goal Description	<p>Increase and preserve affordable housing opportunities for very low to moderate income renters, homeowners, first-time homebuyers, and those experiencing homelessness. This includes, but is not limited to rehabilitation, acquisition/rehab/resale, demolition, site preparation, reconstruction, and slum and blight activities.</p> <p>Provide construction and rehabilitation assistance for very low to moderate income homeowners, rental property owners through the City's revolving loan fund. Provide construction and rehabilitation assistance for Public Housing Modernization activities. Housing Rehab may include meeting standard building code upgrades, demolition, site preparation, slum and blight activities, rehabilitation activities addressing livability and life safety.</p>
2	Goal Name	Public Facilities and Improvements
	Goal Description	Provide public facility and infrastructure assistance to improve access for low-to-moderate-income households in Great Falls.
3	Goal Name	Planning and Administration
	Goal Description	City staff to administer, manage, and monitor CDBG and HOME funded activities.
4	Goal Name	CDBG Slum & Blight Removal
	Goal Description	The City will allocate funding to remediate properties negatively affected by slum and blighted conditions. This will include clearance with the end goal of providing affordable housing opportunities and/or public facility improvements.

Projects

AP-35 Projects – 91.220(d)

Introduction

The following projects will be undertaken in the 2025 Program Year.

Projects

#	Project Name
1	2025 Sunnyside Elementary ADA Playground
2	2025 Leland Apartment Renovations
3	2025 HomeTana Building Renovation
4	2025 Public Works Street Project
5	2025 HOME Affordable Housing
6	2025 HOME Administration
7	2025 CDBG Administration

Table 3 – Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

The projects were selected based on the project proposals received in accordance with their consistency with the priorities established in the 2025-2029 Consolidated Plan. The projects meet the enumerated needs and goals, as outlined in the Consolidated Plan, and put into action with this 2025 Annual Action Plan. Agencies were also selected on their ability to undertake the proposed activities, and the capacity of the City to address need with available funding.

AP-38 Project Summary

Project Summary Information

1	Project Name	2025 Sunnyside Elementary ADA Playground
	Target Area	Citywide
	Goals Supported	Public Facilities and Improvements
	Needs Addressed	Public Facilities and Improvements
	Funding	CDBG: \$150,000
	Description	ADA playground for Sunnyside Playground. Supports the Public facilities and Improvements goal.
	Target Date	6/30/2026
	Estimate the number and type of families that will benefit from the proposed activities	Approximately 400 families with elementary school age children
	Location Description	Sunnyside Playground
	Planned Activities	Installation of ADA playground facilities for community at Sunnyside Playground.

2	Project Name	2025 Leland Apartment Renovations
	Target Area	Citywide
	Goals Supported	Affordable Housing
	Needs Addressed	Affordable Housing, Housing Rehabilitation
	Funding	CDBG: \$69,478.60
	Description	Funding allocated to assist in renovations of the Leland Apartments in Great Falls. Supports the Affordable Housing goal
	Target Date	6/30/2026
	Estimate the number and type of families that will benefit from the proposed activities	5-8 low-income households (1-3 people in each household)
	Location Description	Leland Apartments

	Planned Activities	Rehabilitation of a number of units in the Leland Apartments.
3	Project Name	2025 HomeTana Building Renovation
	Target Area	Citywide
	Goals Supported	Public Facilities and Improvements, CDBG Slum & Blight Removal
	Needs Addressed	Public Facilities and Improvements, Slum & Blight Removal
	Funding	CDBG: \$200,000
	Description	\$200,000 CDBG Funding for HomeTana Building Renovation. Supports Public Facilities and Improvements goal (\$150,000) and the CDBG Slum & Blight Removal Goal (\$50,000)
	Target Date	6/30/2026
	Estimate the number and type of families that will benefit from the proposed activities	No direct benefit.
	Location Description	HomeTana
	Planned Activities	Renovation activities for HomeTana.

4	Project Name	2025 Public Works Street Project
	Target Area	Citywide
	Goals Supported	Public Facilities and Improvements
	Needs Addressed	Public Facilities and Improvements
	Funding	CDBG: \$350,000
	Description	Public Works street project to benefit LMI households
	Target Date	6/30/2026
	Estimate the number and type of families that will benefit from the proposed activities	100 low to moderate income households

	Location Description	City of Great Falls
	Planned Activities	Public Works street project to benefit LMI households

5	Project Name	2025 HOME Affordable Housing
	Target Area	Citywide
	Goals Supported	Affordable Housing
	Needs Addressed	Affordable Housing
	Funding	HOME: \$203,528.60
	Description	Support affordable housing efforts, including 15% CHDO set-aside.
	Target Date	6/30/2026
	Estimate the number and type of families that will benefit from the proposed activities	2-4 low income families
	Location Description	City of Great Falls
	Planned Activities	Support affordable housing efforts, including 15% CHDO set-aside

6	Project Name	2025 HOME Administration
	Target Area	Citywide
	Goals Supported	Planning and Administration
	Needs Addressed	Planning and Administration
	Funding	HOME: \$22,614.28
	Description	Develop, revise, implement and evaluate operation of the HOME program. Activities include grant administration, citizen participation, program outreach and technical assistance. First year of five years.
	Target Date	6/30/2026
	Estimate the number and type of families that will benefit from the proposed activities	Program administration, no direct benefit.
	Location Description	City of Great Falls
	Planned Activities	Develop, revise, implement and evaluate operation of the HOME program. Activities include grant administration, citizen participation, program outreach and technical assistance.

7	Project Name	2025 CDBG Program Administration
	Target Area	Citywide
	Goals Supported	Planning and Administration
	Needs Addressed	Planning and Administration
	Funding	CDBG: \$152,283.40
	Description	Develop, revise, implement and evaluate operation of the CDBG program. Activities include grant administration, citizen participation, program outreach and technical assistance. First year of five years.
	Target Date	6/30/2026
	Estimate the number and type of families that will benefit from the proposed activities	Program administration, no direct benefit.
	Location Description	City of Great Falls
	Planned Activities	Develop, revise, implement and evaluate operation of the CDBG program. Activities include grant administration, citizen participation, program outreach and technical assistance.

AP-50 Geographic Distribution – 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

The geographic area for the entitlement city, Great Falls, Montana, is outlined as the area within the city limits as established by the City of Great Falls. The city does not have any census tract areas of minority concentration based on Federal Financial Institutions Examination Council (FFIEC) data. However, the city does have areas of low-income concentration, which are defined as areas where 51% of the population has income at or below 80% AML.

Rationale for the priorities for allocating investments geographically

The City of Great Falls does not allocate funding priorities based on a geographic preference. Funding priorities are based on community need and the number of individuals or households that can benefit from the limited amount of funding available. Some allocations are based on an area need and focus efforts in LMI areas with 51% LMI residents, based on HUD's area benefit calculation tool. That is the only geographic distinction that is made by the City of Great Falls.

Affordable Housing

AP-55 Affordable Housing – 91.220(g)

Introduction

The following represents the number of households that will be assisted with affordable housing in the Program Year 2025.

One Year Goals for the Number of Households to be Supported	
Homeless	
Non-Homeless	8
Special-Needs	
Total	8

Table 4 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	
The Production of New Units	
Rehab of Existing Units	8
Acquisition of Existing Units	
Total	8

Table 5 - One Year Goals for Affordable Housing by Support Type

Discussion

These units represent the renovation project for Leland Park and HOME projects for 2025. It is estimated that this will benefit a number of households.

AP-60 Public Housing – 91.220(h)

Introduction

The Great Falls Housing Authority (GFHA) is the only Public Housing Authority within the city of Great Falls. GFHA owns and operates one main public housing site (Chowen Springs) and four scattered public housing sites (Austin Hall, Yeoman-Tynes, Russell Apartments, and Sunrise Court). These properties include a total of 490 apartment units that range in size from 1-4 bedrooms. Additionally, GFHA has budget authority for 250 Housing Choice Vouchers (HCVs). The HCV program, formerly known as the Section 8 program, allows private landlords to contract with GFHA, who inspects the units for Housing Quality Standards and subsidizes the rent for the approved tenant.

GFHA also manages two affordable housing properties (Sand Hills and Holland Court), which have 16 apartment units each. Eight units at Sand Hills were funded with City HOME funds and are currently within their affordability period per HOME regulations. Eight units at Holland Court were funded with City HOME funds, and although the period of affordability has expired, GFHA continues to set rent for these units within HOME contract limits.

Actions planned during the next year to address the needs to public housing

The Housing Authority will continue its multi-year rehabilitation project at the main site (MT2-1 and MT2-2) which involves upgrading the overhead electrical distribution system, street lights, sewer mains, water mains and gas distribution systems for 356 units and major interior renovation of 156 units. The units will be demolished down to the studs and rebuilt, including new roofs; windows; doors; walls; flooring; and electrical, plumbing and heating systems. Exterior sewer, water and electrical services will also be replaced. At the time of this report, the major interior renovations of 34 units have been completed as a part of this project. This modernization project began in 2015 and is expected to take 10 to 15 years to complete, contingent upon funding.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

GFHA encourages tenants to be involved in the management of public housing through having two tenants on the Housing Authority Board of Commissioners. Resident board members serve two-year terms. All members serve without compensation.

GFHA does not provide direct involvement in supporting homeownership. However, they connect tenants who are interested in homeownership to other organizations within the city that provide financial management training, homeownership training, and other forms of assistance.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

The Great Falls Housing Authority is not currently designated as troubled.

AP-65 Homeless and Other Special Needs Activities – 91.220(i)

Introduction

The City will participate in the local Continuum of Care for Homelessness (CoC) group. The CoC group will meet monthly throughout the upcoming year to expand understanding of the services needed by those who are homeless, to facilitate consolidation and coordination of homeless services, and to improve service delivery to people experiencing homelessness. The CoC meetings will provide a networking opportunity and assist in keeping funding options open for future HUD homeless grant funds.

The trend of gradually increasing numbers and needs of homeless people continues in Great Falls. In particular, the Great Falls Rescue Mission continues to see a significant increase in the number of families seeking assistance.

The City will encourage application for federal homeless grant funds for projects assisting homeless people through the Montana Continuum of Care Coalition (MT CoCC) statewide application process. The MT CoCC is a statewide group which addresses homelessness issues and is the main vehicle for organizations in Montana to apply for federal homeless grant funds. The local CoC Chair will be the local liaison with the MT CoCC. If local agencies pursue projects through the MT CoCC, the CoC will support all appropriate proposals.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The City of Great Falls does not provide direct assistance to homeless outreach programs. There are a number of agencies within the city that provide special outreach services for homeless persons and their individual needs. The City will continue to work with these organizations to reduce and eventually end homelessness. Opportunities, Inc., continues to be a great resource for the city, facilitating a number of local, state, and federal programs to assist with homelessness. Additionally, NeighborWorks Great Falls, Habitat for Humanity, Rural Dynamics Inc., St. Vincent de Paul of North Central Montana, Volunteers of America, Alliance for Youth, Indian Family Health Clinic, and YWCA, among others, provide services to help prevent homelessness.

Addressing the emergency shelter and transitional housing needs of homeless persons

The City of Great Falls will provide grant funding to address the housing needs of homeless persons through public service activities.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

The Great Falls Rescue Mission is the primary emergency shelter provider in Great Falls. It is difficult to delineate the specific numbers of beds available for emergency shelter versus transitional housing, as the organization does not use governmental funding and is not restricted by specific programming requirements. As a result, the Mission can be flexible regarding bed usage. Whether a specific bed is used for emergency or transitional shelter is driven by actual need on that particular day. Overall, there are 52 beds available in the men's shelter and 65 beds in the women's shelter. In an emergency such as life-threatening weather, the Mission will also provide additional mats on the floor for men and women and foldaway cribs for children.

The Rescue Mission's Cameron Family Center accommodates 114 beds and focuses on housing homeless families. The beds are set up in 28 rooms with private bathrooms to provide a more private place for families to be together. The facility also has space available for supportive services including a medical/dental clinic, year-round youth programs, and coordinated social services.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs

Opportunities, Inc., provides assistance with eviction prevention and counseling. The Great Falls Housing Authorities Fair Housing Specialist provides information to landlords and tenants on how to avoid evictions. NeighborWorks Great Falls offers foreclosure prevention counseling and financial assistance as well as rental counseling, while Habitat for Humanity offers foreclosure prevention for their partner families. Additionally, Young Parents Education Center offers individual counseling and group classes to help young adults with life skills, referrals to avoid evictions, assistance with rental applications, and coordination with landlords to prevent eviction and homelessness. The Center for Mental Health provides individual counseling and assistance for people being discharged from mental health facilities.

Discussion

Many Rivers Whole Health has an adult case manager who provides outreach and wellness checks for chronically homeless people. They provides outreach to the mentally ill homeless population and conducts evaluations to determine whether symptoms of a mental disorder are evident. The agency coordinates with organizations such as Opportunities, Inc., Office of Public Assistance, Great Falls Rescue Mission, Salvation Army,

and St. Vincent DePaul to provide assistance with housing, food, clothing and payee services.

Opportunities, Inc., provides support to chronically homeless people through screening for homelessness issues during intake, referrals, case management, financial assistance, and job training assistance.

The YWCA provides 30 different human service agencies with vouchers for chronically homeless people to use at its used clothing store. The YWCA Mercy Home offers emergency shelter and supportive services for women and children who are victims of domestic violence. The Mercy Home can accommodate 30 women and children. The support services provided include crisis intervention, support groups, information and referral, group counseling, personal advocacy, parenting classes, a 911 cell phone lending program, transportation, legal advocacy, resume building, and employment coaching.

The Indian Family Health Clinic provides community resource information through group sessions provided by staff members.

AP-75 Barriers to affordable housing – 91.220(j)

Introduction:

A review of the City's planning and zoning found the primary barriers to the development of affordable housing are a lack of incentives and the cost of development. This includes the cost of land, labor, and materials.

The cost of housing development has seen increases over the past decade, that has made the development of affordable housing difficult, especially at a rate that is meant to keep pace with community needs. This is seen in the continuing rise of housing costs in Great Falls and across the state of Montana.

Great Falls first adopted a zoning ordinance to regulate the use of land and buildings in 1930. The last comprehensive update of these regulations occurred when the Unified Land Development Code was adopted in 2005. The current zoning and subdivision code implements the City's growth policy, Missouri River Corridor Plan, neighborhood plans and Long Range Transportation Plan. The purposes of the code are: 1) to ensure that all development is guided by and gives consideration to the Growth Policy; 2) to provide clear, consistent standards, regulations and procedures for the review of all proposed development within the city; and, 3) to safeguard the public health, safety and general welfare by establishing minimum standards for design and development. No affordable housing incentives such as reduced lot sizes, setback standards or waived building fees are available to developers of affordable housing.

In Montana, property tax is the only way authorized by the legislature for cities to raise money to provide local government service and finance schools. Therefore, the tax burden falls on property owners. The cost of building new housing is also affected by the concept that the user pays. The developer of new housing must pay the full cost of extending water and sewer services, connecting to city utilities and putting in curbs, gutters, sidewalks and paved streets. While these requirements affect the cost of housing, these standards are also important to positively impact the quality, permanence, safety and environmental aspects of the Great Falls community.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

The Great Falls City Commission sets policy addressing barriers to affordable housing for the city. The Planning and Community Development Department (PCD) deals with all policies related to land use, zoning ordinances, building codes, growth limitations, and fees and charges. The Department researches policy questions and looks for best practices in following the policies set forth by the Commission. Recommendations to the Administration and the Commission are made with input from the public as well as stakeholders that are interested in the policies.

The City is undertaking the process to develop a new Growth Policy and is currently drafting the document at the date of this draft. This plan will help define how the City will

accommodate growth, including affordable housing into the future to 2045. The current Growth Policy (2013) strengthened and highlights existing initiatives while creating the pathway for others. It is utilized for guidance in land use, service delivery, policy making and decision making regarding annexation, rezoning, and other discretionary land use decisions.

Discussion:

Great Falls continues to devote staff and monetary resources to providing additional housing opportunities in Great Falls in addition to the efforts above. The use of HOME and CDBG funds is targeted to help increase access to affordable housing throughout the city.

AP-85 Other Actions – 91.220(k)

Introduction:

The City of Great Falls administers the CDBG and HOME grant funds that the City is allocated each year. For the 2025 program year, the City will administer more than one million dollars in funding for projects in housing rehabilitation and public facilities. These funds come from both federal dollars and program income.

Actions planned to address obstacles to meeting underserved needs

The City will collaborate with non-profit agencies and other governmental departments to seek funding to fill the gaps needed to make projects financially feasible so they can serve low to moderate income families. Efforts will be made to work with social service and housing agencies to encourage collaboration when providing supportive services and housing services. In addition, ongoing technical support and coordination with housing providers and social services agencies will assist with meeting federal requirements in as timely, efficient manner as possible to avoid delays in obtaining federal funding.

Actions planned to foster and maintain affordable housing

The preservation and development of quality, affordable housing continues to be a priority for the City of Great Falls. The Consolidated Plan details the overall housing strategy, which was developed based on a market analysis, an assessment of housing needs, and extensive community involvement. The goals listed below, as outlined in the Consolidated Plan, seek to foster and maintain affordable housing, affirmatively further fair housing, and preserve housing choice for households in Great Falls:

Affordable Housing Increase and preserve affordable housing opportunities for very low to moderate income renters, homeowners, first-time homebuyers, and those experiencing homelessness. This includes acquisition and affordable housing efforts that require funding to remediate properties negatively affected by slum and blighted conditions, but is not limited to these activities. Provide construction and rehabilitation assistance for very low to moderate income homeowners, rental property owners and the Public Housing Authority. The City will focus on upgrading the City's housing stock to meet standard building codes to provide and sustain safe, affordable housing through its revolving loan fund. The City of Great Falls will address Public Housing Authority rehabilitation or modernization projects with the use of grant funding.

The City of Great Falls certifies to affirmatively further fair housing through its housing programs. Progress on actions taken by the City to affirmatively further fair housing will be reported annually in the City's Consolidated Annual Performance and Evaluation Report (CAPER).

By regulation, at least 15% of HOME funds must be set-aside for a Community Housing Development Organization (CHDO). As NeighborWorks Great Falls is currently the only CHDO in the community, they will be allocated at least 15% of HOME funds for the upcoming year. Further, the City will budget to meet the 25% match requirement for all expenditures with exceptions for planning and administration costs, CHDO operating expenses, CHDO capacity building, and CHDO project-specific costs, if repayment is waived under 92.301.

Actions planned to reduce lead-based paint hazards

Preventive and rehabilitative measures will be taken in all CDBG and HOME funded housing and public facilities projects that serve young children to ensure the extinction of lead-based paint hazards. All rehabilitation projects in which the building was constructed before 1978 will address lead-based paint regulations. Information about lead-based paint hazards will be provided to all people who apply for City housing rehabilitation loans. If lead-based paint is found during initial testing on a project where families with children under the age of six reside, the potentially affected children will be referred for testing for lead-based paint exposure.

All CDBG and HOME funded housing project sites which have visual paint deterioration where rehabilitation will take place will be tested by a certified risk assessor for the presence of lead-based paint using the XRF Technology Lead Analyzer. On any sites that test positive, only contractors certified in safe work practices will be used for abatement. Clearance tests will be performed by an Environmental Protection Agency (EPA) certified risk assessor and a certified laboratory after interim controls are completed.

The City will pay for lead-based paint testing on all projects through the City's housing rehabilitation programs, with homeowners only incurring greater costs if a contractor has to be hired. The City will provide outreach activities for lead-based paint hazards through notifying contractors of the availability of lead-based paint certification classes if certified private companies hold such classes during the upcoming year. Lead-based paint hazards will be taken into consideration on all pertinent CDBG-funded projects being undertaken by sub-grantees.

Actions planned to reduce the number of poverty-level families

All planned activities for Program Year 2025 will promote the reduction of poverty-level families by providing resources and opportunities to assist low-income individuals to be able to grow and prosper. These efforts include making housing stock sustainable through renovations, and increasing access to public facilities. These help lower income households access facilities and services to support their needs.

Actions planned to develop institutional structure

While the City has no plans at this time to make any significant institutional structure changes, the Finance Department will continue to further develop and implement best practices to streamline the administration of federal funds. This includes regular communication with outside agencies and grant applicants, and continued coordination.

Actions planned to enhance coordination between public and private housing and social service agencies

In addition to the formal structure inherent in administering CDBG and HOME funds, the City will pursue informal communication and coordination with public and private housing agencies, other government agencies, private businesses, non-profit community agencies and other entities who work to meet the housing assistance and support service needs of low income and moderate income people in the community. The City will coordinate with local agencies to help reduce duplication of programs, to emphasize efficient service delivery for local, state and federal programs and to identify and overcome gaps in the institutional structure for carrying out the previously described strategies developed to address the priority needs.

The nine Neighborhood Councils meet on a regular basis to discuss neighborhood issues. It is anticipated that local, non-profit agencies and governmental departments will use Neighborhood Council meetings as a forum to disseminate information about their organizations. There is an ongoing agenda item at all City Commission meetings to give Neighborhood Council members an opportunity to report on specific issues of concern. The Neighborhood Councils hold three Council of Council meetings in the upcoming year to discuss matters of citywide importance. The City Communications Specialist serves as the Neighborhood Council coordinator and communicates regularly with City management on issues brought up by the Neighborhood Councils. The Communications Specialist actively participates in a variety of groups and committees to help increase governmental coordination with community members.

The Continuum of Care for Homelessness will meet in an ongoing effort to identify needs and coordinate delivery of services for people experiencing homelessness. The City will continue its close working relationship with the Great Falls Housing Authority. This relationship will include such aspects as environmental clearances, and fair housing activities. The City will work with private and public organizations to foster communication and delivery of information to the public regarding housing and social services to be provided.

Discussion:

The City of Great Falls continues to make strides to increase accountability and coordination with the community to help address needs. The Consolidated Planning effort was used as a stepping stone to help increase community engagement and efforts to address need across communities.

Program Specific Requirements

AP-90 Program Specific Requirements – 91.220(I)(1,2,4)

Introduction:

Community Development Block Grant Program (CDBG)

Reference 24 CFR 91.220(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

- | | |
|--|---|
| 1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed | |
| 2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan. | 0 |
| 3. The amount of surplus funds from urban renewal settlements | 0 |
| 4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan | 0 |
| 5. The amount of income from float-funded activities | 0 |

Total Program Income:

Other CDBG Requirements

- | | |
|---|--------|
| 1. The amount of urgent need activities | 0 |
| 2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan. | 70.00% |

HOME Investment Partnership Program (HOME)

Reference 24 CFR 91.220(I)(2)

A description of other forms of investment being used beyond those identified in Section 92.205 is as follows:

Great Falls does not intend to use any other form of investment beyond eligible activities listed in 24 CFR 92.205(a).

A description of the guidelines that will be used for resale or recapture of HOME funds when used for homebuyer activities as required in 92.254, is as follows:

All City HOME funds used for ONLY development and include NO direct assistance to a homebuyer will follow the resale provisions as required 24 CFR 92.254(a)(5)(i)(A).

The resale option will require that the home remain affordable for the period of affordability by ensuring that that it is sold to an income eligible buyer, that it is affordable to a reasonable range of low to moderate income homebuyers, and that the original buyer receives a fair return, if the market allows.

When defining “affordable to a reasonable range of low-income homebuyers” it will mean that the home resale price will be affordable to the individuals or families at or below 80% of AML. When defining “fair market return on investment” the City will calculate based on an appraisal of the property.

City HOME funds used as subsidies augmenting the affordable purchase by low to moderate income first-time homebuyer families of newly constructed or rehabilitated single family homes will be through NeighborWorks Great Falls (NWGF) for its Owners in Partnership (OIP) program where NWGF operates as the owner and developer of the properties.

Direct HOME Subsidy - is the amount of HOME assistance, including any program income that enabled the homebuyer to buy the unit. The direct subsidy includes down payment, closing costs, interest subsidies, or other HOME assistance provided directly to the homebuyer. In addition, direct subsidy includes any assistance that reduced the purchase price from fair market value to an affordable price. If HOME funds are used for the cost of developing a property and the unit is sold below fair market value the difference between the fair market value and the purchase price is considered to be directly attributable to the HOME subsidy.

Net Proceeds - are defined as the sales price minus superior loan repayment (other than HOME funds) and any closing costs. Under no circumstances can NWGF recapture more than is available from the net proceeds of the sale. The recapture option is used because it is generally easier to administer than the resale option.

Of the four basic recapture options that are described in the HOME rule and discussed in CPD 12-003, NWGF uses “**3. Shared Net Proceeds.**”

Written Agreements – NWGF executes a set of HOME written agreements that accurately reflects the recapture provisions with the homebuyer at the time of sale. These detailed written agreements, including an Occupancy Agreement,

HOME rider to the Deed of Trust, and Deed Restriction Agreement, ensure that all parties are aware of the specific HOME requirements

A description of the guidelines for resale or recapture that ensures the affordability of units acquired with HOME funds? See 24 CFR 92.254(a)(4) are as follows:

Deed Restriction for HOME funds used ONLY for development and include NO direct assistance to a homebuyer will contain the following provisions:

- Principal residency requirement (including a separate Home Occupancy Agreement signed by the borrower)
- Deed Restriction will be executed at time of closing and recorded at that time.
- Original Developer gets the right of first refusal to buy back the property
- New buyer must be income eligible
- Remaining resale restrictions apply to the new buyer upon transfer
- There must be a "fair return on investment" to the original buyer – if the market supports that
- The home must be affordable

A Deed Restriction containing the following provisions will be used to enforce HOME Program requirements:

- Principal residency requirement (including a separate Home Occupancy Agreement signed by the borrower)
- Recapture provision based on net proceeds available from sale (voluntary or involuntary)
- Deed Restriction will be executed at time of closing and recorded at that time.

An agreement between NWGF and the City ensures that the CHDO complies with all recapture provisions established, most recently updated in 2021.

Plans for using HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds along with a description of the refinancing guidelines required that will be used under 24 CFR 92.206(b), are as follows:

Great Falls has no current plans to use HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds.

If applicable to a planned HOME TBRA activity, a description of the preference for persons with special needs or disabilities. (See 24 CFR 92.209(c)(2)(i) and CFR 91.220(l)(2)(vii)).

Not Applicable

If applicable to a planned HOME TBRA activity, a description of how the preference for a specific category of individuals with disabilities (e.g. persons with HIV/AIDS or chronic mental illness) will narrow the gap in benefits and the preference is needed to narrow the gap in benefits and services received by such persons. (See 24 CFR 92.209(c)(2)(ii) and 91.220(l)(2)(vii)).

Not Applicable

If applicable, a description of any preference or limitation for rental housing projects. (See 24 CFR 92.253(d)(3) and CFR 91.220(l)(2)(vii)). Note: Preferences cannot be administered in a manner that limits the opportunities of persons on any basis prohibited by the laws listed under 24 CFR 5.105(a).

Not Applicable



Commission Meeting Date: August 19, 2025

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Resolution 10599, Acknowledging the effect of the Montana House Bill 231 on the City's Fixed Library Mill Levy limit and direct implementation.

From: Melissa Kinzler, Finance Director

Initiated By: House Bill 231 and Senate Bill 542

Presented By: Melissa Kinzler, Finance Director

Action Requested: Adopt Resolution 10599

Suggested Motion:

1. Commissioner moves:

"I move that the City Commission (adopt/deny) Resolution 10599."

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

Summary: The City Commission is required to fix an annual tax levy by setting mills to generate property tax revenues that will balance levy supported funds. Due to HB 231 and SB 542, the City must recalculate mills for the Library levy to levy the same dollar amount as fiscal year 2025. This legislation reduces taxable values, leading to a decrease in mill value for 2026. To offset revenue shortfalls, the bills allow recalculating mill caps, resulting in a new Library levy cap of 19.55 mills for fiscal year 2026, generating \$2,246,354 in tax revenue.

Background: On May 13, 2025, Governor Gianforte signed into law House Bill 231 and Senate Bill 542 (the "Tax Bills"). The intent of the Tax Bills is to shift more of Montana's property tax burden to higher-value and non-owner-occupied properties. Among other provisions, the legislation reduces taxable values for certain classes of real property, including residential, commercial, and agricultural. A necessary side effect of these reductions will be a corresponding decrease in the mill value for 2026. The City of Great Falls received its certified values from the Montana Department of Revenue on Monday, August 4th, 2025. The certified mill value for tax year 2025, fiscal year 2026, is \$114,903. The previous year's mill value was \$132,152.

The annual levy for operation and maintenance of the Library is authorized by City Charter, and is limited to a maximum of 17 mills. In communities like Great Falls, that have voted or charter-authorized fixed mill limits, reduced mill values would result in significant revenue shortfalls beginning in fiscal year 2026. To offset the revenue impacts, the Tax Bills require taxing jurisdictions to balance the effect of reduced mill values by resetting their fixed mill limits. For voted levies with fixed mill limits, the 2025 Tax Bills provide an option to convert the levy to a dollar-based mill levy. However, for charter-authorized mill

levies with fixed limits, the recalculation provision for fiscal year 2026 is contained in Section 7(3) of

House Bill 231. This section applies to the Library mills and reads:

3) A local government with a charter form of government that includes a mill levy limit of a specific number of mills that may be imposed in the charter shall levy the number of mills in fiscal year 2026 and subsequent tax years that will generate the amount of property taxes assessed in fiscal year 2025, without amending or revising the charter. In fiscal years after 2026, the local government may levy an amount not to exceed the number of mills levied in fiscal year 2026.

Under Section 7(3), the City must levy the number of mills in fiscal year 2026 that are necessary to raise the same amount of property tax revenue for the Library that was assessed in fiscal year 2025. This recalculated number of mills will become the new maximum mill limit under the Charter going forward. Effectively, the statute authorizes a one-time recalibration of the mill cap to maintain revenue levels without requiring a formal charter amendment or voter approval.

From the certified mill value for fiscal year 2026, the recalibrated mill cap for the Library is 19.55 mills. This will generate tax revenue of \$2,246,354. Resolution 10599 will update the City Charter's stated mill limit for the Library levy to reflect the recalculated value of up to 19.55 mills, consistent with the authority granted in HB 231.

Fiscal Impact: Below is a summary of tax revenue generated from the Library levy authorized in the City Charter.

Library Voted Mills

	Ballot Language	FY 2024 Milled Amount	FY 2025 Milled Amount	FY 2026 Amount Allowed to Mill**
Number of Mills*	17.00	17.00	17.00	19.55
Mill Value	\$106,300	\$131,816	\$132,152	\$114,903
Number of Mills X Mill Value = Amount Assessed	\$1,807,100	\$2,240,872	\$2,246,584	\$2,246,354
Extra Amount Assessed above Ballot Language		\$433,772	\$439,484	\$439,254
Amount of Tax Revenue Collected***		\$2,064,770.72	\$2,059,313.96	

*These amounts do NOT include the mills the City pays to the Library under the Management Agreement, 7 mills in FY 2024 and FY 2025; and 3.5 Mills in FY 2026.

** Under new legislation HB231 and SB 542.

*** Tax Revenue for FY 2025 has not yet been finalized.

Alternatives: State law requires that the City adopt an annual Tax Levy Resolution. Prior to that adoption, the Library mills must be recalculated according to the legislation contained in HB 231 and SB 542. Mill levy amounts must be set on or before the first Thursday after the first Tuesday in September or 30 days after receiving taxable valuation from the Montana Department of Revenue, whichever is later.

Concurrences: The FY 2026 Budget was adopted August 5, 2025. The City's Annual Tax Levy will be adopted August 19, 2025.

Attachments/Exhibits:

Resolution 10599

RESOLUTION NO. 10599

A RESOLUTION OF THE CITY OF GREAT FALLS ACKNOWLEDGING THE EFFECT OF MONTANA HOUSE BILL 231 ON THE CITY'S FIXED LIBRARY MILL LEVY LIMIT AND DIRECTING IMPLEMENTATION

WHEREAS, the City Charter of City of Great Falls establishes a levy to fund the operations of the Great Falls Public Library, with a fixed mill limit of seventeen (17) mills; and

WHEREAS, the Montana Legislature enacted House Bill No. 231 (2025), codified in relevant part at § 15-10-420, MCA, which requires that for Fiscal Year 2026, municipalities with fixed-levy authority, levy the number of mills needed to raise the same property tax revenue as assessed in Fiscal Year 2025, and for Fiscal Year 2026 and thereafter, use the Fiscal Year 2026 millage as the maximum allowable levy; and

WHEREAS, Section 7(3) of HB 231 expressly provides that its requirements supersede any inconsistent or more restrictive provision of a local government charter; and

WHEREAS, as a result, the maximum mill levy set forth in the City Charter is, by operation of law, modified to conform to HB 231, without need for a charter amendment or vote of the electors; and

WHEREAS, it is in the public interest for the City Commission to formally acknowledge this statutory change, direct City staff to implement it, and ensure that the City's budgeting and levy calculations for Fiscal Year 2026 and beyond comply with HB 231.

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

1. **Acknowledgment of State Law Supersession.** The City Commission acknowledges that the fixed maximum mill levy provision in the City Charter is superseded and modified by HB 231, effective for Fiscal Year 2026 and thereafter, without the need for amendment by the electors.
2. **Levy Implementation.** City staff are directed to:
 - a. For Fiscal Year 2026, calculate and levy the number of mills necessary to generate the same total property tax revenue as assessed in Fiscal Year 2025; and
 - b. For Fiscal Year 2026 and subsequent years, apply the Fiscal Year 2026 levy as the new maximum mill levy, in accordance with HB 231.
3. **Public Communication.** The City Manager shall take reasonable steps to inform the public of this change and update any public-facing documents or references to the prior maximum mill levy to reflect current law.

4. **Severability.** If any portion of this Resolution is determined invalid, the remaining provisions shall remain in full force and effect.
5. **Effective Date.** This Resolution is effective immediately upon adoption.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, this 19th day of August, 2025.

Cory Reeves, Mayor

ATTEST:

Lisa Kunz, City Clerk

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

David G. Dennis, City Attorney



Commission Meeting Date: August 19, 2025

**CITY OF GREAT FALLS
COMMISSION AGENDA REPORT**

Item: Resolution 10582 – Annual Tax Levy

From: Gregory T. Doyon, City Manager

Initiated By: Taxable Valuations from Montana Department of Revenue

Presented By: Melissa Kinzler, Finance Director

Action Requested: Adopt Resolution 10582

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (adopt/deny) Resolution 10582.”

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

Summary: The City Commission is required to fix an annual tax levy by setting mills to generate property tax revenues that will balance the General Fund budget and other levy supported funds. The City received its taxable valuation from the Montana Department of Revenue (MTDOR) on August 4, 2025. With this valuation, the City can now compute and set its annual mill levy.

The total mill levy for Tax Year 2025 (FY 2026) is 248.74 mills totaling \$28,580,698. This includes mills for the general levy (previously and newly taxable property), the Permissive Medical Levy, and the Great Falls Public Library mill levy.

Background: The City’s total taxable value is \$121,030,662. The taxable value per mill decreased from \$132,152 in FY 2025 to \$114,903 in FY 2026, a decrease of 13.05%. The MTDOR provides no specific project or development that attributes to this decrease. Changes to the tax base (e.g. increases from development) are not distinguishable. Legislative changes in 2025 created a tiered tax rate system that is also included in the certified values for tax year 2025. Tax Year 2025 (FY 2026) was a re-valuation year for residential properties, which are on a two-year cycle. The next revaluation year for residential properties will be in two years, Tax Year 2027.

During the pandemic, the City did not utilize any available tax increases in FY 2021 or FY 2022. In FY 2023 to FY 2025, in an effort to stabilize the General Fund undesignated fund balance, the City utilized all available increases for the inflationary factor and permissive medical levy. The FY 2026 budget was adopted by the City Commission using the full inflationary factor but did not increase the permissive medical levy from FY 2025.

This year's newly taxable property reported by the MTDOR will generate additional revenue of \$334,233. During the FY 2026 budget adoption process, the Finance Department projected the City's newly taxable property revenue would be \$400,000. The projection was based on a 24-year average of newly taxable property. No particular development project can be identified for this newly taxable property. This reduced revenue of \$65,767 not included in the FY 2026 Adopted Budget will be offset by additional revenue collected throughout the year and/or reduce the General Fund unreserved fund balance. The fund balance policy is 22% and the Adopted Budget projected ending fund balance is 23.8%.

The City anticipates property assessment appeals/abatement requests which means the City will not definitively know how much of this new projected tax revenue will be available until those appeals/abatement requests are processed. The City has a large ongoing appeal outstanding that could have a material effect on the valuations once settled, according to the MTDOR. A mill levy recertification may be warranted if the appeal is completed timely, or the City will have to compensate for any decreased revenue as a result of the appeal determination.

Included in the total mill levy of 248.74 are the following:

Permissive Medical Levy

- 37.25 mills will generate \$4,279,889

This is the same from last year to cover health insurance costs in the General Fund. Under 15-10-420(9)(a)(vi), the City is allowed to take 37.25 total mills for the Permissive Medical Levy.

Great Falls Public Library Mill Levy

- 19.55 mills will generate \$2,246,354

On June 6th, 2023, a levy of up to 17.00 mills, an increase of 15.00 mills, was approved by voters for the operation, maintenance, and capital needs of the Great Falls Public Library. Following the 2025 Montana State Legislature, House Bill 231 and Senate Bill 542 were signed into law. Therefore, Resolution 10599 was adopted by the City Commission on August 19, 2025, recalculating the Library mills to be up to 19.55 mills in fiscal year 2026 and thereafter.

Total Mill Levy Summary

Last year's mill levy for Tax Year 2024 (FY 2025) certified revenue of \$27,797,669. The differences between the mill levy for Tax Year 2024 (what the City milled last year) and \$28,580,698 (what the City will mill this year) include the following:

General Levy

- \$334,233 for newly taxable property,
- \$448,822 for the inflationary adjustment,
- (\$26) for previous taxable value adjustments

The total mill levy allowable under state law is 248.74.

Fiscal Impact: The total mill levy for Tax Year 2025 (FY 2026) is 248.74 mills totaling \$28,580,698. The newly taxable value revenue of \$334,233 may result in a decrease of \$65,767 in undesignated fund balance for the General Fund in FY 2026 because it is less than the budgeted amount of \$400,000.

During the FY 2026 budget process, the City Commission adopted the budget utilizing the full inflationary factor available. Based on the new certified mill value, the increase for the applicable property owner is below. Because of the change in mill value from last year, the amounts below are slightly higher to what was presented during the budget process using last year's mill value.

	\$100,000 Market Value Home	\$300,000 Market Value Home	\$600,000 Market Value Home
Inflationary Factor Increase	\$ 2.97	\$8.91	\$20.47

Alternatives: State law requires that the City adopt a FY 2026 Budget which includes setting the annual mill levy amounts on or before the first Thursday after the first Tuesday in September or 30 days after receiving taxable valuation from the Montana Department of Revenue, whichever is later.

The City Commission could decrease the amount of its levies from the limit allowable by State law – either decrease the inflationary adjustment, the permissive medical levy, or the Library Levy. Doing so would cause the projected General Fund undesignated fund balance to be less than the 23.8% adopted. The Commission could also choose to cut expenditures.

Concurrences: The FY 2026 Budget was adopted August 5, 2025. Setting the mill levy for Tax Year 2025 (FY 2026) is the last step in the adoption of the FY 2026 City of Great Falls Budget.

Attachments/Exhibits:

Tax Levy Resolution 10582

Tax Levy Resolution 10582 Appendix A

2025 Certified Taxable Valuations (from Montana Department of Revenue)

Taxable Valuation History

RESOLUTION NO. 10582
RESOLUTION TO FIX ANNUAL TAX LEVY
A RESOLUTION PROVIDING FOR THE ANNUAL TAX
LEVY IN MILLS FOR THE FISCAL YEAR BEGINNING
JULY 1, 2025 AND ENDING JUNE 30, 2026

WHEREAS, Montana Code Annotated (MCA), 7-1-114, states "(1) A local government with self-governing powers is subject to ...(g) except as provided in subsection (3), any law regulating the budget, finance, or borrowing procedures and powers of local governments...(3) (b) The provisions of 15-10-420 apply to self-governing local government units."

WHEREAS, The City of Great Falls, Montana adopted a self-governing charter in 1986. Article I, Section 3 of the Charter of the City of Great Falls, Montana states: "The total mill levy shall not exceed that allowed to general powers cities of the first class by Montana Law."

WHEREAS, Section 7-6-4036, MCA, requires the City Commission to fix the tax levy for each taxing jurisdiction by the later of the first Thursday after the first Tuesday in September or within 30 calendar days after receiving certified taxable values. Certified taxable values were received August 4, 2025.

WHEREAS, Section 15-10-420, MCA provides:

(1)(a) Subject to the provisions of this section, a governmental entity that is authorized to impose mills may impose a mill levy sufficient to generate the amount of property taxes actually assessed in the prior year plus one-half of the average rate of inflation for the prior 3 years. The maximum number of mills that a governmental entity may impose is established by calculating the number of mills required to generate the amount of property tax actually assessed in the governmental unit in the prior year based on the current year taxable value, less the current year's value of newly taxable property plus one-half the average rate of inflation for the prior 3 years.

(2) ... plus any additional levies authorized by the voters ...

(9) (a) The provisions of subsection (1) do not prevent or restrict...(vi) the portion that is the amount in excess of the base contribution of a governmental entity's property tax levy for contributions for group benefits excluded under 2-9-212 or 2-18-703.

WHEREAS, Section 15-10-201, MCA, requires the City Commission to fix its tax levy in mills and tenths and hundredths of mills.

WHEREAS, The Department of Revenue's certified taxable value for the City of Great Falls is \$121,030,662 which equates to \$121,031 per mill; when the incremental value of the tax increment finance districts is removed the value is \$114,903 per mill. This includes \$1,741,339 or \$1,741 per mill, of newly taxable property.

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

Section 1. - Determination of Mill Levy Limit

- Appendix A shows the determination of the total mill levy limit of 191.94 mills.
- An additional 37.25 “Permissive Medical Levy” is allowed under 15-10-420(9)(a)(vi) for increased health insurance premiums not included in the Appendix A calculation.
- An additional 19.55 mills are allowed under 15-10-420(2) for additional voter supported mills. On June 6th, 2023, a levy of up to 17.00 mills, an increase of 15.00 mills, was approved by voters for the operation, maintenance, and capital needs of the Great Falls Public Library. Following the 2025 Montana State Legislature, House Bill 231 and Senate Bill 542 were signed into law. Therefore, Resolution 10599 was adopted by the City Commission on August 19, 2025, recalculating the Library mills to be up to 19.55 mills in fiscal year 2026 and thereafter.

Section 2. - Tax Levy Amounts

A 248.74 mill levy will generate:

- a. \$ 21,720,222 from the \$113,162 certified value per mill for Previously Taxable Property;
- b. \$ 334,233 from the \$1,741 certified value per mill for Newly Taxable Property;
- c. \$ 4,279,889 from the \$114,903 certified value per mill for increased Health Insurance premiums “Permissive Medical Levy”;
- d. \$ 2,246,354 from the \$114,903 certified value per mill for the Great Falls Public Library.
- f. \$ 28,580,698 in total City tax for 2025 Tax Year from the \$114,903 total certified value per mill.

This does not reflect delinquent collections or tax increments withheld.

Section 3. - Tax Levy Required and Set

- a. 191.94 mill levy- The City Commission has determined a \$22,054,455 tax levy, requiring a 191.94 mill levy, is necessary to balance the General Fund Budget.
- b. 37.25 mill levy- The City Commission has determined a \$4,279,889 “Permissive Medical Levy”, requiring a 37.25 mill levy, is necessary for increased health premium costs to balance the General Fund Budget.
- c. 19.55 mill levy- The City Commission has determined a \$2,246,354 tax levy, requiring a

19.55 mill levy, is necessary for the Great Falls Public Library.

- d. Total 248.74 - The City Commission of the City of Great Falls, Montana, hereby fixes the tax levy for the fiscal year July 1, 2025 through June 30, 2026 at 248.74 mills.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana,
August 19, 2025.

Cory Reeves, Mayor

ATTEST:

Lisa Kunz, City Clerk

(Seal of the City)

APPROVED FOR LEGAL CONTENT:

David Dennis, City Attorney

Determination of Tax Revenue and Mill Levy Limitations

Section 15-10-420, MCA
Resolution 10582 Appendix A

FYE June 30, 2026
City of Great Falls, Montana

Reference Line		Enter amounts in yellow cells	Auto-Calculation (If completing manually enter amounts as instructed)
(1)	Enter Ad valorem tax revenue <u>ACTUALLY</u> assessed in the prior year <i>Year's form Line 17)</i> (from Prior	\$ 21,271,196	\$ 21,271,196
(2)	Add: Current year inflation adjustment @ 2.11%		\$ 448,822
(3)	Subtract: Ad valorem tax revenue <u>ACTUALLY</u> assessed in the prior year for Class 1 and 2 property, (net and gross proceeds) (from Prior Year's form Line 20)- (enter as negative)		\$ -
(4)	Adjusted ad valorem tax revenue		\$ 21,720,018
ENTERING TAXABLE VALUES			
(5)	Enter 'Total Taxable Value' - from Department of Revenue <i>Certified Taxable Valuation Information</i> form, line # 2	\$ 121,030,662	\$ 121,030.662
(6)	Subtract: 'Total Incremental Value' of all tax increment financing districts (TIF Districts) - from Department of Revenue <i>Certified Taxable Valuation Information</i> form, line # 6 (enter as negative)	\$ (6,127,802)	\$ (6,127.802)
(7)	Taxable value per mill (after adjustment for removal of TIF per mill incremental district value)		\$ 114,902.860
(8)	Subtract: 'Total Value of Newly Taxable Property' - from Department of Revenue <i>Certified Taxable Valuation Information</i> form, line # 3 (enter as negative)	\$ (1,741,339)	\$ (1,741.339)
(9)	Subtract: 'Taxable Value of Net and Gross Proceeds, (Class 1 & 2 properties)' - from Department of Revenue <i>Certified Taxable Valuation Information</i> form, line # 5 (enter as negative)	\$ -	\$ -
(10)	Adjusted Taxable value per mill		\$ 113,161.521
(11)	CURRENT YEAR calculated mill levy		191.94
(12)	CURRENT YEAR calculated ad valorem tax revenue		\$ 22,054,455
CURRENT YEAR AUTHORIZED LEVY/ASSESSMENT			
(13)	Enter total number of carry forward mills from prior year (from Prior Year's form Line 22)	0.00	0.00
(14)	Total current year authorized mill levy, including Prior Years' carry forward mills		191.94
(15)	Total current year authorized ad valorem tax revenue assessment		\$ 22,054,455
CURRENT YEAR ACTUALLY LEVIED/ASSESSED			
(16)	Enter number of mills actually levied in current year (Number should equal total <u>non-voted</u> mills, which includes the number of carry forward mills, actually imposed per the final approved current year budget document. <u>Do Not</u> include voted or permissive mills imposed in the current year.)	191.94	191.94
(17)	Total ad valorem tax revenue actually assessed in current year		\$ 22,054,455
RECAPITULATION OF ACTUAL:			
(18)	Ad valorem tax revenue actually assessed		\$ 21,720,222
(19)	Ad valorem tax revenue actually assessed for newly taxable property		\$ 334,233
(20)	Ad valorem tax revenue actually assessed for Class 1 & 2 properties (net-gross proceeds)		\$ -
(21)	Total ad valorem tax revenue actually assessed in current year		\$ 22,054,455
(22)	Total carry forward mills that may be levied in a subsequent year (Number should be equal to or greater than zero. A (negative) number indicates an over levy.)		0.00



2025 Certified Taxable Valuation Information

(15-10-202, MCA)

Cascade County

CITY OF GREAT FALLS

Certified values are now available online at property.mt.gov/cov

1. 2025 Total Market Value ¹	\$	9,748,465,067
2. 2025 Total Taxable Value ²	\$	121,030,662
3. 2025 Taxable Value of Newly Taxable Property.....	\$	1,741,339
4. 2025 Taxable Value less Incremental Taxable Value ³	\$	114,902,860
5. 2025 Taxable Value of Net and Gross Proceeds ⁴ (Class 1 and Class 2).....	\$	-
6. 2025 Tax Loss from HB212.....	\$	-
7. TIF Districts		

Tax Increment District Name	Current Taxable Value ²	Base Taxable Value	Incremental Value
INT'L MALTING PLANT	1,537,345	347,618	1,189,727
WEST BANK RENEWAL	2,050,256	292,536	1,757,720
GF INT'L AIRPORT	419,370	107,149	312,221
GF DOWNTOWN URBAN	5,785,774	3,643,698	2,142,076
EAST INDUSTRIAL PARK	728,380	2,322	726,058

Total Incremental Value \$ 6,127,802

Preparer KATIE KAKALECIK

Date 7/29/2025

¹Market value does not include class 1 and class 2 value

²Taxable value is calculated after abatements have been applied

³This value is the taxable value less total incremental value of all tax increment financing districts

⁴The taxable value of class 1 and class 2 is included in the taxable value totals

For Information Purposes Only

2025 taxable value of centrally assessed property having a market value of \$1 million or more, which has transferred to a different ownership in compliance with 15-10-202(2), MCA.

I. Value Included in "newly taxable" property	\$	-
II. Total value exclusive of "newly taxable" property	\$	-

Note

Special district resolutions must be delivered to the department by the first Thursday after the first Tuesday in September, 09/04/2025, or within 30 calendar days after the date on this form 7-11-1025(8), MCA.

The county clerk and recorder must provide mill levies for each taxing jurisdiction to the department by the second Monday in September, 09/08/2025, or within 30 calendar days after the date on this form 15-10-305(1)(a), MCA.

Taxable Valuation History

Tax Levy Year	Fiscal Year	Total Taxable Value	Tax Increment Districts						Net Taxable Value	New Property Value	% Increase (Decrease) Prior Year Newly Taxable Property	Levy in Mills
			Downtown	Pasta MT/ General Mills	International Malting Plant	West Bank Urban Renewal Plan	Great Falls Int'l Airport	East Industrial Park				
2002	FY 2003	\$65,117,051	\$4,364,549	\$595,357	NA	NA	NA	NA	\$60,157,145	\$1,302,597	28.7%	119.00
2003	FY 2004	\$65,328,553	\$4,102,725	\$700,009	NA	NA	NA	NA	\$60,525,819	\$1,041,336	-20.1%	124.33
2004	FY 2005	\$66,377,650	\$3,343,580	NA	NA	NA	NA	NA	\$63,034,070	\$2,030,124	95.0%	131.64
2005	FY 2006	\$68,609,562	\$3,402,127	NA	NA	NA	NA	NA	\$65,207,435	\$2,748,377	35.4%	138.27
2006	FY 2007	\$70,990,415	\$3,832,568	NA	\$141,345	NA	NA	NA	\$67,016,502	\$2,873,541	4.6%	140.94
2007	FY 2008	\$73,776,332	\$4,064,883	NA	\$225,476	NA	NA	NA	\$69,485,973	\$2,387,436	-16.9%	158.21
2008	FY 2009	\$76,405,690	\$4,107,804	NA	\$294,210	\$30,733	NA	NA	\$71,972,943	\$2,138,961	-10.4%	162.68
2009	FY 2010	\$76,862,700	NA	NA	\$309,168	\$205,857	NA	NA	\$76,347,675	\$6,947,574	224.8%	169.04
2010	FY 2011	\$78,275,702	NA	NA	\$195,477	\$574,725	\$728	NA	\$77,504,772	\$2,931,771	-57.8%	173.10
2011	FY 2012	\$78,709,035	NA	NA	\$176,312	\$553,480	\$6,659	NA	\$77,972,584	\$5,295,716	80.6%	183.24
2012	FY 2013	\$77,852,991	NA	NA	\$157,225	\$557,385	\$6,333	NA	\$77,132,048	\$1,278,348	-75.9%	193.57
2013	FY 2014	\$78,054,590	\$105	NA	\$155,000	\$560,136	\$11,171	NA	\$77,328,178	\$787,945	-38.4%	198.74
2014	FY 2015	\$76,098,354	\$41,765	NA	\$386,390	\$575,135	\$11,275	\$31,452	\$75,052,337	\$312,611	-60.3%	204.54
2015	FY 2016	\$88,577,771	\$444,316	NA	\$504,796	\$579,885	\$42,030	\$42,557	\$86,964,187	\$5,072,060	1522.5%	190.29
2016	FY 2017	\$91,113,880	\$0	NA	\$512,371	\$537,828	\$43,717	\$41,662	\$89,978,302	\$5,238,618	3.3%	198.24
2017	FY 2018	\$95,822,493	\$252,609	NA	\$383,849	\$654,253	\$47,867	\$319,573	\$94,164,342	\$2,643,701	-49.5%	194.78
2018	FY 2019	\$99,201,290	\$289,538	NA	\$440,041	\$772,903	\$48,317	\$465,364	\$97,185,127	\$4,606,852	74.3%	201.24
2019	FY 2020	\$104,780,322	\$1,054,084	NA	\$443,834	\$1,087,196	\$104,694	\$511,217	\$101,579,297	\$1,203,919	-73.9%	200.78
2020	FY 2021	\$101,651,616	\$1,060,260	NA	\$490,957	\$1,108,781	\$131,202	\$663,326	\$98,197,090	\$691,320	-42.6%	208.79
2021*	FY 2022	\$105,181,199	\$1,209,489	NA	\$488,202	\$1,174,733	\$136,607	\$506,325	\$101,665,843	\$2,191,822	217.0%	201.35
2022	FY 2023	\$107,111,238	\$1,295,541	NA	\$545,092	\$1,193,220	\$263,366	\$513,809	\$103,300,210	\$1,984,358	-9.5%	214.05
2023	FY 2024	\$137,382,080	\$2,207,025	NA	\$923,253	\$1,526,314	\$296,627	\$613,309	\$131,815,552	\$9,908,882	399.3%	200.72
2024	FY 2025	\$137,509,226	\$1,974,330	NA	\$987,132	\$1,515,049	\$285,461	\$595,189	\$132,152,065	\$4,411,433	-55.5%	210.35
2025	FY 2026	\$121,030,662	\$2,142,076	NA	\$1,189,727	\$1,757,720	\$312,221	\$726,058	\$114,902,860	\$1,741,339	-60.5%	248.74

All amounts as of time of certification.

* Tax year 2021 values were re-certified on 10/21/21 by the DOR. Revised values are shown. Tax year 2021 levies were based on original values.

Notes: Starting in 1999 mill levies were "floated" in order to achieve the statutorily limited tax revenues.
 Voters approved a 2 mill increase for the Library in November, 2000.
 Voters approved a \$2.5 million general obligation bond for a soccer park November 4, 2003.
 Voters approved a \$2.27 million general obligation bond for repair and improvement of city pool facilities November 7, 2006.
 Voters approved a 15 mill increase for the Library in June, 2023 totaling 17 mills.
 Following HB231 and SB542 from the 2025 Legislature, the Library mills were recalculated to 19.55 mills for FY2026 and beyond.